



Local Plan Proposed Modifications Consultation  
June 2019:

Volume 1 of 4 - Responses PM SID 1 to 214



## Contents of all Responses

Vol	PM REF	Submitted by Name	No.
1	PM SID 1	David Marsh	1
	PM SID 4	Dennis Slights	5
	PM SID 23	Kevin Ogilvy	9
	PM SID 34	David Randon	13
	PM SID 52	Pauline Bramley	15
	PM SID 53	Peter Whitfield	19
	PM SID 60	Michael Hargreaves Planning (Michael Hargreaves) OBO York Travellers Trust	23
	PM SID 73	Peter Heptinstall	35
	PM SID 75	Heslington Parish Council ~ Fiona Hill	41
	PM SID 83	Rosmary Tozer	49
	PM SID 84	Tim Tozer	57
	PM SID 91	Strathmore Estates (Debbie Hulme) OBO Westfield Lodge and Yaldara Ltd	67
	PM SID 92	Jonathan Shaw	105
	PM SID 99	Strensall and Towthorpe Parish Council ~ Fiona Hill	107
	PM SID 102	Elvington Parish Council ~ David Headland	111
	PM SID 118	Historic England ~ Ian Smith	115
	PM SID 122	Turnberry (Chris Pattison) OBO York Racecourse	127
	PM SID 125-1	Persimmon Homes ~ Jess Kiely	147
	PM SID 125-2	Persimmon Homes ~ Jess Kiely	227
	PM SID 125-3	Persimmon Homes ~ Jess Kiely	311
	PM SID 125-4	Persimmon Homes ~ Jess Kiely	389
	PM SID 125-5	Persimmon Homes ~ Jess Kiely	485
	PM SID 125-6	Persimmon Homes ~ Jess Kiely	565
	PM SID 125-7	Persimmon Homes ~ Jess Kiely	649
	PM SID 141	Avison Young (Andrew Johnson) OBO Oakgate	733
	PM SID 145	Ken Guest	773
	PM SID 150	Simon Lock	781
	PM SID 160	Campaign to Protect Rural England North Yorkshire (CPRENY) ~ Fran Evans	785
	PM SID 171	Megan Taylor	799
	PM SID 172	Councillor Stephen Fenton	803
	PM SID 181	Gateley Legal (Andrew Piatt) OBO Gateway Developments (York) Limited	805
	PM SID 182	Johnson Mowatt (Mark Johnson) OBO KCS Development	815
	PM SID 187	Ryedale District Council ~ Jill Thompson	847
PM SID 191-1	Martin Moorhouse	849	
PM SID 191-1	Martin Moorhouse	855	
PM SID 191-1	Martin Moorhouse	859	
PM SID 192	Selby District Council ~ Clare Dickenson	863	
PM SID 193	Peter Murray	865	
PM SID 194	Jessica Murray	869	

	PM SID 195	Natasha Murray	873
	PM SID 196	Annalise Murray	877
	PM SID 197	Julie Murray	881
	PM SID 199	Airedon Planning (Laura Fern) OBO Jolyon Harrison	885
	PM SID 210	Litchfields (Nicholas Mills) OBO Wakeford Properties	901
	PM SID 213	Hambleton District Council ~ James Campbell	1085
	PM SID 214	O'Neill Associates (Eamonn Keogh) OBO Wendy and Richard Robinson	1089
2	PM SID 218	JLL (Naomi Kellett) OBO Industrial Property Investment Fund (IPIF)	1181
	PM SID 220	O'Neill Associates (Phillip Holmes) OBO Mr Ibbotson	1245
	PM SID 221	Sally Firth	1301
	PM SID 222	Joanne Wedgwood	1307
	PM SID 227	Matthew Wedgwood	1315
	PM SID 231	Fulford Parish Council ~ Rachel Robinson	1323
	PM SID 242	East Riding of Yorkshire Council ~ Tom Bannister	1355
	PM SID 253	Litchfields (Alastair Willis) OBO Bellway Homes	1361
	PM SID 255	Home Builders Federation (HBF) ~ Joanne Harding	1511
	PM SID 260	Pegasus Group (Emma Ridley) OBO Lovel Developmensts Ltd	1521
	PM SID 261	Amanda Moore	1559
	PM SID 263	Harrogate Borough Council ~ Tracey Rathmell	1563
	PM SID 286	John Martin Pickard	1565
	PM SID 287	Katherine Pickard	1571
	PM SID 291	Derek Bowen	1577
	PM SID 301	Copmanthorpe Parish Council ~ Robert West	1585
	PM SID 333-1	Alison Stead	1591
	PM SID 333-2	Alison Stead	1595
	PM SID 333-3	Alison Stead	1601
	PM SID 338	Alan Cook	1605
	PM SID 339	Barton Willmore (Chris Atkinson) OBO Baratt and David Wilson Homes	1609
	PM SID 342	Andy Bell	1709
	PM SID 345	Avison Young (Craig Alsbury) OBO Defence Infrastructure Organisation (DIO)	1719
	PM SID 347	Planning Prospects (Jason Tait) OBO Miller Homes	1833
	PM SID 350-1	Carter Jonas (Simon Grundy) OBO Picton Capital	1841
	PM SID 350-2	Carter Jonas (Simon Grundy) OBO Picton Capital	1867
	PM SID 354-1	Peter Vernon and Co ~ Peter Vernon	1887
	PM SID 354-2	Peter Vernon and Co ~ Peter Vernon	1899
	PM SID 357	ID Planning (Richard Irving) OBO Green Developments	1909
	PM SID 360	North Yorkshire County Council NYCC ~ David Bowes	1921
	PM SID 362-1	Dominic Stevens	1925
	PM SID 362-2	Dominic Stevens	1929
	PM SID 362-3	Dominic Stevens	1933

	PM SID 364	York Labour Party ~ Dave Merrett	1937
	PM SID 365-1	Rachael Maskell MP for York Central	1961
	PM SID 365-2	Rachael Maskell MP for York Central	1985
	PM SID 368	Indigo Planning (Now part of WSP) (Matthew Stocks) OBO Novus Investments	1991
	PM SID 369	Julian Sturdy MP for York Outer	1999
	PM SID 372	Gladman Developments (Craig Barnes) OBO Gladman Developments	2001
	PM SID 376-1	ELG Planning (Steven Longstaff Longstaff) OBO Taylor Wimpey	2011
	PM SID 376-2	ELG Planning (Steven Longstaff Longstaff) OBO Taylor Wimpey	2099
	PM SID 378	Quod (Tim Waring) OBO Langwith Development Group	2187
	PM SID 381	Yorkshire Wildlife Trust ~ Sara Robin	2329
	PM SID 383	Natural England (Merlin Ash) OBO Natural England	2351
	PM SID 389	Sandra Atkinson	2359
3	PM SID 394	PB Planning (Paul Butler) OBO McCarthy & Stone	2361
	PM SID 395	Nigel Thompson	2375
	PM SID 401	Directions Planning Consultancy Ltd (Katheryn Jukes) OBO Sunderland and Wilson	2377
	PM SID 412-1	Louisa Stevens	2389
	PM SID 412-2	Louisa Stevens	2393
	PM SID 418	Chris Wedgwood	2397
	PM SID 420-1	Jane Moorhouse	2417
	PM SID 420-2	Jane Moorhouse	2421
	PM SID 420-3	Jane Moorhouse	2425
	PM SID 581	Avison Young (Gary Halman) OBO Barwood Strategic Land II LLP	2429
	PM SID 582	Johnson Mowatt (Mark Johnson) OBO Michael Glover LLP - GM Ward Trust, Curry and Hudson	2497
	PM SID 583	Johnson Mowatt (Mark Johnson) OBO Redrow Homes, GM Ward Trust, K Hudson, C Bowes, and E Crocker	2513
	PM SID 585	Johnson Mowatt (Mark Johnson) OBO Taylor Wimpey Ltd	2529
	PM SID 587	O'Neill Associates (Eamonn Keogh) OBO Shepherd Homes	2615
	PM SID 589	O'Neill Associates (Eamonn Keogh) OBO Malton Road Developments	2653
	PM SID 590	York and North Yorkshire Chamber of Commerce (Susie Cawood) OBO York and North Yorkshire Chamber of Commerce Property Forum	2677
	PM SID 592	O'Neill Associates (Graeme Holbeck) OBO Yorvik Homes	2699
	PM SID 594-1	PB Planning (Paul Butler) OBO TW Fields	2767
	PM SID 594-2	PB Planning (Paul Butler) OBO TW Fields	2821
	PM SID 598-1	DPP (Mark Lane) OBO Linden Homes Strategic Land	2825
	PM SID 598-2	DPP (Mark Lane) OBO Linden Homes Strategic Land	2841
	PM SID 598-3	DPP (Mark Lane) OBO Linden Homes Strategic Land	2857

	PM SID 598-4	DPP (Mark Lane) OBO Linden Homes Strategic Land	2869
	PM SID 598-5	DPP (Mark Lane) OBO Linden Homes Strategic Land	2881
	PM SID 600	DPP (Mark Lane) OBO Shepherd Homes	2897
	PM SID 601	DPP (Mark Lane) OBO Private Landowner of Former H34	2911
	PM SID 603	Savills (Uk) Ltd (Rebecca Housam) OBO Retreat Living Ltd	2925
	PM SID 604	Carter Jonas (Simon Grundy) OBO L & Q Estates (Formerly Gallagher Estates)	2977
	PM SID 607	Litchfields (Nicholas Mills) OBO Taylor Wimpey Ltd	3091
	PM SID 609	York and District Trades Union Council ~ (Dave Merrett	3279
	PM SID 611	Directions Planning Consultancy Ltd (Katheryn Jukes) OBO Northminster Ltd	3281
	PM SID 612	Directions Planning Consultancy Ltd (Katheryn Jukes) OBO Joseph Rowntree Housing Trust (JRHT)	3293
	PM SID 614	Directions Planning Consultancy Ltd (Katheryn Jukes) OBO William Birch and Sons Ltd	3307
	PM SID 616	The Coal Authority ~ Melanie Lindsley	3319
	PM SID 620	O'Neill Associates (Eamonn Keogh) OBO Galtres Garden Village Development Group	3323
4	PM SID 621	PB Planning (Paul Butler) OBO Barratt Homes & David Wilson Homes and TW Fields	3467
	PM SID 651	David Carr	3531
	PM SID 826	Thomas Pilcher Homes ~ Thomas Pilcher	3537
	PM SID 827-1	Pilcher Homes Ltd ~ Robert Pilcher	3541
	PM SID 827-2	Pilcher Homes Ltd ~ Robert Pilcher	3545
	PM SID 833	George Wright	3553
	PM SID 841	Jennifer Hubbard Planning Consultant ~ Jennifer Hubbard	3575
	PM SID 849	O'Neill Associates (Janet O'Neill) OBO University of York	3589
	PM SID 850	Highways England ~ Simon Jones	3675
	PM SID 855	Graham Lishman	3685
	PM SID 856	John Young	3689
	PM SID 857	Susan Goodhead	3695
	PM SID 858	Public Health ~ Phillipa Press	3699
	PM SID 859	Freeths LLP (David Stanniland) OBO The Lindum Group Ltd	3707
	PM SID 860-1	Councillor ~ Paul Doughty	3733
	PM SID 860-2	Councillor ~ Paul Doughty	3737
	PM SID 860-3	Councillor ~ Paul Doughty	3741
	PM SID 861	Freeman Johnson Solicitors OBO Mr H C Wrigley	3745
	PM SID 862	Edward Courtney	3749
	PM SID 863	R F Arnold	3753
	PM SID 864	Parochial Church Council St mary's Haxby ~ Noreen Bartram	3755
	PM SID 865	Catherine Blacketer	3757
	PM SID 866	DPP (Mark Lane) OBO Mulgrave Properties	3759
	PM SID 867	DPP (Mark Lane) OBO Yorvik Homes	3773
	PM SID 868	West Yorkshire Combined Authority ~ Alan Reiss	3789
	PM SID 869-1	Ray Calpin	3793
	PM SID 869-2	Ray Calpin	3803

PM SID 869-3	Ray Calpin	3811
PM SID 870	J Philip Coverdale	3819
PM SID 871	Councillor Anne Hook OBO Residents of Rural West York	3827
PM SID 872	Jeffrey Stern	3831
PM SID 873	Ian Hudson	3835
PM SID 874	Bryan Boulter	3839
PM SID 875	Peter Mott	3845
PM SID 876-1	Joanne Kinder	3849
PM SID 876-2	Joanne Kinder	3853
PM SID 876-3	Joanne Kinder	3857
PM SID 877	James McBride	3861
PM SID 878	Sarah Mills	3865
PM SID 879	Pat Mills	3873
PM SID 880	Edmund Kinder	3879
PM SID 881	Cordula Van Wyhe	3883
PM SID 882	Simon Willis	3887
PM SID 883	O'Neill Associates (Tim Ross) OBO St Peters School	3893
PM SID 884	G L Dutch	3915
PM SID 885	Lime Tree Homes Ltd ~ Thomas Pilcher	3917
PM SID 886	York Labour Group ~ Dave Merrett	3921
PM SID 887	John Micklethwaite-Howe	3945
PM SID 888	Geoff Beacon	3949
PM SID 889	Litchfields (Suzanne Yates) OBO Oakgate Group Ltd	3979
PM SID 890	Johnson Mowatt (Mark Johnson) OBO Yorvik Homes	3993
PM SID 891	Johnson Mowatt (Mark Johnson) OBO Redrow Homes	4009
PM SID 892	Josephine Tomlin	4025
PM SID 893	Heather Harris	4031
PM SID 894	Carter Jonas (Simon Grundy) OBO Karbon Homes	4037
PM SID 895	Carter Jonas (Simon Grundy) OBO Banks Property Ltd	4079
PM SID 896	Wendy Brierley	4281
PM SID 897-1	Kieran Packman	4283
PM SID 897-2	Kieran Packman	4287
PM SID 898	PB Planning (Paul Butler) OBO Persimmon Homes	4291
PM SID 899	Holly Steel	4301
PM SID 900	Jemima Whelan	4303
PM SID 901	O'Neill Associates (Phillip Homes) OBO York St John University	4305
PM SID 902	Jacqui & Christopher Chainey & Cadman	4321
PM SID 903	Maurice Dodson	4329
PM SID 904	Anneliese Emmans Dean	4333
PM SID 905	Graham Holme	4337
PM SID 906	Keith Emmans	4341
PM SID 907	Michael Emmans-Dean	4345
PM SID 908-1	John Gallery	4349
PM SID 908-2	John Gallery	4353
PM SID 909	Sophie Bell	4357

PM SID 910-1	Chris Hawkswell	4367
PM SID 910-2	Chris Hawkswell	4371
PM SID 910-3	Chris Hawkswell	4375
PM SID 911	Matthew Arthey OBO spouse and child	4379
PM SID 912	Stephen Hawkswell	4383
PM SID 913-1	Sally Hawkswell	4387
PM SID 913-2	Sally Hawkswell	4391
PM SID 913-3	Sally Hawkswell	4395
PM SID 913-4	Sally Hawkswell	4399
PM SID 914	Leeds City Region LEP ~ James Whiteley	4403
PM SID 915	Jeanne Lister	4407
PM SID 916	Carter Jonas (Simon Grundy) OBO Schoen Clinic York Ltd/ The Retreat Living	4411
PM SID 917-1	Thomas Pilcher	4455
PM SID 917-2	Thomas Pilcher	4459
PM SID 918-1	Robert Pilcher	4463
PM SID 918-2	Robert Pilcher	4469
PM SID 919	Mr Tooby	4473
PM SID 920	Nigel Thompson OBO Residents of 1 to 6 Northfield Lane	4479



**From:** webadmin@york.gov.uk  
**Sent:** 10 June 2019 10:51  
**To:** localplan@york.gov.uk  
**Subject:** FW: A new Local Plan proposed modifications consultation response form has been submitted

**Importance:** High

---

**HELLO – EFORM HAD STILL BEEN ASSIGNED TO MY EMAIL SINCE TESTING – HERE IS THE FORST SUBMISSION, FORWARDED.**

**EFORM EMAIL NOW AMENDED TO [localplan@york.gov.uk](mailto:localplan@york.gov.uk).**

---

**From:** [REDACTED] **On Behalf Of**  
[webadmin@york.gov.uk](mailto:webadmin@york.gov.uk)  
**Sent:** 10 June 2019 10:12  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

A new Local Plan proposed modifications consultation 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: 121169
- Date submitted: 10/06/2019
- Time submitted: 10:12:24

The following is a copy of the details included.

---

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	David

**Question****Response**

*Surname:*

Marsh

*Address: building name/number:*

[REDACTED]

*Address: Street name:*

[REDACTED]

*Address: Area:*

[REDACTED]

*Address: town/city:*

[REDACTED]

*Address: postcode:*

[REDACTED]

*Email address:*

[REDACTED]

*Telephone number:*

[REDACTED]

*Proposed modification reference  
(PM1 to PM46):*

PM22

*Document:*

City of York Local Plan Proposed Modifications (June 2019)

*Page number:*

24 and 25

*Based on the proposed modification  
or evidence document, do you  
consider the Local Plan is legally  
compliant?:*

No, I do not consider the Local Plan to be legally compliant

*Do you consider the Local Plan to  
comply with the Duty to Cooperate?:*

Yes, I consider the Local Plan to comply with the Duty to Cooperate

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

I believe that the local authority is not able to show adequate supply of deliverable housing over an initial 5yr period due to drawn out planning issues with any application to build new homes in the authorities area. I believe that there is a greater need that proposed . Current need is only being catered for by new builds in other authorities areas such as Stamford Bridge, Pocklington , Selby and Sherburn in Elmet . This results in air pollution due to increased vehicle movements as commuter drive to work in the City of York Area

*Based on the proposed modification  
or new evidence document*

No, I do not consider the Local Plan to be sound

## Question

## Response

*indicated, do you consider the Local Plan to be 'sound'?:*

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not effective

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

*Please give reasons for your answer(s):*

The plan is not effective as it does not provide enough new homes  
The plan is not consistent with national policy as it does not provide for adequate Affordable Homes

Allocate more sites for homes  
e.g. Strensall Barracks

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

Increase the size of the proposed Derwenthorpe development to that which was originally proposed which would justify a new school and direct eco friendly transport links into the City

Allocate a greater proportion of homes as Affordable

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

No, I do not wish to participate at the hearing sessions

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



**From:** [REDACTED]  
**Sent:** 10 June 2019 14:58  
**To:** localplan@york.gov.uk  
**Subject:** RE: City of York Local Plan Proposed Modifications Consultation

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mike,

My only disappointment is the recommendations given with regards Queen Elizabeth Barracks. If the Army cease to use the site for military purposes, and housing is not sanctioned, what is going to happen. One trusts this is being considered. Thank you for giving me the opportunity to express an opinion. Best regards.

---

**From:** localplan@york.gov.uk [mailto:localplan@york.gov.uk]  
**Sent:** 10 June 2019 09:08  
**Cc:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Proposed Modifications Consultation

Dear Sir/Madam,

## **City of York Local Plan Proposed Modifications (June 2019) 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 Proposed Modifications (June 2019) to the City of York Local Plan. 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.

The City of York Local Plan is currently in the process of Examination by Independent Planning Inspectors following submission of the plan to the Secretary of State for Housing, Communities and Local Government on 25 May 2018.

We are now publishing a series of proposed modifications to the City of York Local Plan. This consultation gives York residents, businesses and other interested groups the opportunity to comment on additional evidence and modifications to the city's Local Plan prior to the hearing sessions as part of the Examination of the submitted plan. The Planning Inspectors undertaking the Examination have asked for the consultation as they consider the proposed modifications to be fundamental to what they are examining - the soundness and legal compliance of the plan. The consultation only looks at the specific proposed modifications and not other aspects of the plan.

The consultation period for the proposed modifications starts on **Monday 10 June 2019**. All consultation documents will be live on the Council's website ([www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)) and available in West Offices reception and York Explore from this date. The main consultation documents will be available in all other libraries. Please see the Statement of Representation Procedure document, which accompanies this letter for more information.

Representations must be received by **midnight on Monday 22 July 2019** and should be made on a response form. Response forms are available on the Council's website ([www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)) or you can complete an online response form via [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations). Alternatively, hard copies are available from the Council's West Offices reception, York Explore or from your local library.

Any representations received will be considered alongside the Local Plan Publication draft and the proposed modifications through the 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 below). 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 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.

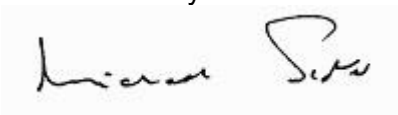
At this stage, unless you indicate you wish to appear at the Examination to make a representation you will not have the right to do. Any written representations made will be considered by the independent Planning Inspectors.

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](http://www.york.gov.uk/localplan) from 10 June 2019.

If you require any further information on the consultation please contact Forward Planning at [localplan@york.gov.uk](mailto: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 <https://www.york.gov.uk/privacy>

**From:** [REDACTED] on behalf of webadmin@york.gov.uk  
**Sent:** 13 June 2019 14:12  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

A new Local Plan proposed modifications consultation 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: 121310
- Date submitted: 13/06/2019
- Time submitted: 14:11:51

The following is a copy of the details included.

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Kevin
<i>Surname:</i>	Ogilvy
<i>Address: building name/number:</i>	[REDACTED]
<i>Address: Street name:</i>	[REDACTED]
<i>Address: Area:</i>	[REDACTED]
<i>Address: town/city:</i>	[REDACTED]
<i>Address: postcode:</i>	[REDACTED]
<i>Email address:</i>	[REDACTED]





## Question

## Response

*Telephone number:*

*Proposed modification reference (PM1 to PM46):*

PM 13 PM14 PM39

*Document:*

City of York local plan Proposed Modifications June 2019

*Page number:*

66

*Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:*

Yes, I consider the Local Plan to be legally compliant

*Do you consider the Local Plan to comply with the Duty to Cooperate?:*

Yes, I consider the Local Plan to comply with the Duty to Cooperate

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

The area between Flaxton Road, Lords Moor Lane and the railway line should definitely stay Green.

*Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:*

Yes, I consider the Local Plan to be sound

*Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The document is positively prepared

*Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The document is justified

*Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The document is effective

*Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The document is consistent with national policy

**Question**

**Response**

*Please give reasons for your answer(s):*

The area between Flaxton Road, Lords Moor Lane and the railway line should definitely stay Green.

None - as lone as

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

The area between Flaxton Road, Lords Moor Lane and the railway line should definitely stay Green.

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

No, I do not wish to participate at the hearing sessions

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



**From:** webadmin@york.gov.uk  
**Sent:** 08 July 2019 11:12  
**To:** localplan@york.gov.uk  
**Subject:** FW: David Randon has sent comments

Hi There,

We've received the following message (see below) via the City of York Council website 'comment on this page' button - the message is not directly related to web pages, so I'm forwarding it for your attention.

Please be aware that so far, the customer has only received an automated response from WebAdmin which advises that a response will be forthcoming in 5 working days.

In order to maintain good customer service, we must provide an appropriate reply on behalf of the council... I'd be grateful if you could respond to our customer, or relay this message to the right individual/team to do so (and copy WebAdmin into the email trail).

If you're unable to respond to the customer within 5 working days (as mentioned by the website auto-response), or your team's SLA is different, please reply to WebAdmin, so we are aware of the situation and can work to find a solution to meet Customer Services SLAs.

Many thanks  
Web Admin

City of York Council | Customer and Corporate Services  
West Offices, Station Rise, York, YO1 6GA  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)

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

**From:** [REDACTED]  
**Sent:** 08 July 2019 11:04  
**To:** [webadmin@york.gov.uk](mailto:webadmin@york.gov.uk)  
**Subject:** David Randon has sent comments

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

David Randon has sent you comments on the following content from City of York Council Online:

[http://www.york.gov.uk/downloads/file/18036/city\\_of\\_york\\_local\\_plan\\_proposed\\_modifications\\_june\\_2019](http://www.york.gov.uk/downloads/file/18036/city_of_york_local_plan_proposed_modifications_june_2019)

Comments: The modification proposed in relation to site SS18 (Station Yard, Wheldrake) does not address the main issues. This part of the Plan is therefore unsound. The issues of primary concern have been set out in the submission by Wheldrake Parish Council and others.

In addition the proposal to include this site is not compatible with the recent Climate Change policy recently adopted by the City Council



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 21 July 2019 18:13  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122854
- Date submitted: 21/07/2019
- Time submitted: 18:12:42

The following is a copy of the details included.

---

**About your comments**

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

**About you (individual response)**

**Name:** mrs pauline bramley

**Address:** 

---

**About the organisation, group or other individual you are representing**

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM 39,PM10, PM26, PM24,PM27,

**Document:** City of York Local Plan Proposed Modifications June 2019 Habitats Regs 2019

**Page number:**

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

Yes, I consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

Yes, complies with Duty to Cooperate

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

As a lay person,trust CYC to have covered this objective

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**



**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Not positively prepared, Not justified, Not effective, Not consistent with national policy

**Please give reasons for your answer(s):**

PM 24/26, 10 ST15, OS10 Strensall barracks primarily removed for effects from additional footfall on an SSSI. OS15 is far greater house numbers, a town, where Grade 2 farmed gives support to the Tilmire SSSI. The footfall will be far greater, light, domestic pet, fume, noise, drainage pollution, will cause irrevocable damage to the flora and fauna.  
PM26 .YCC have not proved compensatory/ mitigation measures will protect the SSSI  
No Independent environmental study appears to have been done. PM24 new development should not cause noise disturbance and loss of amenity for nearby residents  
PM24 new development should not cause noise disturbance and loss of amenity for nearby residents  
Largest housing site in Plan taking Green Belt land. Because of the SSSI additional farmed land OS10 taken .All 10 local farming families will be affected. Further farmed land will be required for infrastructure. A Local Plan should be right for the Community  
Houses numbers reduced. Smaller development would need less OS10  
If proven to be the right site, should be more towards Elvington Rd and have a buffer zone all round. Airfield already concreted.  
ST 27  
Not proven why University need additional Green Belt land – acres of undeveloped land. Down as employment site so not necessarily educationally required  
Breaks the buffer principle of protecting Heslington inner village – Secretary of State – enquiry into Heslington East

---

**Your comments - necessary changes**

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

Proof OS15 is the right location for the largest green Belt housing development when it uses productive Grade 2 agricultural and when so close to an SSSI needs an additional and larger area than housing site taken in compensation/mitigation.  
Council not proved that compensation/mitigation area will protect SSSI Tilmire  
Further land required for infrastructure

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

Yes, I wish to participate

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

Housing numbers down each year from 867 to 790 so why has this site in the Green Belt not been reduced ?If reduced use all concreted airfield East end, to take the development and create a barrier and distance to SSSI .

Evidence of an independent environmental study .

---



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 16 July 2019 19:33  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

A new Local Plan proposed modifications consultation 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: 122602
- Date submitted: 16/07/2019
- Time submitted: 19:33:25

The following is a copy of the details included.

---

<b>Question</b>	<b>Response</b>
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Peter
<i>Surname:</i>	Whitfield
<i>Address: building name/number:</i>	█
<i>Address: Street name:</i>	██████████
<i>Address: Area:</i>	██████████████████
<i>Address: town/city:</i>	███
<i>Address: postcode:</i>	██████████
<i>Email address:</i>	██████████████████████████████

**Question****Response**

Telephone number:

██████████

Proposed modification reference  
(PM1 to PM46):

All

Document:

All

Page number:

All

Based on the proposed modification  
or evidence document, do you  
consider the Local Plan is legally  
compliant?:

Yes, I consider the Local Plan to be legally compliant

Do you consider the Local Plan to  
comply with the Duty to Cooperate?:

Yes, I consider the Local Plan to comply with the Duty to Cooperate

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

The modified Plan has been prepared in line with statutory regulations, the duty to co-operate, and legal procedural requirements.

Based on the proposed modification  
or new evidence document indicated,  
do you consider the Local Plan to be  
'sound'?:

Yes, I consider the Local Plan to be sound

Related to the proposed modification  
or evidence document indicated  
above, you consider the Local Plan to  
be 'sound' - which of the 4 'tests of  
soundness' are relevant to your  
opinion:

The document is positively prepared

The modified Plan is considered to be sound but the opportunity should be taken to reduce the suggested number of dwellings on two allocated housing sites at Copmanthorpe (sites ST31 and H29).

Please give reasons for your  
answer(s):

The modified Plan includes recent (January 2019) downward revisions in the Objectively Assessed Housing Need (OAN) from 867 to 790 dwellings each year for the duration of the Plan. This reduced number is welcomed but is still considered too high in light of other authoritative population projections for York which have emerged since the original Plan was submitted in May 2018. In respect of the OAN, it is noted that currently national planning policy

## Question

## Response

is in a state of flux, including the introduction of the new standard method for calculating housing needs.

The reduction in OAN numbers provides the flexibility to reassess the suggested housing densities (contained in Plan Policy H2) on the two allocated sites at Copmanthorpe; ST31 and H29. The Plan sets out indicative estimated housing yields for these two sites as 158 (site ST31), and 88 (site H29). Both sites are greenfield, both are currently in the Green Belt, and both are extension or infill sites within an existing settlement.

Both of the Plan allocated sites are also identified as housing development sites in the emerging Copmanthorpe Neighbourhood Plan although at lower housing yield numbers of 75 (for site ST31) and 60 (for site H29). These numbers reflect the average housing density across Copmanthorpe (a total of approximately 1750 dwellings). Local Plan Policy H2 is an indicative guide only and acknowledges that housing development densities should be informed by the character of the local area.

The modified Plan is considered to be sound but the opportunity should be taken to reduce the suggested number of dwellings on two allocated housing sites at Copmanthorpe (sites ST31 and H29).

The modified Plan includes recent (January 2019) downward revisions in the Objectively Assessed Housing Need (OAN) from 867 to 790 dwellings each year for the duration of the Plan. This reduced number is welcomed but is still considered too high in light of other authoritative population projections for York which have emerged since the original Plan was submitted in May 2018. In respect of the OAN, it is noted that currently national planning policy is in a state of flux, including the introduction of the new standard method for calculating housing needs.

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

The reduction in OAN numbers provides the flexibility to reassess the suggested housing densities (contained in Plan Policy H2) on the two allocated sites at Copmanthorpe; ST31 and H29. The Plan sets out indicative estimated housing yields for these two sites as 158 (site ST31), and 88 (site H29). Both sites are greenfield, both are currently in the Green Belt, and both are extension or infill sites within an existing settlement.

Both of the Plan allocated sites are also identified as housing development sites in the emerging Copmanthorpe Neighbourhood Plan although at lower housing yield numbers of 75 (for site ST31) and 60 (for site H29). These

**Question****Response**

numbers reflect the average housing density across Copmanthorpe (a total of approximately 1750 dwellings). Local Plan Policy H2 is an indicative guide only and acknowledges that housing development densities should be informed by the character of the local area.

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

No, I do not wish to participate at the hearing sessions

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

The participation of City Of York Councillor, Cllr David Carr, ward member for Copmanthorpe, to represent the ward, and also representing Copmanthorpe Parish Council. This has already been acknowledged and accepted by the Programme Officer.

---

[Redacted]

---

**From:** Michael Hargreaves [Redacted]  
**Sent:** 22 July 2019 20:04  
**To:** localplan@york.gov.uk  
**Subject:** York Local Plan Consultation 2019  
**Attachments:** YTT July 2019 Consultation Statement.docx; Local\_Plan\_Consultation\_2019\_YTT.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please see the attached representations on behalf of York Travellers Trust  
Please acknowledge receipt  
Many thanks, Michael

Michael Hargreaves Planning

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

[Redacted]  
[Redacted]  
[Redacted]

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors to consider your representations you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name	Stephen	Michael
Last Name	Pittam	Hargreaves
Organisation (where relevant)	York Travellers Trust	
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 Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

Green Belt Topic Paper Addendum

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

For why the Local Plan is not legally compliant see our response on the Regulation 19 Consultation in regard to Policy SS2, Paras 5.37 – 5.39 and 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

See the attached York Travellers Trust Response to the Proposed Modification Response, July 2019

6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

See the attached York Travellers Trust Response to the Proposed Modification Response, July 2019

7. If your representation is seeking a change at question 6.(1);

7.(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 Inspectors 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:

See the attached York Travellers Trust Response to the Proposed Modification Response, July 2019

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

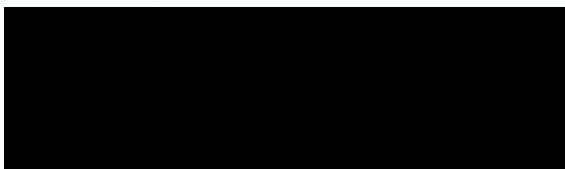
Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date 22 July 2019



**York Travellers Trust**  
**Response to the City of York Council Local Plan**  
**Proposed Modification Consultation, July 2019**

**Questions 5.(1) and 5.(2) Soundness**

**Green Belt Topic Paper Addendum paras 5.62 - 5.65**

Experience suggests the plan is unlikely to be adopted before 2020/21. On that basis the area excluded from the Green Belt would only provide 17 years development capacity to 2037/38. That is significantly short of permanence and enduring beyond the plan period. If we make the assumption of a 7 year lead in time for a review, work on the review would need to start 10 years after adoption.

It should be recognised that once Green Belt boundaries are defined there will be strong resistance to change them and demanding criteria to be met so to do. This will lead to pressures to accommodate development beyond the Green Belt. Such a Green Belt boundary is highly unlikely to 'promote sustainable patterns of development'.

**Green Belt Topic Paper Addendum paras 7.24 – 7.38 and 8.10 – 8.12**

Paras 8.10 – 8.11 make the case that Gypsy and Traveller accommodation needs (including of Gypsies and Travellers who may not meet the Planning Policy for Traveller Sites definition) cannot be accommodated within the land excluded from the Green Belt, and hence that additional land is required. However, the topic paper then makes clear that the Council proposes only excluding existing sites from the Green Belt.

The failure to identify sites for existing and future needs is a consequence of the problems with Policy H5 that we identified at paras 3 – 20 of our representations on the policy through the Regulation 19 consultation. The Council's approach involves a significant element of wishful thinking that somehow sites will emerge through the requirements of Policy H5 without the Council having to identify them.

**Question 6.(1) Changes**

Paras 21 – 25 of our representation on Policy H5 through the Regulation 19 consultation outlined the work that we believed was required to make Policy H5 sound. York Travellers Trust does not have the resources nor the access to the required information to carry out that work, which we requested should be led by the City Council. That has not happened. In the absence of the ability of the Council to commit resources to that work, within the constraints of YTT's resources we will put some time in over the next months to define what changes to the plan are needed to make the plan sound.

In addition to the allocation of the vacant land adjacent to the Clifton site for a 6-8 pitch extension we proposed through the Regulation 19 consultation, we propose the following specific changes:

- The following wording be included within the policies relating to sites which under the terms of Policy H5 are required to provide or facilitate the provision of Gypsy and Traveller pitches (which under the policy as currently drafted we believe to be SS4, SS6, SS7, SS8, SS9, SS10, SS11, SS12, Ss13., SS15, SS16, SS17, SS18, SS20, H1, H5, H10 and H46):  
*'The site will be required to provide or facilitate the provision of Gypsy and Traveller pitches in accordance with Policy H5'. Even though it is implicit in Policy H5, this is an extremely important part of what is expected from each of the major housing sites, and should be made explicit;*
- Modifying Policy GB4 so it reads:  
*'Policy GB4: Exception sites for affordable housing **and affordable Gypsy and Traveller sites** in the Green Belt  
The development of affordable housing **and affordable Gypsy and Traveller sites** on exception sites in the Green Belt is not inappropriate development and will be considered where:*
  - i. the development contributes to meeting identified need as illustrated by an up to date ~~housing~~ needs assessment;*
  - ii. the affordable housing **or affordable Gypsy and Traveller site** is retained at an affordable price for future eligible households in perpetuity;*
  - iii. the development is within 800m of an existing defined settlement limit or is well related to the existing residential development and amenities located in or adjacent to a clearly identified village or settlement; and*
  - iv. the development reflects the size of the settlement in terms of scale, form and character.**A proportion of market housing **or market Gypsy and Traveller pitches** may be acceptable if it can be demonstrated that the site would be unviable as an exception site, without cross subsidy.  
However:*
  - *the majority of development must be for affordable housing **or affordable pitches** with the minimum number of market homes **or pitches** required to make the scheme viable;*
  - *it must be demonstrated that there is insufficient public subsidy available;*
  - and*
  - *it must be demonstrated through a financial appraisal that the scale of market ~~housing~~ component is essential for the delivery of the scheme and is based on reasonable land values.'*

#### **Question 7.(2) Participation in the Hearings**

Our representations imply we would want to participate in the examination hearings relating to Policy H5 Gypsies and Travellers, Policy SS2, the Green Belt and Policy GB4, Exception Sites. Central to our concerns are anxieties are whether the policy of requiring provision through the strategic sites will be effective. We would not have the resources to appear in the sessions relating to all the strategic sites. We would ask that we are invited to appear at the sessions



relating to a limited number of strategic sites to test how the policy would work in those cases, with the findings extended to the other strategic sites.

**Reasons for wanting to participate**

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.

York Travellers Trust's involvement also has wider implications. It is difficult for Gypsies and Travellers to engage in Local Plan examinations, as opposed to individual site appeals. That lack of access to the process raises equality issues, which are a concern to the Equality and Human Rights Commission. The EHRC has encouraged YTT to engage with the York plan. Through the involvement of YTT, York is a rare case across the country where a Traveller group has been involved through the process and intends to participate throughout the examination.



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 11:44  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Green Category

A new Local Plan proposed modifications consultation 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: 122629
- Date submitted: 17/07/2019
- Time submitted: 11:43:31

The following is a copy of the details included.

---

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Peter
<i>Surname:</i>	Heptinstall
<i>Address: building name/number:</i>	██████████
<i>Address: Street name:</i>	██████████
<i>Address: Area:</i>	██████████
<i>Address: town/city:</i>	██████████

**Question**

**Response**

*Address: postcode:*

██████████

*Email address:*

██

*Telephone number:*

██████████████████

*Proposed modification reference (PM1 to PM46):*

PM4

*Document:*

CITY OF YORK LOCAL PLAN Topic Paper TP1 Approach to defining York's Green Belt ADDENDUM - ANNEX 5 March 2019

*Page number:*

A5.45

*Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:*

No, I do not consider the Local Plan to be legally compliant

*Do you consider the Local Plan to comply with the Duty to Cooperate?:*

No, I do not consider the Local Plan to comply with the Duty to Cooperate

Proposed modification reference: SP1 – The stables Elvington

Document: Topic Paper TP1 Approach to defining York's Green Belt ADDENDUM - ANNEX 5 March 2019

Pages: A5.45 & A5.46

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

1. Failure to comply with national policy for greenbelt PPG2
2. Failure of compliance with national policy for Travellers sites (Policies B,C,D,E,F)
3. Runs contrary to government policy, taking sites out of greenbelt in response to previously submitted planning applications.
4. Reverses an existing planning inspectorate decision (time limited) 10/02082/FUL, without due reference to that body.
5. The decision contravenes a planning inspectorate decision that the land must be returned to the greenbelt at the end of the time limit.
6. CYC council have ignored the requirements of the planning inspectorate decision

and have not provided an adequate response as to why the TSP cannot be allocated and required to use a suitable site

**Question**

**Response**

on the forthcoming Airfield Development.

I wholeheartedly support proposal ST15, but feel better advantage should be made of the opportunity to site TSP on that site.

7. CYC have not directly engaged with the local community in this issue (as they have with the applicants), leaving locals and local parish councillors feeling as though they have been ridden over roughshod. The local Parish Council have already registered their rejection of this settlement.

*Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:*

No, I do not consider the Local Plan to be sound

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not positively prepared

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not justified

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not effective

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

## Question

## Response

Proposed modification reference: SP1 – The stables Elvington

Document: Topic Paper TP1 Approach to defining York's Green Belt ADDENDUM - ANNEX 5 March 2019

Pages: A5.45 & A5.46

“Exceptional Circumstances

The Council has concluded that exceptional circumstances exist (Section 7 of the report). Changes to the general extent of the York Green Belt are required to meet the development needs for housing, employment and education, which cannot be solely provided for in urban areas or villages (outside the Green Belt) or by other means.”

The logic here is no longer sound. In view of the changing migration trends caused by the Brexit process, the likely housing needs for York will change and presumably in a downward manner (which the councils own sources note). Before a decision of this magnitude is made further research is required.

“It is recognised that an undersupply of homes or employment land [further] increase unsustainable commuting patterns” The manner of business proposed from this site will always increase unsustainable commuting patterns as it relies totally on commuting.

*Please give reasons for your answer(s):*

This site is allocated to help meet the overall needs of the city within the general extent of the Green Belt following an extensive exercise to identify suitable sites which minimise harm on York's environmental assets and the purposes of the Green Belt.

The best way to minimise the harm on one of York's environmental assets is to include pitches for Travelling show people on the proposed new site at Elvington Airfield, which is already under concrete (good hard standing). To do so would be only logical. To fail to do so illogical and unsound of process.

Also, placing the TSP on the airfield site would provide them with close business and that “location close to the road network for travelling [which] is advantageous”.

One would question whether placing the advantageousness of position for TSP over the rights, feelings and concerns of adjacent property owners is fair and legal.

Purpose 1 Checking unrestricted sprawl (A5.46)

“The majority of the site sits beyond access to 2 or more services, but its development could not reasonably be described as contributing to the unrestricted sprawl of a large

## Question

## Response

built up area”

This statement is not sound of logic. By allowing impingement on the green belt in any manner, sprawl begins. The next stage is to say that the land has changed usage and can be used for housing. This leads to creeping and unrestricted sprawl.

Purpose 3 Safeguarding the countryside from encroachment

“The site sits within a defined area of Nature Conservation interest, specifically a District level Green Corridor.” Such areas should be protected from piecemeal erosion on the basis that each individual impingement is in itself “minor”. Many small changes will aggregate to significant erosion and as the council itself notes, “The Airfield development and the Elvington Estate have already had a significant adverse impact on the character of the wider surrounding” furthermore it is noted by the council that “There may be some additional impact on the road frontage”.

In allowing encroachment on the greenbelt rather than provision on the Elvington Airfield development, I feel that the local plan is not “Fit for purpose”, as adequate provision could be made elsewhere in a location with all of the same advantages and in deed, ultimately, better facilities.

Re-allocate the TSP site to the new Airfield Development site (ST15).

This maintains the locality for the TSP, provides access to a ready market, will have all services connected and have direct safe access to the local road network.

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

ST15 will presumably have all amenities including a school and associated doctors surgery and so would cater better for family needs.

It is acknowledged that a further extension to temporary residence at the Stables may be required to allow this.

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

Yes, I wish to participate at the hearing sessions

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

To hear a direct recorded response to my suggestions.





**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 14:49  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122646
- Date submitted: 17/07/2019
- Time submitted: 14:48:56

The following is a copy of the details included.

---

<b>Question</b>	<b>Response</b>
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent an organisation, group or another individual
<i>Your title:</i>	Ms
<i>Your forename:</i>	Fiona
<i>Your surname:</i>	Hill
<i>Name of your organisation (if applicable):</i>	Heslington Parish Council
<i>Name of the organisation, group or other individual you represent:</i>	Heslington Parish
<i>Contact address: building name/number:</i>	The Byre
<i>Contact address: street:</i>	Field House Farm

Question	Response
<i>Contact address: area:</i>	Thornton-le-Clay
<i>Contact address: town/city:</i>	York
<i>Contact address: postcode:</i>	YO60 7QA
<i>Contact email address:</i>	HeslingtonPC@outlook.com
<i>Contact telephone number:</i>	01904 468773
<i>Proposed modification reference (PM1 to PM46):</i>	PM10, PM26, PM24, PM27, Habitats Regulations Assessment 2019, Sustainability Appraisal Addendum 2019, TP1 Addendum 2019, TP1 Annex 5,
<i>Document:</i>	City of York Local Plan Proposed Modifications June 2019 Habitats Regulations Assessment Feb 2019 Sustainability Appraisal Addendum 2019 Natural England Comments 2017 Topic Paper1 Addendum, Annex1, Annex 5 2019
<i>Page number:</i>	see below
<i>Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:</i>	No, I do not consider the Local Plan to be legally compliant
<i>Do you consider the Local Plan to comply with the Duty to Cooperate?:</i>	No, I do not consider the Local Plan to comply with the Duty to Cooperate
<i>Please justify why you do/do not consider the Local Plan to be legally compliant or in compliance with the Duty to Cooperate:</i>	ST15 and indicative infrastructure is wholly within Heslington Parish. The site name "Land West of Elvington Lane" is misleading thereby decreasing the possibility of Heslington residents being aware and the likelihood of their responding.
<i>Please justify why you do/do not consider the Local Plan to be legally compliant or in compliance with the Duty to Cooperate:</i>	Tillmire SSSI is variably spelt in CYC draft Local Plan creating barriers to digital search of the document for relevant information
<i>Please justify why you do/do not consider the Local Plan to be legally compliant or in compliance with the Duty to Cooperate:</i>	TP1 Addendum Annex 5 pA5.14 The map is incorrect. It does not show the SINC site (Elvington Airfield) which is to be built on in the proposal.
<i>Please justify why you do/do not consider the Local Plan to be legally compliant or in compliance with the Duty to Cooperate:</i>	ST15 and OS10 The evidence for preference for a large green belt site with new infrastructure versus several smaller developments

## Question

## Response

closer to existing settlements is not set out in the draft Local Plan. Natural England (Comments 2017) asks on what evidence the CYC has based its decision that wider sustainability reasons outweigh threats to Heslington Tillmire of ST15. It is not clear how this comment has been responded to.

PM26 York Council has not proved that compensation/mitigation area will protect SSSI Tillmire No Independent environmental study of the whole green belt area SE of Heslington Village and its relationship to, and impact on, the Tillmire SSSI, appears to have been done.

ST27

Expansion of University Campus East ( SS22, ST27) TP1 Addendum p 61 7.52 (planned further expansion alongside the A64 to comprise Science Park activities, student accommodation and related uses).

This is an infringement of the planning agreement following the Secretary of State approval in 2007 of Heslington East for York University to include a clear landscape buffer between the university site and Heslington Village.

There is no evidence in the report that the existing Science Park is being fully used and requires a second site.

There is a contradiction between CYC's stated preference for a garden settlement away from existing settlements (ST15) to avoid developmental spread alongside the A64 and the proposal for ST27.

*Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:*

No, I do not consider the Local Plan to be sound

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not positively prepared

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not justified

## Question

## Response

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not effective

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

PM26 adverse effect on a National Site (alone or in combination).

...demonstrate that where loss or harm to a National site cannot be prevented or adequately mitigated, as a last resort, provide compensation for the loss/harm. Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for York Council has not proved that a compensation/mitigation area will protect SSSI Tillmire (PM26).

Sustainability Appraisal Addendum June 2019 p34 5.4.12 "ST15 is considered still to have uncertain effects on Heslington Tillmire SSSI". The Tillmire is very sensitive to increased footfall due to the nature of the vegetation (Natural England comments 2017). Habitats Regulations Feb 2019 p58 5.5 significant effects of ST15 on Heslington Tillmire SSSI could not be ruled out because of increased recreational pressure, impact on bird communities and air pollution.

Sustainability Appraisal Report Addendum (April 2018): potential effects on Heslington Tillmire SSSI remain. Sustainability Appraisal Addendum June 2019 p.37 5.4.15 ST15 was still considered to have potential for significant effects on Heslington Tilmore (sic) SSSI.

Natural England (Comments 2017) asks on what evidence the CYC has based its decision that wider sustainability reasons outweigh threats to Heslington Tillmire of ST15. It is not clear how this comment has been responded to.

Drainage run off from the ST15 will have an impact on the SSSI Tillmire and this has not been addressed.

Increased human footfall would have a serious effect on the Tillmire and domestic animals, especially cats as well as dogs, could decimate the bird population, particularly ground nesting birds.

This area has a large expanse of relatively dark skies which

*Please give reasons for your answer(s):*

## Question

## Response

should be preserved. Light pollution from 3.3 households, associated shops, bus routes and vehicular traffic has not been addressed at all and would have a large impact on wildlife.

ST15

ST15 proposes almost 50% of all the housing to be built on greenbelt on one site with no existing infrastructure and especially no viable road access. The yearly housing need forecast has been reduced from 867 to 790. Why has this site in the Green Belt and close to environmentally sensitive areas not been reduced ?

The site requires an unacceptable amount of productive arable land within the green belt for mitigation (PM10), OS10 193 Ha (477 acres) and infrastructure (indeterminate amount) on top of the proposed garden village settlement 159 Ha (393 acres). The only present access is to Elvington Lane. Another access will be required to the A64 for a site this large, taking more farmed Green Belt land.

A significant adverse impact on traffic congestion in Heslington is acknowledged in the Local Plan but the Plan gives no commitment to introduce adequate control measures arising from the combined cumulative effects of local development proposals. Additionally, there are traffic implications for York on already overloaded local roads. Fulford Road and Hull Roads are already highly congested and the A64 often gridlocked. There is increasing concern nationally and locally about air pollution.

PM24: new development should not cause noise disturbance and loss of amenity for nearby residents?

Potentially every owned and tenanted farm in the area will be affected i.e. 10 working farms. Traffic will be brought into previously agricultural greenfield land by the ST15 site, the road access to it and by ST27. Overall the increase in traffic air and noise pollution is certain to rise. How does this square with PM24?

Access for existing residents and businesses to Heslington village and York from lanes South East of Heslington Village is unresolved. The proposal suggesting that Langwith Stray/Long Lane and Common Lane could become a combined pedestrian /cycle track from the development 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) would be unworkable and unsafe. It is a narrow road with passing places and high verges, grip holes and poor drainage. The increase in mixing all those elements together would be dangerous. Residents and businesses want to keep the same level of access, without restriction, to their village and to their visitors so that they are able to go about their daily lives unrestricted. Any

## Question

## Response

widening would again take further land out of production and destroy the SSSI setting.

Heslington is in danger of losing its identity. A Local Plan should be right for the Community. What is the evidence from other similar developments that ST15 will provide the type of housing needed for York residents and that this will not be a dormitory town for other conurbations?

ST27

What is the evidence the York University needs additional capacity (21.5 Ha, 53 acres) for an employment or accommodation site? How well is the existing Science Park and Heslington East campus fulfilling this remit? It is unclear why expansion of York University into green belt land and adjacent to the A64 is acceptable, whereas development of affordable housing adjacent to an existing settlement (Heslington) is not (TP1 Addendum Annex 5 p5.15). It is also noted that Historic England advocate University expansion at ST4 not ST27, with ST27 remaining as green belt.

OS10 (PM10, PM26, PM27)

Proposed Modification (PM) 10 explicitly requires OS10 linked to the development of ST15 as a prerequisite for ST15. Natural England (Comments on draft Local Plan 2017) advocates provision of environmental compensation 5 years before development starts. How will this be enacted? What independent environmental assessment of the whole area will the compensation be based on?

Any increase in public access of any kind from ST15 onto Langwith Stray/Long Lane and Common Lane will cause irreversible damage. Turning the lanes into pedestrian/cycleways will be detrimental for the SSSI Tillmire. The increase usage of the cycle ways/ footpaths will massively increase the footfall across the Tillmire. 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. Taking traffic and pedestrians away from the Tillmire SSSI and should be give highest priority in decision making. What monitoring has been done of current recreational visits to the Tillmire and how will any increase in numbers be audited?

P27 whilst recognising the benefits to people provided from access to nature, where appropriate developments will be required to fully assess and mitigate for the impact of recreational disturbance on SSSIs, SACs and SPAs.

The precise status of OS10 remains unclear. OS10 will be a new re-wilded wetland habitat buffer to mitigate for the impact of recreational visitors from ST15 on Lower Derwent bird populations 7km distant. But TP1 Addendum Section 7 P72 7.95 advocates "significantly enhanced public access to high quality open spaces....enhanced access to green belt

## Question

## Response

beyond site boundaries.” There is currently open access to Heslington Tillmire and a long distance footpath, Minster Way, runs through it. These contradictions need to be addressed and clarified

ST15 and ST27

Representation on the map TP1 annex 5 of ST15 is incomplete. The map of the proposed Langwith Garden Village site ST15 does not fully represent the existing Site of Nature Conservation Interest (SINC) across all of the airfield for skylarks. It is mentioned in the text but is not visually present on the map.

What environmental assessments have been carried out for ST15 and ST27 and environs, and by whom and when? Habitats Regulations Assessment Feb 2019 p31 3.22 indicates the landlords undertook their own ecological reports. There are populations of bats, brown hare, owls (barn, tawny and little) and numerous resident and migratory birds including lapwing, curlew, egrets across the area in addition to those of the SSSI and the SINC sites. There is very limited reference to the wildlife of this area compared with that of Strensall and Lower Derwent.

1. ST15 should make greater use of the brownfield site (Elvington airfield), be smaller and more towards Elvington Lane for access and have a buffer zone all round  
The Local Plan (ST15+OS10) is too large and takes too much productive Grade 2 agricultural land which comprises at least 400 Ha green belt. Moreover, York Council has not proved that the compensation/mitigation area will protect SSSI Tillmire as well as Lower Derwent bird populations. The proposed change would be more on a brown field site and would require less arable land for infrastructure. Access via the existing road to Elvington Lane will leave current Heslington residents' access to their village intact as well as protecting the SSSI and conserving arable land and associated businesses. The SSSI would be undisturbed.
2. Recreational access to OS10 and Heslington Tillmire needs greater clarity, particularly where there is to be a change in current access. Pre-development monitoring of recreational visiting is required, as has been conducted at Lower Derwent SPA and Strensall Common
3. An up to date independent and correctly represented environmental assessment of ST15 and ST27 sites and a significant extent of the rural area around them is required before the permanent loss of green belt and agricultural land and wild life habitation is sanctioned.

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

*If you are seeking a change to the Local Plan, do you want to*

Yes, I wish to participate at the hearing sessions

## Question

*participate at the hearing sessions of the Public Examination?:*

## Response

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

Heslington Parish arguably includes the largest acreage for development / change of use in the whole Local Plan, with 3 large sites within green belt land (ST15, ST27 and OS10), an indeterminate amount of green belt land for infrastructure, plus ST4. The risk to this special countryside has been made difficult to find in CYC documents because of the confusing name of the largest site ST15 and the variable spelling of the Tillmire SSSI. Moreover, the initial position that ST15 was a brown field site has only now been amended to a more correct description as a green belt site. Compared with, say, Lower Derwent wildlife protection and Strensall Common, there has been very little evidence gathering of the existing flora and fauna and hydrology of the area. It is unclear that these very large developments with associated mitigation land and infrastructure will add to the type of housing stock most needed for York.

The irrevocable damage of the draft Local Plan to Heslington's productive grade 2 agricultural surroundings within green belt land, to the neighbouring SSSI of Heslington Tillmire and airfield SINC sites, is even more apparent in the proposed modifications and related documents than in the 2018 draft. The Local Plan remains an area of great concern for the environment around Heslington, for flora and fauna habitats, for local food production and for preservation of the green belt.



**From:** RosieTozer [REDACTED]  
**Sent:** 22 July 2019 18:38  
**To:** localplan@york.gov.uk  
**Subject:** Consultation response from Rosemary Tozer  
**Attachments:** RJT- Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please find here my submission.

i should be grateful for acknowledgement of receipt.

Kind regards,

Rosemary Tozer

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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 Representing		
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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 Inspectors 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Sites in or near Elvington

Document:

TP1 . Also Annex 4, Annex 5. p81 and related

Page Number:

TP1 page 73 onwards;  
also Annex 4. P.A4.17, Annex 5 p.A5.41

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

- *There is always high demand for housing, but 'Exceptional circumstances' should not be used to justify destructive development in the Green Belt. Particularly ST15 and H39.*
- *Elvington has made strong representations over many years, putting forward arguments regarding H39 and other sites. But these seem to be ignored and given no weight.*
- *The planners have made little attempt to engage with local residents and explore what would be best for the community: the best we got was the odd roadshow some time ago (e.g. in Heslington) where we were just told what was being proposed.*
- *No weight given at all to the Parish Council., or consultation with them. Indeed, we were told by the planners that they don't listen to, or speak with, Parish Councils, "as they're all Nimby's"! Deplorable and untrue.*

## 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

- *Does **not take a positive approach** to community-building, but seeks to impose housing numbers with little regard to the effect upon the village. It is important to retain the rural village nature, representing part of the overall York environment. This can be done with judicious and consensual development, as it generally has in Elvington.*
- *Is **not justified** in terms of most appropriate strategy taking into account alternatives. Specifically in relation to H26 and H39, where remarks from the planners on these sites betray a lack of local knowledge and observation. Feedback from residents would provide better input, but that seems to be ignored.*  
*H26, land behind the school in Elvington, has been identified as suitable -- but this has been ignored by CYC. In summary, positive features of that site are: Partially brownfield site; Children can walk to school; Also to doctors surgery; Parent commuters can drive towards York without burdening the congested village centre; Site screened from highway by established trees and minimal visual impact/degradation upon the village and the countryside. This site was envisaged this way back in the days of Selby DC. (Also, there are bats living around H39 -- this does not seem to have been considered?).*
- *Is **not effective** in producing the most acceptable and sustainable solutions. In particular, the massive development ST15 needs to have much more assessment and planning especially for transport and traffic before it should be approved in any shape or form. And its location appears to be more to do with landowner availability than strategic planning.*
- *Goes against **National Policy** in terms of engagement with the communities affected. And in failing to recognise the different roles and character of villages etc. E.g. adverse effect upon the rural corners of Elvington, adjacent to its Conservation Area. And what role/character would ST15 have?*

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

- *Deferral of ST15 until there is much more exploration of whether it is the 'best' site, and much more detailed proposals for what it will look like and its impact on the area.*
- *Engagement of Elvington Parish Council in the selection of sites around Elvington.*
- *Retention of H39 within the Green Belt.*

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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 Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date

22<sup>nd</sup> July 2019





[Redacted]

**From:** Tim Tozer [Redacted]  
**Sent:** 22 July 2019 18:08  
**To:** localplan@york.gov.uk  
**Subject:** Response submission from T C Tozer  
**Attachments:** TCT-Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019-1.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

My response to the Local Plan Consultation is attached.

I should welcome some form of acknowledgement of receipt.

Thank you,

Tim Tozer

--  
Tim Tozer  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors to consider your representations you must provide your name and postal address.

1. Personal Details		
Title	Mr	
First Name	Tim	
Last Name	Tozer	
Organisation Representing	Myself, as a Resident of Elvington and York	
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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 Inspectors 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

**Proposed Modification Reference:**

Various aspects in relation to Elvington village

**Document:**

TP1 Annexes 4 and 5

**Page Number:**

Various, including pA4.17, pA5.41 ff

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

No

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

No

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

I consider the Local Plan is **not legally compliant**. And I consider the Local Plan **does not comply with the Duty to Cooperate**.

These proposals regarding Elvington village appear to have been made without direct engagement with the village, and without any attempt to take on board the responses of the village from every previous phase of this and related consultation exercises. Such responses have been overwhelming in number, consistent in content, and generally constructive in nature; – yet they are simply ignored.

In particular, there has been no attempt to engage with Elvington Parish Council directly on any issues affecting the village, or to pick up on those views it has made known. The PC and the villagers are not 'Nimbys', despite the direct depiction of PCs as such by CYC planning officers: the need for some development is well acknowledged, and indeed Elvington has consistently absorbed more than its share of growth over the past 30 years.

Representations from the villagers (and the PC) have been quite clear and indeed are moderately well summarised on p146ff of the pre-publication consultation report: the village requires development to respect the character and form of the village, rather than detract from it. Development of site H39 is considered inappropriate in terms of impact upon the village character; but development behind the school (H26) is welcomed. Submissions have presented good highly detailed arguments to support this, and those points are not all re-iterated here. But despite this, CYC has taken the contrary view: it has not attempted to deal with these consistent and strong representations from the residents. CYC then makes assertions which simply do not stand up: for example earlier comments about H26 in relation to the rest of the village; it would appear that their position is based on solely simply looking at a map, and not on knowledge of the local environment. Similarly, their depiction of H39 might make some sense just looking at a map, but not when viewed from the ground. One wonders:- have they actually visited Elvington at all?

Elvington has a positive role to play as a village within the Green Belt, contributing to the setting of York as a whole. This was affirmed very strongly by the Inspector at the 1992/93 Inquiry, who made unequivocal rulings about sites in the village (e.g. H39, or D75 as then was -- see later). Although supported at that time by CYC, they inexplicably reversed their position several years later and have since then ignored those findings.

Elvington values its form and rural character, and this is liable to be ruined by thoughtless development. The thrust of the Green Belt consideration in the documentation appears to be slanted in relation to open spaces outside the village: even if a village is to be inset, it is important that its rural nature is maintained also, as this contributes to the overall setting. There are very few such villages in the York area, and while they do contribute significantly to the housing stock, they do need to grow in a sensitive way: once they become over-developed dormitory suburbs, we have lost them.

The character and form of Elvington is also especially vulnerable due to the elephant in the room, which is ST15: a massive proposed new development very close by, potentially the size of Pocklington. That will have colossal impact on Elvington, as well as the entire surrounding area – although almost impossible to gauge the effect as we know so little about the detail. There has been astonishingly little promotion or preparation for such impact. And there appears to have been minimal or no proactive engagement with the village or its PC about this: and although in Elvington we are directly adjoint geographically to that planned conurbation, it does feel as if we are viewing the planning only obliquely and from afar. At least we should try and do all we can to maintain the rural small-scale character of Elvington in the face of this, otherwise the area as a whole is degraded, and it becomes doubly important that this is not allowed to happen.

The **failure of Duty to Cooperate** is profound.

## 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

### **5.(1) Do you consider that the Local Plan is Sound?**

Yes

**No X**

If yes, go to question 5.(3). If no, go to question 5.(2).

### **5.(2) Please tell us which tests of soundness are applicable to 5.(1): (tick all that apply)**

**Positively prepared No X**

**Justified No X**

**Effective No X**

**Consistent with national policy No X**

### **5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

The Local Plan is **not Sound**. It does not represent a blueprint for sustainable, consensual and organic growth of the village, but rather arbitrary imposition of targets imposed from a bureaucracy, which although being based only a few miles from Elvington feels very detached from it.

The Local Plan is **not positively prepared**. The driver at all costs seems to be to meet housing numbers in the York area. TP1 Annex 4 acknowledges the character of Elvington area, and description of existing boundaries; but then there are rather meaningless standard remarks about 'Strategic Permanence', and all of this is then largely subsequently ignored, and is steam-rolled by 'Exceptional Circumstances'.

With regard to **site H39**, the arguments in A5 (p41ff) are not balanced or entirely accurate. For example:-

#### Site Overview

Prime emphasis (underlined) seems to be on the willingness of the (absentee) landowner to sell: well, surely this is a feature of almost any site, and given the value of building land who should be surprised by this? If this factor is the prime driver for our Local Plan, rather than creative environmental and visual considerations combining top-down strategy with local knowledge and views, then the planning process is in a poor state.

The (again underlined) statement about access to services and transport might be regarded as disingenuous here, given the very real traffic concerns which would arise in Beckside from this development (well outlined in other submissions).

#### Exceptional Circumstances

There is then the blanket statement about Exceptional Circumstances, basically saying we need houses. OK -- but no consideration given to alternatives the village has been suggesting. The need for houses is not an excuse to disregard to ride roughshod over the rural nature of the village, especially when the village is suggesting alternatives.

#### Purpose 1

While the definition of unrestricted sprawl may be subjective, this would be a significant extension of a housing estate (Beckside) already over-large in relation to the shape and form of Elvington.

#### Purpose 3

Safeguarding the countryside from encroachment. This is precisely encroachment into the countryside: building a housing estate on a rural meadow alongside the rural extension of Church Lane. This is the main objection.

#### Purpose 4

We have not been able to correlate this with the documents mentioned. However, I quote from the report of the Inspector of the 1992/3 Inquiry in relation to this site (then D75):

D75.11 Site D75 is more enclosed, and has a much more close relationship with the village. Its basic character remains however more one of open countryside than of an open part of the village, and it adds to the character of the village by its important contribution to its setting. This in turn makes a contribution to the character of the setting of York. The contribution is inevitably small compared to that made by sites adjoining or close to York itself, but it is nonetheless one part of the principal function of the Green Belt. I consider that site D75 should remain open in order to fulfil Green Belt functions. Even if I were to consider that there was an overriding need to make further provision of land for future development, it would be inappropriate to exclude this site from the Green Belt when there are likely to be difficulties in relation to the provision of an access to the site which would not cause harm to the character of the village or the amenities of its existing residents.

Aside from the continued pressure on housing, nothing has changed here, so why can this be ignored?

#### Detailed boundary issues

This statement about recognisable and permanent features is manifestly untrue in relation to the western boundary, which is to all intents and purposes nonexistent. How long could any artificial boundary survive, given the "willingness of the landowner to sell"? Mention is made of the SINC hedge on the southern boundary: is this not equally true of the northern boundary? (We believe there are bats living in these hedgerows/trees).

Positive preparation would show evidence of awareness of the site on the ground, rather than just from a map, and engagement with consensus views of residents. Where CYC views clearly contradict established local consensus views, this needs to be discussed and explored mutually.

Positive preparation should also go a lot further than it has at this stage in exploring the opportunities, constraints, and impact of the massive development **ST15**. This rather fluid proposal, which has moved from next to the A64 ring road onto the airfield, appears to have received astonishingly little either scrutiny or promotion in relation to its scale and impact. For what is essentially a whole new town, one would expect to have some idea what it might look like and how it might operate -- but we don't.

While ST15 may have its merits as a settlement, the danger is that it will be approved simply to help the housing targets (again, based primarily on landowners' willingness to sell rather than strategic optimisation?), and only later will we all understand the detailed effect of the traffic and environmental impact, by which time the room for manoeuvre by the planners will be very limited. One gets little confidence that this will be a positive and sensitive development of the highest standard, with support from the entire York community and all stakeholders (of which Elvington must surely be a key part). Rather, perhaps because of the limited proactive public engagement about it, one fears that it may simply be a race to the bottom and a large highly dense dormitory area having little sympathy with its rural surroundings and with highly detrimental local environmental and traffic impact. It is also unclear what weight is given to the need to prevent coalescence of settlements, and preserve Elvington in such proximity to an overwhelming neighbour.

The Local Plan is **not Justified**. It is not "... *the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence*". By way of example, widely expressed cogent suggestions in favour of development on H26 as an alternative to H39 appear simply swept aside by unsupported CYC arguments.

The Local Plan is **not Effective**. It does not represent joint working and planning: in particular there is a marked failure to engage the Parish Council. (It is unfortunate that Elvington has not yet succeeded in producing a formal Neighbourhood Plan – that makes it all the more important that CYC should engage with the PC to find out its views, and help develop consensus).

The Local Plan is **not Consistent with national policy**. The NPPF says (§17) "*... Planning should be ...empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.*" This Plan fails to demonstrate that.

Also, NPPF "*... take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it*". We cannot identify these criteria clearly within the Local Plan. Elvington is one of few villages within the Greater York area which has maintained its rural character, thereby enhancing that of the overall area. The Local Plan offers little confidence that this will be respected, e.g. approach to H39 building a housing estate alongside a rural lane; and every fear that the rural area will simply be swamped with a huge conurbation (ST15).

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Necessary changes would be:-

- Local Plan to take on board, respect, and engage directly with, and reflect the overwhelming number of constructive and considered representations & responses made by Elvington residents in all stages of the Local Plan consultations.
- Direct consideration and discussion of the position and status of Elvington Village, and the impact of proposed developments (especially ST15, H39) upon the village. Such considerations and discussions ideally through the Parish Council.
- Plan amended to reflect views of Elvington village residents and Parish Council.
- Positive confirmation of Elvington's important position in the Green Belt around York city, and contribution to the area as a whole..
- Much more detailed analysis of the impact of ST15 upon the village and its environs prior to allowing this to go ahead, as well as much more advanced design guidelines.
- Retention of Site H39 in the Greenbelt.
- If necessary, designation of site H26 for housing development in Elvington, following careful discussion as to how this may make a positive contribution to the village.



**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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 village grow significantly. I have also had time to appreciate the positive aspects of the village, together with such growth, in terms of its life, character and environment – and how it relates to, and contributes to, the York area as a whole.

Local Plan issues have concerned me throughout this period, and I presented evidence on behalf of the village ██. I can help place into context both locally and temporally the background and some planning history of sites in Elvington, and help correct some of the misrepresentations made in the Local Plan proposals.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature		Date	22 July 2019
-----------	---	------	--------------

[Redacted]

**From:** Debbie Hume [Redacted]  
**Sent:** 01 July 2019 16:20  
**To:** localplan@york.gov.uk  
**Cc:** James Simpson; [Redacted]  
**Subject:** Representations to the Proposed Mods of York Local Plan  
**Attachments:** reps to Proposed Mods.pdf; Reps to TP1.pdf; Representations June 2019 (002) (002) (002) (003).docx; 318-100 series-revJ-A1-landscape (2).pdf

**Importance:** High

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

Please find attached the Representations submitted on behalf of Westfield Lodge and Yaldara Ltd to the City of York Local Plan Proposed Modifications and TP1/Annex 4 Background Papers to the Proposed Modifications.

Please confirm receipt and keep us advised of progress.

Yours Faithfully

Debbie Hume  
[Redacted]  
[Redacted]



**City of York Local Plan  
Proposed Modifications  
Consultation Response Form  
10 June – 22 July 2019**

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		

Representations must be received by Monday 22 July 2019, 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 Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

Page Number:

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

4.(1) Do you consider that the Local Plan is Legally compliant?

Yes  No

4.(2) Do you consider that the Local Plan 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

SEE ATTACHED REPRESENTATIONS

6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.

SEE ATTACHED REPRESENTATIONS

7. If your representation is seeking a change at question 6.(1);

7.(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 Inspectors 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

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

### 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

### Retention of Information

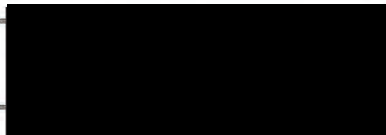
Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

### Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date

01/07/2019





# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		

Representations must be received by Monday 22 July 2019, 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 Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

Page Number:

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

4.(2) Do you consider that the Local Plan 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

SEE ATTACHED REPRESENTATIONS

6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.

SEE ATTACHED REPRESENTATIONS

7. If your representation is seeking a change at question 6.(1);

7.(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 Inspectors 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

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

### 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

### Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

### Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

**REPRESENTATIONS TO THE CITY OF YORK  
LOCAL PLAN PROPOSED MODIFICATIONS  
& TP1 ( MARCH 2019)**

**ON BEHALF OF WESTFIELD LODGE AND  
YALDARA LTD**

**REGARDING LAND ADJACENT TO  
GREYSTONE COURT, HAXBY, YORKS ( H37)**

**JUNE 2019**

**Strathmore Estates**

## **CONTENTS**

- **1.0 OVERVIEW OF REPRESENTATIONS**
  
- **2.0 CONSIDERATION OF THE GROUNDS FOR A SOUND LOCAL PLAN: PROPOSED MODIFICATIONS**
  - (i) **Positively Prepared**
  - (ii) **Justified**
  - (iii) **Effective**
  - (iv) **Consistent with national policy**
  
- **3.0 CONSIDERATION OF A SOUND TP1: APPROACH TO DEFINING YORK'S GREEN BELT**
  
- **4.0 CONCLUSIONS**

## **APPENDIX**

- **A.1 DETAILED SITE SPECIFIC TECHNICAL CONSIDERATIONS OF SITE ALLOCATION H37**
  - (i) **Pre-Application Consultation**
  - (ii) **Developable Area**
  - (iii) **Officers Technical Review Post Preferred Sites Consultation**
  - (iv) **Summary of Site Considerations**
  
- **A.2 HISTORY OF SITE ALLOCATION ( H37) IN YORK LOCAL PLAN**
  - (i) **Consideration of Development Plan Context**
  - (ii) **York & Humber Regional Plan**
  - (iii) **Development Control Plan 2005**
  - (iv) **NPPF**
  - (v) **Preferred Options (June 2013)**
  - (vi) **Publication Draft (2014)**
  - (vii) **Preferred Sites Consultation (July 2016)**
  - (viii) **Pre-Publication Draft (September 2017)**
  - (ix) **Publication Draft ( 2018)**
  
- **A.3 GREEN BELT CONSIDERATIONS**
- **A.4 CONSIDERATION OF PREVIOUS OBJECTIONS TO SITE ALLOCATION H37**
- **A.5 SITE SPECIFIC CONCLUSIONS**

## **1.0 OVERVIEW OF REPRESENTATIONS TO YORK LOCAL PLAN WITH REFERENCE TO LOCAL PLAN PLANNED HOUSING PROVISION AND SITE ALLOCATION H37 ( LAND AT GREYSTONES COURT, HAXBY) & GREEN BELT BOUNDARY ISSUES**

### **Background**

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 3<sup>rd</sup> 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 19<sup>th</sup> 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 excluded the subject site and proposed an OAHN figure of **867 dwellings per annum**.

## **2019**

The **Proposed Modifications June 2019** have sought further advice from GL Hearn based on more recent ONS figures. G L Hearn's latest advice fundamentally alters the OAN figure to **790 dpa**. This is significantly lower than any previous OAN figure proposed by York CC, since the commencement of the Local Plan review in 2013. This figure is entirely out of kilter with all previous OAN figures for York but also with the Government's overall objective to realise the significant increase in housing required to address need and their own calculations.

One has to seriously question the credibility and soundness of this revised figure which is significantly lower and therefore avoids allocating additional sites previously allocated for housing, such as the subject site Greystone Court H37.

## **Representations to Proposed Modifications & TP1: Approach To Defining York's Green Belt**

Accordingly, these representations object to the overall revised OAN housing need figure proposed in the Proposed Modifications (PM 3; PM4; PM5; PM20(a) to (d); PM21(a) –(d);PM22) and request that Site Allocation H37 is reinstated as a housing allocation and removed from the Green Belt, as originally and consistently promoted by Officers of York City Council from 2013-2017.

Accordingly, these Representations also object to the City of York Local Plan: Topic Paper TP1: Approach to Defining York's Green Belt Addendum March 2019 & Annex 4. This most recent document proposes the retention of the subject site (H37) within the Green Belt, whereas previously it was proposed to be removed from the Green Belt for housing land. Thus these objections (as all previous representations) are consistently and intrinsically linked to the new definition of the Green Belt boundary (PM29-PM41 in TP1 & Annex 4 pg 22/23) of the Urban Area Inset of Haxby within the Green Belt.

In accordance with all previous representations, we consider that the Proposed Modifications and TP1 are not "sound" and they fail on the following grounds, in that they are not:

- (i) Positively prepared
- (ii) Justified;
- (iii) Effective; and
- (iv) Consistent with national policy.

The Proposed Modifications planned housing provision seriously conflicts with the Government's draft **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 reflected the likely direction of travel promoted by Central Government when planning for new housing to meet local need. 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. The latest OAN figure of 790 dpa falls significantly below this figure and indeed all previous figures proposed by York CC over the past 6 years, at a time when the need for housing is greatest.

Whilst these representations address the lack of soundness of these Proposed Modifications and as a consequence, support the reinstatement of Site H37 (previously included in the Local Plan) in order to help meet 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: PROPOSED MODIFICATIONS**

### **(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 2019) 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 Proposed Modifications 2019.

The Objectively Assessed Housing Need (OAHN) provides the evidence base for the Local Plan. This ensures that the emerging draft Local Plan is NPPF compliant. Notably, the key objective of the NPPF is to “**boost significantly the supply of housing.**”

The Department for Communities and Local Government has published its own assessment of housing need across the country. The Government’s proposed standard formula for calculating the OAN equates to **1,070 dwellings pa** which is significantly higher than the current 790 d/pa currently proposed.

Whilst this is a consultation document, this most recent guidance issued by the Government along with their own assessment of OAN for each LPA area, further demonstrates that the current OAN figure of 790 is not compliant with the key objective of the NPPF to significantly boost housing. Significantly, the majority of housebuilders who made representations to the previous Preferred Sites Consultation indicated across the board that the OAN 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 OAN figure of 1090 dwg pa.

Fundamentally, it is not reasonable or logical for York CC to now rely **on new evidence which so significantly and fundamentally flies in the face of all previous evidence and the Governments own calculations, at a time of great demand for a choice of houses which the local residential population can afford.** We therefore contend that the Proposed Modifications do not make provision for sufficient housing land to meet housing need and accordingly H37 should be reinstated as an allocated housing site.

(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 addressing 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.

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 particularly in the short term, whereas the most appropriate strategy is to consider all options (including appropriate land on the fringes of the draft green belt) with the result that a full range and choice of appropriate sites are allocated for development throughout the plan period.

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 Proposed Modifications and TP1 are 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 40 sites to meet the OAN for York over the Plan period. 19 of these sites comprise large development sites of over 100 dwellings whilst, 9 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 and Proposed Modifications 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,..”**

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 and Proposed Modifications do not comply with national policy and fails this test of soundness.

### **3.0 CONSIDERATIONS FOR A SOUND TP1 : APPROACH TO DEFINING YORK’S GREEN BELT**

This Topic Paper was drafted recently in March 2019. It sets out the approach to defining Yorks Green Belt for this Local Plan, where detailed inner and outer boundaries are being set for the first time. This Background Paper has been prepared in order to support the Proposed Modifications and the Local Plan approach.

The subject site, H37 falls on the southern urban edge of the Haxby urban area which is inset within the Green Belt. Previously the site has been proposed to be removed from the Green Belt as part of this Local Plan Review. However the Publication Draft and the Proposed Modifications now propose to retain this formerly allocated site within the Green Belt.

TP1 demonstrates how York CC have sought to define these detailed Green Belt boundaries for the first time. If one interrogates the identified approach to defining these detailed Green Belt boundaries, one can draw the following observations:

- Figure 3, it is evident that subject Site H37 is specifically **EXCLUDED** from the “Area Preventing Coalescence” and the “Extension of the Green Wedge”.
- Figure 4 shows that Haxby is a **SUSTAINABLE** location which has access to 2 or more services within 800m.
- Figure 5 again demonstrates that H37 is **EXCLUDED** from the “Area of the City Essential for Preventing Coalescence.”
- Figure 6 demonstrates that H37 is **EXCLUDED** from Nature Conservation Sites; Existing Open Space and from Green Infrastructure Corridors.
- Figure 7 demonstrates that Site H37 is also **EXCLUDED** from the “Strategic Area to Keep Permanently Open”

TP1 advises that these considerations “**sets the context for defining Green Belt boundaries**”.

Figure 18 identifies the Proposed Boundaries of Area Inset within the Green Belt and Annex 4 pgs 22-23. Notwithstanding that H37 is excluded and therefore does not have a harmful impact on the historic setting of York and coalescence; nature conservation; open space; green infrastructure corridors or strategic areas to keep permanently open and the site is sustainable, the site is nevertheless proposed to be included within the green belt boundary. **This is an illogical conclusion to this sieving process and is not a sound approach based on the evidence produced in TP1.**

Previously when the Council undertook a Site Selection process to identify potentially suitable sites for Housing and reviewed this selection against green belt purposes, this site was promoted by the LPA for housing. This selection process remains the same and fundamentally nothing has changed in this regard but the conclusions in this case are unsound.

**This is an anomaly.** If one considers the proposed detailed boundary on the southern edge of Haxby it is illogical, given the Haxby Gate ribbon development ( east of H37) protruding southwards .Accordingly we would request that Site H37 is included in Table 2 of TP1 as a site identified in the general extent of York's Green Belt and consequently in Policy H1 of the Local Plan and the detailed green belt boundary shown in Annex 4 pg 22 is amended to exclude the subject site from the Green Belt boundary .**This would be justified on the evidence and the approach adopted by TP1 for defining detailed Green Belt boundaries for the first time in 15 years.**

Para 8.8 of TP1 confirms that 7,540 dwellings are to be delivered on Strategic Sites within the green belt and only 229 dwellings on other smaller general site locations within the green belt. Thus, less than 3% of dwellings are from smaller and more deliverable sites. We consider that this is not a sound strategy and that in order to maximise the potential to deliver dwellings particularly in the short term to help meet the persistent under-delivery of housing that the subject **site H37 should be excluded from the Green Belt and re-allocated for 47 dwellings as originally proposed by York Council.**

We have previously demonstrated that this site is **deliverable and viable** and can be developed in the short term. The creation of a sizeable dedicated Open Space/Woodland walk area in perpetuity for the community of Haxby would ensure a defensible, permanent Green Belt boundary to safeguard against future coalescence as previously recognised and accepted by Officers. (See site plan and proposed boundaries attached). See previous detailed green belt considerations in Appendix A3 attached.

**We therefore respectfully request that this Housing Site H37 is reinstated as an allocated site for housing and removed from the Green Belt boundary which is consistent with Yorks approach to defining the detailed green belt boundaries for the first time in the Local Plan for the next 15 years in TP1. The current approach as outlined in TP1 is not sound, in particular, it is not justified or effective based on the evidence.**

## 4.0 CONCLUSIONS

- These representations demonstrate that the Proposed Modifications and TP1 fail the 4 tests of soundness, namely: positively prepared; justified; effective and consistent with national policy.
- The Government's Consultation Housing White Paper calculates the requirement for a significantly higher annual housing need figure, well in excess of the GL Hearn figure of 790.
- This latest OAN of 790 dpa flies in the face of all previous Local Plan evidence spanning 6 years and the Government's own calculations and is highly questionable.
- Furthermore the overall strategy cannot be justified with its over-reliance on large strategic sites to deliver most of the housing for the plan period. There should be a greater reliance on smaller sites throughout the plan period to maximise delivery. This is not a sound strategy.
- To address these flaws in the soundness of the Proposed Modifications we request the reinstatement of those housing allocations listed in Table 1- 3 and in particular site H37 of the Officer's Report LPWG 23<sup>rd</sup> January 2018. Site H37 has been thoroughly assessed technically by Officers of the Council and previously consulted upon and are considered technically appropriate for housing development and removal from the Green Belt.
- 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 is the appropriate time to release site H37 from the Green Belt through this Local Plan exercise, to review detailed green belt boundaries for the first time, in a planned manner, in order to address affordable housing and affordable market housing and persistent under provision of housing, for the local residents of the City of York.
- Site H37 is a modest, deliverable, short term housing allocation with the associated provision of dedicated public open space for the local community of Haxby. This in turn creates a defensible, permanent green belt boundary.
- If the subject site (H37) is not reinstated as a housing allocation, given its previous identification for housing in earlier draft Local Plan versions, we request that the site is allocated as longer term "safeguarded land" for future growth within the Green Belt.



## **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 21<sup>st</sup> 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 19<sup>th</sup> 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 (10<sup>th</sup> 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 ( 23<sup>rd</sup> 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 23<sup>rd</sup> 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 3<sup>rd</sup> 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 10<sup>th</sup> 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 23<sup>rd</sup> 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.



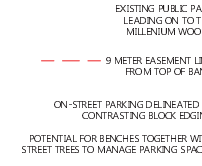
VIEW FROM GREYSTONE COURT / ASHWOOD GLADE JUNCTION LOOKING SOUTHWARD TOWARD ACCESS INTO SITE (TIMBER GATES)



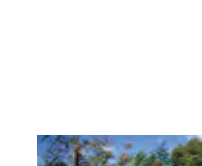
VIEW FROM GREYSTONE COURT / ASHWOOD GLADE JUNCTION LOOKING WESTWARD TOWARD ASHWOOD GLADE



VIEW FROM GREYSTONE COURT 'SPUR' LOOKING NORTHWARD ALONG GREYSTONE COURT TOWARD JUNCTION TO EASTFIELD AVENUE



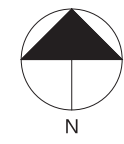
THE BRIDGE LINK OFFERS A CHANCE TO LINK UP THE EXISTING PUBLIC FOOTPATH ALONG WESTFIELD BECK TO THE HOUSING ESTATES WHICH LINKS LEISURE WALKS TO THE WESTFIELD WOODLANDS WALK BEYOND



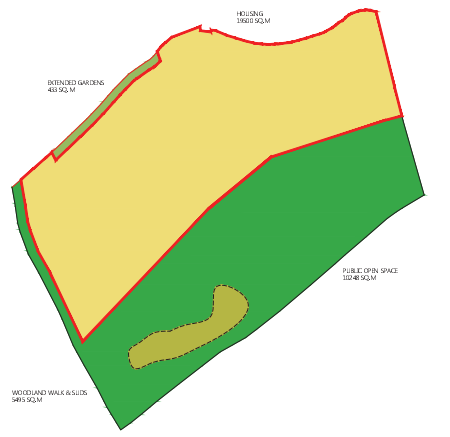
THE SUSTAINABLE URBAN DRAINAGE SYSTEM 'WETLAND REEDBeds' OFFERS CHANCE FOR A NATURE RESERVE WHICH COULD FORM A VENUE FOR LOCAL SCHOOL VISITS & ENHANCES THE LOCAL HABITAT FOR WILDLIFE



SITE LAYOUT PLAN 1:500



TOTAL SITE AREA:	35676 Sq. Metres	3.567 Ha	8.74 Acres	
HOUSING ALLOCATION:	19500 Sq. Metres	54.6%	proportional land take	
EXTENDED GARDENS OFFER:	438 Sq. Metres	1.2%	proportional land take	
PUBLIC WOODLAND WALK + SUDDS:	5495 Sq. Metres	15.43%	proportional land take	
PUBLIC OPEN SPACE:	9748 Sq. Metres	28.77%	proportional land take	



LAND ALLOCATIONS PLAN N.T.S.



HOMEONE PRINCIPLES OF STREET SCAPE TREE LINED SHARED SUPPLIES WITH TRANSITION NODES AND SPEED REDUCING LAYOUT CONSIDERED PARKING WITH TREE PLANTERS CAREFUL SELECTION OF SURFACE MATERIALS TO ACCENTUATE ZONES

CENTRALLY LOCATED PLAY ZONE OVERLOOKED BY HOUSING UNDER SECURED BY DESIGN PRINCIPLES

THE WOODLAND WALK PUBLIC OPEN SPACE WITH LANDSCAPE BUFFER 'THE GREEN FRINGE' A STRUCTURAL LANDSCAPE TO SHIELD THE PROPOSED DEVELOPMENT FROM THE OPEN LANDSCAPE BEYOND WITH CAPTURED 'GLIMPSSES' OF THE ROOFSCAPE BEYOND REPLICATING THE EXISTING LANDSCAPE WHILST ENHANCING THE LOCAL ECOLOGY



VANTAGE POINT 'B' - ELEVATED VIEW OF SITE TAKEN FROM RAILWAY BRIDGE ON A1237 YORK OUTER RING ROAD LOOKING NORTHWESTERLY



SITE LOCATION PLAN 1:2500

FOR ILLUSTRATIVE PURPOSES ONLY



THE STRUCTURAL TREE PLANTING & WOODLAND WALK NATURE RESERVE + BUFFER TO RETAIN PRIVACY FOR EXISTING HOUSES AND SHIELD THE PROPOSED DEVELOPMENT



VANTAGE POINT 'A' - VIEW FROM SITE LOOKING NORTHWARD TOWARD EXISTING NORTHERN BOUNDARY BUILDINGS IN BACKGROUND ARE THE EXISTING HOUSING ON GREYSTONE COURT AND HILBRA AVENUE

OWNER	Butler	DESIGNED	Butler	PROJECT	Residential Development
DATE	April 2012	SITE	varies @ A1	LOCATION	Land adjacent to Greystone Court, Haxby, YORK
SCALE	318	AREA	1000 J	PROJECT NO.	

Page 04 of 1486

PAUL BUTLER ARCHITECTS Ltd  
 11th Floor, 11th Floor, 11th Floor  
 11th Floor, 11th Floor, 11th Floor

Please note: This plan is based on Ordnance Survey data and is not based on a full site topographical survey. Exact site boundary lines etc. yet to be verified.



[REDACTED]

---

**From:** Jonathan [REDACTED]  
**Sent:** 22 July 2019 19:46  
**To:** localplan@york.gov.uk  
**Subject:** York Local Plan Proposed Modifications 2019

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please forward my submission and associated comments to the Planning Inspector.

The Parish Council, the elected representatives of our village have never, despite repeated requests, been consulted in any stage of this Local Plan.

Elvington should remain as a village. We do not want or need a large increase in houses. Nor is there an infrastructure to support it.

This technicality of an 'inset into the green belt' would put this at risk and threaten it in future.

The village is not against a reasonable increase in housing. Indeed we have repeatedly suggested extra dwellings in the middle of the village, opposite the medical centre, in order to join the two distinct halves of the village. Yet York consistently seem against this suggestion. Why? It makes no sense.

Jonathan Shaw,  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 11:12  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122897
- Date submitted: 22/07/2019
- Time submitted: 11:12:02

The following is a copy of the details included.

---

**About your comments**

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

CommentingOnBehalfOf

---

**About you (individual response)**

**Name:**

**Address:** , , , ,

---

**About the organisation, group or other individual you are representing**

**Name:** Mrs Fiona Hill

**Name of your organisation (if applicable):** Strensall with Towthorpe Parish Council

**Name of the organisation, group or other individual you represent:** Strensall with Towthorpe Parish Council

**Contact address:** The Village Hall, Northfields, Strensall, York, YO32 5XW

---

**Contact details (individual or group)**

**Email address:** [strensalltowthorpepc@outlook.com](mailto:strensalltowthorpepc@outlook.com)

**Telephone number:** 01904491569

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM4, PM 5, PM 13, PM 17, PM 18, PM 19, PM 39

**Document:**

**Page number:**

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

Yes, I consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

Yes, complies with Duty to Cooperate

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

The Parish Council resolved:

- 1) To support PM 4 and PM 5, reducing the objectively assessed housing need from 867 to 790 homes per annum
- 2) To support PM 13 and PM 19 (removal of policy SS 19 and deletion of the Queen Elizabeth Barracks site ST35 as a housing allocation for 500 homes)
- 3) To support PM 17 (requiring that the allocation of site E 18 (Towthorpe Lines) as an employment site is accompanied by a comprehensive evidence base to understand and mitigate any possible effects on Strensall Common SAC/SSSI)
- 4) To support PM 18 (removal of site H 59 at Howard Road Strensall as a housing allocation for 45 homes).
- 5) To support PM 39 (to move the outer edge of the Green Belt boundary to run along Ox Carr Lane, thus placing all land to the south, including the entire Queen Elizabeth Barracks site, in the Green Belt)

The Parish Council has no comments on any other sections.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

Yes, I consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Positively prepared, Justified, Effective, Consistent with national policy

**Please give reasons for your answer(s):**

The Parish Council supports the plan, subject to its comments made

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - necessary changes**

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

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

No, I do not wish to participate

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

---



**From:** David Headlam [REDACTED]  
**Sent:** 19 July 2019 10:46  
**To:** localplan@york.gov.uk  
**Cc:** Elvington Parish Council; Julian Sturdy MP; Cllr. C. Vassie  
**Subject:** City of York Local Plan Proposed Modifications (June 2019) Consultation  
**Attachments:** Local Plan - Proposed Modifications response - July 2019.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi.

Please find attached Elvington Parish Council's response to this latest consultation.

Would you please ensure it is forwarded to the Planning Inspector for his attention.

Regards.

David Headlam  
Clerk to Elvington Parish Council

# RESPONSE BY ELVINGTON PARISH COUNCIL TO CYC LOCAL PLAN

## Proposed Modifications 2019

### INTRODUCTION.

The proposed modifications claimed as 'minor' by CYC will have profound implications for Elvington yet CYC has on no occasion bothered to consult the elected representatives of the parish.

During the formation of CYC's Local Plan, the Parish Council has held three public 'Drop In' sessions in order to assess public opinion. The Parish Council has also consulted, informally, with many residents.

The Parish Council does NOT oppose new residential (or industrial) developments – but the Parish Council has never been consulted about what the village actually needs, nor has it been consulted on proposed fundamental changes to the Green Belt in the parish. We consider that methodology is simply wrong and therefore makes the Local Plan unsound.

Looking at each proposal:

### Elvington Village Centre

Elvington Village is situated in the heart of the Green Belt just over 6 miles east of the centre of York. The village has grown over the years but remains a village with an attractive centre and considerable greenery throughout. The villagers consider it a village and want it to remain a village. The majority of new development lies back from the road in small closes and thus the village retains the look and feel of a village. In the 2005 Inspector's review it was clear that the Inspector considered Elvington should remain in the Green Belt. To remove Elvington from the Green Belt now will remove the protections that Green Belt planning policies and regulations afford to not only the village but everyone that passes through. Inevitably it will ultimately lead to the end of the village of Elvington.

Further, the proposal to continue to include H39 as an extension to the village and remove this from the Green Belt is at direct odds to the wishes of the residents.

We acknowledge that more houses have to be built but, as detailed below, have continually and repeatedly stated that H26 Dauby Lane is a better option.

### H39. Extension to Beckside.

The Parish Council identifies several problems:

- A Planning Inspector previously determined that H39 serves Green Belt purposes
- The extra traffic that would be generated from 32 houses would adversely impact on the existing residents of Beckside
- Density should have been commensurate with the existing Beckside development to minimise any 'difference' to the phases.

So, the Parish Council once again proposes that H39 is withdrawn from the Local Plan and is replaced by:

### H26. Dauby Lane.

Nearly all residents at our consultations want to link the two residential areas of the village. Approximately a third of homes are currently to the west of the school. H26 is a way of satisfying



that need as well as increasing the housing stock. However, H26 should contain a better mix of housing type, especially larger houses to meet another clearly identified local need. We consider a total of around 60 residences suitable for this site. CYC officers are yet again ignoring the wishes of the local community in continuing to impose H39 rather than H26 contrary to the views of residents and the Parish Council. Why do officers think they know our village better than the residents and the Parish Council?

SP1. The Stables. Travelling Showpersons Site.

Travelling Showpersons should receive no special treatment. There are no special circumstances to justify removal of this site from the Green Belt, as proposed. The previous Planning Inspector's report was very clear. CYC should abide by that Planning Inspector's analysis and decision.

ST15. Whinthorpe/The Airfield.

There are three fundamental errors in the report on ST15. Firstly, as clearly indicated in the Inspector's refusal of earlier plans for the airfield (04/04316/FULM) the entire site is Green Belt – there is no brownfield land and hence the statement of utilising brownfield land is misleading. Secondly, CYC's own map clearly indicates the airfield as a nature conservation site. Thirdly, the report misleads in that the originally proposed site for ST15 is no more visible from the A64 than the new proposed site. So, why should cars driving on the A64 be treated as more important than the residents of York or the economy of York?

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 is 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.

The Parish Council has concerns with the lack of information provided on the impact on the local area of new infrastructure generally – and particularly the transport links to the A64 and B1228. The effect on the surrounding countryside, and the 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. 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. It is estimated that the airfield and the Air Museum together currently attract in excess of 200,000 visitors a year to York.

The airfield is Green Belt and a nature conservation site. The adverse ecological impact of ST15 would be less if it were sited north as originally proposed.

As it stands, the Parish Council cannot support the proposal. It would support ST15 if it was on the originally proposed site alongside the A64 and adjacent to the proposed new junction.

#### E9. Elvington Industrial Estate (north end of Elvington Village)

The definition of this area as 'Elvington Industrial Estate' is derisory. There is indeed an industrial area in the heart of the proposed boundary. The Parish Council has always supported this site and has no objections to its inclusion. However, the area proposed to be taken out of the Green Belt is considerably larger and incorporates some 20-25% of the houses within the village! These houses are set back from the road and built with due regard to the Green Belt. It is not appropriate to remove this area from the Green Belt. Further, CYC itself has recently and vigorously applied Green Belt planning policies to four applications that are in the immediate vicinity/border of the proposed area to be removed (18/02877/OUT, 18/02192/FUL, 18/00706/FUL and 18/01512/FUL).

#### ST26. Airfield Industrial Estate.

The Parish Council supports the extension and categorisation proposed but emphasises the need for detailed archaeological and ecological assessments before development. A gap should be made between the existing and the new estates which would allow for a 'wildlife corridor'.

Units should be small, high value businesses consistent with a restriction to B1 and B8 use, as at present, and in line with CYC's economic strategy.

However, the Parish Council's support is conditional on the imposition of a 7.5 tonne weight limit on Main Street (i.e. the road through the village centre). There are a disproportionately large number of HGV movements currently through the village impacting on the safety of pedestrians and cyclists – particularly our children walking and cycling to/from school. The extra traffic generated by ST26 (and E9) would bring further unacceptable HGV traffic passing through the village.

#### Conclusion.

We believe that the report has been erroneously worded deliberately to give the impression that parts of Elvington are 'industrial'. This is simply not the case. Elvington is a pretty, historic, elongated village that happens to have a number of employment sites, the majority are small business premises and nearly all of which are shielded from the roads either by residential properties or by woodland/greenery.

The report thus seeks to treat the attractive, historic village of Elvington as an industrial conglomerate and simply misrepresents the parish of Elvington.

To remove areas, other than the immediate locales of the business parks, from the Green Belt and its associated planning and environmental benefits will damage the residents of the village, damage the economy of York and ultimately damage the very image that York seeks to promote of itself.

The residents of Elvington have never been properly consulted as to their needs and the Local Plan simply represents a 'desktop exercise' by CYC officers. It is clear that the Local Plan is unsound and does not reflect local public need or opinion and, therefore, reluctantly, the Parish Council concludes that the Local Plan should be rejected by the Planning Inspector.

The Chair of Elvington Parish Council wishes to speak at the forthcoming Inquiry.

David Headlam, Parish Clerk  
July 2019.

**From:** Smith, Ian [REDACTED]  
**Sent:** 15 July 2019 13:45  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Proposed Modifications  
**Attachments:** f1 ProposedMods 15jul19.pdf; f2 TP1 15jul19.pdf; f2a Appendix A TP1 15jul19.pdf; h SAProposedMods 15jul19.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

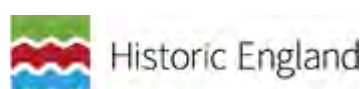
Thank you for consulting Historic England about the City of York Local Plan Proposed Modifications, the associated Sustainability Appraisal and Topic Paper TP1. Please find attached our comments on those documents. Copies of these letters are in the post for your records.

If you have any queries about any of the matters raised in our responses or would like to discuss anything further, please do not hesitate to contact me.

Regards

Ian Smith  
Historic Environment Planning Adviser  
(Yorkshire, North East England, Cumbria and East Lancashire)  
Planning Group  
Historic England  
Direct Line: [REDACTED] Mobile phone: [REDACTED]

How can we transform our historic textile mills into 21st century engines of growth? Read our latest report on our [Mills of the North](#) webpage. #lovemills



We are the public body that helps people care for, enjoy and celebrate England's spectacular historic environment, from beaches and battlefields to parks and pie shops.

Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#) Sign up to our [newsletter](#)

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Historic England unless specifically stated. If you have received it in error, please delete it from your system and notify the sender immediately. Do not use, copy or disclose the information in any way nor act in reliance on it. Any information sent to Historic England may become publicly available. We respect your privacy and the use of your information. Please read our full [privacy policy](#) for more information.



FREEPOST RTEG-TYYU-KLTZ  
Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York YO1 6GA

Our ref: HD/P5343/02  
Your ref:

Telephone [REDACTED]

15 July 2019

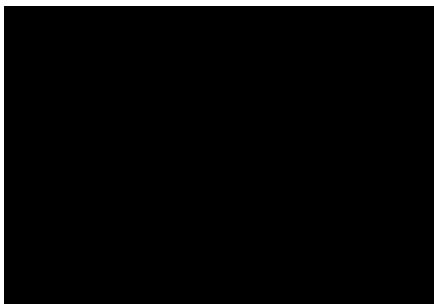
Dear Sir or Madam,

**re: City of York Local Plan – Proposed Modifications**

Thank you for consulting Historic England about Proposed Modifications to the Local Plan. At this stage we have no comments to make regarding these proposed changes.

If you have any queries about this matter or wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully,



**Ian Smith**  
Historic Environment Planning Advisor  
(Yorkshire, North East England, Cumbria and East Lancashire)  
e-mail: [REDACTED]





FREEPOST RTEG-TYYU-KLTZ  
Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York YO1 6GA

Our ref: HD/P5343/03  
Your ref:

Telephone [REDACTED]

15 July 2019

Dear Sir or Madam,

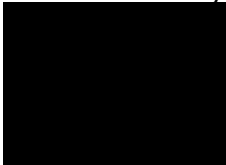
**re: City of York Local Plan – Proposed Modifications: Sustainability Appraisal Addendum**

Thank you for consulting Historic England about Sustainability Appraisal of the Proposed Modifications to the Local Plan. In terms of our area of interest, we would agree with the conclusions of the screening process about which aspects of the Plan may need reviewing, and we would concur with the conclusions regarding the likely significant effects which the 'screened-in' Modifications would be likely to have upon the historic environment.

This opinion is based on the information provided by you in the document dated March 2019 and, for the avoidance of doubt, does not affect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan which is the subject to consultation, and which may, despite the SA/SEA, have adverse effects on the environment.

If you have any queries about this matter or wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully,



**Ian Smith**

Historic Environment Planning Advisor  
(Yorkshire, North East England, Cumbria and East Lancashire)  
e-mail: [REDACTED]





FREEPOST RTEG-TYYU-KLTZ  
Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York YO1 6GA

Our ref: HD/P5343/02  
Your ref:

Telephone [REDACTED]

15 July 2019

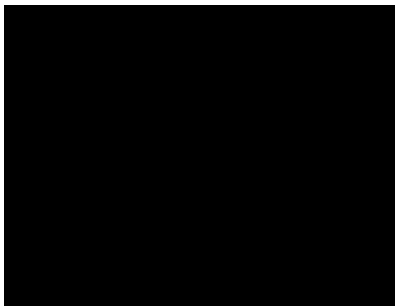
Dear Sir or Madam,

**re: City of York Local Plan – Topic Paper TP1 (Approach to defining York’s Green Belt)**

Thank you for consulting Historic England about Topic Paper TP1. Our detailed comments are set out in Appendix A, attached.

If you have any queries about any of the matters raised or wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully,



**Ian Smith**  
Historic Environment Planning Advisor  
(Yorkshire, North East England, Cumbria and East Lancashire)  
e-mail: [REDACTED]



## Appendix A: Table of Historic England’s comments on City of York Local Plan, Topic Paper TP1

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
13	Figure 3	Object	<p>Whilst we welcome the approach of identifying those areas of Green Belt which contribute to the primary purpose of safeguarding the special character and setting of the historic city, we have a number of concerns about how they are depicted in Figure 3.</p> <p>This diagram first appeared in the 2003 document ‘Approach to the Green Belt’. This was some ten years before the council published the first draft of the Heritage Topic Paper. The Heritage Topic was produced in order to help define the elements which define the unique character of York. Whilst many aspects of the Heritage Topic Paper are reflected in the 2003 diagram (with its 2013 amendments) it excludes a number of key areas especially:-</p> <p>1. <u>The very important contribution made by the wider open countryside to the setting of the historic City - i.e. the areas lying outside the ring road.</u></p> <p>This is one of the Character Elements identified as contributing to the Principal Characteristic of ‘Landscape and Setting’</p> <p>As illustrated, Figure 3 could be interpreted as implying that no land beyond the Ring Road needs to be kept open in order to safeguard the rural setting of the historic City. This is clearly not the case. The rural setting of York is not restricted solely to land lying within the Ring Road and the special character of</p>	<p>Amend Figure 3 to better-reflect the elements which were identified in the Heritage Topic Paper as contributing to the special character and setting of the City. This should include the following:-</p> <p>(a) Include an additional area which identifies ‘Areas which contribute to the wider landscape setting of the City’. This should include all the land lying between the ring road and the outer edge of the Green Belt (with the exception of the land to the north of Haxby).</p> <p>(b) Amend the ‘Areas Retaining Rural Setting’ to read ‘Areas which regulate the size and shape of the urban area/contribute to the impression of a free-standing city’. The existing ‘Areas Retaining Rural Setting’ should</p>

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
			<p>York could be harmed by development which went beyond it. Indeed, if it were to be the case that only land within the Ring Road contributed to the rural setting of York, there would be no requirement to define a Green Belt with an outer boundary six miles from the city centre.</p> <p><u>2. The important role which the Green Belt plays in regulating the shape and size of the urban area.</u></p> <p>The compactness of the City is one of the six Principal Characteristics identified in the Heritage Topic Paper. Whilst, to some extent, many these areas are coincident with those defined in Figure 3.1 as 'Areas Retaining Rural Setting', the terminology used fails to reflect the important role which the Green Belt plays in regulating the shape and size of the urban area and, as a result, retaining the compact nature of York.</p> <p>Moreover, the areas currently identified as 'Areas Retaining Rural Setting' exclude key areas which contribute to the compact nature of the historic City.</p> <p>Given the work that has been undertaken by the Council to evaluate the elements which contribute to the special character and setting of York, Figure 3 needs to be updated to reflect this conclusions of the Heritage Topic Paper.</p>	<p>be extended to include the following additional areas:-</p> <p>(i) To the east of the City, all the land between the A64 and Heworth and Derwenthorpe to the north of Osbaldwick village.</p> <p>(ii) To the north of the City, the land between the A1237 and Avon Drive, Huntington and between North Lane, Huntington and the ring road.</p> <p>(iii) To the south-east, between the A64 and Lakeside Way and between the A64 and the Grimston Bar Park and Ride site</p> <p>(iv) To the south-west, all the land between the A1036 and Moor Lane</p> <p>(c) Identify the area between Knapton and the A1237 as 'Village setting'</p> <p>(d) Identify the area between</p>



Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
				the Wyeville Garden Centre on the A59 and the Northminster Business Park as an 'Area Preventing Coalescence.
13	Paragraph 4.17 and 4.18	Object	Given the work that has been undertaken by the Council to evaluate the elements which contribute to the special character and setting of York, Figure 3 needs to be updated to reflect this work. Consequently, it is not accurate to state that the areas identified on the map are 'the most important areas' since they clearly exclude parts of the Green Belt whose contribution to the special character and setting of the City is, in many cases, equal to those shown.	Amend Paragraph 4.17 and 4.18 to reflect the Heritage Topic Paper
14	Purpose 1	Object	<p>Whilst we support the logic of identifying those parts of the Green Belt which help to check the unrestricted sprawl of large built-up areas, the approach set out here is a little confusing. Firstly, it would help if it defined what it meant by a 'large' urban area. Clearly the main built-up area of York would fall within this definition and so, perhaps, might Haxby. But it must be questionable how many of the smaller outlying settlements might constitute 'large' in Green Belt terms.</p> <p>Secondly, access to two or more services seems largely irrelevant in terms of this Green Belt purpose.</p>	<p>(a) Define what 'large' means in terms of the York Local Plan area</p> <p>(b) Identify those areas around the areas identified in (a) which fulfil Purpose 1</p> <p>(c) Delete Paragraph 4.25, 4.26 and Figure 4</p>
15	Purpose 2	Object	Given that York does not have any 'towns' then perhaps this Purpose is irrelevant. However, preventing coalescence is incredibly important in terms of the special character and setting of the City and all of these areas are already addressed in the assessment of its Primary purpose.	Delete Purpose 2
17	Purpose 3	Object	It would have been helpful to show on a map the areas which the Council considered were 'open countryside' and which 'urban fringe'.	(a) Identify on a map the areas which the Council considered were 'open countryside' and which 'urban fringe'.

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
			The natural assets of the City are not, really, relevant to this Green Belt Purpose (although they do form part of the special character of the historic City (as the Heritage Topic paper makes clear)). It would be preferable, therefore, if they were deleted from this Purpose and, instead, it concentrated purely on identifying those areas which safeguard the countryside from encroachment.	(b) Delete Paragraph 4.35 to 4.38 and Figure 6
77	Paragraph 7.116	Object	<p>Historic England would take issue with the assertion that the sites which have been identified within the general extent of the Green Belt <i>'have been done so without damage to its primary purpose'</i>. As can be seen from the representations submitted to the Submission plan, there are a number of sites which, if developed, would harm elements which contribute to the special character and setting of the historic city.</p> <p>The sites which have been identified may, in the Council's opinion, have been those which would have caused least harm the primary Green Belt purpose of the York Green Belt, but for the reasons set out in the Historic England response, they will all to some extent, damage its primary purpose.</p>	Amend accordingly
77	Paragraph 7.117	Object	Historic England would take issues with the assertion that the <i>'consequential impacts on the purposes of the Green Belt have been ameliorated and reduced to the lowest reasonably practical extent'</i> . As can be seen from the representations submitted to the Submission plan, there are a number of sites where an alternative proposal would reduce the harm the current allocations cause to the primary purpose of the York Green Belt .	Amend accordingly
Annex 3, page A3: 4	Inner Boundary Section 1 Map	Object	<p>This map needs to be amended to reflect the work undertaken to identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.</p> <p>In particular it needs to include all the land which contributes to regulating the size and shape of the urban area (and thereby the</p>	<p>Inner Boundary Section 1 Map amend the area identified as 'Protecting the special character and setting' to:-</p> <p>(a) Include all the land</p>

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
			compactness of the city) and the land which contributes to the wider countryside setting of the historic City.	between the ring road and the edge of the existing built-up area  (b) The land lying to the west of the A1237
Annex 3, page A3: 44	Inner Boundary Section 2 Map	Object	This map needs to be amended to reflect the work undertaken to identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.  In particular it needs to include all the land which retains the village setting of Knapton, the area between the Wyeville Garden Centre and the Northminster Business Park which helps to prevent the coalescence of these two areas, and the land which contributes to the wider countryside setting of the historic City.	Inner Boundary Section 2 Map amend the area identified as 'Protecting the special character and setting' to:-  (a) Include the land between the A1237 and the edge of the Knapton  (b) The area between the Wyeville Garden Centre and the Northminster Business Park  (c) The land lying to the west of the Wyeville Garden Centre and the Northminster Business Park
Annex 3, page A3: 133	Inner Boundary Section 4 Map	Object	This map needs to be amended to reflect the work undertaken to identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.  In particular it needs to include all the land which contributes to the wider countryside setting of the historic City.	Inner Boundary Section 4 Map amend the area identified as 'Protecting the special character and setting' to:-  (a) Include the land to the north of the A1237
Annex 3,	Inner	Object	This map needs to be amended to reflect the work undertaken to	Inner Boundary Section 5 Map

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
page A3: 170	Boundary Section 5 Map		<p>identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.</p> <p>In particular it needs to include all the land which helps to prevent the coalescence of Huntington with Earswick, the land which contributes to the wider countryside setting of the historic City, and the land which contributes to regulating the size and shape of the urban area (and thereby the compactness of the city)</p>	<p>amend the area identified as 'Protecting the special character and setting' to:-</p> <p>(a) Include the land between Earswick and Huntington</p> <p>(b) The area between the A1237 and the built-up areas of Huntington and Monk's Cross</p> <p>(c) The land to the north-east of the A1237</p>
Annex 3, page A3: 294	Inner Boundary Section 6 Map	Object	<p>This map needs to be amended to reflect the work undertaken to identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.</p> <p>In particular it needs to include all the land which contributes to regulating the size and shape of the urban area (and thereby the compactness of the city) and the land which contributes to the wider countryside setting of the historic City.</p>	<p>Inner Boundary Section 6 Map</p> <p>amend the area identified as 'Protecting the special character and setting' to:-</p> <p>(a) All the land between the A64 and the existing built-up area to the south of Stockton Lane</p> <p>(b) The area between the A64 and the electricity sub-station adjacent to Osbaldwick Link Road</p> <p>(c) The land to the east of the A64</p>
Annex 3,	Inner	Object	This map needs to be amended to reflect the work undertaken to	Inner Boundary Section 7 Map

Page	Policy/ Paragraph/ Site Ref.	Support/ Object	Comments	Suggested Change
page A3: 364	Boundary Section 7 Map		<p>identify the elements which contribute to the special character and setting of the historic city as set out in the heritage Topic Paper.</p> <p>In particular it needs to include all the land which contributes to regulating the size and shape of the urban area (and thereby the compactness of the city) and the land which contributes to the wider countryside setting of the historic City.</p>	<p>amend the area identified as 'Protecting the special character and setting' to:-</p> <p>(a) All the land between the A64 and Lakeside Way</p> <p>(b) The land between Hull Road and the University</p> <p>(c) The land to the east and south-east of the A64</p>
Annex 3, page A3: 368	Section 7 Boundary 2	Object	A far more logical and defensible boundary in this location would be the road that links the Park and Ride to the Sports Centre	Amend accordingly
Annex 3, page A3: 371	Section 7 Boundary 3	Object	A far more logical and defensible boundary in this location would be the road that links the Park and Ride to the Sports Centre	Amend accordingly
Annex 3, page A3: 374	Section 7 Boundary 4	Object	A far more logical and defensible boundary in this location would Lakeside Way	Amend accordingly
Annex 3, page A3: 377	Section 7 Boundary 5	Object	A far more logical and defensible boundary in this location would Lakeside Way	Amend accordingly
Annex 3, page A3: 380	Section 7 Boundary 6	Object	A far more logical and defensible boundary in this location would Lakeside Way	Amend accordingly
Annex 3, page A3: 382	Section 7 Boundary 7	Object	A far more logical and defensible boundary in this location would Lakeside Way	Amend accordingly
Annex 3, page A3:	Section 7 Boundary 8	Object	A far more logical and defensible boundary in this location would Lakeside Way	Amend accordingly

<b>Page</b>	<b>Policy/ Paragraph/ Site Ref.</b>	<b>Support/ Object</b>	<b>Comments</b>	<b>Suggested Change</b>
386				

**From:** Henry Brown [REDACTED]  
**Sent:** 22 July 2019 14:24  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** New Local Plan proposed modifications consultation  
**Attachments:** York Racecourse - City of York Local Plan - 180719.pdf; 2018 03 28\_York Representation Letter Publication FINAL.pdf; Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/ Madam

On behalf of our client, York Racecourse, please see attached our completed Consultation Response Form, letter dated 18 July 2019, and representation. I would be grateful if you could acknowledge receipt of this email.

Kind regards

**Henry Brown**

**Turnberry**

41-43 Maddox Street  
London  
W1S 2PD

[REDACTED]  
[REDACTED]  
[REDACTED]  
Web: [www.turnberryuk.com](http://www.turnberryuk.com)

*This email is confidential and privileged. If you are not the intended recipient please accept our apologies; please do not disclose, copy, or distribute information in this email nor take any action in reliance on its contents: to do so is strictly prohibited and may be unlawful. Please inform us that this message has gone astray before deleting it. If you have received this email in error, please notify the sender. Thank you for your cooperation.*

*Turnberry Planning Limited Registered in England and Wales: No 7537252*

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Pattison
Organisation (where relevant)		Turnberry
Representing (if applicable)		York Racecourse
Address – line 1		41-43 Maddox Street
Address – line 2		London
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		W1S 2PD
E-mail Address		████████████████████
Telephone Number		██████████

Representations must be received by Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B - Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

The Council's adopted Statement of Community Involvement contains Key Commitments with regard to community consultation. Number 2 states that the Council will produce reports which provide feedback on consultations and respond to issues raised. The Council's Consultation Statement (Regulation 22) states that comments submitted as part of the consultation on the Publication Draft (Regulation 19) Local Plan are not referred to as there is no requirement to take these into account before submission to the Secretary of State. As such, no report has been produced to respond to comments on the Publication Draft Local Plan, in breach of the Council's commitment to do so in its Statement of Community Involvement. While the Council may be technically correct that there is no requirement in the Town and Country Planning (Local Planning) (England) Regulations 2012 to set out how representations made pursuant to regulation 19 have been taken into account, the adopted Statement of Community Involvement makes clear that the Council will do this to ensure the community understands the background and reasons for decisions made. In light of this, and the fact that the Statement of Community Involvement has not been kept up to date in line with Government Guidance, the Plan has not been prepared in line with legal requirements and we would urge the Council to examine previous representations carefully.

## 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

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

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

On behalf of our client, York Racecourse, please see attached the letter dated 18 July 2019 and representation dated 28 March 2018.

Our client objects to the Local Plan in its current form, and is disappointed to see that the comments made in previous representations have not been taken on board by the Council in the preparation of this version of the Plan.

As stated in the attached letter, we write to re-iterate our previous objection on the grounds that the Green Belt designation is unduly restrictive, and that York Racecourse should be able to continue to adapt to meet local and visitor expectations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

See attached letter dated 18 July 2019 and representation dated 28 March 2018.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

As an important venue at both local and international levels and a significant tourist attraction, the Racecourse wishes to speak at the hearing sessions as part of its ongoing engagement with the Local Plan process.

Comments made in previous representations have not been responded to by the Council in its latest version of the Local Plan, nor has the Council released a Consultation Statement addressing comments made to its Regulation 19 Publication draft Local Plan. In light of this, our client wishes to make its case orally at the Examination hearings.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature  Date



**York**  
RACECOURSE

18 July 2019

Local Plan  
City of York Council  
West Offices  
Station Rise  
YORK  
YO1 6GA

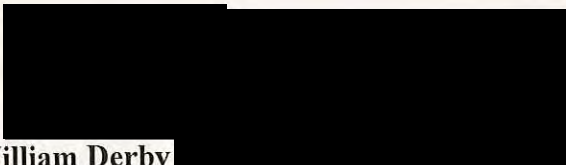
Dear Sir/Madam

**CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (JUNE 2019)  
CONSULTATION**

Further to your notification of the proposed modifications (June 2019) to the City of York Local Plan, we write to re-iterate our objection of 28 March 2018 (copy attached), in that the Green Belt designation is unduly restrictive, and that York Racecourse should be able to continue to adapt to meet local and visitor expectations.

York Racecourse's contribution to the local economy of the City of York should not be underestimated – the Racecourse has been on its present site since 1731. We therefore strongly propose that the main developed area of the Racecourse should be removed from the Green Belt designation. The current draft Local Plan does not currently support the sustainable development and growth of the Racecourse sufficiently to allow it to continue its important social, cultural and economic contributions for the City of York. It is an important venue for racing at local and international levels, and a significant tourist attraction.

Yours faithfully

  
**William Derby**  
Chief Executive and Clerk of the Course

Enc

Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

**Turnberry**

Our ref: COYC 28.03.2018 YR-M

Your ref: Local Plan – Publication Draft Feb 2018

28<sup>th</sup> March 2018

Dear Sir/Madam

**City of York Local Plan Publication draft (Regulation 19 Consultation) (February 2018)  
York Racecourse**

We write on behalf of York Racecourse in response to the City of York Council (COYC) Regulation 19 Consultation. Whilst the Racecourse is broadly supportive of the document, we consider that some key points have been omitted from the Plan.

We consider the Draft Local Plan in its current form to be **unsound** and we recommend that it is amended to take account of the contributions of the Racecourse, and is more explicitly supportive of both the Racecourse itself and its local economic contribution, which must be sustained by its ability to evolve and adapt.

**York Racecourse**

The success of York Racecourse is fundamental to the vitality of York and its sporting, social, cultural, historical and economic significance. York Racecourse is highly regarded for the quality of its racing, with three of the UK's top rated (Group 1) races taking place at the Racecourse every year. Given the high standard of racing on offer, the Racecourse remains one of the premier sporting venues in Yorkshire, attracting local, national and international visitors to York. In 2016 and 2017, it was named Racecourse of the Year. The Racecourse continues to make a significant contribution to the cultural and economic vitality of York.

The impact of British racing on the national and local economy is significant. In the context of York, the racecourse is a significant contributor not only to the local city, but the region as a whole, with its influence extending to a national and international level. A 2011 study by Sheffield Hallam University calculated that York Racecourse contributed approximately £58 million to the local economy per annum. It also creates a significant number of permanent and transitory employment opportunities, not only through the racing industry, but also through its conferencing, hosting everything from weddings, to major events such as the Ebor Festival which attracts runners and riders from an international audience.

The rent and rates paid by York Racecourse to COYC are directly related to its ongoing financial success.

The Racecourse also contributes substantially to local community and charitable programmes, such as the Macmillan Charity Race day which in 2017 raised over £500,000 for cancer related and local charities. The successful functioning of the Racecourse, supported by its facilities, is imperative to not only maintaining its position among top ranking national and global racecourses, but also continuing its contribution to the social and economic prosperity of the City, and indeed the COYC.

York Racecourse itself has grown in an ad-hoc fashion over the course of its existence. This is part of the reason that the Racecourse has been successful over the centuries. As needs and expectations from visitors and users change, the Racecourse has been able to adapt and remain a prominent and well-regarded fixture within British racing industry. The need to remain competitive and adapt is no less important in this modern day and age.

The Racecourse is keen to ensure that it has the support and ability to adapt and modernise when necessary, not only from the COYC, but also within the emerging draft Local Plan. In the future, it must be able to upgrade its facilities in order to bring them up to a suitable standard befitting of one of the UK's top racecourses.

It is therefore important that these contributions of the racecourse as a key visitor and tourism generator are recognised by the COYC in the Local Plan. It is critical that the Racecourse can continue to be competitive as a global racing venue, and host significant social and cultural events.

As a whole, the Publication Draft Local Plan makes little reference to the Racecourse and its contribution as a successful venue for tourism and conferencing, as well as its contributions to the economic, social and environmental sustainability of York as mentioned above. We made a number of comments in response to the pre-publication draft (letter dated 30<sup>th</sup> October 2017), and few changes appear to have resulted in the policies and sections of the Local Plan on which we commented.

## **Spatial Vision**

The Racecourse is generally supportive of the spatial vision of the draft Local Plan and agrees that the Green Belt should be protected whilst taking a proportionate amount of land out of the Green Belt, and thus allowing for appropriate levels of growth to be supported by suitable infrastructure. We recognise that the City of York must continue to support the growth of the City in a well-managed and strategic manner, in order to support a sustainable future for the community and the local economy of the City and the greater region.

## **Green Belt**

We consider that the Green Belt designation and section 10 *'Managing appropriate development in the Green Belt'* is **not consistent** with the policies set out by the NPPF.

### *Draft Local Plan Proposals Map; draft Policy GB1*

In principle, York Racecourse considers that the Green Belt designation is unduly restrictive. As set out above, the Racecourse is an important local venue with influencing reaching up to an international



scale. Therefore, it is important that the Racecourse is able to continue to adapt to meet local and visitor expectations.

Former national policy (Planning Policy Guidance 2: Green Belts) made allowance for the designation of 'Major Developed Sites' within the Green Belt. As such, the City of York Development Control Local Plan (2005) designated the Racecourse under *Policy GB10: Major Developed Sites in the Green Belt* (as shown in **Figure 1**). That policy provided explicit guidance and allowances for the Racecourse to implement improvements for 'racecourse related uses'.

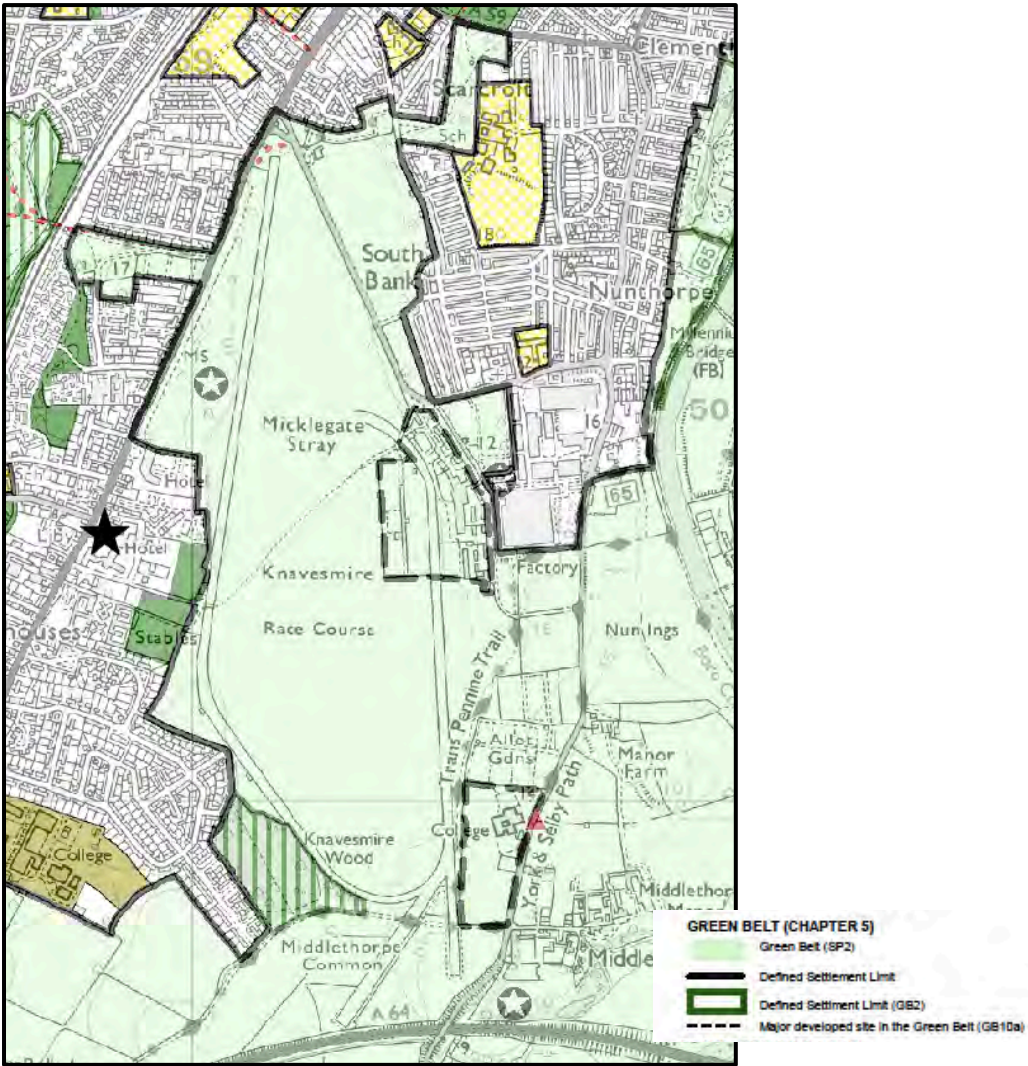


Figure 1: City of York Development Control Local Plan (2005) proposals map

Although the National Planning Policy Framework (NPPF) does not make specific reference to the allowance for 'Major Developed Sites' in the Green Belt, it does not prevent a similar designation being made within a Local Plan. By removing the 'GB10 Major Developed Sites in the Green Belt' designation, the Racecourse is now in a position where any development within the main Racecourse grounds are subject to the Green Belt restrictions as defined in 'GB1: Development in the Green Belt' of the emerging draft Local Plan, and the NPPF. However, it appears that there are other sites previously defined as

'Major Developed Sites' that are now proposed to be removed from the Green Belt (York Designer Outlet) or have been granted extra allowances (Askham Bryan College, policy ED7) within the draft Plan with no justification within the evidence base. The draft Local Plan therefore acknowledges the significance of these sites, but this has not been similarly carried over in reference to the Racecourse.

Paragraph 87 of the NPPF states that development should not be approved in the Green Belt unless under 'very special circumstances'. This would therefore require an onerous amount of justification for any scale of adaptation or development on the Racecourse grounds. Given the local, national and international significance of York Racecourse and its contribution to the local economy, its operational success is critical, and we consider that the extent of the Green Belt in this location is illogical and unnecessary and furthermore that the removal of the 'Major Developed Sites in the Green Belt' designation is highly punitive on the Racecourse.

Whilst we note that the supporting text to Policy GB1 (Para 10.12) has been amended since the previous draft Local Plan to permit '*limited infilling and development that would lead to an overall improvement in the character and appearance of the Green Belt*'. However, this limits the opportunities for redevelopment within the existing built envelope of the Racecourse. The policy should be amended to ensure York Racecourse has support through the Local Plan to continue to adapt and evolve as appropriate. If more supportive or precise language cannot be included within Policy GB1, we would alternatively suggest that it would more appropriate to exclude York Racecourse from the Green Belt.

Paragraph 83 of the NPPF allows for the alteration of Green Belt boundaries in exceptional circumstances, only through the preparation or review of the Local Plan; '*at that time, authorities 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*'. York Racecourse has not been considered in a similar vein as York Designer Outlet or Askham Bryan College. York Racecourse, which has a similar amount of existing development on its site, should be considered no differently due to its existing scale of development. Nor should York Racecourse not be afforded broader allowances within draft policy that would be so restrictive on future development schemes because they are located within the Green Belt.

The removal of this area of land from the Green Belt, would not contradict the five purposes of the Green Belt as set out in paragraph 80 of the NPPF, as the open area of the racecourse, and the Knavesmire, safeguards the countryside, and preserves the character and setting of York. Furthermore, paragraph 85 of the NPPF states, '*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 is unnecessary to keep permanently open;*
- *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.'*

York Racecourse's success is a key component for the sustainable future of York, and therefore allowances for development within its existing built up area is fundamental to securing this future. The

area of the Racecourse, previously defined as a Major Developed Site is not open and is also clearly defined by the existing physical extent of development. Therefore, the Green Belt designation of the racecourse is inconsistent with the policies set out by the NPPF. We note that there has not been any review of the Green Belt undertaken during the Local Plan process, which would be a useful tool to inform the strength of the COYC's current Green Belt boundary. The lack of such relevant evidence is contrary to paragraph 158 of the NPPF that requires Local Plans to be based on '*adequate, up-to-date and relevant evidence*'.

For the reasons set out above, we consider the Draft Local Plan to be **unsound** in terms of Green Belt policies, which are not consistent with national policy (NPPF paras 83, 85 and 158) as required by paragraph 182 of the NPPF. Furthermore, there is no proportionate evidence base to support the strategy for alterations to the Green Belt boundary, which should only be altered in exceptional circumstances (para 83, NPPF).

City of York Council should prepare a Green Belt review in support of their proposed alterations to the Green Belt boundary, in order to provide a robust baseline strategy for development requirements. We strongly propose that the main developed area of the Racecourse (as marked on the plan in **Appendix A**), should be removed from the Green Belt designation within the City of York's emerging Local Plan. The removal of the '*Major Developed Sites*' designation restricts the overall flexibility of the Racecourse to continue to adapt and remain competitive. Alternatively, a policy which continues to recognise the developed nature of the Racecourse, and as such provides flexibility as with the former GB10, should be included within the emerging Local Plan. This should be worded to offer certainty to the operational ability, and long-term sustainable success of the Racecourse as a locally, nationally and internationally important asset.

## Visitors and Tourism

### *Draft Policy EC4*

Within York, the Racecourse makes a significant contribution from the local to international level to the unique vibrancy of the local area, generating economic, cultural and social benefits for York and the broader region. The Racecourse is one of the largest professional sporting venues in Yorkshire, attracting visitors from all over the country to York

Draft 'Policy EC4: Tourism' is a necessary and proactive policy with regard to further developing York's tourism economy and infrastructure. It also provides practical guidance on how the City seeks to utilise tourism as an economic boon and take steps to realising the vision laid out in the York Economic Strategy 2016. We welcome the supporting text to Policy EC4 which states '*tourism, leisure and cultural developments should be directed towards the city centre or other particularly significant attraction locations like York Racecourse with its conferencing facilities*' (para 4.12).

'Policy EC4: Tourism', states that Council will support:

- *maintaining and improving the choice and quality of visitor accommodation to encourage overnight stays, particularly by higher spending visitors;*
- *the provision of quality visitor attractions including temporary structures throughout the year especially ones with a national/international profile, in locations which are easily accessible by a variety of transport modes and complement York's existing cultural heritage;*

- *the retention and growth of existing visitor attractions;*
- *maintaining and improving the choice and quality of business, conferencing and events facilities to encourage business visitors;*
- *the enhancement of the built environment and public realm, particularly around access to the river and showcasing York's built heritage; and*
- *the establishment of a more diverse evening economy.'*

Whilst the Racecourse fits the criteria of a tourism venue set out in the policy, the supporting text refers only to the Racecourse as a conferencing venue and does not pay enough particular attention to the contributions that York Racecourse provides in supporting the tourism industry and the broader local economy.

In order for York Racecourse to expand and remain viable, the Racecourse must be able to adapt, particularly outside the primary racing season. In regard to York Racecourse specifically, the language of Policy EC4 and how it seeks to promote the tourism sector, runs counter to the designation of York Racecourse being placed in the Green Belt and therefore being restricted by its limits on development. It would be helpful for the Local Plan to specifically refer to sites that the Council supports for growth within Policy EC4. The inclusion of such sites would provide greater clarity for York Racecourse, and other visitor focused attractions, to be acknowledged and supported if and when any applications were to come forward for consideration. Our suggested wording for such a policy to add to Policy EC4 is as follows:

*Uses of international and/or national importance and the buildings and sites that accommodate them will be protected and supported throughout the City of York. Sustainable growth for the benefit of the local area will be encouraged by the enhancement of existing visitor attractions, particularly York Racecourse, (and other significant sites as appropriate).*

#### *Hotel sites*

York Racecourse has long term aspirations for the development of a hotel within the main racecourse area. This would meet the aspirations of Policy EC4 for *'maintaining and improving the choice and quality of visitor accommodation to encourage overnight stays, particularly by higher spending visitors.*

However, the supportive text at paragraph 4.13, states that hotels are defined as a town centre use and that the town centre is to be viewed as the primary location for hotels. Section 4.12 also states that: *'where suitable sites are not available in the city centre, sites in edge-of-centre locations will be considered and, if no suitable sites are available in any of the preferred locations, out-of-centre sites will be considered'*. York Racecourse approximately 1 mile from the City Centre, and a sustainable venue for a hotel, given that many visitors to York are already likely to be visiting the Racecourse during the day, and so the provision of overnight accommodation could help to reduce the number of journeys made by visitors around York. However, the Local Plan should be more explicit in its support for the development of hotels at existing tourism venues, such as the Racecourse.

We suggest that the draft Local Plan include York Racecourse as a preferred site for hotel development within the policy to allow for the development of additional visitor facilities in the future if appropriate. Our suggested re-wording for such a policy to add to Policy EC4 is as follows:

- *the provision of quality visitor attractions including temporary structures throughout the year especially ones with a national/international profile, in locations which are easily accessible by a variety of transport modes and complement York's existing cultural heritage, such as York Racecourse.*

We wish to reiterate that there is a widely acknowledged need and requirement for hotels to be provided in York and we do support '*Policy EC4: Tourism*'. This policy generally supports the activities of the Racecourse, and thus could provide a greater boost to the economy and local employment opportunities through the conferencing and events aspect of the Racecourse. Overall, providing additional accommodation for race-goers, stable staff and international owners in York would also allow the Racecourse to accommodate a greater range of conferences and non-racing events, which often require overnight accommodation. This potential expansion of services at the Racecourse would greatly assist the Racecourse to diversify its revenue model over a much broader timeframe beyond the primary racing season. The Racecourse must continue to find alternative ways to generate revenue so that it can sustainably fund and deliver required upgrades across the entire Estate. This diversification of the racecourse's activities would therefore deliver additional significant economic benefits to the local area and to the Council through increased revenue via our mutually beneficial revenue sharing model.

According to paragraph 156 of the NPPF, Local Plans should set out **strategic priorities** for the area in the Local Plan, including for the delivery of '*retail, leisure and other commercial development*'. Policy EC4 does not set out such priorities.

We would suggest, therefore, the wording on Policy EC4 be revised to provide more flexibility for new visitor accommodation at York Racecourse and ensure it is consistent with national policy. The policy should refer to York Racecourse as a preferred site so as to protect the long-term viability of the Racecourse and its tourism related functions.

## **Residential sites**

The COYC are relying on around 169 dwellings each year to be delivered through windfall development sites. The Racecourse is constantly reviewing its Estate and there are two sites which could conceivably accommodate residential accommodation in order to meet the Objectively Assessed Need of the City of York through windfall development.

### *Middlethorpe Village Site*

The Racecourse currently owns a site within Middlethorpe Village which currently houses the Racecourse greenhouses. As part of a long-term strategic review of uses across the Estate, a more suitable location could be found for these greenhouses, thereby freeing this brownfield site for an appropriately scaled housing development. As per '*Policy H2 – Density of Residential Development*', this site is classified as being 'rural area and villages' and would therefore support up to 35 housing units per acre. The site is in a sustainable location and can contribute to a sustainable pattern of growth as the site is within the settlement boundary of the village and would therefore be subject to '*Policy GB2 – Development in Settlement 'Washed Over' by the Green Belt*', which states:

*“planning permission for the erection of new buildings...will only be permitted provided:*

- I. the proposed development would be located within the built-up area of the settlement; and*
- II. the location, scale and design of the proposed development would be appropriate to the form and character of the settlement and neighbouring property; and*
- III. the proposed development would constitute limited infilling and would not prejudice the openness or the purposes of the Green Belt.”*

Furthermore, Paragraph 55 of the NPPF supports building housing in rural areas under certain circumstances. It states: *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby”*. In this context, additional housing in Middlethorpe could contribute to the sustainability of the nearby village of Bishopthorpe.

#### **Stables Site**

The Racecourse owns a site that houses its stables, accessed from Tadcaster Road to the west of the Knavesmire and Racecourse. The site has previously been put forward by the Racecourse in the Council's Call for Sites in 2015, but has not been carried forward as an allocated site within the current draft Local Plan.

This site, through a long-term strategic review of uses across the Estate could be relocated to a more suitable area. It falls outwith the Green Belt designation and is a sustainable location for housing in close proximity to existing residential development. In accordance with *‘Policy H2 – Density of Residential Development’*, the site is located within the ‘York urban area’, and therefore could support up to 50 housing units per acre.

York Racecourse would therefore put forward these sites for residential development in the long term to assist COYC meet its objectively assessed housing need through its annual windfall allowance. Due to these two sites strategic and sustainable locations, they will help the COYC meet the policy guidance of *‘Policy DP2 – Sustainable Development’*, *‘Policy DP3 – Sustainable Communities’*, *‘Policy SS1 – Delivering Sustainable Growth for York’* and *‘Policy H3 – Balancing the Housing Market’*, of the draft Local Plan. They could also assist the Racecourse with disposing of underutilised sites and enable revenue to be reinvested into other strategic projects located elsewhere on the Racecourse Estate, thus improving the long-term sustainability of the Racecourse.

#### **Summary**

York Racecourse in principle supports the draft Local Plan. We believe it will contribute to the overall sustainable growth of the community in the long-term. However, the Local Plan does not currently support the sustainable development and growth of the Racecourse sufficiently in order to allow it to continue its important social, cultural and economic contributions within the City. The Racecourse is an important venue for racing at a local and international level, and a significant tourist attraction. The revenue is linked to the performance of the Racecourse and in turn is a contributor to the economic

success of the City of York. It is therefore necessary for the vitality of the Racecourse and the City that these contributions are recognised and supported through the Local Plan to allow the Racecourse to continue to thrive.

We suggest that the Green Belt boundary is amended within the Local Plan Proposals Map, in accordance with the former 'Major Developed Sites' designation within the Local Plan 2005. This is a well-established and developed area, and the restrictions that the Green Belt policies place on the development of the Racecourse, restrict its ability to continue to evolve and adapt, and ensure its long term sustainable contribution to the City of York. Alternatively, the previous allowances from policy '*GB10: Major Developed Sites in the Green Belt*', should be carried over in the form of a supportive policy that does not restrict the Racecourse in such punitive measures.

Furthermore, we suggest that the draft Local Plan should better recognise the need for new visitor and tourism accommodation in locations within or adjacent to existing visitor attractions, and identify the Racecourse as a specific important tourism venue. We consider that the draft Local Plan is an opportunity to recognise the contribution of the specific tourist assets within York, including York Racecourse. It would be a benefit to the City as a whole, if the Plan included a policy that supports proportionate and sustainable development of those assets in order to preserve their ability to evolve, adapt and continue to contribute economically and culturally at the local and national scale. In particular, the Local Plan should support the development of a hotel at the Racecourse, which would meet the identified preferences of the Local Plan to locate new hotel development at established tourism venues.

In terms of paragraph 182 of the NPPF, the Local Plan in its current form cannot be considered **sound**, as it does not have a proportionate evidence base for to justify the amendments to the Green Belt boundary. It is also inconsistent with national policy in relation to its approach to the Green Belt boundary, support for sustainable leisure developments, and strategic priorities for York have not been defined.

I trust that these comments are of assistance and will be given due. Should you require any clarification regarding the contents of this letter in further detail, please do not hesitate to contact me.

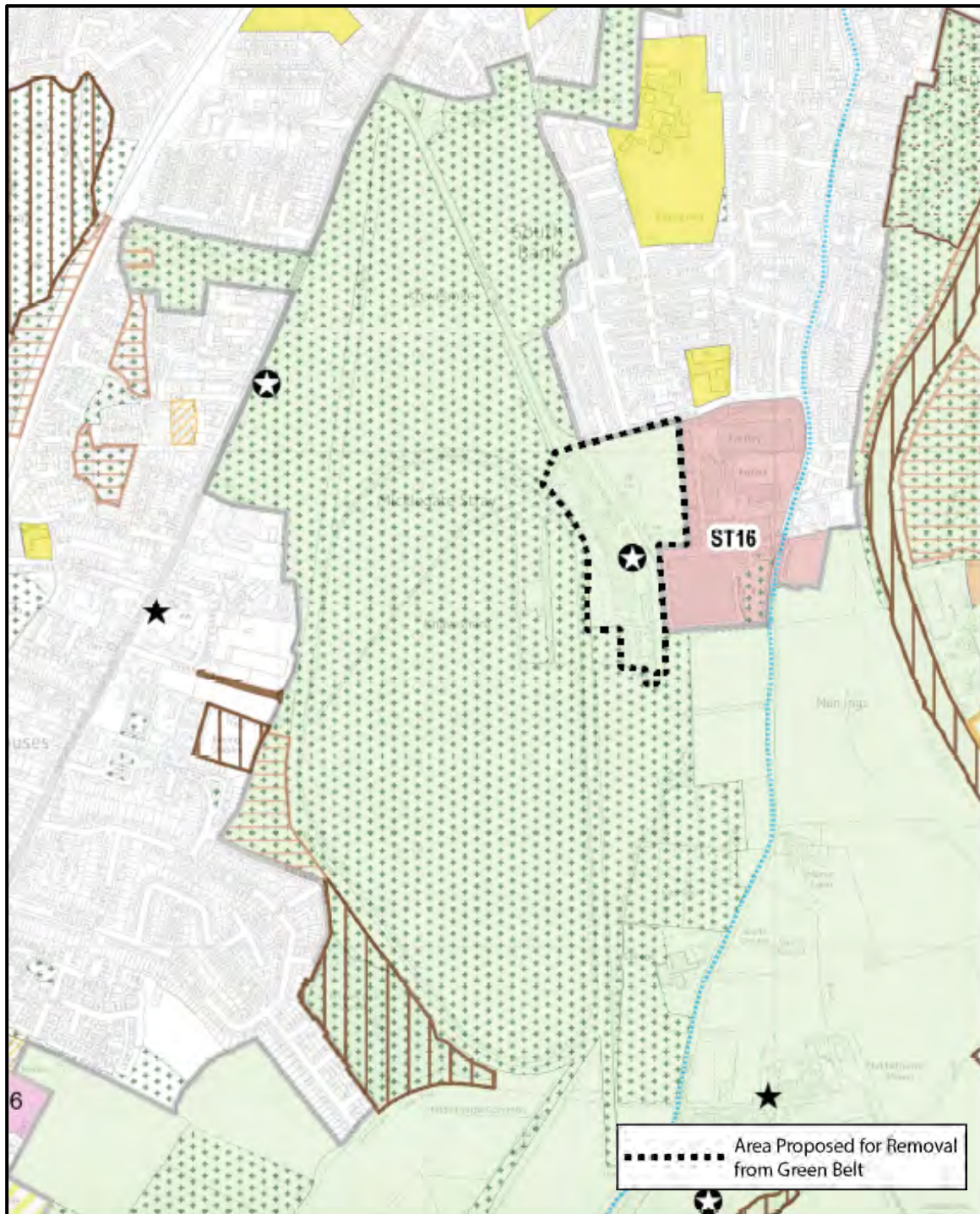
Yours faithfully,

Susannah Byrne

**Turnberry Consulting Limited**

Enclosed:

**Appendix A – Main developed area of the Racecourse to be removed from Green Belt designation**





## Appendix B – Letter to COYC re Call for Sites

Our ref: WJPD/SJR

14 October 2011

Core Strategy Consultation  
City Strategy  
City of York Council  
FREEPOST (YO239)  
YORK  
YO1 7ZZ

Dear Sir/Madam

### **CORE STRATEGY SUBMISSION – LOCAL DEVELOPMENT FRAMEWORK**

York Racecourse would like to submit the following comment regarding the documents supporting the Local Development Framework.

Our representation relates to the supporting document “Strategic Housing Land Availability Assessment” dated September 2011. Under paragraph 9.63, figure 17, number 247 ‘Land adjacent to Racing Stables, Tadcaster Road’ – we note that this site has been removed from the SHLAA.

York Racecourse would like to comment that this land is owned by the racecourse itself, and is not part of the Knavesmire or Micklegate Stray. The land has, in the past, been identified as a possible development site and the racecourse would like the land to remain as a possible site for housing development in the future. York Racecourse owns the stables site and it may be that in the future the stables may/will have to be relocated to the stands side of the racecourse (due to safety/economic reasons) and the site on Tadcaster Road may become redundant and required to be sold off to fund any redevelopment. The current stables site fronts Tadcaster Road so would have good vehicular access for any future housing development. We would formally request that this land be put back on to the list as a potential residential site.

Yours faithfully

**William Derby**  
Chief Executive and Clerk of the Course



[Redacted]

**From:** Kiely, Jesse [Redacted]  
**Sent:** 22 July 2019 19:24  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Haxby, Usher Park Road  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Haxby, Usher Park Road, York - Persimmon Home....pdf; Site Plan - York, Haxby, Usher Park Road.pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Haxby, Usher Park Road (including site plan) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[Redacted]  
 [Redacted]  
[Persimmon House | Fulford | York | YO19 4FE](#)

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – WHITELAND FIELD, USHER PARK ROAD, HAXBY, YORK – PERSIMMON HOMES**

We write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Whiteland Fields, Usher Park Road.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at, Whiteland Field, Usher Park Road, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement and the updated background Green Belt Topic Paper

**DELIVERABILITY OF WHITEFIELD LAND, USHER PARK ROAD, HAXBY YORK SITE**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide a summary of the previous representations we submitted in respect of the deliverability of the Whiteland Field, Usher Park Road site.

The site is not located in an area of "Primary Constraint" as identified in Figures 3.1 3.2 to 3.3 of the Submitted Draft Local Plan. It is land bounded by a railway line on the eastern boundary and with curtilage of existing residential development on the western boundary and is privately owned, and therefore not publicly accessible for any public recreational use.

It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of ecology, landscape, Green Belt, archaeology, drainage, infrastructure and highways assessments. These assessments have never identified any constraints that would preclude the development of the site. In addition, our

technical review of flood risk, drainage and infrastructure services reports have informed the preparation of a deliverable concept masterplan which yields 49 new homes.

The concept masterplan has accounted for all known environmental constraints and is considered to have satisfactorily addressed them through sensitive design. The documents also demonstrate that the site offers a highly deliverable, yet appropriate response to its location and surroundings and would make a significant contribution toward the delivery of the City's future housing requirements.

The previously submitted documentation confirms that the development proposals are situated in a suitable and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as we can deliver new homes on the site within the next five years.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 49 new homes in the monitoring year 2021/2022. Resulting in the delivery of all 49 homes from the site in the first five years post adoption of the Local Plan.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

This criteria cannot be applied to Whitefield, Usher Park Road. The four boundaries are considered in turn: -

- Western boundary - Formed by long established residential development
- Northern boundary - Formed by dense established tree / hedge line then agricultural land
- Eastern boundary - Formed by Railway line
- Southern Boundary - Formed by long established residential development

The development surrounding each of the site's boundaries is part of an urban/established area. Retention of the site as Green Belt will have no impact whatsoever on whether the urban area of York expands in one direction or another. It will be appreciated that part of the site is a field surrounded by developed land. It therefore cannot have any role in checking unrestricted sprawl. The continued inclusion of this land as Green Belt cannot be justified and should be allocated for residential development. The five Green Belt criteria are considered below:

1. **To check the unrestricted sprawl of large built-up areas**

The western and southern boundaries of this field are formed by long established residential development. The eastern boundary is formed by a railway line. The northern boundary of the site has a slight dog leg in it and is the natural extension of the rear garden boundaries to the west heading towards the railway. The northern boundary is reinforced by overhead electricity lines. The proposed Green Belt boundary which steps noticeably south to include Whiteland Field is illogical.

2. **To prevent neighbouring towns from merging into one another**

Sutton-on-the-Forest is the nearest settlement north of Whiteland Field and is over 6.5 km from

Whiteland Field. The CYLPS allocation ST9 west of Whiteland Field lies wholly to the north.

Whiteland Field does not meet criteria 2.

3. To assist in safeguarding the countryside from encroachment

Whiteland Field is not part of sensitive countryside. It has non-countryside uses on three of its boundaries. The overhead electricity lines detract from any character it may have as countryside. It is dominated by development rather than rural features.

It performs a very weak role in preventing countryside from encroachment.

4. To preserve the setting and special character of historic towns

The land is part of Haxby, a long established, large housing development. The general Area does not support the setting or special character of York or the older elements to Haxby.

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The CYLPS has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying sites for over 7,000 houses on former Green Belt land can take place without discouraging urban regeneration.

The removal of Green Belt designation from Whiteland Field will not have any impact on this criteria being achieved.

### Summary

Whiteland Field does not meet any the Green Belt criteria and should be allocated for residential development. Persimmon Homes previously has put forward a number of reports in support of its allocation including transport, services, archaeology and masterplan. Persimmon owns the land and is keen to progress development of the site once a satisfactory planning position has been obtained.

***The site should be allocated for residential development to make a rational Green Belt boundary and provide a deliverable site and to contribute to meeting the City's widespread housing needs.***

Site Name	Site Size ha	Estimated Yield	
		(Dwellings)	Estimated Phasing
Whiteland Field, Haxby	1.3	49	Short Term

The removal of Green Belt designation and allocation of the site as a housing allocation will not have any impact on this criteria being achieved.

In conclusion, it is clear that the site does not meet any of the five purposes of Green Belt designation. The reality is that the site is a field surrounded by existing development and railway line, the agricultural land on the north boundary is visually defined by the mature hedgerow and trees. **The site should therefore be removed from the Green Belt and allocated for residential development, with the site being used to define this part of the inner Green Belt boundary with a rational boundary.**

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City.

## THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).
6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa

4

Persimmon Homes Yorkshire is a trading division of Persimmon Homes Limited  
Registered Office: Persimmon House, Fulford, York YO19 4FE  
Registered in England No. 4108747. A Subsidiary of Persimmon plc



7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Windmill Lane, York.

## CONCLUSIONS

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Whiteland Field, Usher Park Road, :-

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

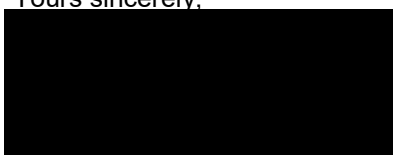
Furthermore, the site ST9- Land North of Haxby has been consider to be released from greenbelt and allocated as a strategic housing development site with the potential to deliver 735 new homes during the lifetime of the adopted local plan period. Our site, Whiteland Field, Usher Park Road is located adjacent to ST9 and sits on same Northern boundary of Haxby's settlement, however our site has been excluded on the Green Belt released list. We believed over the years, with the substantial evidence submitted it has proven the site is available, suitable, deliverable for housing. The site does not meet any of the five Green Belt criteria and should be allocated for housing development. If our site is allocated for housing development it will contribute to meeting York's housing needs in the short-term, whilst ST9 is a much larger and complicated site which will require longer period of planning, and at the same time carry a much higher risk of delayed or non-deliverability.

On account of the above we **object** to our Whiteland Field, Usher Park Road site being rejected as a potential housing option within the York Local Plan.

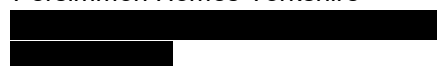
The site has the potential to provide a residential development of up to 49 new homes, areas of public open space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs and the delivery of a number of socio-economic benefits.

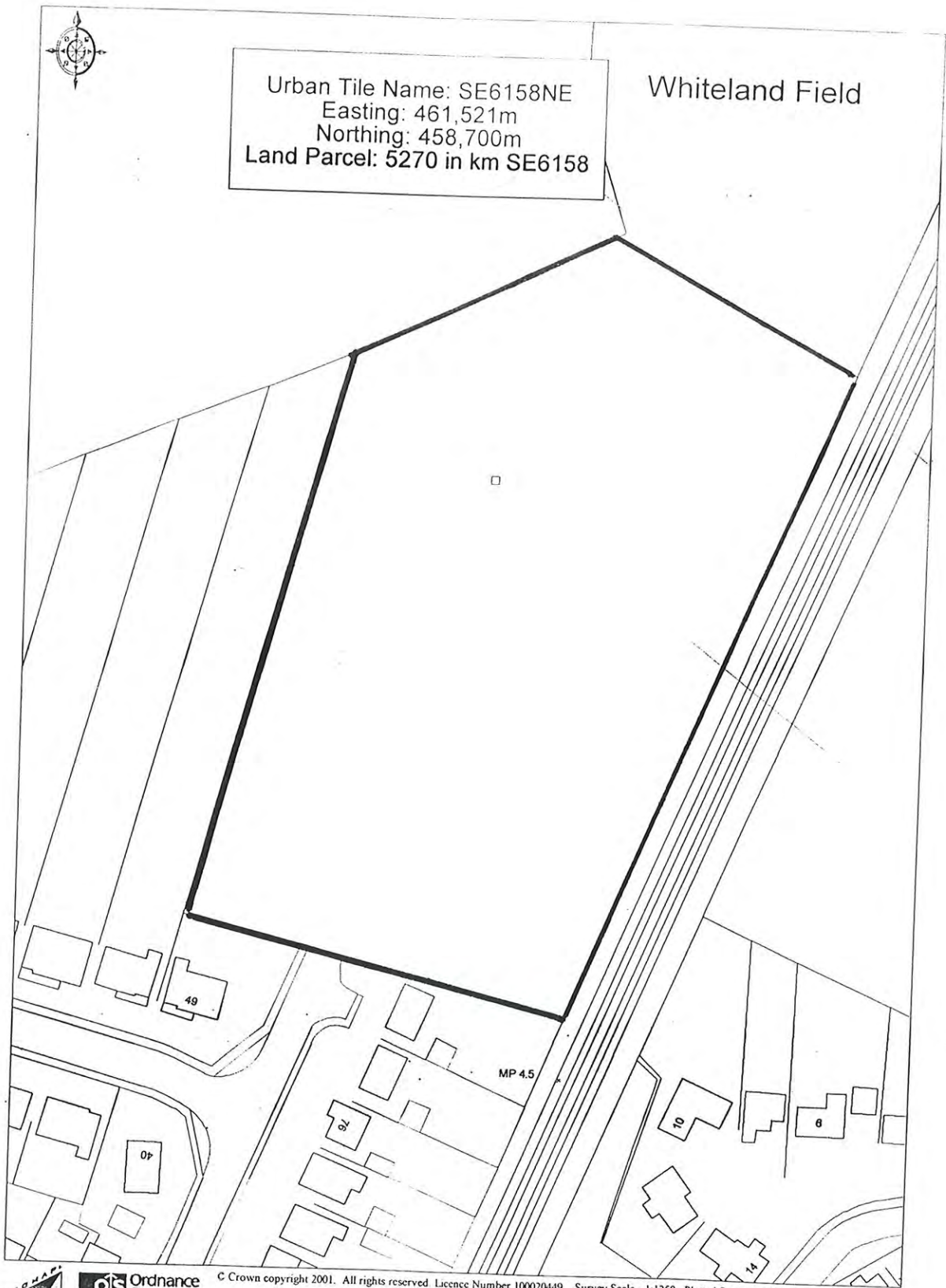
Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire





Ordnance Survey

© Crown copyright 2001. All rights reserved. Licence Number 100020449. Survey Scale - 1:1250. Plotted Scale - 1:1250

York, Maxby, Usher Park Road

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59





## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council’s Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government’s objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG

published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

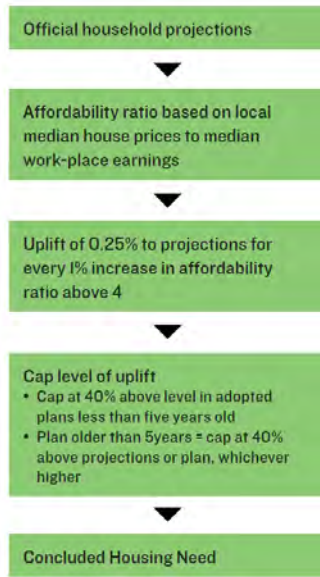
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG's September 2017 consultation on "*Planning for the right homes in the Right Places*". The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."*  
*"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

**Satnam**

2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

**Kings Lynn**

2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*



*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

- 2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].
- 2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sits within this range, at +26,078.
- 2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:  
  

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]
- 2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.
- 2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

- 2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

- 2.53 With regard to market signals, the HNU notes that
  - Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*

*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12



*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.*<sup>18</sup>

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term 'norm' they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

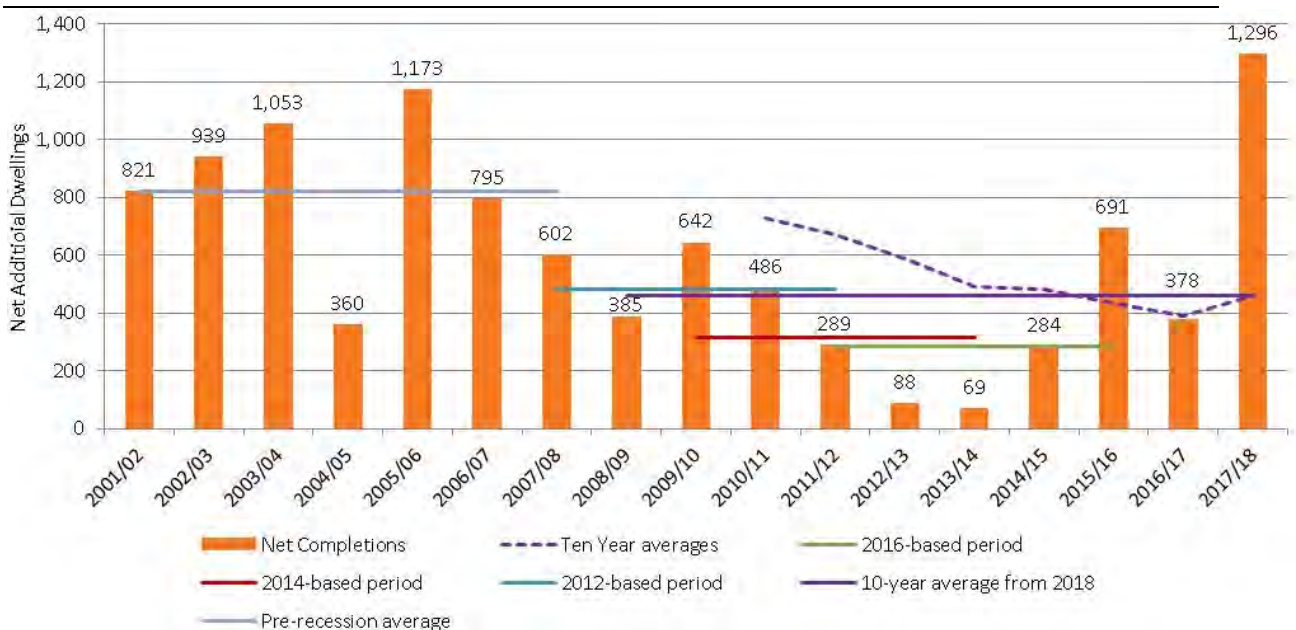
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

### Housing completions

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

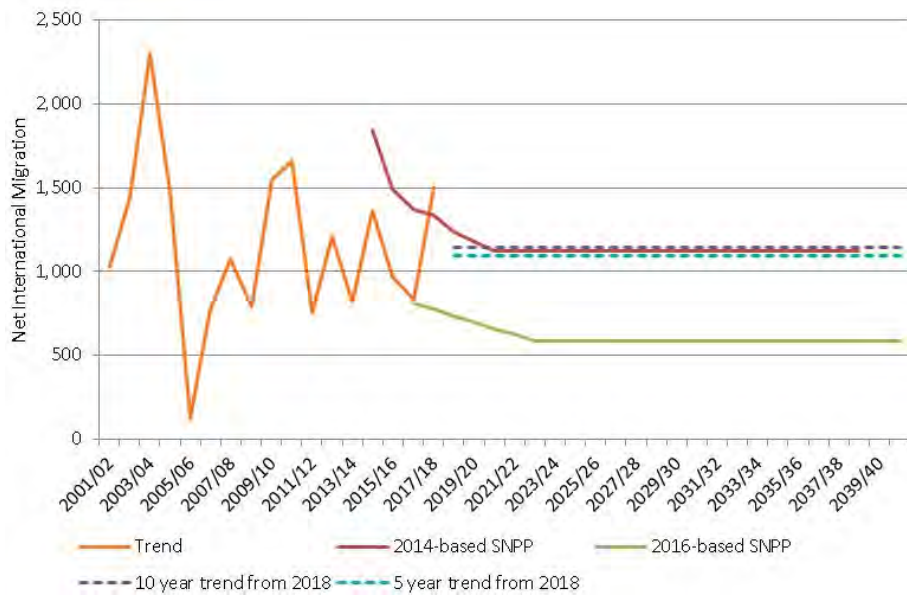
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*

Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**



**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:

- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
- An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
- Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
- In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
- Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].

4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.

4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently

being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

**2. Affordability Modelling based on University of Reading/OBR assumptions**

4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:

*“Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*

4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.

4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

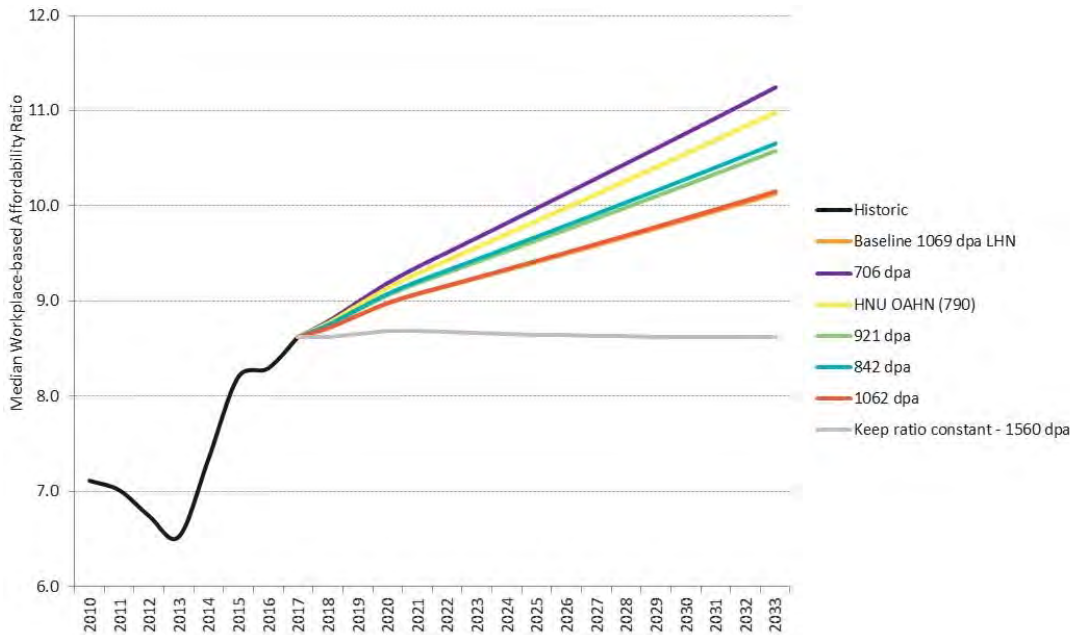
- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
- House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
- The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
- A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
- An uplift of 20% is well-founded and realistic (p.6).



- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

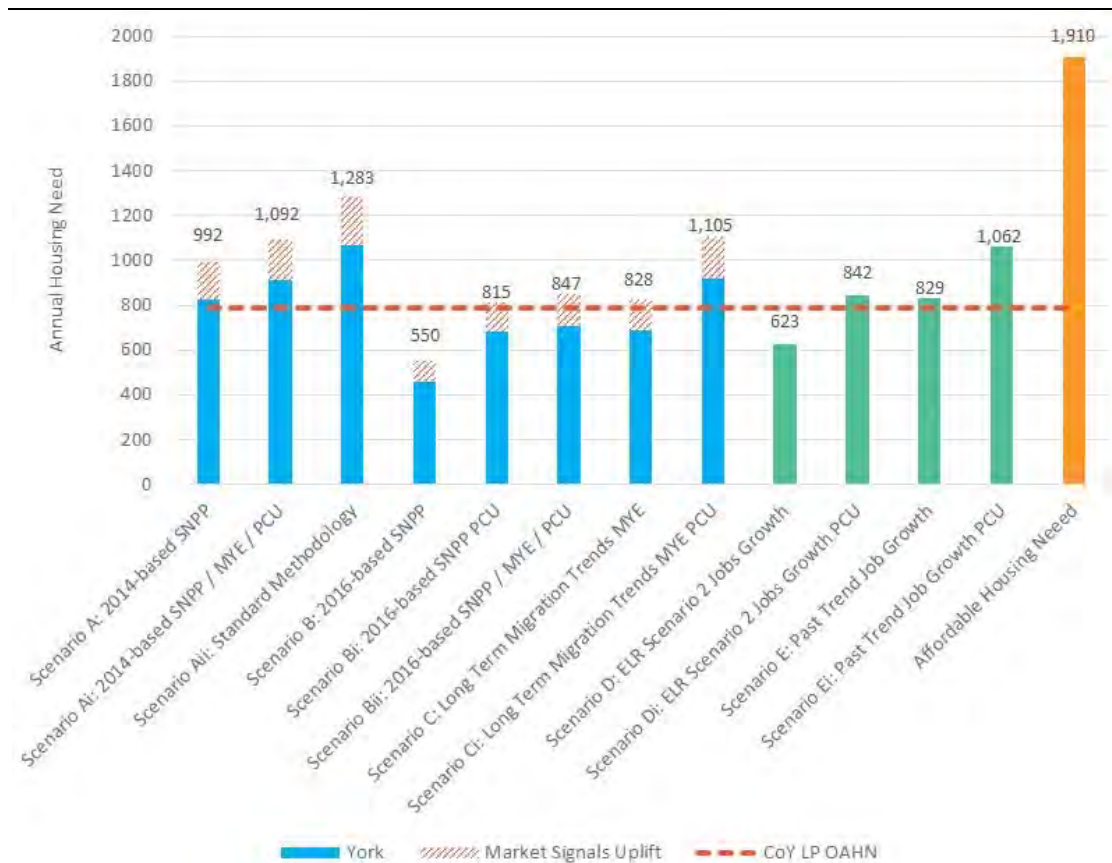
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306

## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

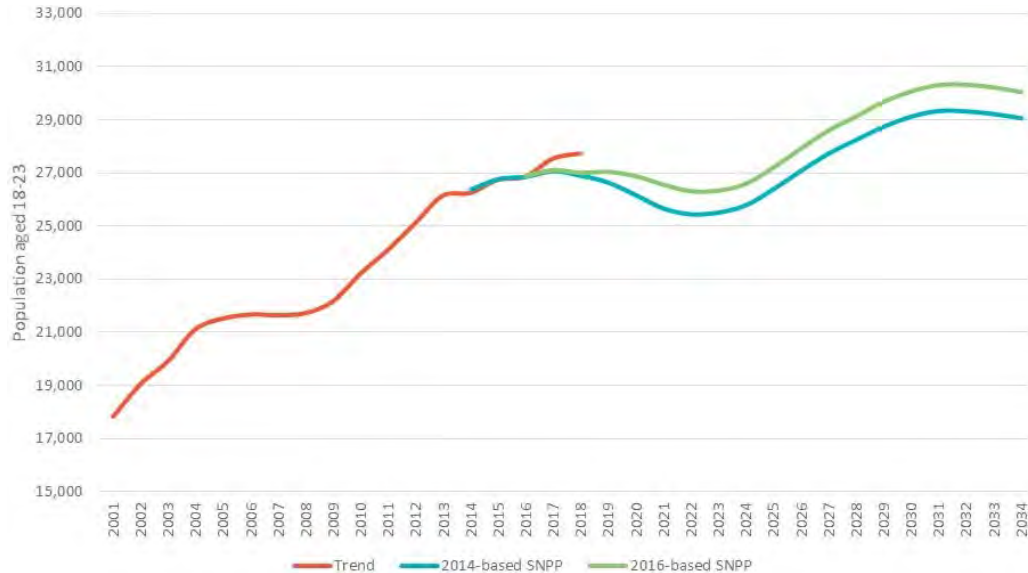
<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5



## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

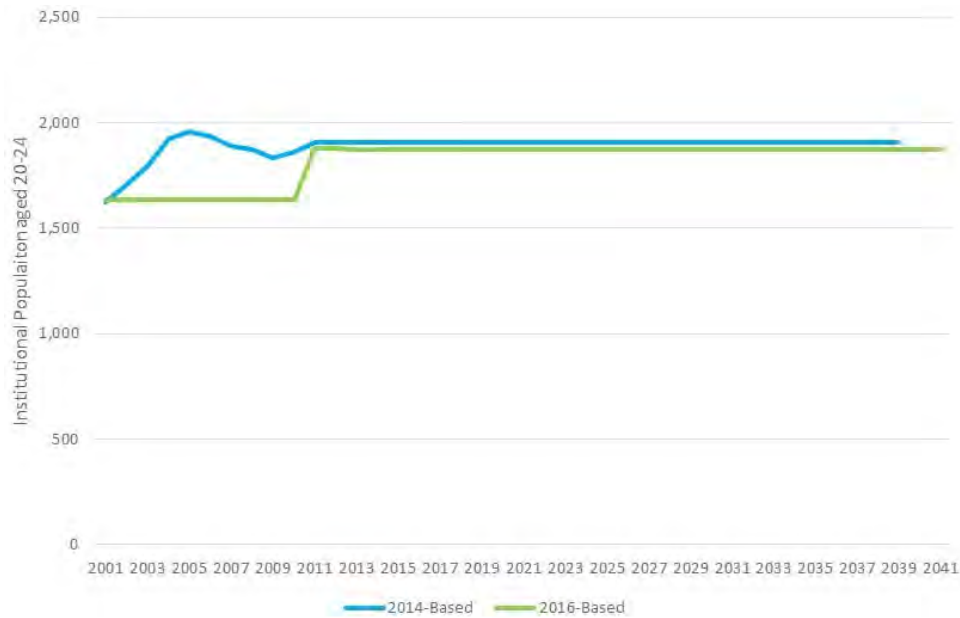
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

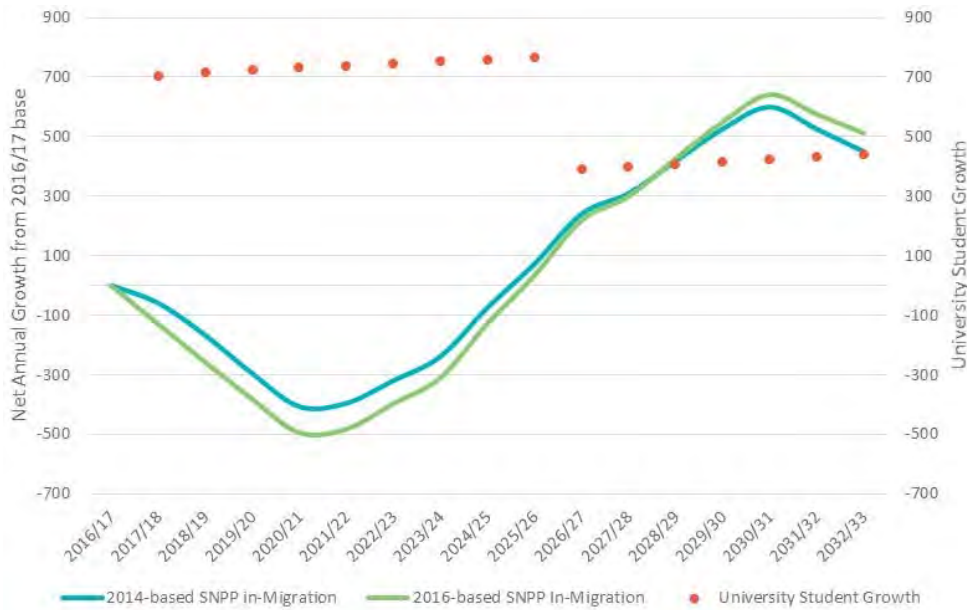
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

5.30

Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913

Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

## 7.0 Conclusions on the City of York's Housing Need

- 7.1 The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an



additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

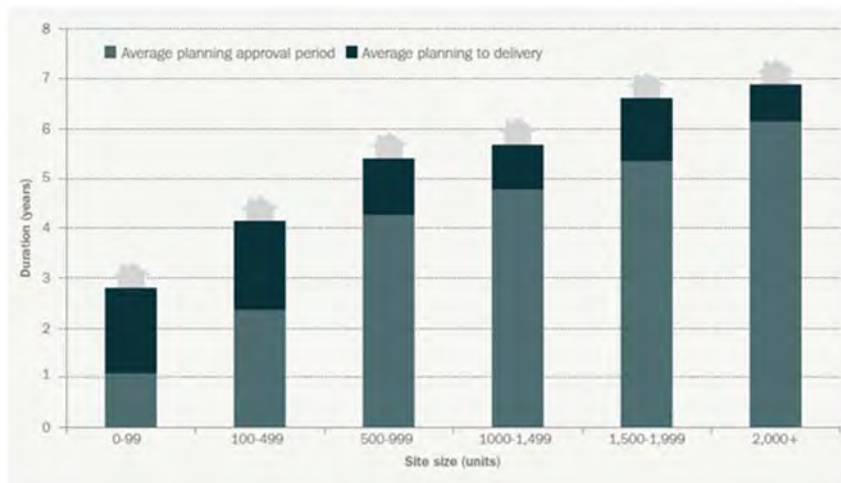
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

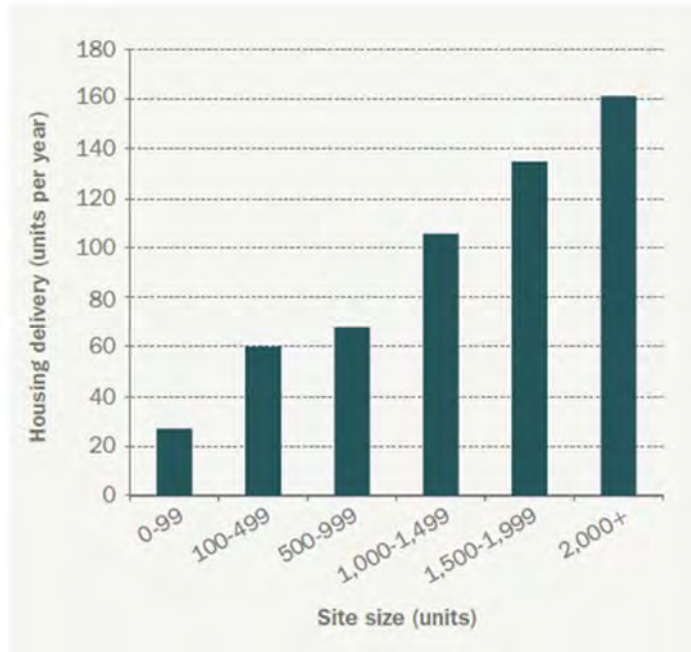
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.

- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

---

<sup>54</sup> NPPF (2019), §70



- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five- year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the

Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.







**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk



[Redacted]

**From:** Kiely, Jesse [Redacted]  
**Sent:** 22 July 2019 20:02  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Lime Tree Farm, Common Lane, Heslington  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Common Lane, Lime Tree Farm, Heslington - Per....pdf; City of York Local Plan - Common\_Lane,\_Heslington\_-\_Masterplan\_Document ....pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Lime Tree Farm, Common Lane, Heslington (including masterplan document) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[Redacted]  
 [Redacted]  
 Persimmon House | Fulford | York | YO19 4FE

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – HESLINGTON, COMMON LANE, LIME TREE FARM- PERSIMMON HOMES**

I write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Common Lane, Lime Tree Farm, York.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Common Lane, Lime Tree Farm, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement and the updated background Green Belt Topic Paper.

**DELIVERABILITY OF COMMON LANE, LIME TREE FARM, YORK SITE**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide a summary of the previous representations we submitted in respect of the deliverability of the Common Lane, Lime Tree Farm site.

The site is not located in an area of "Primary Constraint" as identified in Figures 3.1 to 3.3 of the Submitted Draft Local Plan. It is land locked on all sides by existing uses and is privately owned, and therefore not publicly accessible for any public recreational use.

It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of ecology, landscape, Green Belt, archaeology, drainage, infrastructure and highways assessments. These assessments have never identified any constraints that would preclude the development of the site.

Persimmon Homes Yorkshire is a trading division of Persimmon Homes Limited  
Registered Office: Persimmon House, Fulford, York YO19 4FE  
Registered in England No. 4108747. A Subsidiary of Persimmon plc

The Promotion Document demonstrates that the site is well suited to residential development and the approach taken through the derivation of the identified concept masterplan has accounted for all known environmental constraints and is considered to have satisfactorily addressed them through sensitive design. The document also demonstrates that the site offers a highly deliverable, yet appropriate response to its location and surroundings and would make a significant contribution toward the delivery of the City's future housing requirements.

The previously submitted documentation confirms that the development proposals are situated in a suitable and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as Persimmon Homes can deliver new homes on the site within the next five years.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 35 new homes per annum in the monitoring year 2021/2022 onwards. Resulting in the delivery of all 150 homes from the site in the first five years post adoption of the Local Plan.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

This criteria cannot be applied to Common Lane, Lime Tree Farm. The four boundaries are considered in turn: -

- Western boundary - Is formed by the eastern boundary of the extensive development at Holmfield Lane
- Northern boundary - Is formed by the rear boundary of existing properties on the south side of Main Street, Heslington.
- Eastern boundary - Is formed by existing properties fronting Main Street, Heslington.
- Southern Boundary - This is an open boundary of only circa 70m in width, but north of Common Lane and The Outgang

Therefore, there is long established development forming three of the site's four boundaries with only 70m of southern boundary not bound by buildings, but is defined by an existing road.

Any development in this limited area would not be unrestricted sprawl; it would be within a small, very well defined area.

**To prevent neighbouring towns from merging into one another**

The traditional village of Heslington encloses the land to the east and north with the mature, established Holmfield Lane development to the west. Holmfield Lane is not a neighbouring town it is part of the same village. Any development between these two parts of Heslington would have no impact on the character of the two areas nor detract from the overall character of Heslington.

**To assist in safeguarding the countryside from encroachment**

The land is part of a small area of fields and farmyard north of Common Lane and The Outgang. It is divorced from the extensive open countryside to the south of The Outgang. Its exclusion from Green Belt designation would have no impact on the character of land south of The Outgang.

Persimmon Homes Yorkshire is a trading division of Persimmon Homes Limited  
Registered Office: Persimmon House, Fulford, York YO19 4FE  
Registered in England No. 4108747. A Subsidiary of Persimmon plc

### **To preserve the setting and special character of historic towns**

Heslington is a long established village adjacent to development to the west, north and east. The village can be approached along Common Lane from the south. There are existing houses on the west side of Common Lane on the southern edge of the village. On the north side of Common Lane at this point are barns and track to Lime Tree Farm which provides an open setting on this approach to Heslington. However, this is a very limited view and the land beyond the barns and track cannot easily be seen. It would be important to retain the open land in immediate area north of Common Lane but the remainder of the land has not impact on the setting of Heslington.

### **To assist in urban regeneration by encouraging the recycling of derelict and other urban land**

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

The removal of Green Belt designation and allocation of the site as a housing allocation will not have any impact on this criteria being achieved.

In conclusion, it is clear that the site does not meet any of the five purposes of Green Belt designation. The reality is that the site is now a field surrounded by development. It has to be inappropriate to seek to retain a field in agricultural use when it is surrounded by development. **The site should therefore be removed from the Green Belt and allocated for residential development, with the site being used to define this part of the inner Green Belt boundary with a rational boundary.**

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City.

### **THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK**

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.

2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).
6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Common Lane, York.



## GREEN BELT TOPIC PAPER ADDENDUM

We are concerned that there are some fundamental flaws to the approach taken by CYC as outlined in the Green Belt Topic Paper Addendum.

The overall approach taken by CYC can be considered to simply be the wrong way around. The focus of decision making in respect of the Green Belt should be on what land should not be designated as being in the Green Belt, rather than setting out the exceptional circumstances for removing land from the Green Belt.

The general extent of the York Green Belt is established by the saved policies of the Yorkshire & Humber Regional Spatial Strategy. The Local Plan now needs to identify what the inner Green Belt boundaries should be. Whilst seeking to deliver the sustainable development to meet the City's housing needs over the Plan Period.

CYC current proposed approach is therefore overly restrictive. Resulting in an overly negative assessment of a number of development sites. Including our site at Common Lane, York.

This approach has also led to the lack of safeguarded land being allocated within the Local Plan. Which of course is required by the Framework in order to meet the longer-term development needs of the City beyond the plan period. The Local Plan Working Group recommended that the "longer-term" should relate to a 10-year period. However, it is widely accepted that a 5-year period is generally appropriate. When considering the implications of the evidence presented in the Lichfields OAHN work, we request that CYC also factor in the need to deliver at least 5-years' worth of safeguarded land within the final adopted version of the Local Plan in order to comply with Paragraph 85 of the Framework.

With specific regard to our site at Common Lane, the relevant section of the Green Belt Topic Paper Addendum is Annex 3 Section 7 Boundary 13. The assessment does not take into account CYC's own evidence presented in the Submission Draft Local Plan, with regards to "Primary Constraints" and does not give sufficient weight to the land locked nature of the site.

The assessment largely corroborates our own assessment provided above. However, there are two elements of the assessment that are simply incorrect.

Within the Openness & Urban Fabric section of the assessment it identifies that: -

***"Evidence shows that land contained by this section of the proposed boundary should be kept open in order to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of the history City of York."***

The site does not contain any national or locally designated nature conservation areas, nor does it contain any protected areas of woodland. Indeed the accompanying masterplan demonstrates how existing landscape features could combine with new and improved areas of planting, including a significant landscape buffer to the south of the site and the Green Belt beyond

With regards to the comment in respect of the historic setting, as identified above, CYC's own evidence demonstrates that the site is not located within any areas that should be retained as open land due to their role in preserving the historic character and setting of York.

Within the permanence section of the assessment it identifies that: -

***"The proposed boundary has associations with historical features and has been established for a significant period of time. This definition is reinforced by containing the limits of the urban area in this location where it meets less dense and more open land uses. The layering of different boundary features in the form of historical and current built and natural features offers strength and resilience to change"***

There are no designated Areas of Outstanding Natural Beauty, National Parks or World Heritage sites within the immediate vicinity of the site.

The site is located within the Heslington built up area and part is currently used as a farmyard associated with Lime Tree Farm and associated fields. The northern, eastern and western boundaries of the site have an obvious visual connection with existing residential properties. The area to the south, beyond the farmstead, becomes more rural in character.

The site itself is not situated in a sensitive landscape, it is privately owned and does not constitute value for open space or nature conservation. The field are agricultural and only the hedgerow and trees forming the field boundaries have positive nature conservation benefit which could be maintained as part of any residential development, an appropriate Landscape Strategy with a low impact access north from Common Lane and development beginning north of the farmstead southern boundary would mitigate any sensitive views out or into the site. In keeping with national and local character areas any future development would seek to retain and enhance key features, such as existing trees and hedgerows.

If the site was assessed correctly we are of no doubt that it would have been considered for release for residential development. The Green Belt Topic Paper Addendum does not provide a robust evidence base from which to make decisions on the identification of housing allocations within the Local Plan.

Accordingly, the evidence base should be amended. When considered against the need to release additional housing sites to meet the increased OAHN proposed by Lichfields, we believe there is compelling evidence for our Common Lane, Heslington site to be identified as a housing allocation within the final adopted Local Plan.

## CONCLUSIONS

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Common Lane, York: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

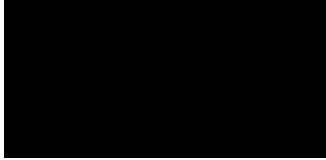
On account of the above we **object** to our Common Lane, York site being rejected as a potential housing option within the York Local Plan.

The site has the potential to provide a residential development of up to 90 new homes, substantial areas of public open space and associated infrastructure. The site will provide a significant opportunity to help

meet York's current and future housing needs and the delivery of a number of socio-economic benefits.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire

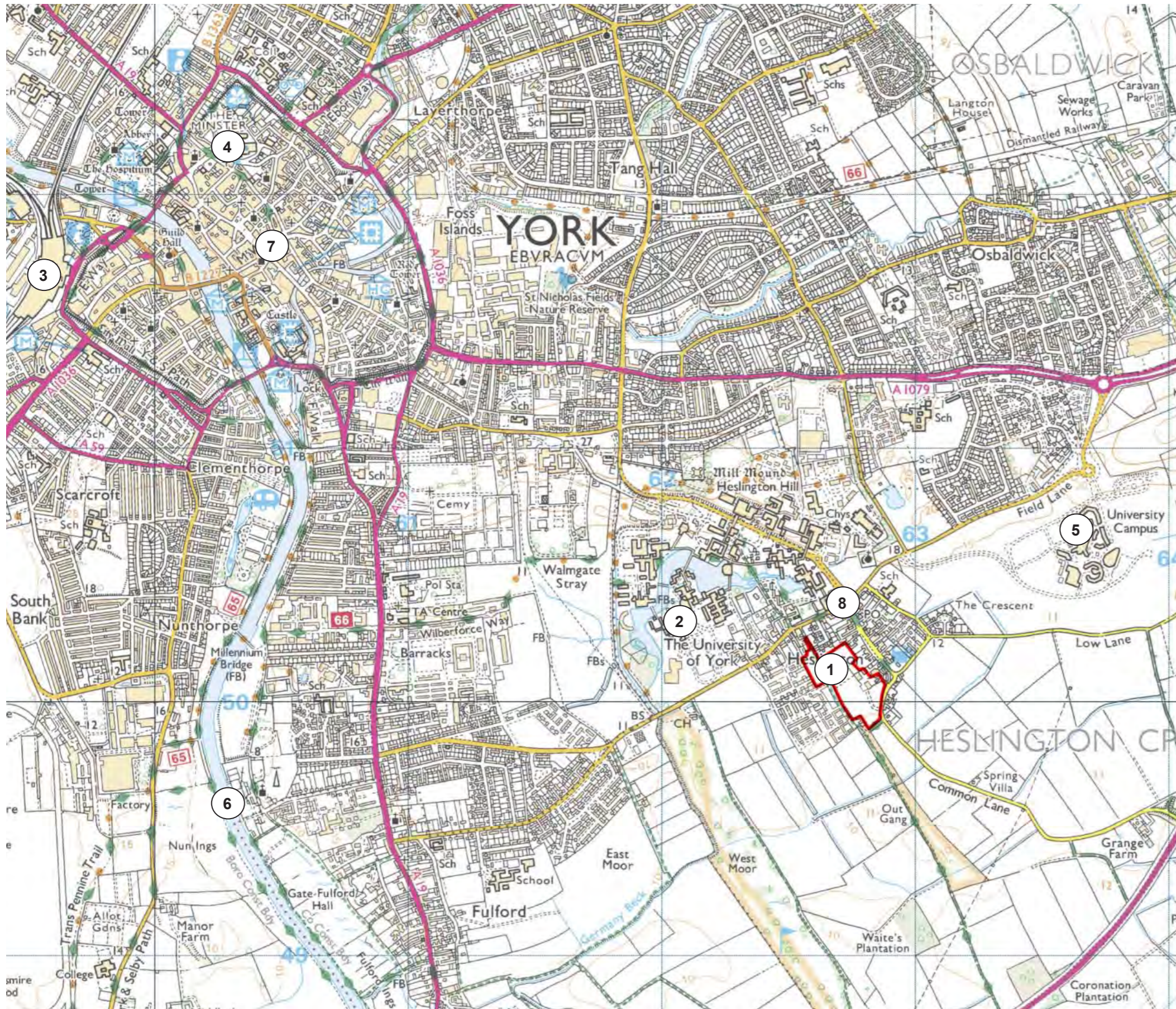




# Common Lane, Heslington

City of York Local Plan: Preferred Option  
Masterplan





- ① site Location
- ② University of York
- ③ York railway station
- ④ York Minster
- ⑤ University of York Campus
- ⑥ River Ouse
- ⑦ York City Centre
- ⑧ Heslington

Not to Scale



# LOCATION PLAN

**PERSIMMON**  
**Common Lane, Heslington**  
 City of York Local Plan: Preferred Option



① Conservation area boundary



# OPPORTUNITIES AND CONSTRAINTS

not to scale



- ① seCOndar Y / eMergen CY aCCess
- ② PUBLiC f OOt Path
- ③ POfentia L CYCLe / PeDestrian Link Between hOLMefie LD Lane an D Main street
- ④ Centra L POs Preser ves, trees an D he Dger Ows
- ⑤ wi LDf LOWer Mea DOW an D inf Or MaL tree gr OUPs - LOW Maintenan Ce regi Me
- ⑥ LOW iMPaCt aCCess

**TOTAL SITE AREA**  
= APPROX 5.1 HA

**NETT DEVELOPABLE AREA**  
= APPROX 3.8 HA

nOt t O sCaLe



# MASTERPLAN



**PERSIMMON**

**Common Lane, Heslington**

City of York Local Plan: Preferred Option

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019





**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59



## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].



2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG

published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

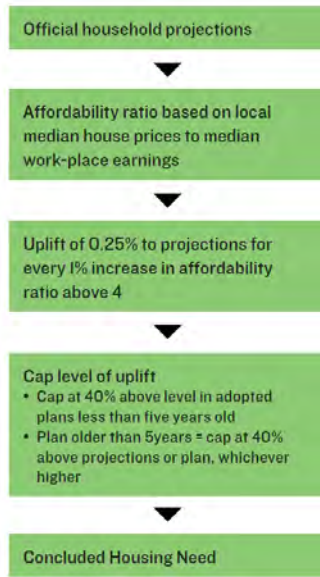
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the ‘Sedgefield’ approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG’s September 2017 consultation on *“Planning for the right homes in the Right Places”*. The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*“The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes.”*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*“Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.”*  
*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.”<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)



international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

- 2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].
- 2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.
- 2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:  
  

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]
- 2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.
- 2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

- 2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

- 2.53 With regard to market signals, the HNU notes that
  - Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*

*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

3.1

The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.

3.2

This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

3.3

The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.

3.4

This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.

3.5

GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)…”*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.*<sup>18</sup>

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term 'norm' they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

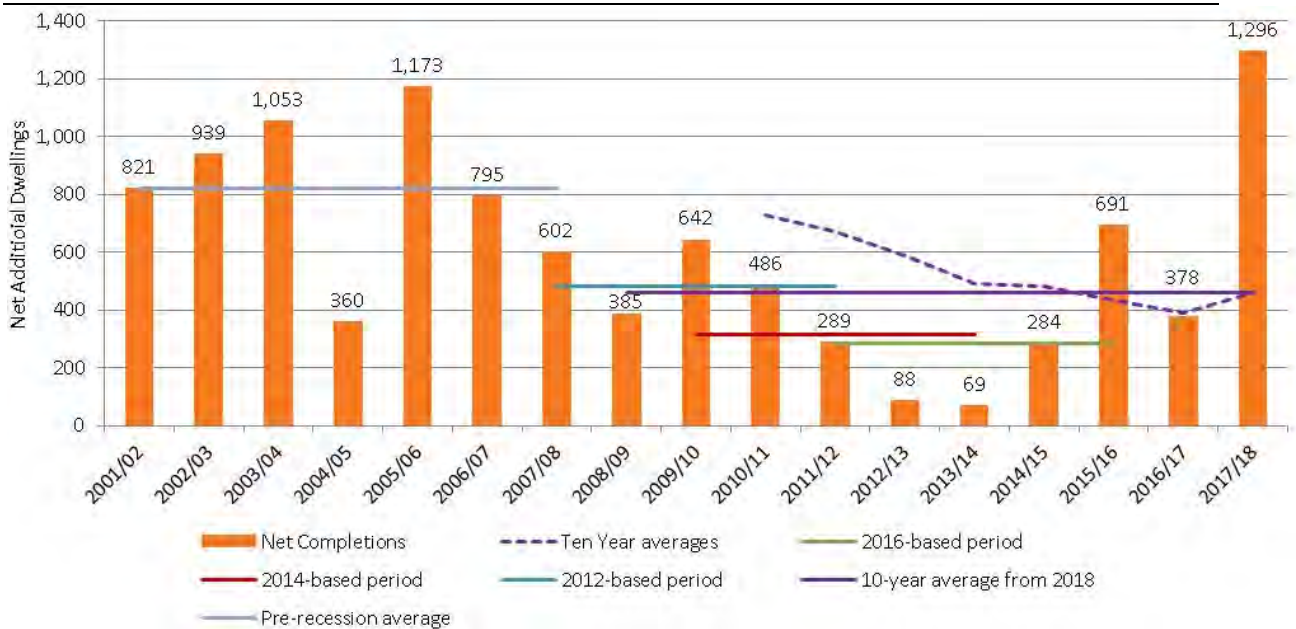
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

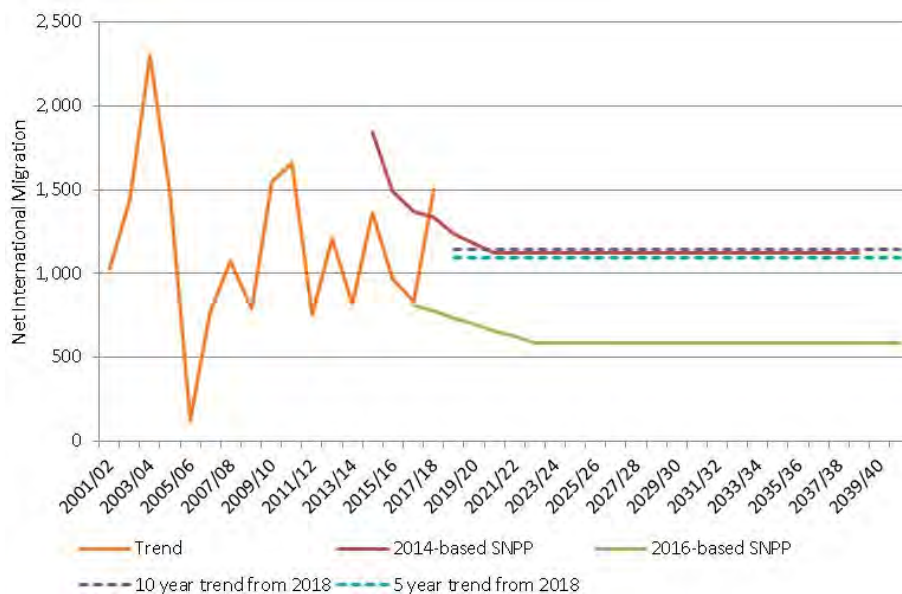
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*



- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*

Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

---

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:

- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
- An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
- Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
- In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
- Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].

4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.

4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

---

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “*Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate*”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306



Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently

being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

**2. Affordability Modelling based on University of Reading/OBR assumptions**

4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:

*“Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*

4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.

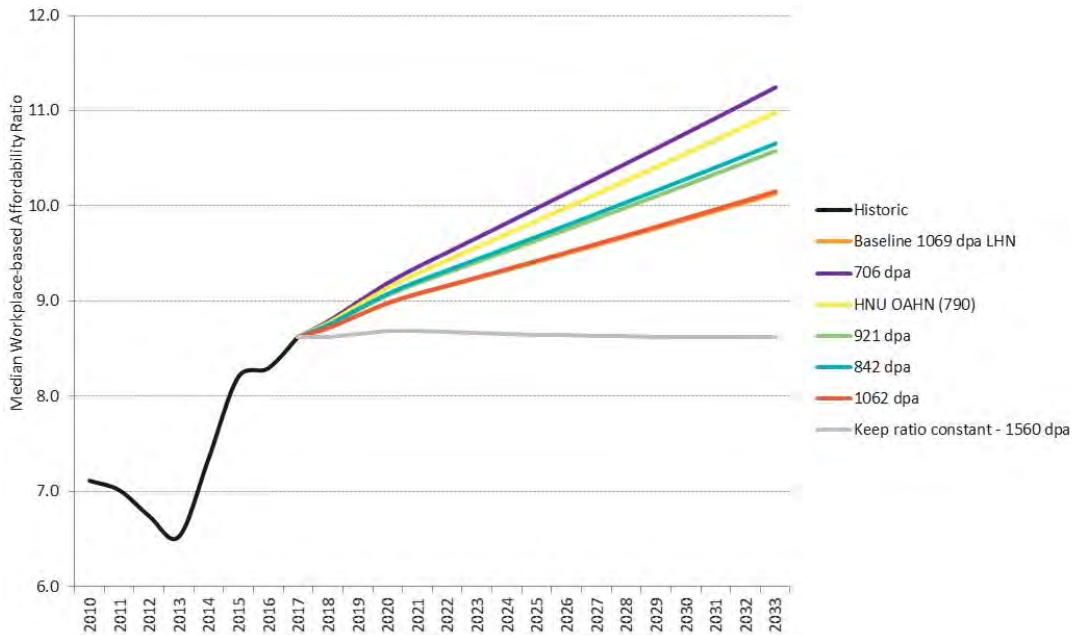
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
- House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
- The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
- A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
- An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York's relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

- 4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government's standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

### Summary

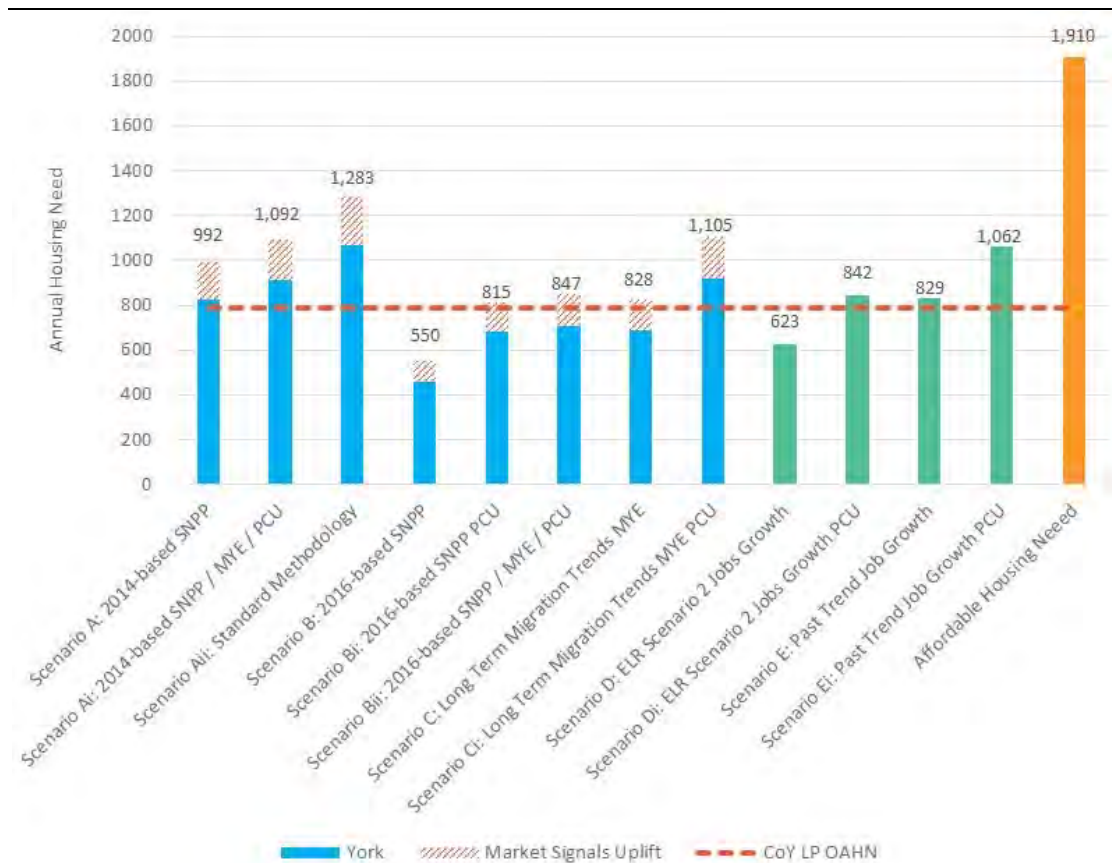
- 4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.
- 4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.
- 4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

## Are Economic Growth Needs Being Addressed?

- 4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.
- 4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.
- 4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2's 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

- 4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.
- 4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

- 4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306



in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306

## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

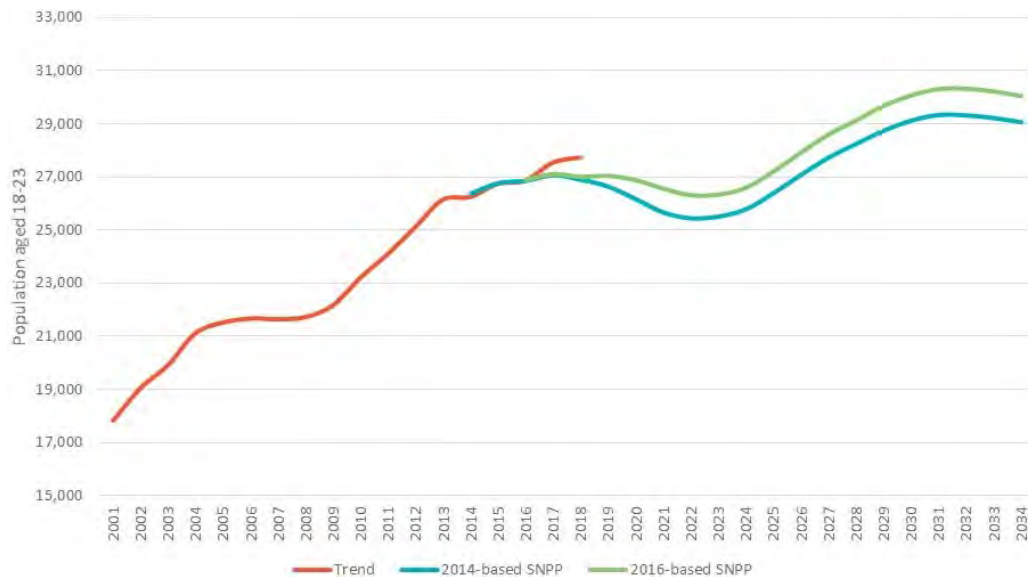
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

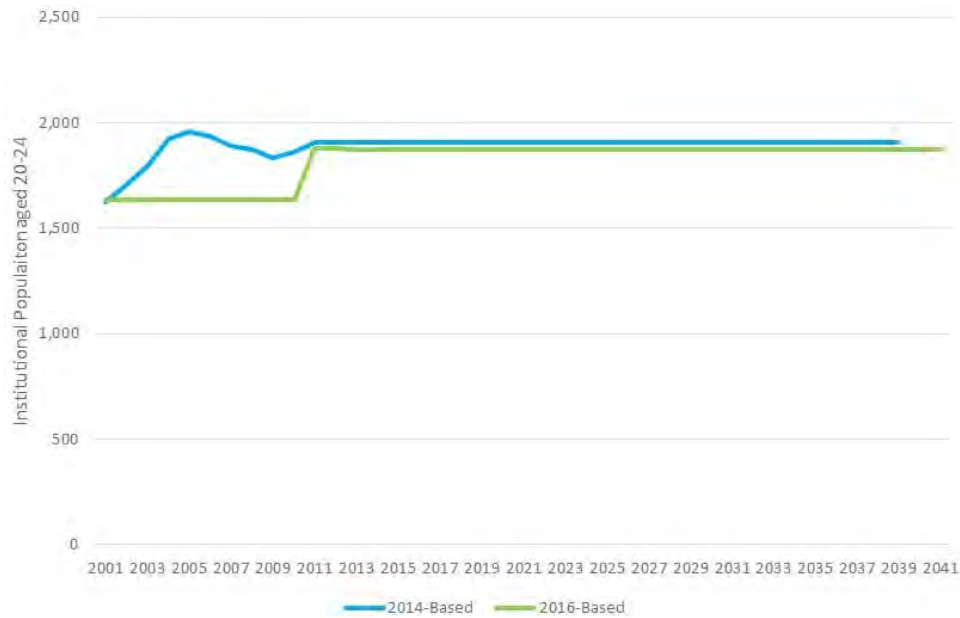
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

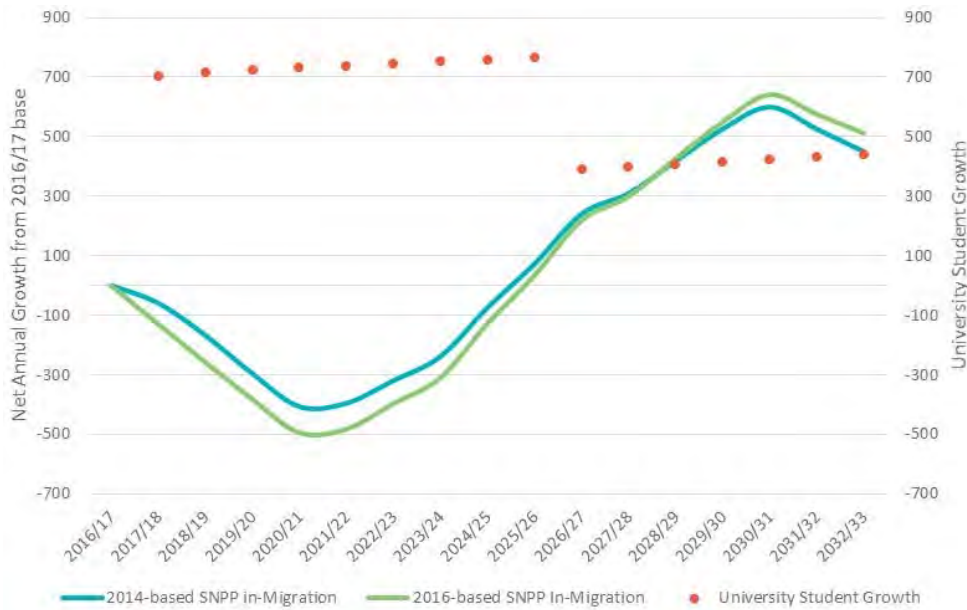
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

- 5.30 Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**



## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913

Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

7.0

## Conclusions on the City of York's Housing Need

7.1

The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

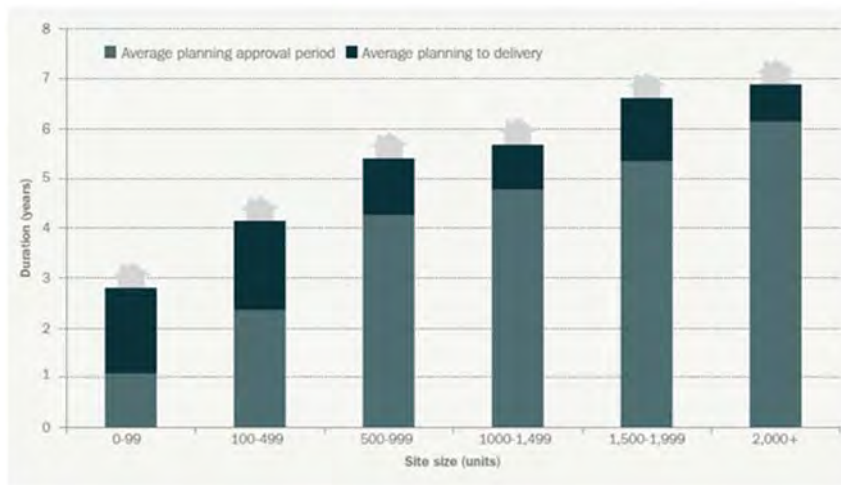
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase



delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

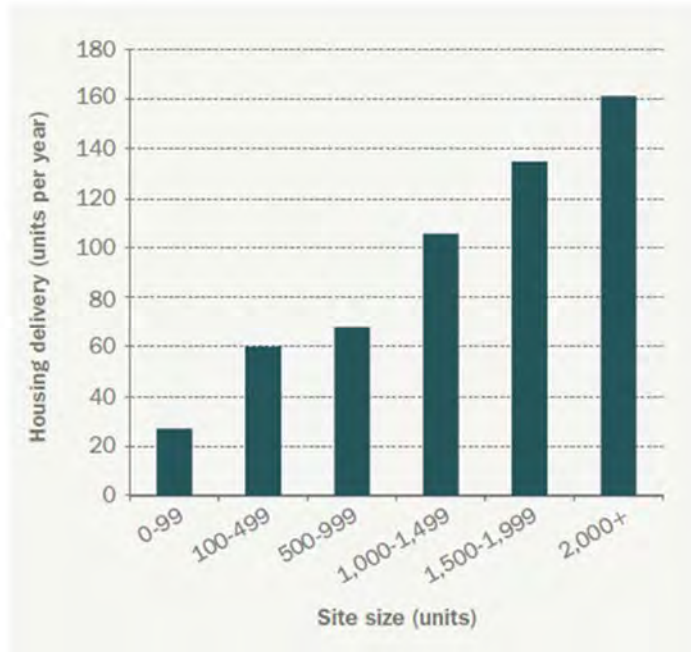
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.

- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five-year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

- 8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council's own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

- 8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council's housing land supply.
- 8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.
- 8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision



for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the

Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.





**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk



[Redacted]

**From:** Kiely, Jesse [Redacted]  
**Sent:** 22 July 2019 20:12  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site ST4 Hull Road, York  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Site Ref.ST4 - Persimmon Homes - July 2019.pdf; Site Plan - 001 A\_Hull Road, York\_Site Layout.pdf; Site Plan - 001 B\_Hull Road, York\_Site Layout.pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for ST4 Hull Road, York (including site plans) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[Redacted]  
 [Redacted]  
 Persimmon House | Fulford | York | YO19 4FE

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---





PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – LAND ADJACENT TO HULL ROAD – PERSIMMON HOMES - SUPPORT FOR SITE REFERENCE ST4**

We write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We continue to **support** CYC's identification of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Hull Road, York.

As CYC are aware, two planning applications for the development of the site were validated in March 2017. Their planning application references are 15/00166/FULM (180 homes) and 15/00167/FULM (69 homes). Our proposed development of the site is for a total of 249 homes.

Whilst we continue to work with CYC to seek to secure planning permission as soon as possible, we consider it pertinent to continue our promotion of the site through the Local Plan process to ensure that sufficient evidence has been provided to demonstrate the deliverability of the development site.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Whilst the Lichfields work identifies the clear requirement of CYC to release additional housing sites across the City, it also provides evidence of the need to ensure that existing proposed allocations are retained within the plan and that the dwelling capacity that they can deliver is maximised.

**SITE SPECIFIC POLICY REQUIREMENTS – POLICY SS8**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide an update in respect of how the two live planning applications are the site are responding to each of the site specific policy requirements identified in emerging Policy SS8. This is set out in the table below: -

<b>LAND ADJACENT TO HULL ROAD – POLICY SS8 REQUIREMENTS</b>	
Indicative Capacity of 211 homes.	The submitted development proposals seek to deliver 249 homes at an average density of 35 dwellings per hectare. Which is not considered

Persimmon Homes Yorkshire is a trading division of Persimmon Homes Limited  
Registered Office: Persimmon House, Fulford, York YO19 4FE  
Registered in England No. 4108747. A Subsidiary of Persimmon plc

	out of character given the site's location adjacent to the Main Urban Area of York. The maximisation of the site's capacity will deliver much needed homes in the City. Particularly a proportionate uplift in the number of affordable homes that can be delivered at the site.
Maximise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to local facilities. The site is adjacent to the Grimston Bar Park & Ride which provides a high frequency bus service to the city centre and is close to other frequent bus routes. It is important that sufficient good quality pedestrian and cycle path connections are made between the site and these facilities and that the Field Lane roundabout barrier to cycling and walking is addressed.	The holistic planning layout submitted alongside both planning applications provides for a variety of pedestrian and cycle connections from the site to the existing services and facilities within vicinity of the site. Of particular importance, connections are provided to the south west to the University, to the east to the Park & Ride; and to the south-west to enable access to the existing services and facilities located in proximity of the site.
Provide access to the site from a new roundabout created for the Heslington East development via Field Lane, subject to detailed transport analysis. Other access (e.g. via Hull Road) is not preferred.	The holistic planning layout submitted alongside both planning applications identifies that vehicular access will be taken from the new roundabout created by the Heslington East development via Field Lane.
Deliver a sustainable housing mix in accordance with the Council's Strategic Housing Market Assessment.	The development proposals seek to deliver an appropriate mix of 2, 3 & 4 bedroom homes. All of which range in size. The proposed housing mix will deliver new homes for first time buyers, couples of all ages and families. The proposals will also deliver a policy compliant level of affordable housing (subject to viability).
Ensure important views including to York Minster are protected and that the site is designed appropriately in relation to the gradient of the site which forms part of Kimberlow Hill (York Moraine) and provides important views of York.	The holistic planning layout submitted alongside both planning applications has taken into account the need to retain views of the Minster. The layout specifically identifies where the views can be taken from and public open space has been carefully located to ensure these views are protected.
Maintain and enhance existing trees and hedgerows behind the site which act as a gateway for biodiversity.	The submitted development proposals offer the potential to maintain and enhance existing trees and hedgerows located within and adjacent to the site. Where removal is required, replanting will be provided to ensure there is no net loss in biodiversity value.
Provide appropriate contributions to expand existing education facilities, given that primary and secondary school facilities have limited existing capacity to accommodate the projected demand arising from the site.	Appropriate financial contributions will be secured through a Section 106 Agreement to ensure that existing primary and secondary schools can accommodate the projected demand arising from the site.
Undertake an air quality assessment as there is potential for increased traffic flows which may present new opportunities for exposure if not designed carefully. The assessment should also consider the impact of the University of York boiler stacks.	Discussions with the Environmental Health Officer as part of the live planning applications has confirmed that an Air Quality Assessment is not required to be submitted pre-determination of the planning application. An Emissions Impact Assessment is currently being requested via an appropriately worded planning condition.
Undertake a noise survey given the site's proximity to the A1079 and the Grimston Bar Park & Ride.	A Noise Impact Assessment has been submitted alongside the two planning applications. The ambient noise climate across the application site

	is due to Road Traffic. The proposed homes have been designed to front onto the A1079 to ensure noise attenuation is provided by the homes themselves. In the limited locations where properties side or back onto the surrounding road network a timber acoustic fence is to be provided.
Explore any land contamination issues due to the site's location within 250m of a closed land fill site. Investigation and remediation work (if necessary) will be required to ensure that the land is safe and suitable for its proposed use.	A Site Investigation has been submitted with the two planning applications. The investigation has identified that there are no contamination issues that would preclude the development of the site.

All of the afore mentioned reports and documentation submitted alongside the two current planning applications at the site can be provided on request.

The submitted documentation confirms that the development proposals are situated in a suitable and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as Persimmon Homes can deliver new homes on the site within the next five years.

With regards to the site's current location within the York Green Belt, the documentation submitted alongside the planning applications (namely the Planning Statement) confirm that the site does not fulfil any of the five Green Belt purposes. The site is effectively land locked on all sides by existing or ongoing development. It is located adjacent to the Main Urban Area of York, with the nearest detached settlements to the east being Murton and Dunnington which are a considerable distance from the site. It is privately owned and does not allow access to the open countryside. Views of the Minster will be protected, resulting in there being no impact on the setting or character of York.

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

Should the two planning applications be approved within the monitoring year 2019/2020 it is anticipated that the site can deliver 35 new homes per annum in the monitoring year 2020/2021 onwards. Resulting in the delivery of 175 homes from the site in the first five years post adoption of the Local Plan and the completion of the site by 2027. Well within the Local Plan period.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

## CONCLUSIONS

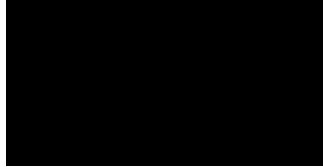
On the basis of the information provided within this letter, and the two submitted planning applications, we wish to place on record our support for the proposed allocation of Land Adjacent to Hull Road within the emerging City of York Local Plan.

The site represents a truly deliverable residential development site that can deliver a number of socio-economic benefits to the City. Including the delivery of much needed market and affordable homes within the first five years of the Local Plan.

In respect of procedural matters, we would like to work alongside CYC to finalise the site specific strategic development policy to be included within the final version of the Local Plan. Working together we can ensure that CYC's and the local community's planning parameters for the site are deliverable.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire

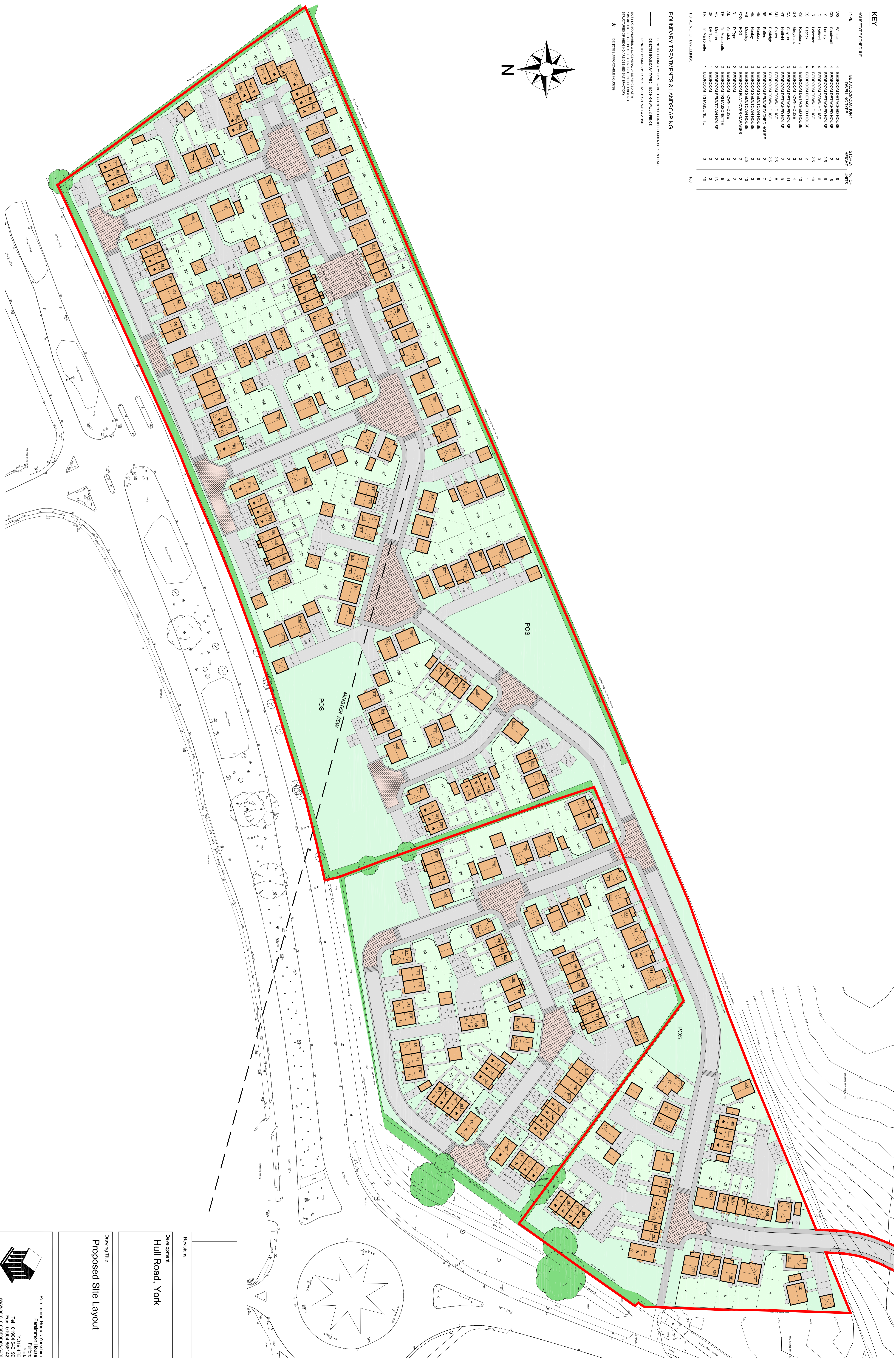
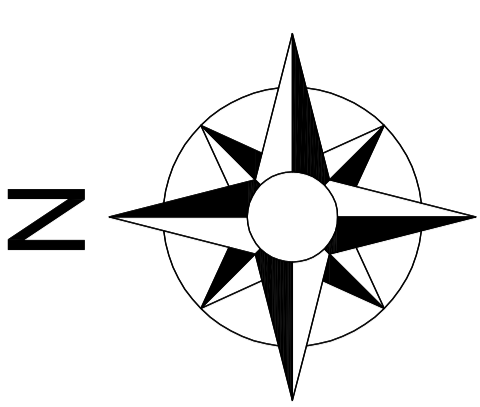


**KEY**

HOUSE TYPE SCHEDULE TYPE	BED ACCOMMODATION / DWELLING TYPE	STOREY HEIGHT	NO. OF UNITS
WS	Wessex	2	8
CS	Chiswick	2	18
LD	Lidford	3	6
LR	Lidford	2.5	10
ES	Essex	2	1
RS	Redstart	2	10
CS	Chiswick	2	11
HT	Hillfield	2	9
SU	Southern	2.5	8
BI	Bolding	2.5	13
HE	Hedley	2	6
MS	Mosley	2	3
MS	Mosley	2.5	10
FGS	Froggs	2	2
AL	Alford	2	2
TR	Trillick	3	5
TR	Trillick	2	13
TR	Trillick	2	7
TR	Trillick	2	19
TOTAL NO. OF DWELLINGS			190

**BOUNDARY TREATMENTS & LANDSCAPING**

- GRASSES BOUNDARY TYPE 1: 1000mm HIGH CLIP BOARDED TREMOR CORNER FENCE
  - GRASSES BOUNDARY TYPE 2: 1000mm HIGH PALE & FENCE
  - GRASSES BOUNDARY TYPE 3: 1000mm HIGH PALE & FENCE
- EXISTING BOUNDARIES SHALL GENERALLY BE RETAINED WITH MINOR ADJUSTMENTS TO ACCOMMODATE THE PROPOSED DEVELOPMENT. STRUCTURES ON BOUNDARIES SHALL BE DEMOLISHED AND RECONSTRUCTED TO MATCH THE PROPOSED DEVELOPMENT.
- \* GRASSES APPROVAL REQUIRED




Revisions

No.	Description

Development  
**Hull Road, York**

Drawing Title  
**Proposed Site Layout**



Preston Homes Yorkshire  
Preston Homes  
York  
YO19 4FE  
Tel: 01904 642129  
Fax: 01904 642129  
www.prestonhomes.com

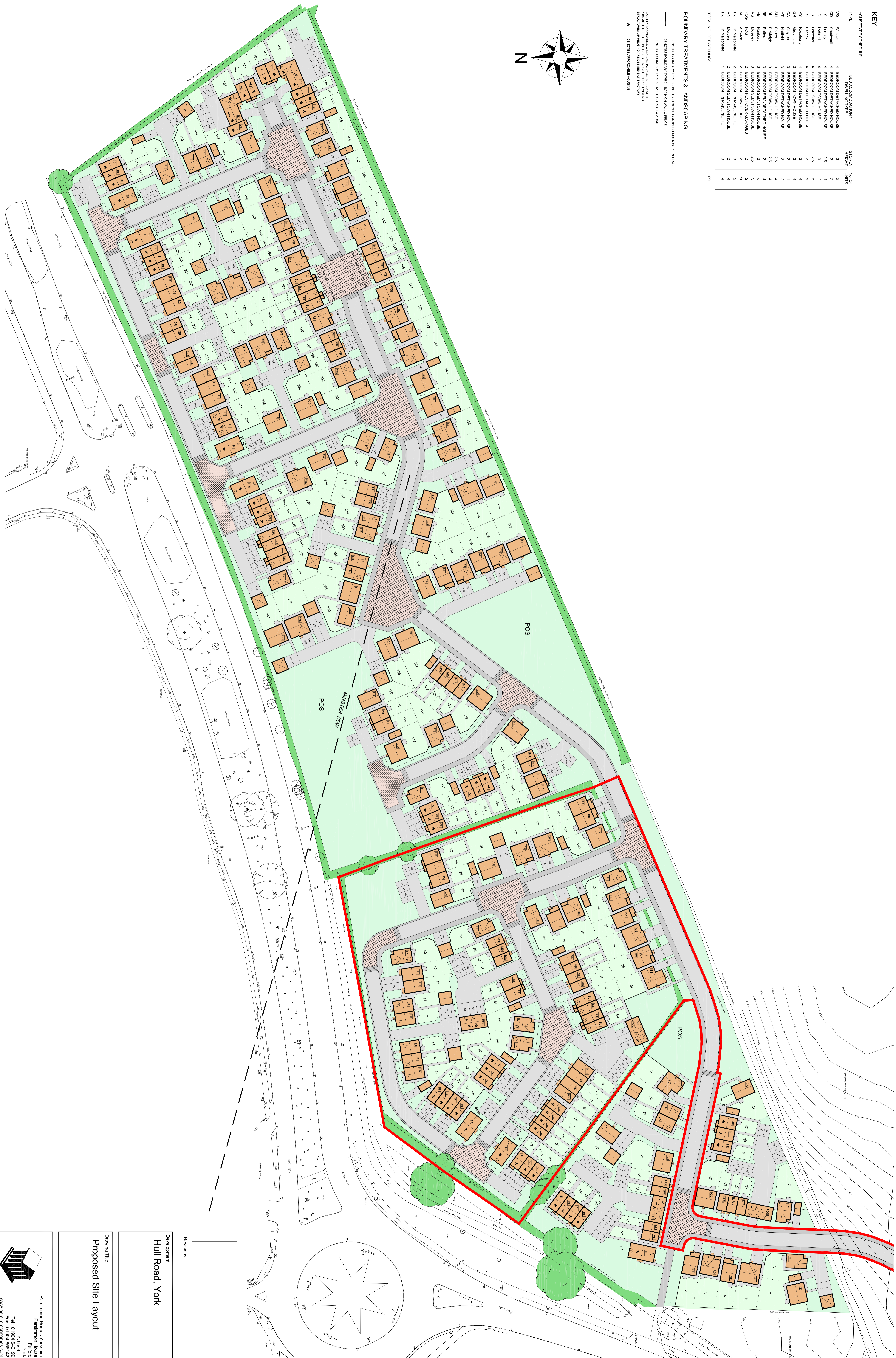
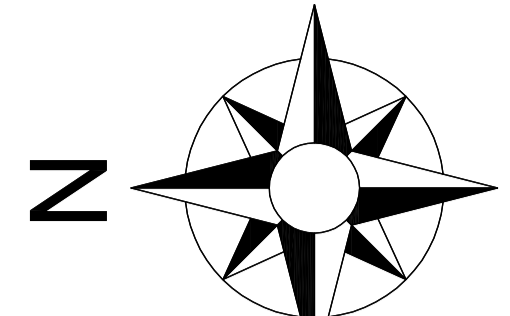
Scale: 1:500 @ A0	Drawn: GWH	Date: Jan 2015
File: S:\Development\Hull Road\Hull Road.dwg	Drawn: GWH	Date: Jan 2015
Drawing No. 001 A	Rev	

**KEY**

HOUSE TYPE SCHEDULE	TYPE	BED ACCOMMODATION / DWELLING TYPE	HEIGHT	NO. OF UNITS
WS	Wessex	4 BEDROOM DETACHED HOUSE	2	2
CS	Chiswick	4 BEDROOM DETACHED HOUSE	2	2
LD	Lidford	4 BEDROOM TOWN HOUSE	3	3
LR	Leicester	4 BEDROOM TOWN HOUSE	2.5	5
ES	Essex	4 BEDROOM DETACHED HOUSE	2	2
RS	Redstart	4 BEDROOM DETACHED HOUSE	2	4
CS	Chiswick	4 BEDROOM DETACHED HOUSE	2	1
HT	Hilfield	3 BEDROOM DETACHED HOUSE	2	2
SU	Souley	3 BEDROOM TOWN HOUSE	2.5	4
BI	Boldleigh	3 BEDROOM TOWN HOUSE	2.5	4
HB	Hilbury	3 BEDROOM SEMI-TOWN HOUSE	2	5
MS	Meadley	3 BEDROOM SEMI-TOWN HOUSE	2.5	3
FGS	Foggs	2 BEDROOM FLAT OVER GARAGES	2	2
FGS	Foggs	2 BEDROOM TOWN HOUSE	2	10
MM	Melton	2 BEDROOM SEMI-TOWN HOUSE	2	4
TR	Tri-Maisonette	1 BEDROOM TRI-MAISONETTE	2	4
TOTAL NO. OF DWELLINGS				69

**BOUNDARY TREATMENTS & LANDSCAPING**

- DRENCHES BOUNDARY TYPE 1 - 1.800 HIGH CLAD BOARDED THATCHER SCREENING FENCE
  - DRENCHES BOUNDARY TYPE 2 - 1.800 HIGH WALL & FENCE
  - DRENCHES BOUNDARY TYPE 3 - 1.500 HIGH POST & RAIL
- EXISTING BOUNDARIES SHOWN IN GENERALITY REFERENCE WITH STRUCTURES ON RECORD AND CREATED SATISFACTION
- \* DRENCHES APPROVAL NO. 001890



**Development**  
Hull Road, York

**Drawing Title**  
Proposed Site Layout

**Scale:** 1:500 @ A0     **Drawn:** GWH     **Date:** Jan 2015

**Rev:** 001 B

Preston Homes Yorkshire  
 Preston House  
 York YO19 4FE  
 T: 01904 642199  
 F: 01904 642199  
 www.prestonhomes.com

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1



# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59



## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “boost significantly” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “significantly boosting the supply of homes”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

- 2.7 In particular:
- “To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.* [S60]
- 2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].
- 2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.
- 2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.
- 2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

- 2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:
- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
  - be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
  - utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
  - consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
  - take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

- 2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG



published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

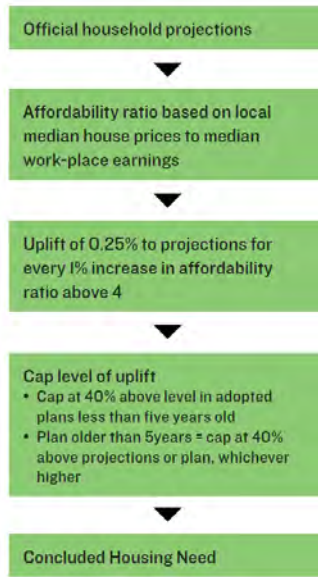
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG's September 2017 consultation on "*Planning for the right homes in the Right Places*". The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."*  
*"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

**Satnam**

2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

**Kings Lynn**

2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillpot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sits within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*



*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.”<sup>18</sup>*

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term ‘norm’ they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

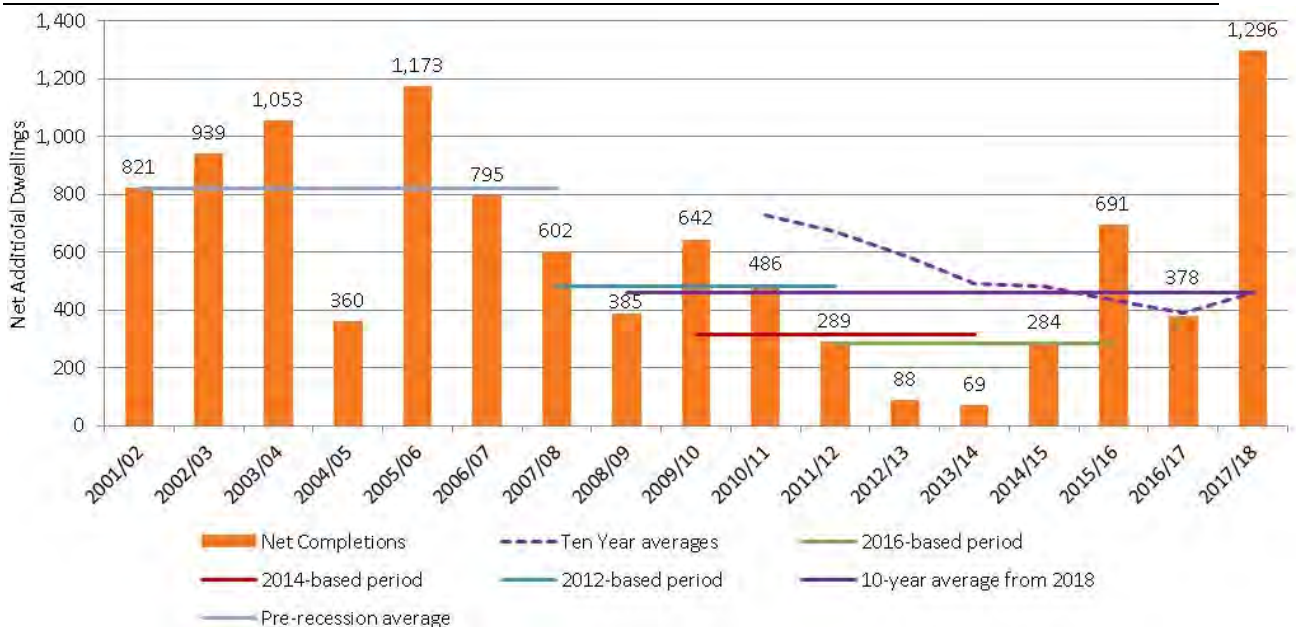
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

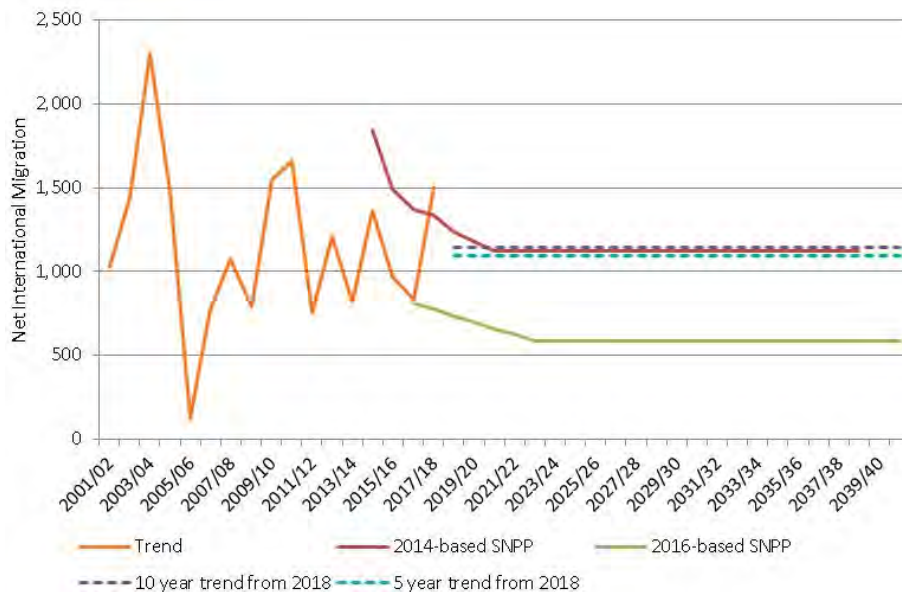
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*



Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

- 4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:
- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
  - An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
  - Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
  - In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
  - Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].
- 4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

- 4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.
- 4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently



being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

**2. Affordability Modelling based on University of Reading/OBR assumptions**

4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:

*“Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*

4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.

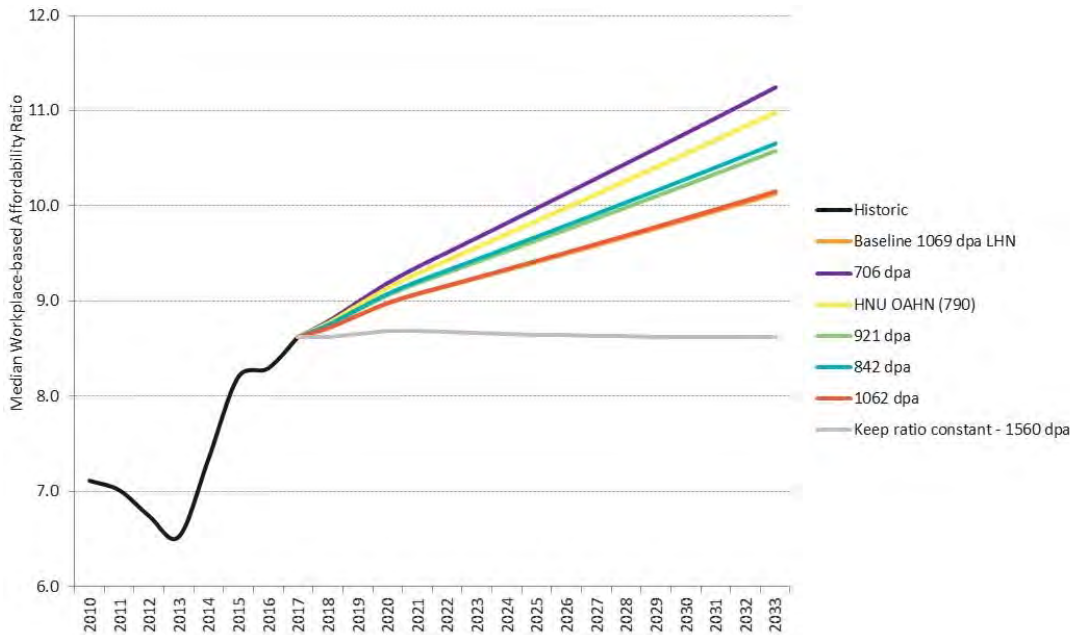
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
- House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
- The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
- A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
- An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

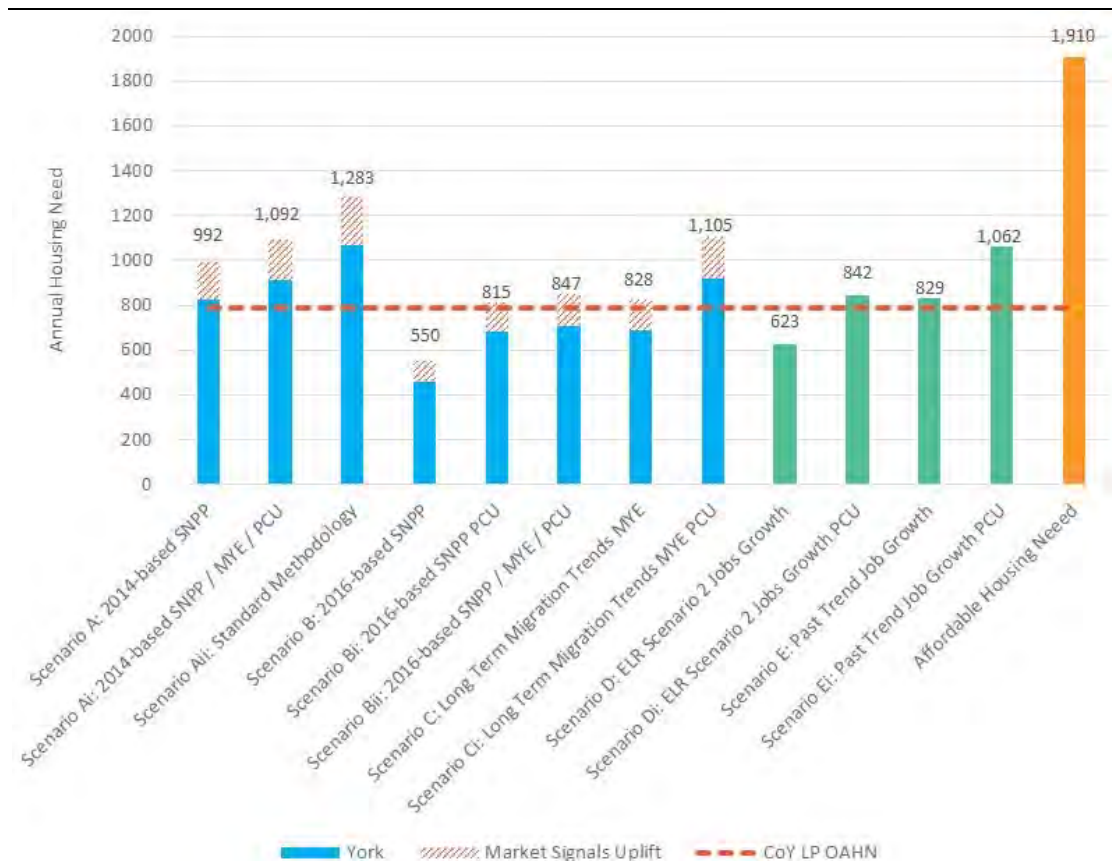
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306



## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

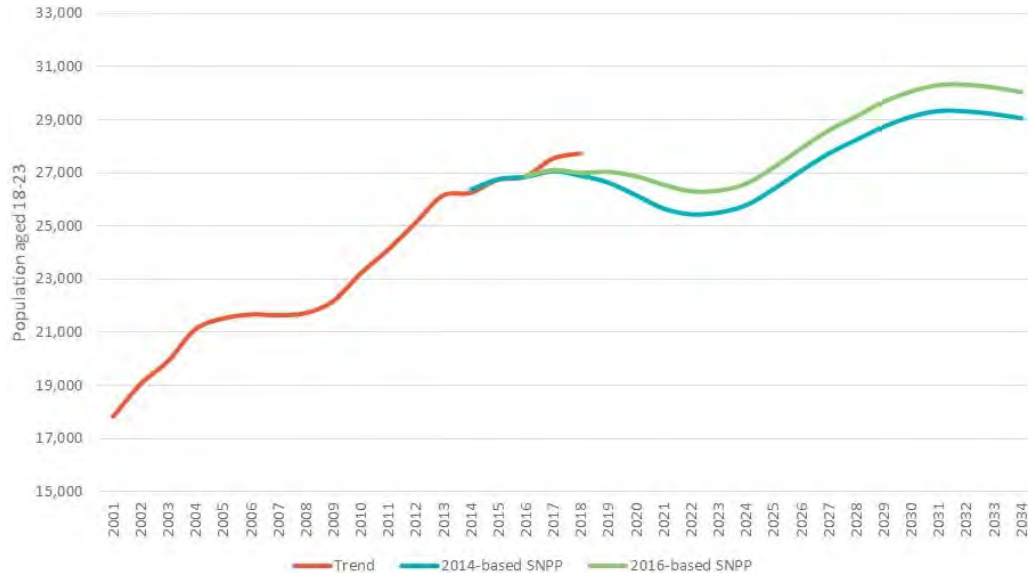
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

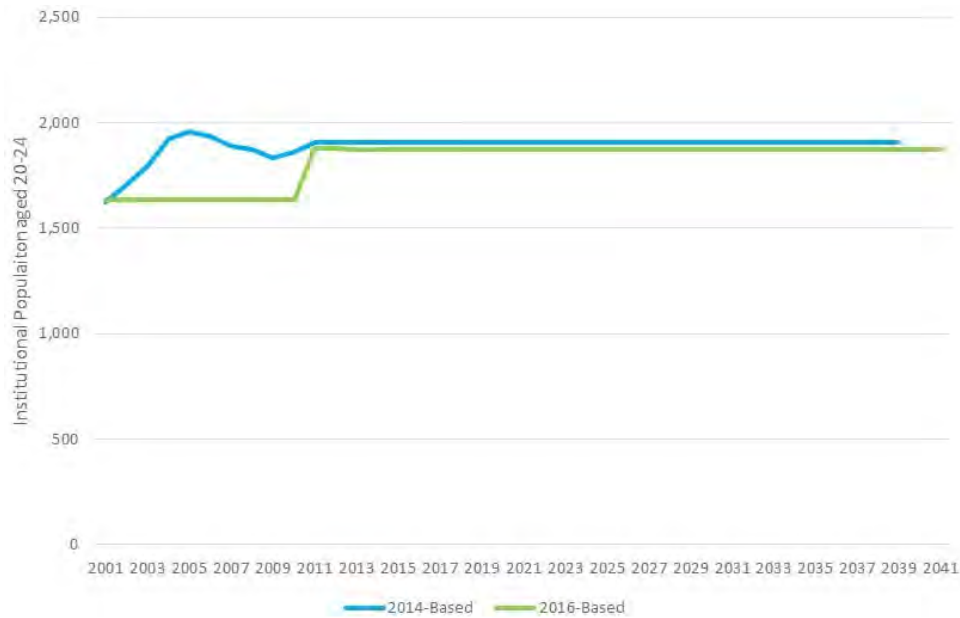
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

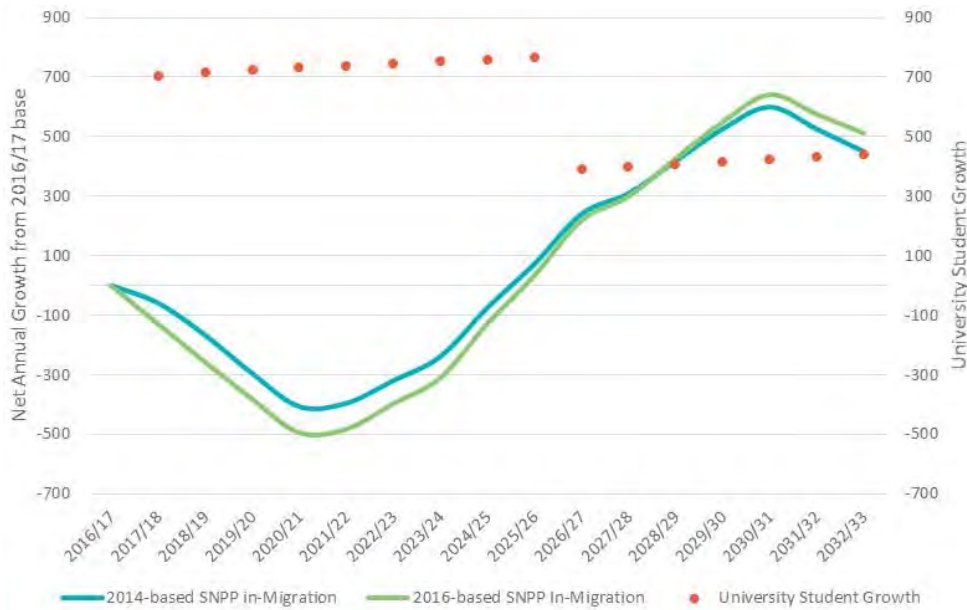
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

5.30

Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913



Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

## 7.0 Conclusions on the City of York's Housing Need

- 7.1 The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

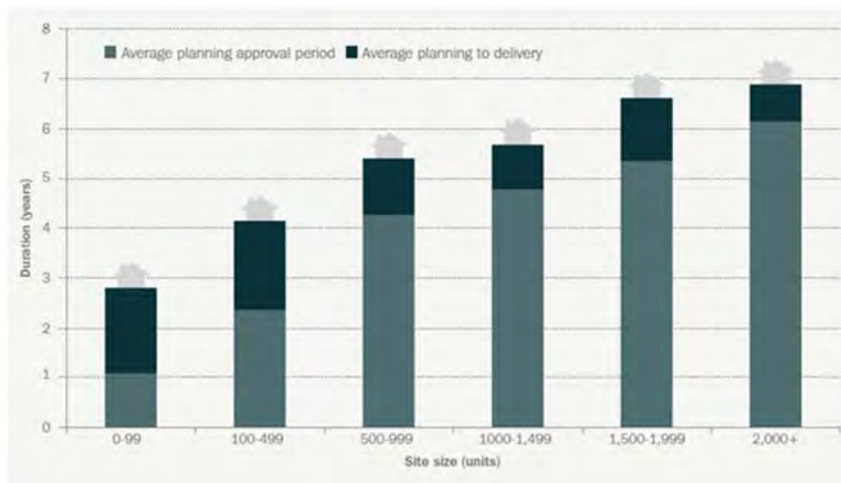
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

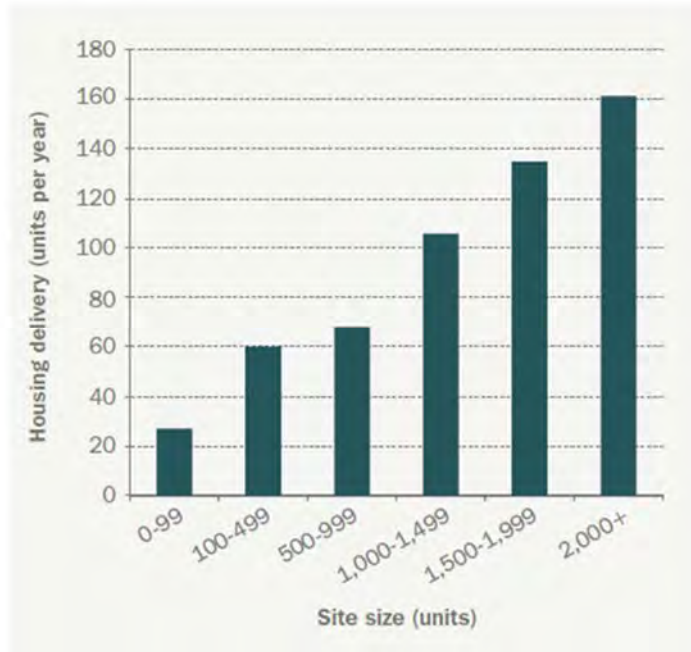
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.



- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five-year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the



Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.





**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk

[Redacted]

**From:** Kiely, Jesse [Redacted]  
**Sent:** 22 July 2019 20:24  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Windmill Lane (Pond Field) York  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Land Off Windmill Lane, York - Persimmon Home....pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Windmill Lane (Pond Field) York on behalf of Persimmon Homes (Yorkshire). I shall provide a copy of the Promotion Document in a separate email due to data limit restrictions to be read in conjunction with the above and attached.

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[Redacted]

[Redacted]

Persimmon House | Fulford | York | YO19 4FE

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

[REDACTED]

---

**From:** Kiely, Jesse [REDACTED]  
**Sent:** 22 July 2019 20:30  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** FW: York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Windmill Lane (Pond Field) York  
**Attachments:** York Local Plan - Promo Document Windmill Lane, Pond Field, York - Persi....pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** Red Category

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Further to the below please now also find attached accompanying Promotional Document for Site Windmill Lane (Pond Field) York.

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire  
[REDACTED]

---

**From:** Kiely, Jesse  
**Sent:** 22 July 2019 20:24  
**To:** 'localplan@york.gov.uk' <[localplan@york.gov.uk](mailto:localplan@york.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Windmill Lane (Pond Field) York  
**Importance:** High

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Windmill Lane (Pond Field) York on behalf of Persimmon Homes (Yorkshire). I shall provide a copy of the Promotion Document in a separate email due to data limit restrictions to be read in conjunction with the above and attached.

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
Senior Land Manager



We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

---

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---





PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – LAND OFF WINDMILL LANE, YORK (POND FIELD) – PERSIMMON HOMES**

We write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Windmill Lane, York.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Windmill Lane, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement and the updated background Green Belt Topic Paper

**DELIVERABILITY OF WINDMILL LANE, YORK SITE**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide a summary of the previous representations we submitted in respect of the deliverability of the Windmill Lane site.

The site is not located in an area of "Primary Constraint" as identified in Figures 3.1 to 3.3 of the Submitted Draft Local Plan. It is land locked on all sides by existing uses and is privately owned, and therefore not publicly accessible for any public recreational use.

It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of ecology, landscape, Green Belt, archaeology, drainage, infrastructure and highways assessments. These assessments have never identified any constraints that would preclude the development of the site.

More recently a Promotion Report, prepared by Pegasus Group, has been submitted to the Council for consideration. This document is again enclosed for ease of reference. It includes our proposed development Masterplan for the site, for a development of 140 homes.

The Promotion Document demonstrates that the site is well suited to residential development and the approach taken through the derivation of the identified concept masterplan has accounted for all known environmental constraints and is considered to have satisfactorily addressed them through sensitive design. The document also demonstrates that the site offers a highly deliverable, yet appropriate response to its location and surroundings and would make a significant contribution toward the delivery of the City's future housing requirements.

The previously submitted documentation confirms that the development proposals are situated in a suitable and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as our clients can deliver new homes on the site within the next five years.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 35 new homes per annum in the monitoring year 2021/2022 onwards. Resulting in the delivery of all 140 homes from the site in the first five years post adoption of the Local Plan.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

This criteria cannot be applied to Pond Field. The four boundaries are considered in turn: -

- Western boundary - Formed by Windmill Lane. Immediately west of Windmill Lane is the University campus, including the Smith and Nephew Research building.
- Northern boundary - Formed by houses and Archbishop Holgate School's playing fields.
- Eastern boundary - Formed by Badger Hill Primary School and houses.
- Southern Boundary - Formed by Field Lane with the open space that forms part of the University Heslington East campus.

The development surrounding each of the site's boundaries is part of a large urban area. Retention of the site as Green Belt will have no impact whatsoever on whether the large urban area of York expands in one direction or another. It will be appreciated that the site is a field surrounded by developed land. It therefore cannot have any role in checking unrestricted sprawl.

**To prevent neighbouring towns from merging into one another**

Figure 3.1 of the Submitted Draft Local Plan does not identify the site as being an area preventing coalescence. The site is surrounded by developed land, although land south of Field Lane is open as part of the Heslington East campus. However, the topography and form of the open land is clearly not naturally formed.

The village of Heslington lies to the west and south of the site. Heslington is contiguous with the southern boundary of York, with the majority of the village lying to the south of Main Street (an extension of Field Lane). When approached from the west the University Sports Centre and campus buildings provide a developed frontage on the north side of Main Street with substantial development on the south side before reaching the historic centre of Heslington. This level of development does not detract from the character of Heslington.

When Heslington is approached from the east there is a developed frontage of the Badger Hill estate and Heslington Church on the north side of Field Lane, as well as the site itself. On the south side there are the buildings of the Heslington East campus (set back from Field Lane), open space behind a hedgerow and a crude earth bund parallel with Field Lane, and the heavily urbanised traffic light junction of the campus with Windmill Lane and Field Lane.

It is a very artificial argument to suggest that keeping the site open will prevent neighbouring towns from merging into one another. If the site is developed it will not adjoin Heslington village or physically link Badger Hill estate with the village. Because of the nature of the physical relationship of the site with Heslington there will be no awareness of the Badger Hill estate merging with Heslington.

Development of the site will therefore not threaten the character of Heslington. Heslington already is an extension of the built up area of York but retains its own distinct character and development of the site will have no impact whatsoever. The green parkland setting of the Heslington East campus will ensure there is an open setting for Heslington on the south side of Field Lane, even though it is an obviously man-made feature. This replicates the situation on the west side of Heslington.

The long established, substantial hedgerow that forms the southern boundary of the site would be retained and any visual impact of development of the site would be severely diluted. It is our view that Field Lane should be the boundary of the Green Belt.

#### **To assist in safeguarding the countryside from encroachment**

The site does not adjoin countryside. The site is privately owned and is therefore not publicly accessible for any public recreational use. The nearest countryside lies south of Heslington, and south of Heslington East campus.

#### **To preserve the setting and special character of historic towns**

Paragraph 3.5 of the Submitted Draft Local Plan refers to areas of land outside the existing built up areas that should be retained as open land due to their role in preserving the historic character and setting of York. Figure 3.1 of the document then maps the areas that have been identified. The site is not identified in this assessment. It is therefore agreed that the site has no role in preserving the setting and historic character of York.

#### **To assist in urban regeneration by encouraging the recycling of derelict and other urban land**

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

The removal of Green Belt designation and allocation of the site as a housing allocation will not have any impact on this criteria being achieved.

In conclusion, it is clear that the site does not meet any of the five purposes of Green Belt designation. The reality is that the site is now a field surrounded by development. It has to be inappropriate to seek to retain a field in agricultural use when it is surrounded by development. **The site should therefore**

**be removed from the Green Belt and allocated for residential development, with the site being used to define this part of the inner Green Belt boundary with a rational boundary.**

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City and our review of the Green Belt Topic Paper Addendum.

## **THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK**

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).

6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Windmill Lane, York.

## **GREEN BELT TOPIC PAPER ADDENDUM**

We are concerned that there are some fundamental flaws to the approach taken by CYC as outlined in the Green Belt Topic Paper Addendum.

The overall approach taken by CYC can be considered to simply be the wrong way around. The focus of decision making in respect of the Green Belt should be on what land should not be designated as being in the Green Belt, rather than setting out the exceptional circumstances for removing land from the Green Belt.

The general extent of the York Green Belt is established by the saved policies of the Yorkshire & Humber Regional Spatial Strategy. The Local Plan now needs to identify what the inner Green Belt boundaries should be. Whilst seeking to deliver the sustainable development to meet the City's housings needs over the Plan Period.

CYC current proposed approach is therefore overly restrictive. Resulting in an overly negative assessment of a number of development sites. Including our site at Windmill Lane, York.

This approach has also led to the lack of safeguarded land being allocated within the Local Plan. Which of course is required by the Framework in order to meet the longer-term development needs of the City beyond the plan period. The Local Plan Working Group recommended that the "longer-term" should

relate to a 10-year period. However, it is widely accepted that a 5-year period is generally appropriate. When considering the implications of the evidence presented in the Lichfields OAHN work, we request that CYC also factor in the need to deliver at least 5-years' worth of safeguarded land within the final adopted version of the Local Plan in order to comply with Paragraph 85 of the Framework.

With specific regard to our site at Windmill Lane, the relevant section of the Green Belt Topic Paper Addendum is Annex 3 Section 7 Boundary 11. The assessment does not take into account CYC's own evidence presented in the Submission Draft Local Plan, with regards to "Primary Constraints" and does not give sufficient weight to the land locked nature of the site. Particularly the defensible boundary that Field Lane provides on the site's southern boundary and the views taken from when passing the site.

The assessment largely corroborates our own assessment provided above. However, there are two elements of the assessment that are simply incorrect.

Within the Openness & Urban Fabric section of the assessment it identifies that: -

***"This parcel of land represents an open buffer between areas of distinct character and is read/functionally links with the wider countryside and areas important for historic setting of York to the south."***

Field Lane located to the south of the site provides a long term defensible boundary. It is also a well-used road within the City, providing connections between Heslington and Fulford, and providing the key access route to York University and the University Science Park. When travelling east or west along this route views to the north of Field Lane are onto developed areas, except for the approx. 600m gap that the site provides. A gap which is framed by existing development on all sides. The site is firmly read against the back-drop of the surrounding development to the north of Field Lane. To the south of Field Lane, the character of the area changes in association with the Heslington East University Campus. Which is clearly not the wider countryside.

With regards to the comment in respect of the historic setting, as identified above, CYC's own evidence demonstrates that the site is not located within any areas that should be retained as open land due to their role in preserving the historic character and setting of York.

Within the permanence section of the assessment it identifies that: -

***"The boundary marks the extent of the urban area where it meets open land. All of the existing planning permissions on the enclosed land, which is proposed for inclusion within the Green Belt are consistent with acceptable development within the Green Belt and will not change the nature of the area".***

Again, this conclusion does not take into account the defensible boundary that Field Lane provides. Field Lane enclosed the site on its southern boundary. Field Lane is not a "lane" it is a well-used road within the City, providing connections between Heslington and Fulford, and providing the key access route to York University and the University Science Park. It is a permanent boundary to the site which should have been a fundamental consideration in respect of the site's release from the Green Belt. Finally, as stated above, the land beyond Field Lane to the south is not "open land", the land relates to the Heslington East University Campus. Which is clearly not the wider countryside.

If the site was assessed correctly we are of no doubt that it would have been considered for release for residential development. The Green Belt Topic Paper Addendum does not provide a robust evidence base from which to make decisions on the identification of housing allocations within the Local Plan.

Accordingly, the evidence base should be amended. When considered against the need to release additional housing sites to meet the increased OAHN proposed by Lichfields, we believe there is compelling evidence for our Windmill Lane, York site to be identified as a housing allocation within the final adopted Local Plan.

## CONCLUSIONS

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Windmill Lane, York: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

On account of the above we **object** to our Windmill Lane, York site being rejected as a potential housing option within the York Local Plan.

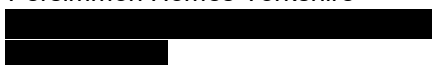
The site has the potential to provide a residential development of up to 140 new homes, substantial areas of public open space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs and the delivery of a number of socio-economic benefits.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire





# LAND OFF WINDMILL LANE, YORK

Promotional document on behalf of Persimmon Homes







# Contents



Pegasus Group  
Pavilion Court  
Green Lane  
Garforth  
Leeds  
LS25 2AF

[www.pegasuspg.co.uk](http://www.pegasuspg.co.uk) | (0113) 287 8200

Prepared on behalf of Persimmon Homes  
June 2016  
Project Code: YOR.2799  
Checked by / Contact: Chris Hunter

COPYRIGHT The contents of this document must not be copied or reproduced in whole or in part without the written consent of Pegasus Planning Group Ltd. Front cover: Aerial photo of the site

Crown copyright. All rights reserved, Licence number 100042093

Introduction	4
Site Location	5
Settlement Character	6
Site Context and Analysis	10
Design Concept	12
Proposed Design & Summary	15

Document to be read in conjunction with YOR.2799.02.A Indicative Masterplan

NOTE: This document is designed to be viewed as A4 landscape double sided (booklet)

# Introduction

This document has been produced on behalf of Persimmon Homes by Pegasus Group to promote land off Windmill Lane, York.

This document sets out to demonstrate how the site could be delivered to provide new housing in a sustainable location in York.



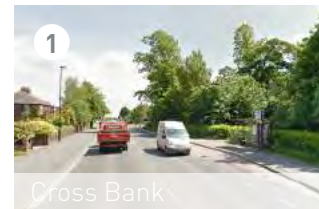
# Site Location

The site is an 14 acres (5.6 ha) parcel of land at Pond Field on the east of York, approximately 3 miles from the city centre. The site is well connected to the local road network, being located approximately 1.7 miles to the A64 running between Leeds and Scarborough via York. The site is also in close proximity to the York outer ring road that connect into the wider regional road network.

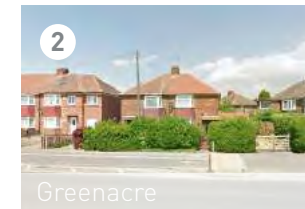
A thick hedgerow runs along the western and southern boundary of the site and a pond is located within the northern part of the site. Residential development is to the north and west of the site and the University of York site to the west with open green space to the south of site.



# Settlement Character



Cross Bank



Greenacre



Hillside Crescent



Long Meadow



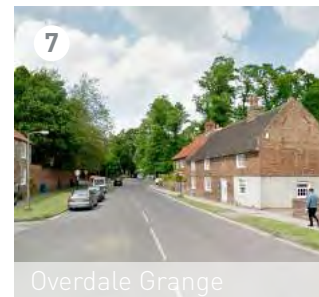
Moor Crescent



Field Lane

This section provides an overview of the settlement character and local vernacular.

The dwellings differentiate throughout the area but most of the dwellings are two storeys high and are set back from the road, creating a landscaped positive street scene.



Overdale Grange



Princess Crescent



Regent Road

# Settlement Character

## A WINDMILL LANE

Characterised as stone and brick dwellings, the majority of them two storey in height. The dwellings were built from the 1950s onwards and have garages beside them.

The dwellings are set back from the road with a small garden with a hedge, wall or fence separating them from the road.



## B CROSSWAYS

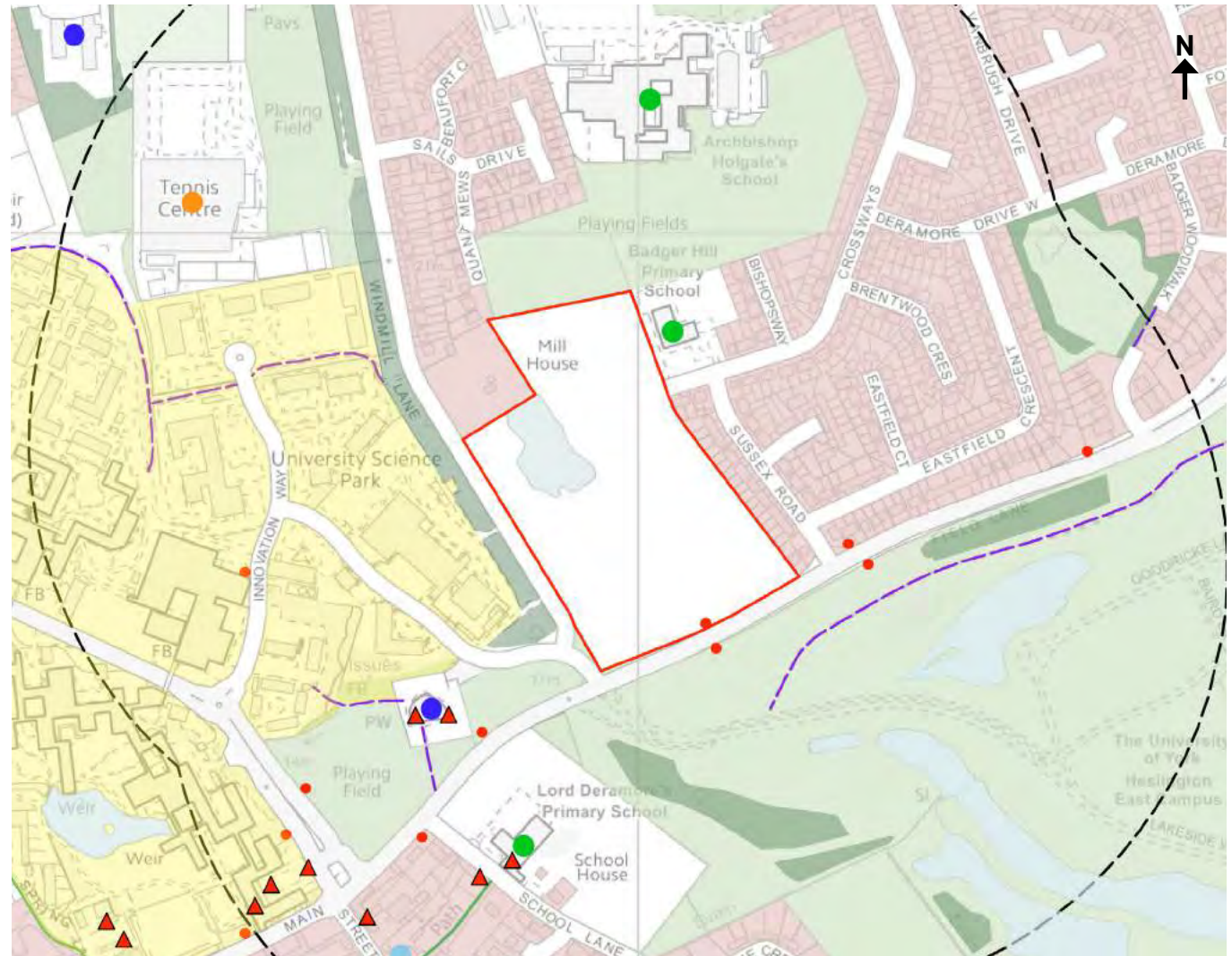
Dwellings on this street are a mix of detached bungalows, detached and semi-detached homes.

They are surrounded by hedging or walls to set them back from the road and creating a private garden at the front.

These dwellings are of a lower density, reflecting the open field opposite.

# Site Analysis

The site encourages sustainable travel choices. It is within walking or cycling distance of Heslington and not far from York city centre, approximately 2.3 miles away. Ten bus services stop on along Field Lane and provide links to Leeds, York and other areas of Yorkshire. Given the transport links available and the easy access to the services within York city centre, the site is considered to represent a suitable location for sustainable residential development.



## KEY

- |  |                             |   |                        |
|--|-----------------------------|---|------------------------|
|    | Site Boundary               |    | Listed Building        |
|   | Residential Development     |    | School                 |
|  | Open Space                  |  | Shop                   |
|  | Existing Trees / Vegetation |  | Health Service         |
|  | Watercourse / waterbody     |  | Place of Worship       |
|  | University Campus           |  | Sport Recreation       |
|  | PROW                        |  | Amenity                |
|  | Existing Pedestrian Link    |  | Pub / Bar / Restaurant |
|  |                             |  | Bus Stop               |

Sustainability Plan

# Site Analysis

## OPPORTUNITIES

- Enhance the settlement edge of Badger Hill and Hull Road through careful and sensitive design to positively contribute to the townscape character and surrounding landscape character;
- Strengthen local green infrastructure and provide a definitive and robust settlement edge;
- Provide green pedestrian links through the site;
- Creation of strategic open space and habitat creation and enhancement.

## CONSTRAINTS

- Views from the Field Lane which approaches York from the east and runs adjacent to the southern boundary of the site;
- Retainment and enhancement of existing hedgerow within the site;
- Protection and integration of the pond within the site;
- Preservation of view to Heslington Church from south western edge of site;
- Respect of existing residential development;
- Variations in topography, rising in parts.



Opportunities & Constraints



# Design Concept

## CONCEPT PLAN

Utilising the site analysis exercise, a design concept scheme has been derived. This creates development parcels at the centre of the site surrounded by areas of open space and bisected by a landscaped corridor.

## MASTERPLAN

The masterplan overleaf identifies different character areas within the site. Site access is off Windmill Lane from the west of the site, the network of proposed roads are designed to suit the topography of the land to create streetscenes with natural surveillance.

The proposal can incorporate 2-3 bed semi-detached and detached units producing character areas from low density, high quality executive dwellings to medium density starter homes. There are focal buildings designed as vista points along the streetscene.

A proposed green link on the western boundary creates green frontage to the site and incorporates the existing hedgerow. As well as benefiting from the proposed green perimeter, the site also incorporates green infrastructure within it.



Concept Plan

# Proposed Design / Summary

## SUMMARY

This document has demonstrated that the site is well suited to residential development and the approach taken through the derivation of the concept masterplan has accounted for all known environmental constraints and is considered to have satisfactorily addressed them through sensitive design. It has been demonstrated that the site offers a highly deliverable, yet appropriate response to its location and surroundings and would make a significant contribution toward the delivery of the Districts future housing requirements.



Indicative Masterplan

## Design Criteria



**A**

Development either side of the road with street tree planting and substantial plot landscaping.

**B**

Plots overlooking green space, creating natural surveillance.

**C**

Private drives serving plots which overlook the green infrastructure to soften the edges of the development.

**D**

Vista points using buildings.

# Landscape Infrastructure

- ① Complete retention of hedgerow along Field Lane with a further 5m stand-off before any proposed development.
- ② Windmill Lane landscape structure retained with proposed links from Windmill Lane.
- ③ Existing pond and surrounding landscape to remain, creating a focal point and surrounded by open space.
- ④ Existing northern landscape buffer to remain.
- ⑤ Public open space within the site.
- ⑥ Increased buffer planting in the south western corner of the site.



Landscape Infrastructure

[www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

Pegasus Group  
Pavilion Court  
Green Lane  
Garforth  
Leeds  
LS25 2AF

[www.pegasuspg.co.uk](http://www.pegasuspg.co.uk) | (0113) 287 8200

Prepared on behalf of Persimmon Homes  
June 2016  
Project Code: YOR.2799  
Contact: Chris Hunter  
Checked by: CH

COPYRIGHT The contents of this document must not be copied or reproduced in whole or in part without the written consent of Pegasus Planning Group Ltd  
Front cover: Aerial photo of the site

Crown copyright. All rights reserved. Licence number 100042093

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62





## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59



## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG

published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG's September 2017 consultation on "*Planning for the right homes in the Right Places*". The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."*  
*"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

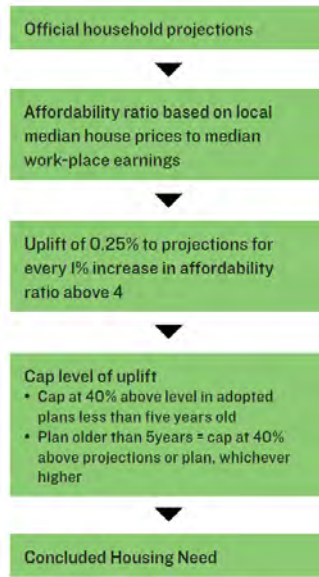
<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]



Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## **Overview of the City of York HNU**

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

### Market Signals

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*

*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]



3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.*<sup>18</sup>

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term 'norm' they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

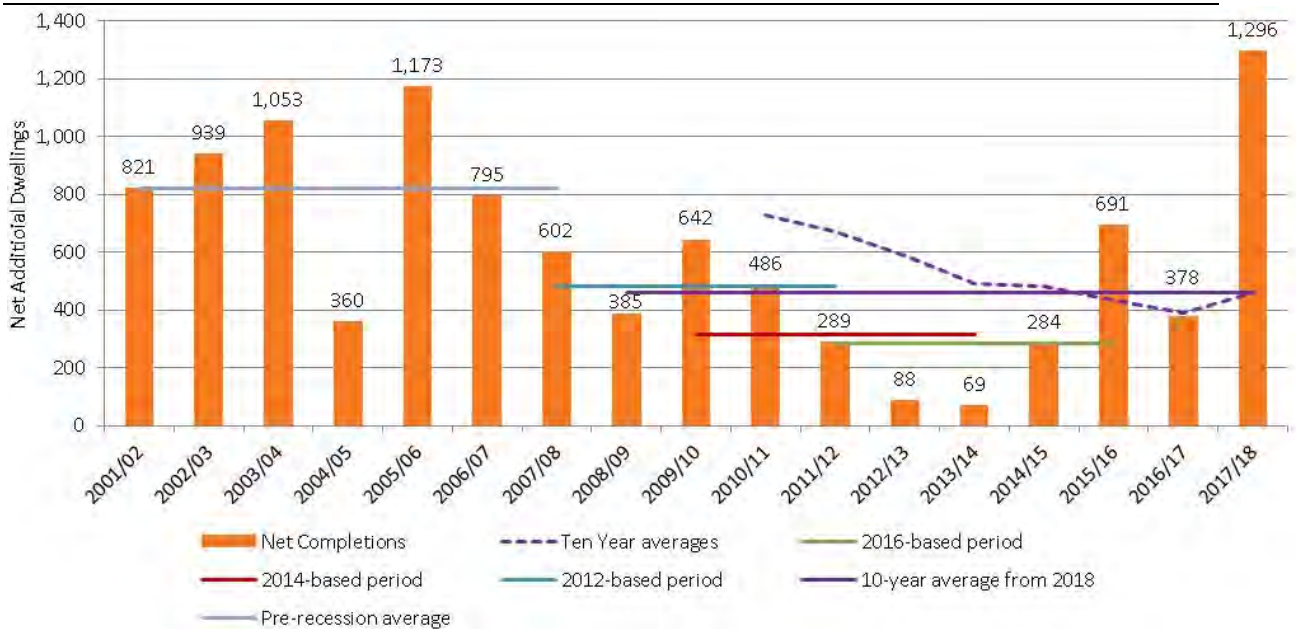
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

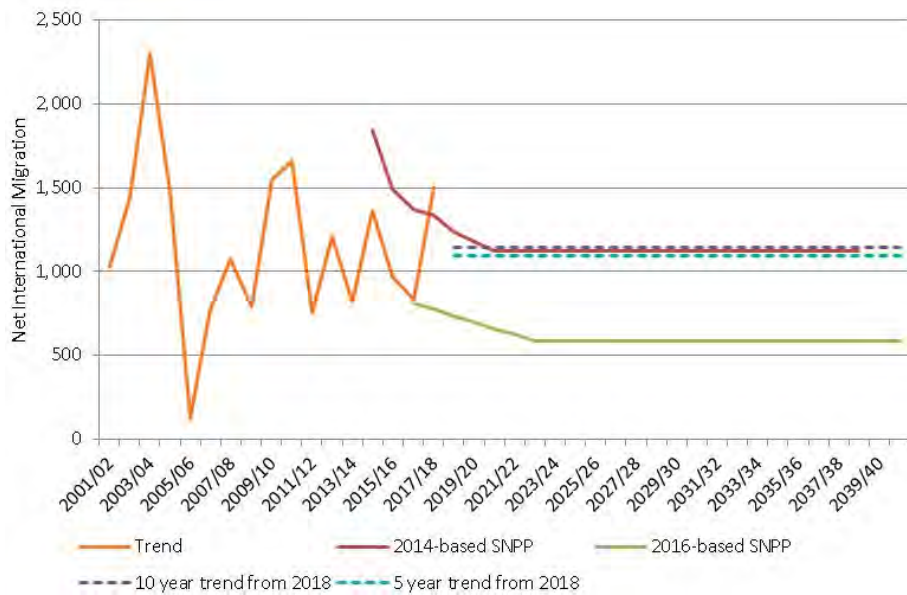
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*

Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:



*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:

- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
- An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
- Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
- In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
- Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].

4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.

4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “*Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate*”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently

being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>



and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

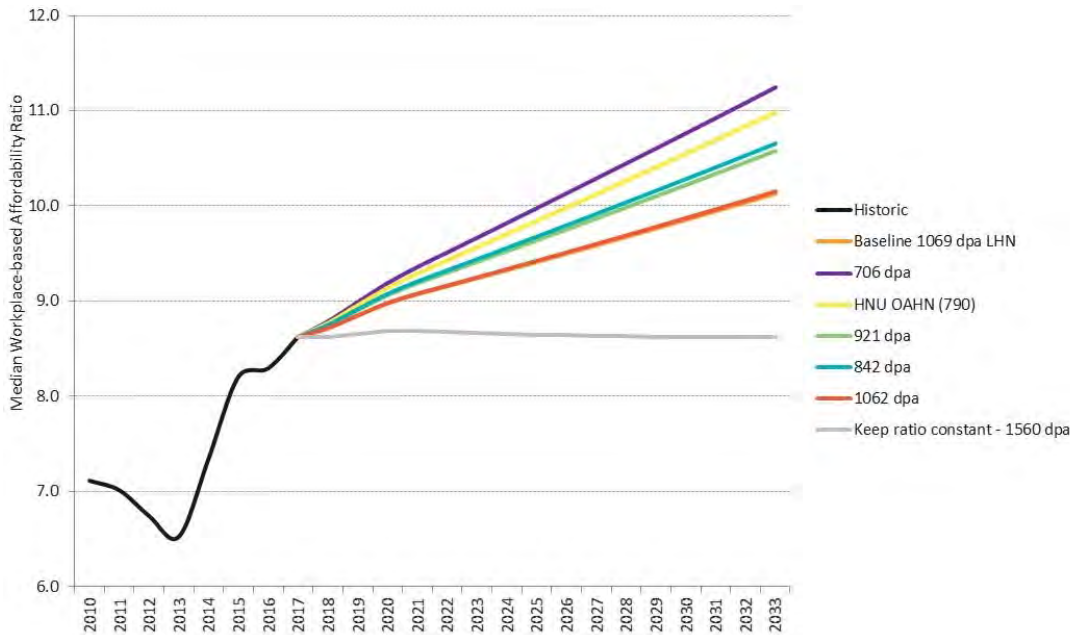
## 2. Affordability Modelling based on University of Reading/OBR assumptions

- 4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:
- “Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*
- 4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.
- 4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:
- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
  - House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
  - The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
  - A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
  - An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

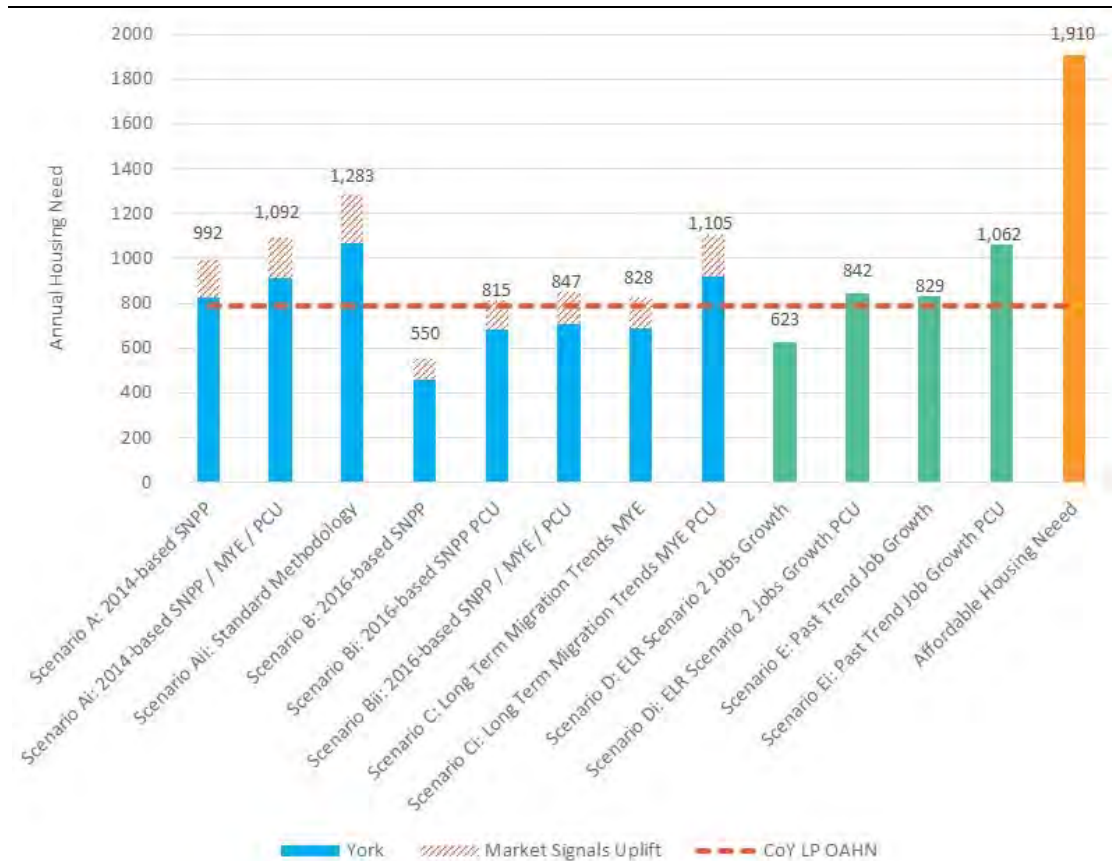
4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

- 4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.
- 4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

- 4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306

## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017



*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

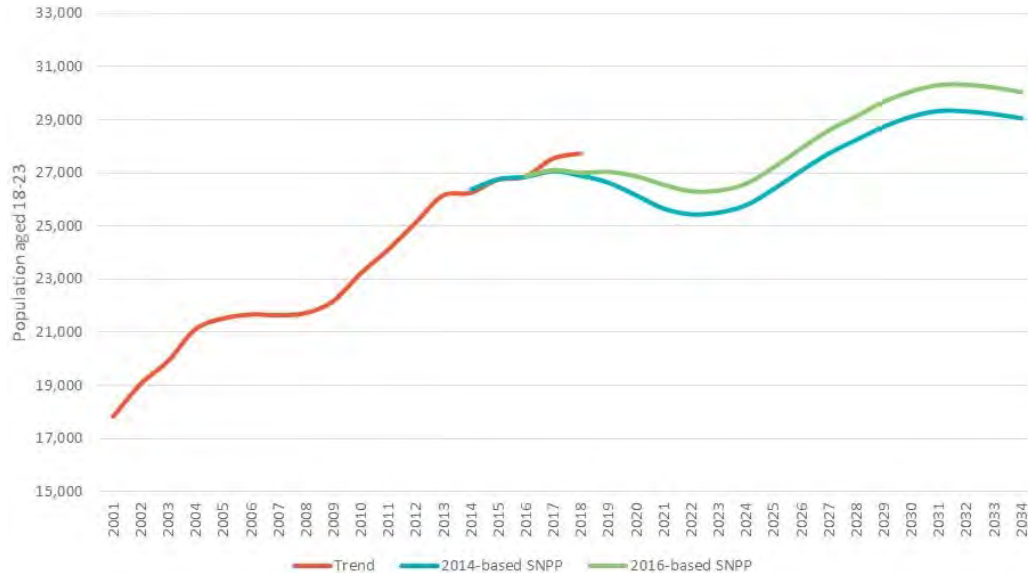
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

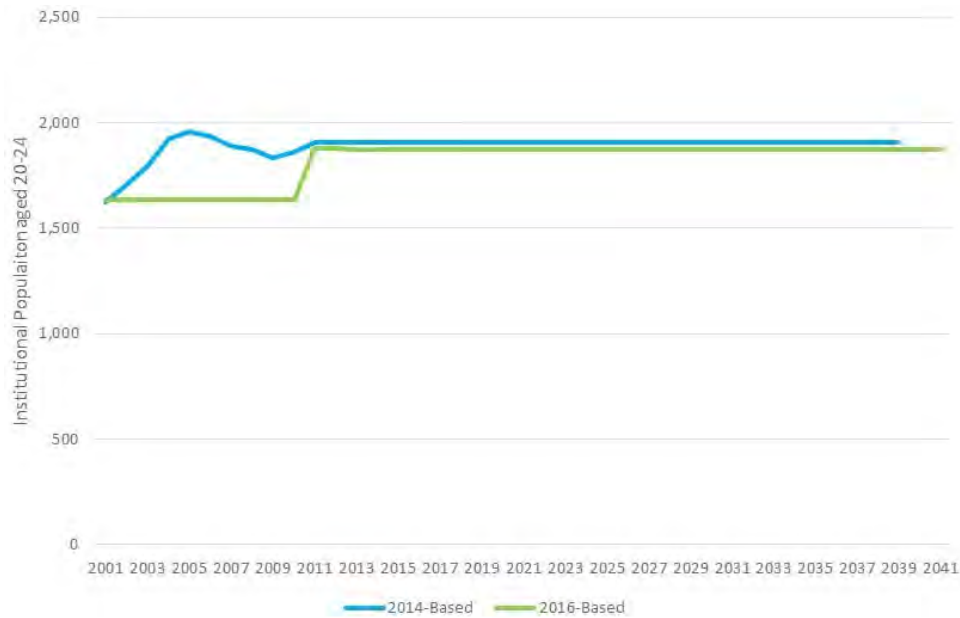
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

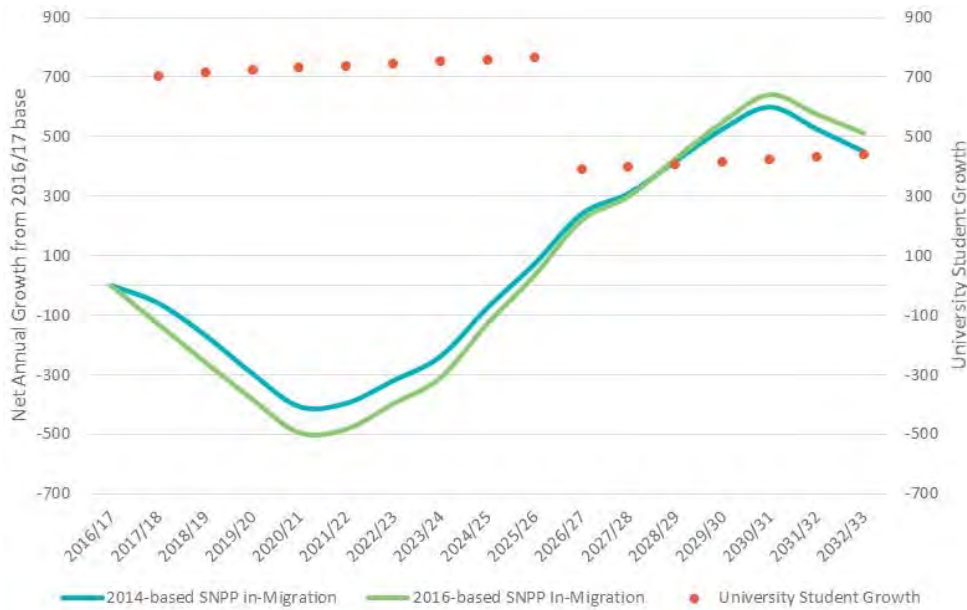
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

- 5.30 Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913

Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2



Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

## 7.0 Conclusions on the City of York's Housing Need

- 7.1 The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

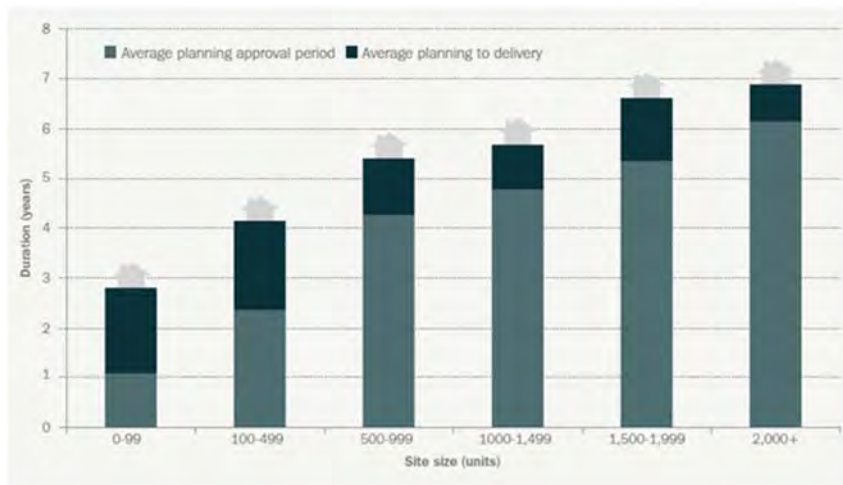
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

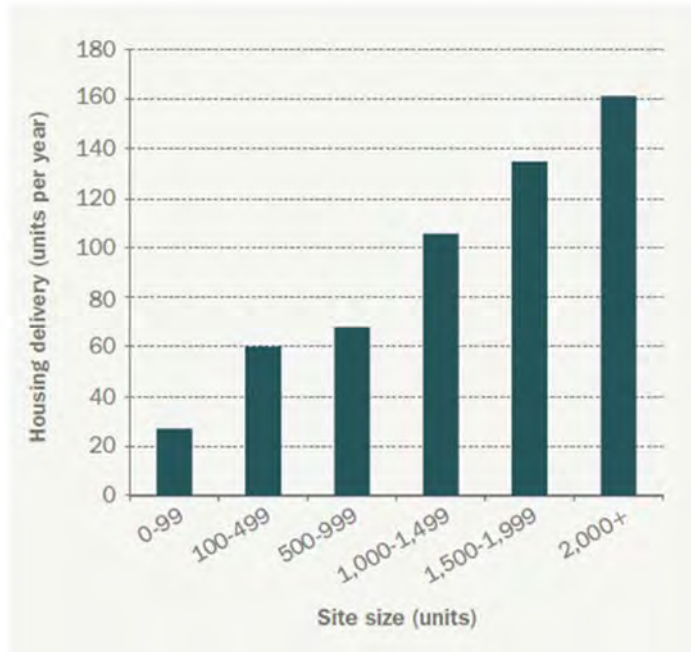
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.

- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306



*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five-year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the

Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.







**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk



**From:** Kiely, Jesse [REDACTED]  
**Sent:** 22 July 2019 22:40  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Moor Lane, York - Persimmon Homes Yorkshire  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Land Off Moor Lane, York - Persimmon Homes - ....pdf; York, Moor Lane - Site Plan - Persimmon Homes Yorkshire.jpg  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Moor Lane, York (including site plan) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire

[REDACTED]  
[REDACTED]  
[Persimmon House | Fulford | York | YO19 4FE](#)

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

---

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – LAND SOUTH OF MOOR LANE, YORK – PERSIMMON HOMES**

We write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Moor Lane, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement and the updated background Green Belt Topic Paper

**DELIVERABILITY OF MOOR LANE, YORK SITE**

We consider it prudent to provide a summary demonstrating the deliverability of the Moor Lane site. It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of technical surveys and masterplan. These assessments have never identified any constraints that would preclude the development of the site.

The Site is proposed as being an 'Area Retaining a Rural Setting' in Figure 3.1 of the Submitted Draft Local plan however we consider the assessment is not fully justified. The Site contains a centrally located farmstead including nine individual existing buildings including a large detached dwelling and ancillary agricultural buildings, landscaping and garden the presence of which break up a purely 'rural setting'. We consider that this constraint should not be applied to land east of the A1237 road given this provides for an active highly visual feature typical of an urban area. Views travelling north along the A1237 are dominated by the boundary of existing residential development along Moor Lane and as such do not offer a 'rural' setting. Towards the south of the Site sits the Pike Hills Golf Club spanning a circa 75 areas nestled in between the A1237 and the A64. It's presence of extensive man-made

landscaping and regimented planting formation sets the tone of this area as sub urban and developed prior to reaching the Site and as such the Site could not therefore be considered as part of a rural setting.

The Site is **not** located in an area of 'Primary Constraint' as identified in Figure 3.2 the Submitted Draft Local plan and is not shown to be any of a 'Nature Conservation Site', 'Existing Open Space' or 'Green Infrastructure Corridor'.

The Site is not located in an area of 'Primary Constraint' as identified in Figure 3.3 the Submitted Draft Local plan.

Persimmon Homes considers this Site to be deliverable in accordance with the National Planning Policy Framework. Our assessments have never identified any constraints that would preclude the development of the Site and expect the Site has the capacity to deliver 600 new homes.

The majority of travel journeys migrate into the City from the west. The Site offers a highly sustainable location for growth on the west side of the City adjacent to the main road network and almost immediate access to the A64 dual carriage. Development in this location would provide minimum impact on the existing road network around the city.

The Site is well suited to residential development sitting immediately adjacent to existing residential development along Moor Lane and would make a significant contribution toward the delivery of the City's future housing requirements.

The centre of the Site sits approximately 670m from Askham Bog providing for a significant distance of separation in which appropriate mitigation measures as well as opportunities for biodiversity net gains could be provided.

The site is available now as it is under our control as a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as Persimmon Homes can deliver new homes on the site within the next five years.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 35 new homes per annum from the monitoring year 2022/2023 onwards. Resulting in the delivery of all 105 homes from the site in the third, fourth and fifth years post adoption of the Local Plan.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

This criteria cannot be applied to Moor Lane. North of the site is the residential area of Woodthorpe. To the west of the site is the A1237 and to the south, Pike Hills Golf Course. The eastern boundary is formed by established hedgerows and tree line.

The release of 24 hectares from the Green Belt, see location plan, would allow for new defensible and enduring boundaries to be defined along the A1237 with structural planting on the western, southern and eastern boundaries to provide a clear and defined edge to the site.

**The development of the site would not result in unrestricted urban sprawl.**



**To prevent neighbouring towns from merging into one another**

Development of the site would not have the effect of merging Woodthorpe with any neighbouring towns/villages. The presence of Pike Hill Golf Course, Askham Bog and the A64 dual carriageway means there is no visual relationship between the site and land further to the south. As such there can be no risk of neighbouring towns merging.

Figure 3.1 of the Submitted Draft Local Plan does not identify the site as being an area preventing coalescence.

**The development of the site would not result in the merging of settlements.**

**To assist in safeguarding the countryside from encroachment**

No part of the site is identified as forming part of an area of special landscape character.

The site is used for agricultural purposes and part is occupied by the farmstead at Eastfield Farm.

The site is part of a small pocket of land south of Moor Lane that is detached from the wider countryside by the A1237 outer ring road to the west, Pike Hill Golf Course and Askham Bog to the south. Land east of the site itself is bounded by the East Coast rail line further east. These are all formidable boundaries with the wider countryside. Development of the site would have no impact on the wider countryside because it is clearly divorced from it.

The site does not contain any national or locally designated nature conservation areas, nor does it contain any protected areas of woodland. Indeed, development of the Site could offer biodiversity net gains, enhanced protection to Askham Bog as well as new and improved areas of planting, including a significant landscape buffer to the west of the site towards the A1237.

**The site does not perform an important role in safeguarding the countryside from encroachment.**

**To preserve the setting and special character of historic towns**

The site cannot be seen from the A64 and the A1237 offers only partial views. While the site is overseen by users of, and residents along, Moor Lane the relationship is a local one. Moor Lane is not a major approach to the City and the character of Woodthorpe, whilst pleasant, does not provide any indication of the special character of York.

**The site would not detract from the existing setting and special character of historic features.**

**To assist in urban regeneration by encouraging the recycling of derelict and other urban land**

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

**The removal of Green Belt designation and allocation of the site as a housing allocation will not have an impact on this criteria being achieved.**

In conclusion, it is clear that the site does not meet any of the five purposes of Green Belt designation. The reality is that the site is now a field surrounded by development. It has to be inappropriate to seek to retain a field in agricultural use when it is surrounded by development. **The site should therefore be removed from the Green Belt and allocated for residential development, with the site being used to define this part of the inner Green Belt boundary with a rational boundary.**

### **OS Fields 5475 7267 And 8384 (BARWOOD LAND) – WITHOUT PREJUDICE**

An application for outline planning permission (ref 18/02687/OUTM) was submitted for up to 516 on land immediately adjacent to the east of Moor Lane. This application was recently refused at Planning Committee principally due to a small number of identified matters of which insufficient information was provided. Notwithstanding the outcome of the recent determination, the planning application has established that a significant number of suitability and deliverability criteria have been suitably satisfied. It is generally anticipated that the applicant will respond to this decision within the planning process with additional information addressing those areas not fully assessed.

The Moor Lane site sits immediately adjacent to the Barwood Land and, although without prejudice to the independent allocation and development of Moor Lane, it should be strategically considered that the Moor Lane site has the potential to be reviewed for development in conjunction with the Barwood Land. Specifically, in relation to ecology, a comprehensive approach to the development of both sites has the strengthened potential to address further enhanced mitigation measures and protection of Askham Bog as well as transport impact and infrastructure improvements.

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City.

### **THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK**

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into

York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.

2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).
6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five

years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Moor Lane, York.

## **GREEN BELT TOPIC PAPER ADDENDUM**

We are concerned that there are some fundamental flaws to the approach taken by CYC as outlined in the Green Belt Topic Paper Addendum.

The overall approach taken by CYC can be considered to simply be the wrong way around. The focus of decision making in respect of the Green Belt should be on what land should not be designated as being in the Green Belt, rather than setting out the exceptional circumstances for removing land from the Green Belt.

The general extent of the York Green Belt is established by the saved policies of the Yorkshire & Humber Regional Spatial Strategy. The Local Plan now needs to identify what the inner Green Belt boundaries should be. Whilst seeking to deliver the sustainable development to meet the City's housings needs over the Plan Period.

CYC current proposed approach is therefore overly restrictive. Resulting in an overly negative assessment of a number of development sites. Including our site at Moor Lane, York.

This approach has also led to the lack of safeguarded land being allocated within the Local Plan. Which of course is required by the Framework in order to meet the longer-term development needs of the City beyond the plan period. The Local Plan Working Group recommended that the "longer-term" should relate to a 10-year period. However, it is widely accepted that a 5-year period is generally appropriate. When considering the implications of the evidence presented in the Lichfields OAHN work, we request that CYC also factor in the need to deliver at least 5-years' worth of safeguarded land within the final adopted version of the Local Plan in order to comply with Paragraph 85 of the Framework.

## **CONCLUSIONS**

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Moor Lane, York: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

On account of the above we **object** to our Moor Lane, York site being rejected as a potential housing option within the York Local Plan.

The site has the potential to provide a residential development of up to 140 new homes, substantial areas of public open space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs and the delivery of a number of socio-economic benefits.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



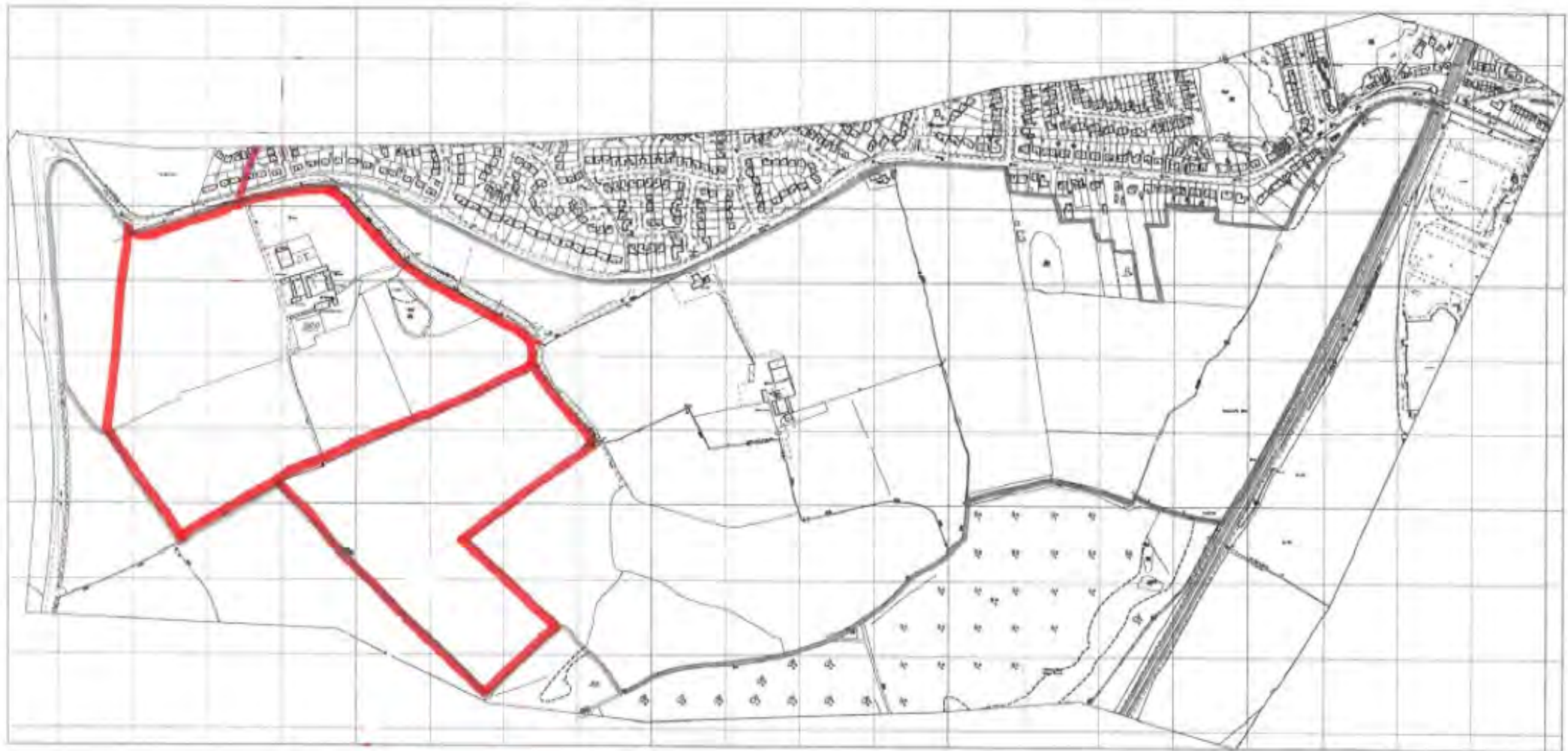
Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire



YORK, MOOR LANE  
- SITE PLAN  
Persimmon Homes Yorkshire

THE 'SITE'

Site Area  
80.4 Hectares  
199.4 Acres



Ordnance Survey  
Moor Lane  
Dringhouses

Architectural and  
Planning  
Consultants  
John R. Paul

CLIENT  
PERSIMMON

SITE  
Moor Lane  
Dringhouses

Drawing no.  
0308 4990 (0)  
Scale 1:2100  
© Paul Hill Construction  
Persimmon Homes  
0113 251 100

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1



# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59



## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG



published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

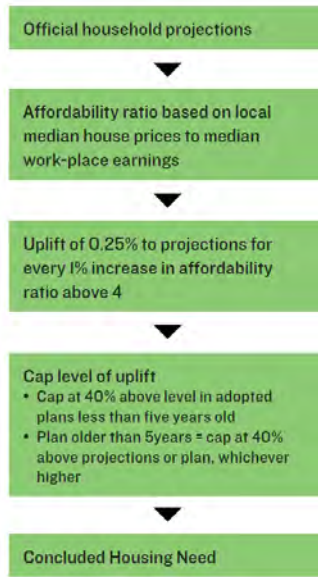
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG's September 2017 consultation on "*Planning for the right homes in the Right Places*". The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."*  
*"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [S2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*



*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)…”*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.”<sup>18</sup>*

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term ‘norm’ they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

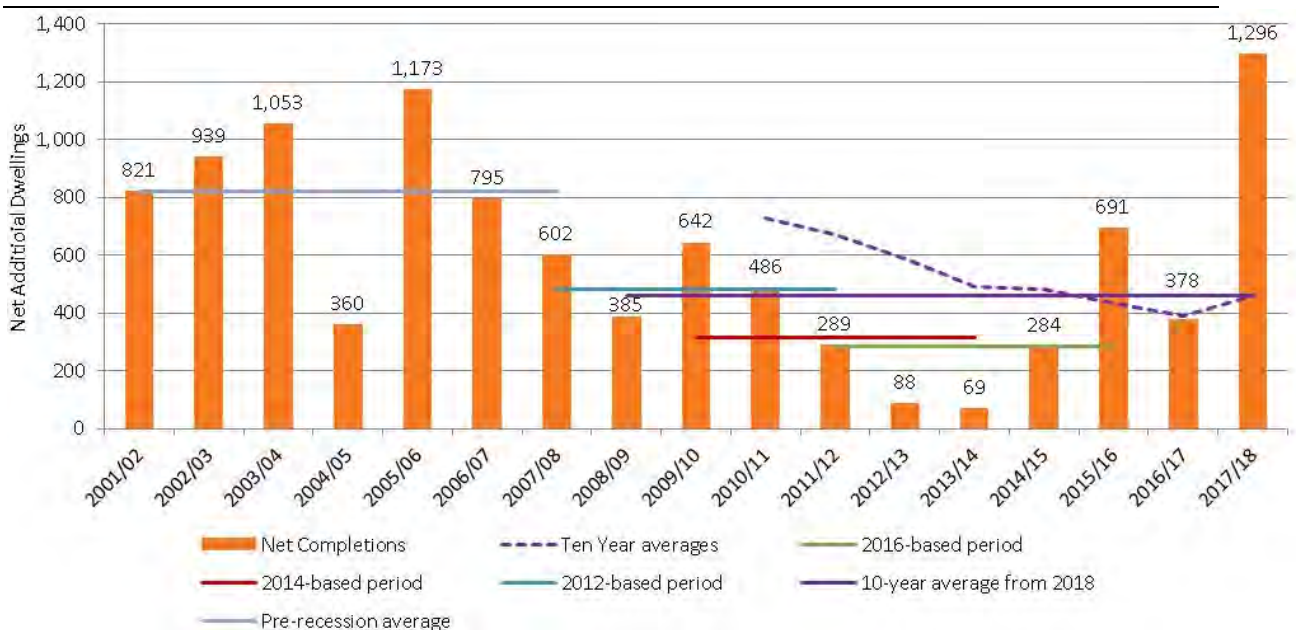
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

### Housing completions

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

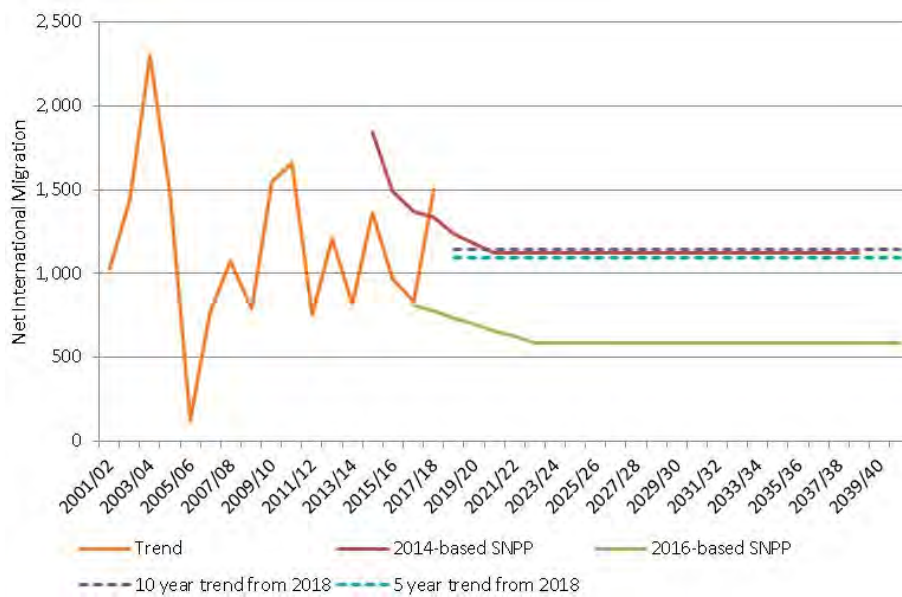
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

### Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*



Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

- 4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:
- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
  - An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
  - Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
  - In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
  - Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].
- 4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

- 4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.
- 4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently



being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

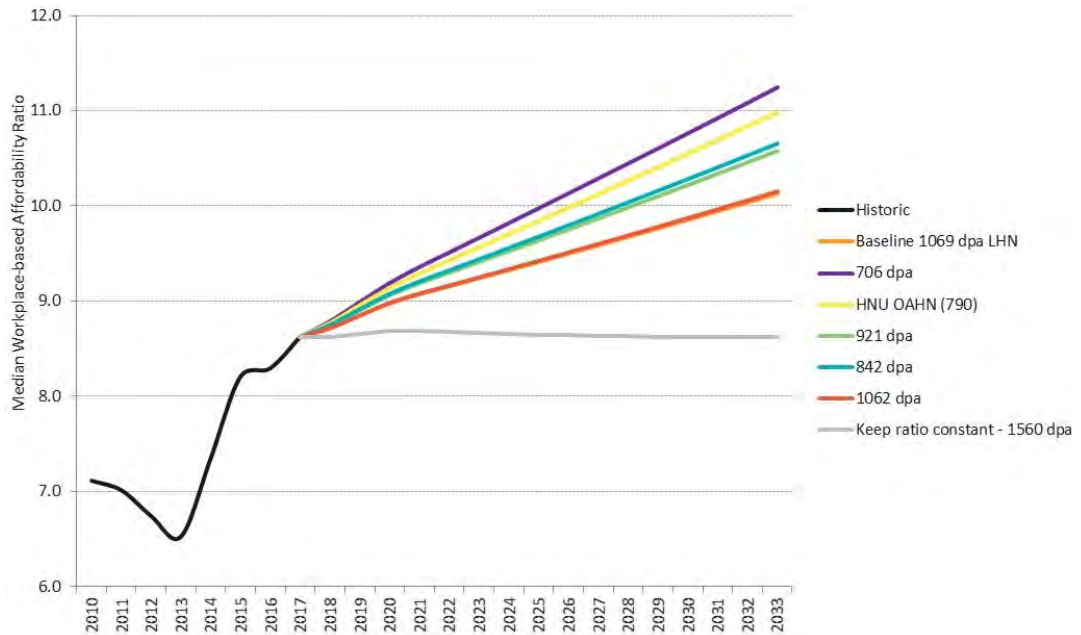
## 2. Affordability Modelling based on University of Reading/OBR assumptions

- 4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:
- “Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*
- 4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.
- 4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:
- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
  - House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
  - The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
  - A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
  - An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:
- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
  - 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
  - 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

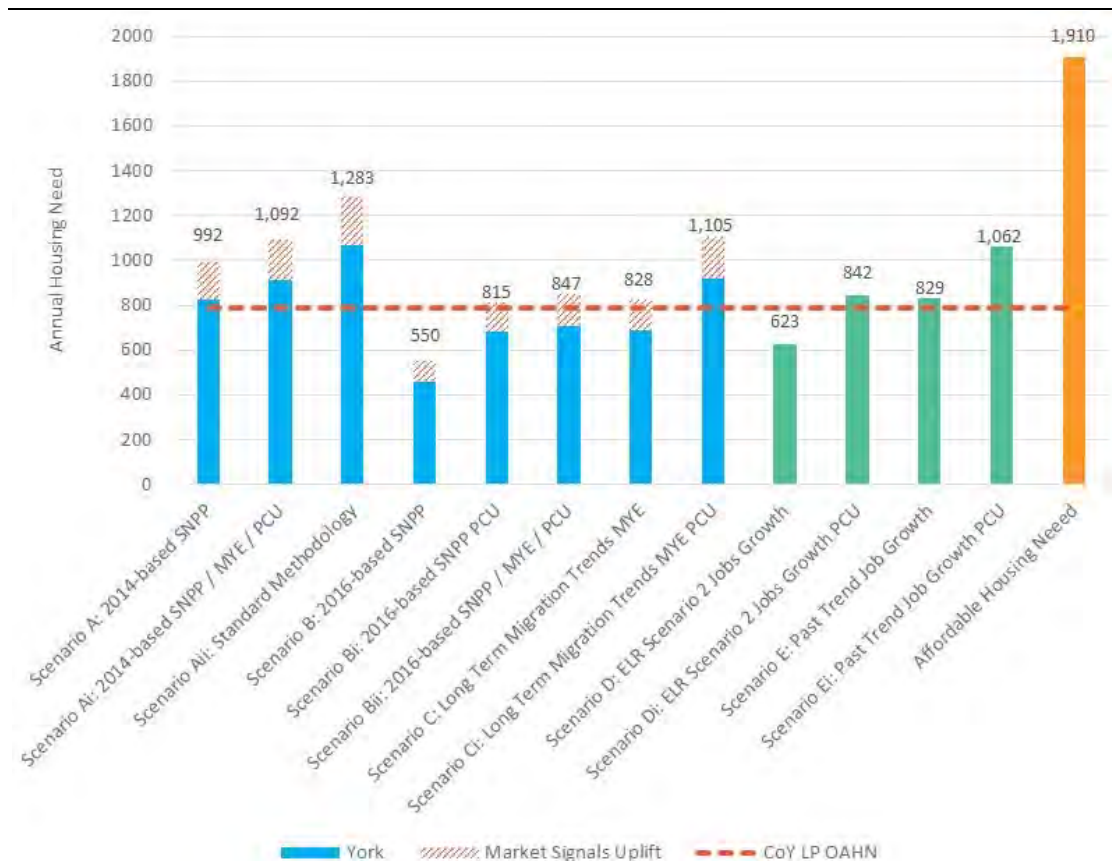
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306



## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

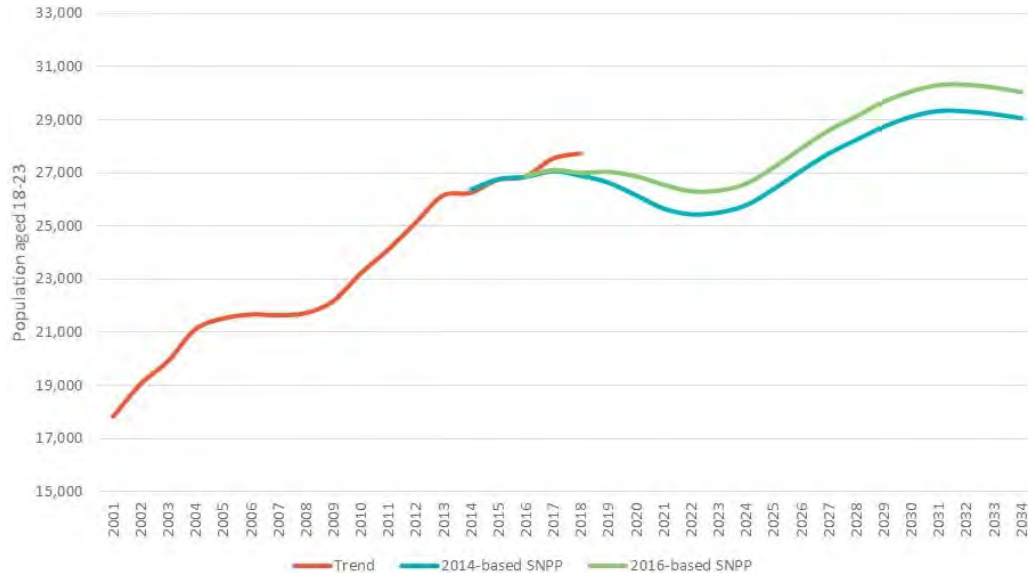
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

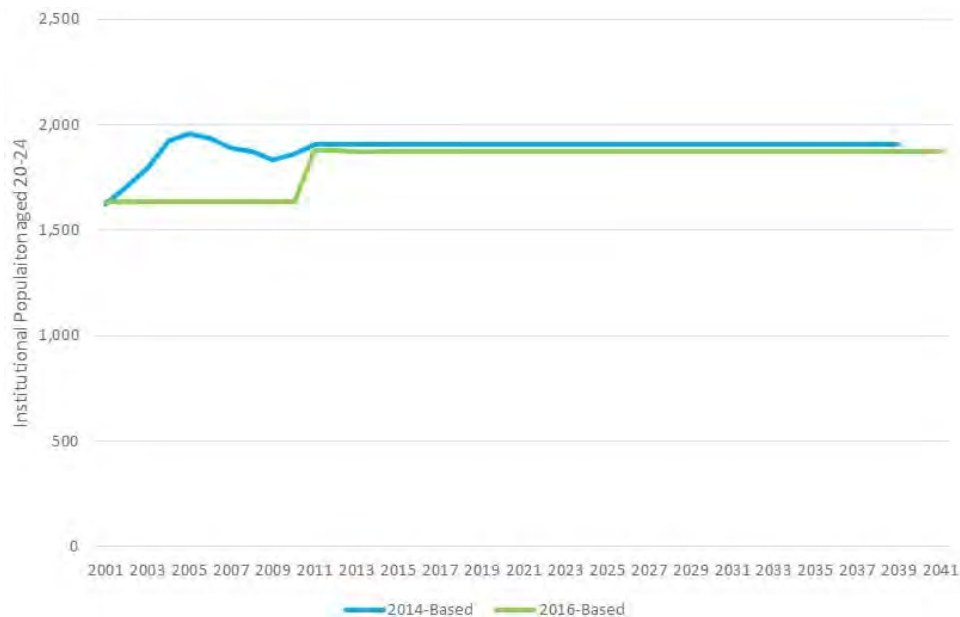
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

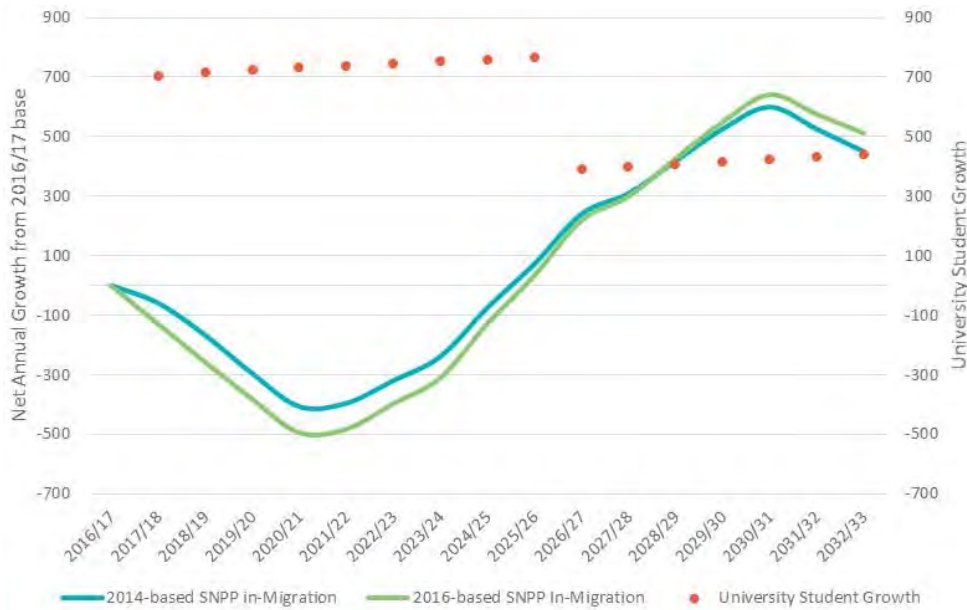
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

- 5.30 Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913



Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

7.0

## Conclusions on the City of York's Housing Need

7.1

The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

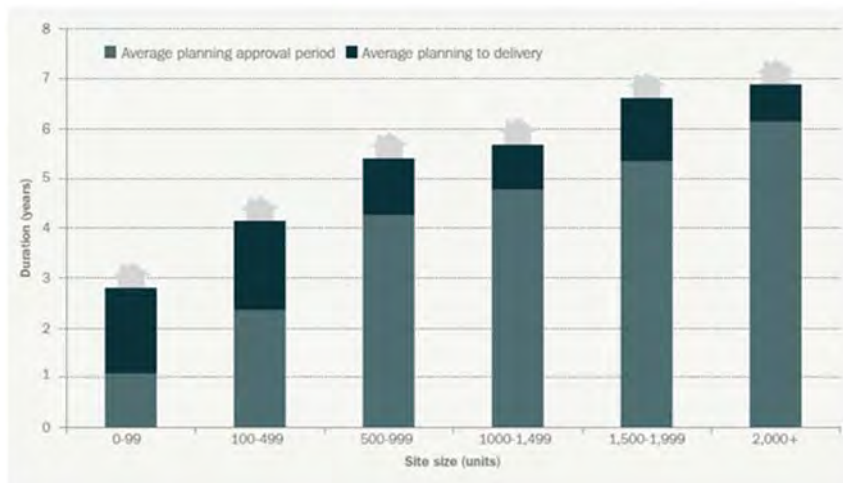
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

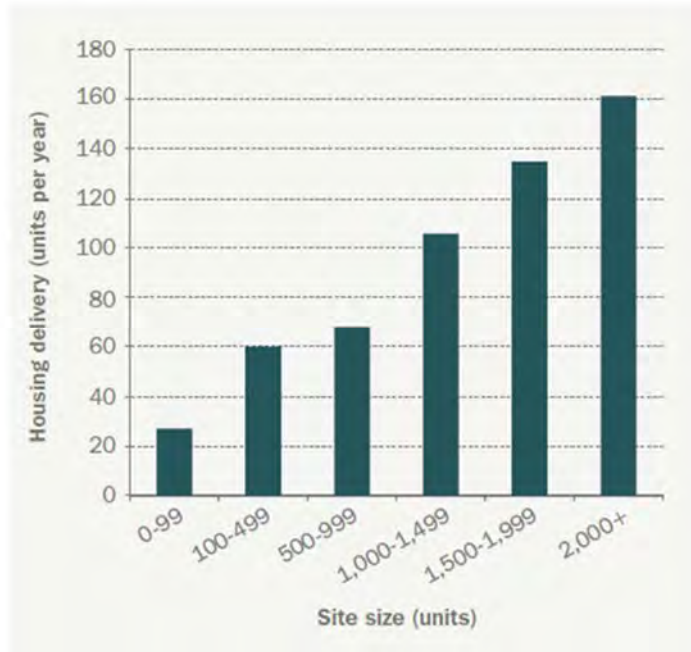
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.



- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five-year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgefield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgefield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the



Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.





**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk

**From:** Kiely, Jesse [REDACTED]  
**Sent:** 22 July 2019 23:15  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Stockton Lane, York  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Stockton Lane, York - Persimmon Homes - July ....pdf; City of York Local Plan - Stockton\_Lane,\_York\_-\_Masterplan\_Document - Pe....pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Stockton Lane, York (including previously submitted Masterplan Document) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[REDACTED]  
 [REDACTED]  
 Persimmon House | Fulford | York | YO19 4FE

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at <https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – LAND OFF STOCKTON LANE, YORK – PERSIMMON HOMES**

We write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Stockton Lane, York.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Stockton Lane, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement.

**DELIVERABILITY OF STOCKTON LANE, YORK SITE**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide a summary of the previous representations we submitted in respect of the deliverability of the Stockton Lane site.

It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of technical surveys. These assessments have never identified any constraints that would preclude the development of the site.

A Masterplan Document has previously been prepared by J R Paley Associates and been submitted to the Council for consideration. This document is again enclosed for ease of reference. It includes our proposed development Masterplan for the site, for a development of circa 100 homes.

Persimmon Homes has commissioned technical reports to investigate potential physical, environmental or ecological constraints preventing the site coming forward for residential development.

**Flooding:** The Environment Agency's Flood Risk Mapping shows the site is located within Flood Risk Zone 1, where the annual probability of river and sea flooding is less than 1:1000 (0.1%). In addition, there is an area parallel to Old Foss Beck which is in Flood Risk 2 with a far smaller amount in Flood Zone 3. The Flood Zone areas are taken into account in the masterplan and we are confident the proposed development will not have an adverse impact on the Flood Zones.

**Ecology:** The site is not subject to any national or local nature conservation designations covering the site or the immediate surrounding areas, which could constrain its development.

A Phase 1 Habitat Survey has been undertaken. The Habitat Survey involved a desk study and field survey to obtain ecological features within the site boundary.

The Survey demonstrates there are no ecological constraints that would prevent this site from being developed for residential use.

**Archaeology:** No cultural heritage features of national or local statutory or non statutory designation, such as Scheduled Monuments, Listed Buildings or Conservation Areas, are located within or immediately surrounding the development site<sup>1</sup>.

Whilst we are not aware of any archaeological constraints preventing the site coming forward we would undertake all necessary detailed investigations at the appropriate time.

**Landscape and Visual Assessment:** There are no national or local landscape designations covering the site.

There are no designated Areas of Outstanding Natural Beauty, National Parks or World Heritage sites within the immediate vicinity of the site.

The site is located on the edge of the York built up area and is currently in agricultural use. The western boundary of the site has an obvious visual connection with existing residential properties. Development has continued in an eastward direction along the south side of Stockton Lane and there is a small group of houses further east beyond the proposed allocation area. It is only beyond the small group of houses that the character of the area becomes rural. Land on the north side of Stockton Lane opposite the proposed allocation area is urban fringe in character.

The development site itself is not situated in a sensitive landscape. This is confirmed in the York Biodiversity Action Plan for Life (May 2013) at page 42.

We object to the Local Plan Publication Document that identifies the site as a 'Green Wedge' which extends out to the A64. Our landscape consultant, JR Paley has undertaken a Landscape and Visual Assessment to consider the landscape impacts of the site. The site makes no contribution to the function of the Green Wedge. Instead, we recommend the 'Green Wedge' follows the line of the Old Foss Beck east of the site. A small amendment to the current 'Green Wedge' at this location would also have no effect on the proposed 'Green Wedge' extension, beyond the A64.

---

<sup>1</sup> Source: National Heritage List for England



Because of the curve in road approaching Heworth from the west it takes users views away from the proposed ST7 allocation and group of houses and there is no distinct urban edge. Development would be kept well away from Old Foss Beck to allow additional planting to reinforce the current natural and built development screening. A sensitive Landscape Strategy could easily mitigate views into the site. In keeping with national and local character areas any future development would seek to retain and enhance key features, such as existing trees and existing hedgerows.

The indicative Masterplan which accompanies this representation has regard to the landscape character retaining where possible existing trees and hedgerows and also proposes a defined structural planting belt on the eastern boundary of the site to provide a clear and defined edge to the site.

**Contamination:** The site has been in agricultural use for a considerable period of time and we are not aware of any contamination issues.

**Transportation and Access:** Our transport consultant, Optima, has undertaken an Access Appraisal Report (AAR) to consider the highway and transportation issues of the site.

The report sets out the key transport issues and identifies what measures will need to be provided to accommodate the anticipated transport impacts on the site. These issues have been discussed informally with the Council's Highway Officer.

The AAR and accompanying masterplan considers the site as part of the wider housing allocation identified in the Local Plan (ST7: east of Metcalfe Lane) for 1,800 new homes. It concludes that the proposed access to ST7 off Bad Bargain Lane can accommodate 350 new homes at best. The AAR proposes a primary and secondary access off Stockton Lane are required. It is recommended that the allocation boundary be extended north to Stockton Lane. The geometry of Stockton Lane lends itself to the main access being formed east of Sugar Hill Farm, on the outside of a bend, see AAR, drawing 12016-SK-05.

In addition, the AAR concludes the site is sustainably located in close proximity to a range of local facilities and services and public transport links. The size of the site means existing bus services on Bad Bargain Lane can be extended through the site and/or new services created to create a loop and improve services along Stockton Lane.

It is clear there are no reasons on highway or transport grounds why the site cannot be developed for residential purposes. Our masterplan shows the main site access point off Stockton Lane to the wider ST7: east of Metcalfe Lane allocation.

**Utilities:** We are unaware of any capacity limitations which could restrict connections to potable water, electricity, telecommunications and gas networks.

The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as Persimmon Homes can deliver new homes on the site within the next five years.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 35 new homes per annum in the monitoring year 2021/2022 onwards. Resulting in the delivery of all 100 homes from the site in the first five years post adoption of the Local Plan.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

The site is located to the west and south of existing residential properties fronting Stockton Lane. To the east the site is bound by Old Foss Beck. The eastern boundary of the site is 1.1km away from the A64 further east. The site is no further east than the allocated area to the south which also extends as far as Old Foss Beck.

The release of the site from the Green Belt would allow for new defensible and enduring boundaries to be defined as an extension of the ST7 allocation to the south with structural planting on the eastern boundary by the Old Foss Beck to provide a clear and defined edge to the site.

**The development of the site would not result in unrestricted urban sprawl.**

**To prevent neighbouring towns from merging into one another**

Development of the site would not have the effect of Heworth merging with any towns or villages. It would be inconceivable to suggest this development would result in or threaten Heworth merging with Murton or Stockton-in-the-Forest.

**The development of the site would therefore not result in the merging of settlements.**

**To assist in safeguarding the countryside from encroachment**

No part of the site is identified as forming part of an area of special landscape character.

The site is in agricultural use. Unlike other sites that have been taken out of Green Belt in York, none of this site incorporates the best and most versatile agricultural land.

The site does not contain any national or locally designated nature conservation areas, nor does it contain any protected areas of woodland. Indeed, the masterplan demonstrates how existing landscape features could combine with new and improved areas of planting, including a significant landscape buffer to the east of the site by the Old Foss Beck.

The Local Plan proposes development of site ST7: east of Metcalfe Lane, immediately south of the objection site. The objection site performs no different function from the ST7 allocation in respect of this objective.

**The site does not perform an important role in safeguarding the countryside from encroachment.**

**To preserve the setting and special character of historic towns**

The purpose of the Green Belt in this location has no relevance to the setting and special character of historic towns. Monk Stray lies north of Stockton Lane and the Minster is not visible from the site or Stockton Lane. The majority of housing in the vicinity of the site is post-War apart from five houses built after 2000. The Local Plan proposes development of site ST7: east of Metcalfe Lane. The objection site performs no different function from ST7 in respect of this objective.

**The site would have no effect on the setting and special character of historic features.**

**To assist in urban regeneration by encouraging the recycling of derelict and other urban land**

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

The removal of Green Belt designation and allocation of the site as a housing allocation will not have any impact on this criteria being achieved.

**The development of the site would have a positive effect on encouraging the use of an available and constraint free site for housing.**

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City.

**THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK**

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.

2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).
6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Stockton Lane, York.

## **GREEN BELT TOPIC PAPER ADDENDUM**

We are concerned that there are some fundamental flaws to the approach taken by CYC as outlined in the Green Belt Topic Paper Addendum.

The overall approach taken by CYC can be considered to simply be the wrong way around. The focus of decision making in respect of the Green Belt should be on what land should not be designated as being in the Green Belt, rather than setting out the exceptional circumstances for removing land from the Green Belt.

The general extent of the York Green Belt is established by the saved policies of the Yorkshire & Humber Regional Spatial Strategy. The Local Plan now needs to identify what the inner Green Belt boundaries should be. Whilst seeking to deliver the sustainable development to meet the City's housing needs over the Plan Period.

CYC current proposed approach is therefore overly restrictive. Resulting in an overly negative assessment of a number of development sites. Including our site at Stockton Lane, York.

This approach has also led to the lack of safeguarded land being allocated within the Local Plan. Which of course is required by the Framework in order to meet the longer-term development needs of the City beyond the plan period. The Local Plan Working Group recommended that the "longer-term" should relate to a 10-year period. However, it is widely accepted that a 5-year period is generally appropriate. When considering the implications of the evidence presented in the Lichfields OAHN work, we request that CYC also factor in the need to deliver at least 5-years' worth of safeguarded land within the final adopted version of the Local Plan in order to comply with Paragraph 85 of the Framework.

## **CONCLUSIONS**

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Stockton Lane, York: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

On account of the above we **object** to our Stockton Lane, York site being rejected as a potential housing option within the York Local Plan.

The site has the potential to provide a residential development of up to 100 new homes, areas of public open space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs and the delivery of a number of socio-economic benefits.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire

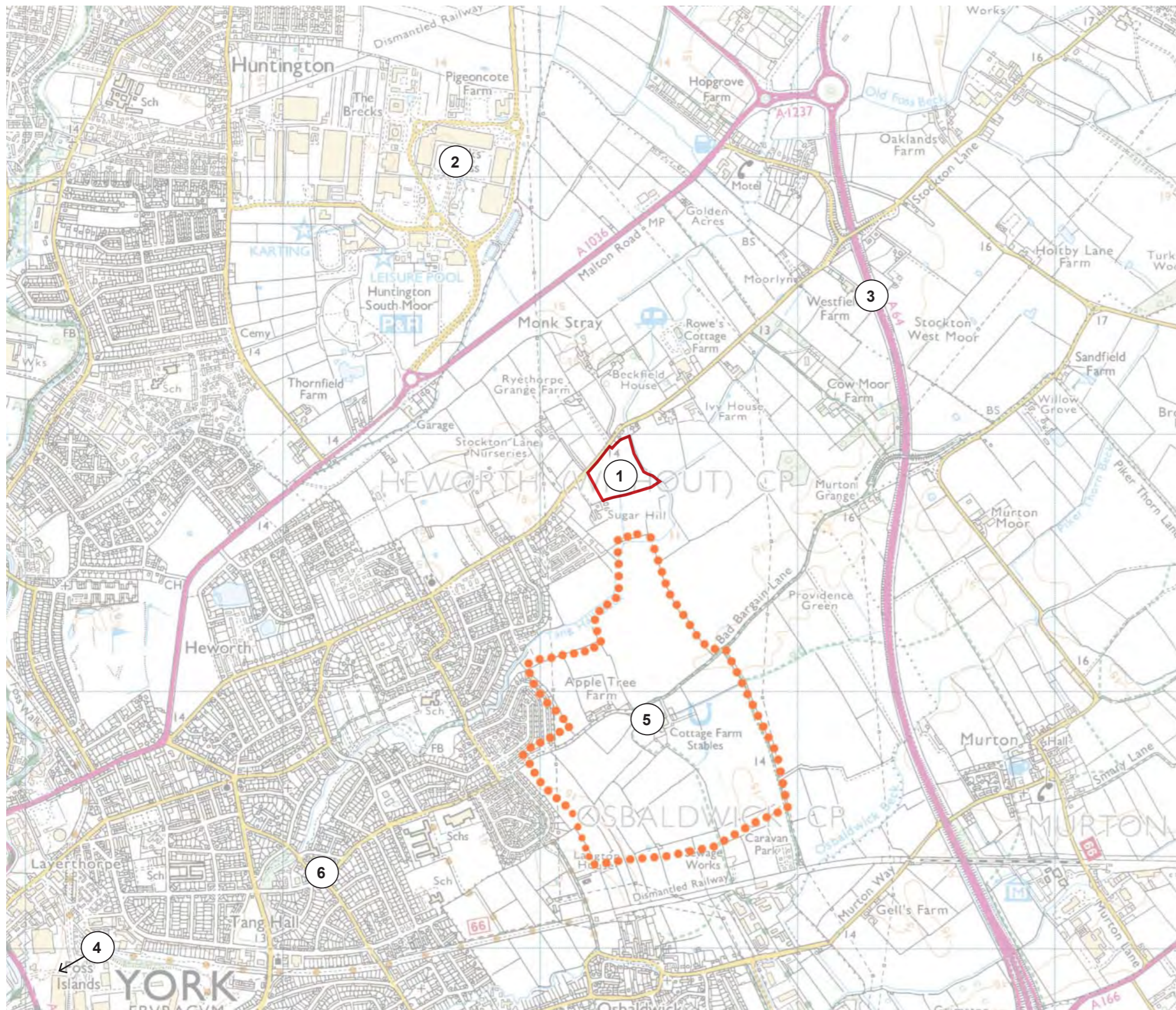




Stockton Lane, York

City of York Local Plan: Preferred Option  
Masterplan





- ① Site Location
- ② MONKS CROSS
- ③ a64 YORK Ring Road
- ④ YORK City Centre
- ⑤ St 7a Location
- ⑥ LOCAL SHOPS

not to Scale

# LOCATION PLAN



**Stockton Lane, York**  
 City of York Local Plan: Preferred Option





- ① OPPORT Unit Y t O LOCate POS t O t He ea Ste Rn BOUn DaRY PROViDin G an e COLOGiCaL CORRiDOR aLOn G OLD FOSS BeCK
- ② PLantin G Wit Hin BUFFeR aRea COULD ReDUce t He ViSUaL iMPaCt OF t He DeVeLOPment
- ③ OPPORT Unit Y t O CReate a PRiMaRY VeHiCLE aCCeSS in t He Cent Re OF t He Site FRONt aGe FOR OPTi MUM ViSiBiLit Y t O SeRVe t He Site an D St7 aLLOCati On
- ④ OPPORT Unit Y t O Ret ain an D RePLant aPPROPRIate HeDGeROWS an D t Ree S t O Maint ain CHaRaCte R OF St OCKt On Lane
- ⑤ a SeCONDaRY aCCeSS WOULD FaCiLit ate DeVeLOPment OF WiDeR aRea in CLUDin G St7 aLLOCati On
- ⑥ FLOOD zOne 2 BOUn DaRY
- ⑦ CReate VeHiCULaR Lin K t O St7 aLLOCati On
- ⑧ exi Stin G HOUSes SHieLD Site FROM VieWS FROM ea St



# OPPORTUNITIES AND CONSTRAINTS



**Stockton Lane, York**  
City of York Local Plan: Preferred Option



- 1 Landscape Buffer to Old Foss Back in Corporation Pedestrian Route and Potential Link to Land to the South accommodate Flood Zone 2 area
- 2 'Loose' text URBAN Built FORM to ease Transition Boundary
- 3 Potential Development on adjacent Land to the South and West Linking with St7 Allocation
- 4 Vehicular Link to Land to the South to facilitate Development of St7 Allocation
- 5 Prime Access to Site on Outside of Bend Providing Public Transport Route to St7 Allocation

**TOTAL SITE AREA**  
= APPROX 3.4 ha

**NETT DEVELOPABLE AREA**  
= APPROX 2.8 ha

not to Scale



# MASTERPLAN



**PERSIMMON**

**Stockton Lane, York**

City of York Local Plan: Preferred Option

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59





## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG

published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

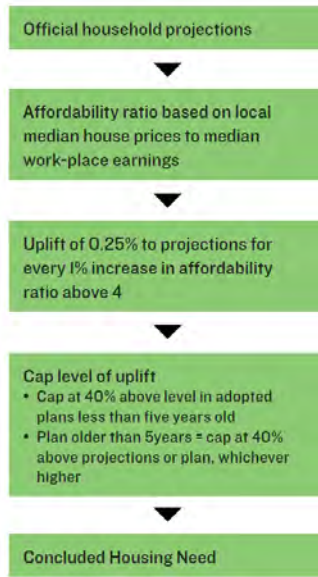
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG's September 2017 consultation on "*Planning for the right homes in the Right Places*". The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*"Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."*  
*"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*



*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*

*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.*<sup>18</sup>

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term 'norm' they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

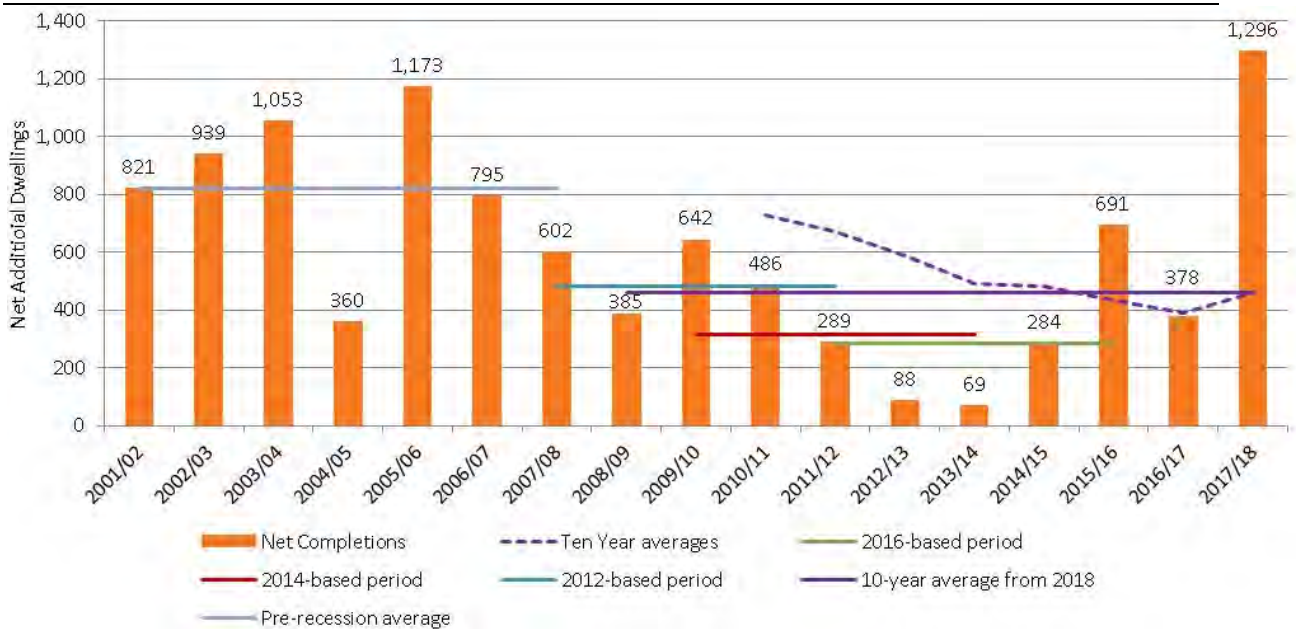
<sup>20</sup> Practice Guidance - ID: 2a-017-20190220



**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

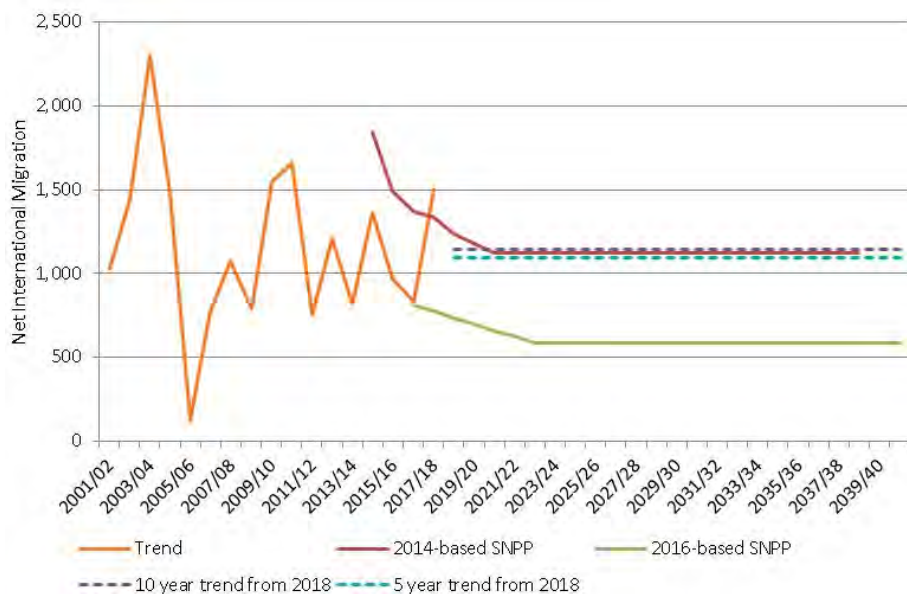
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*

Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52



## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:

- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
- An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
- Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
- In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
- Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].

4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.

4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently

being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

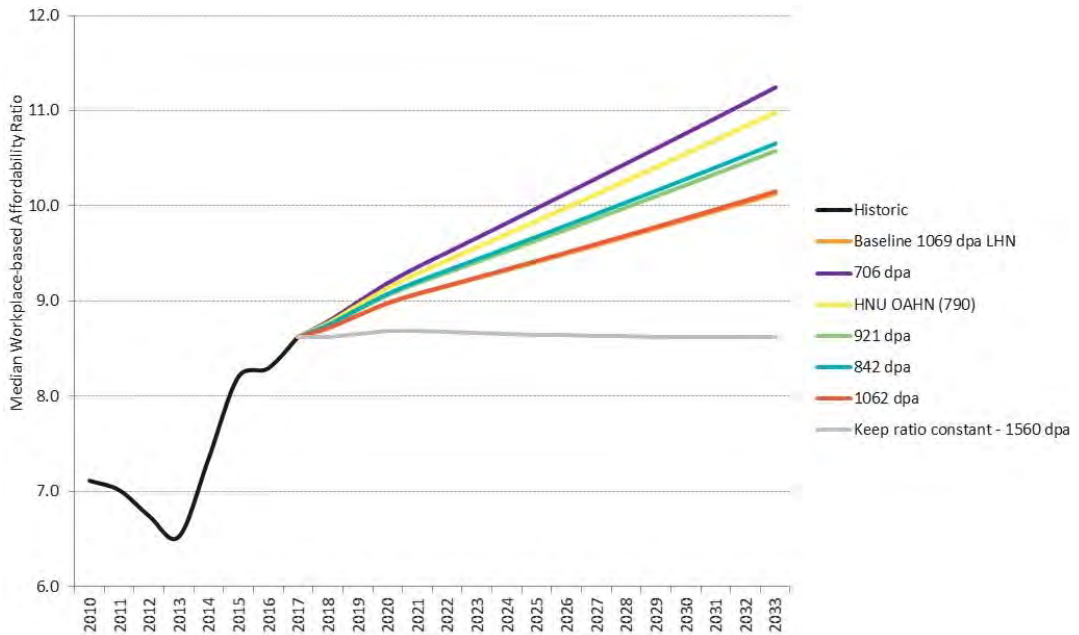
## 2. Affordability Modelling based on University of Reading/OBR assumptions

- 4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:
- “Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*
- 4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.
- 4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:
- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
  - House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
  - The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
  - A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
  - An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.



Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

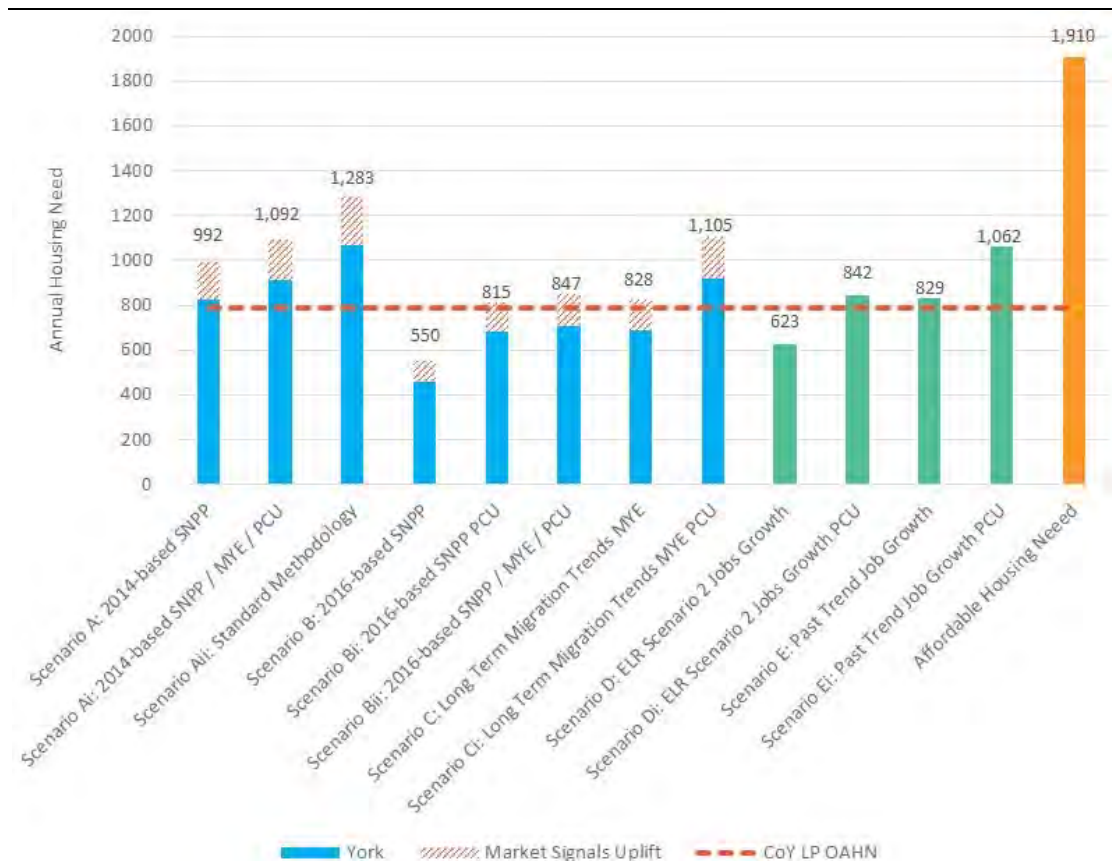
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306

## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

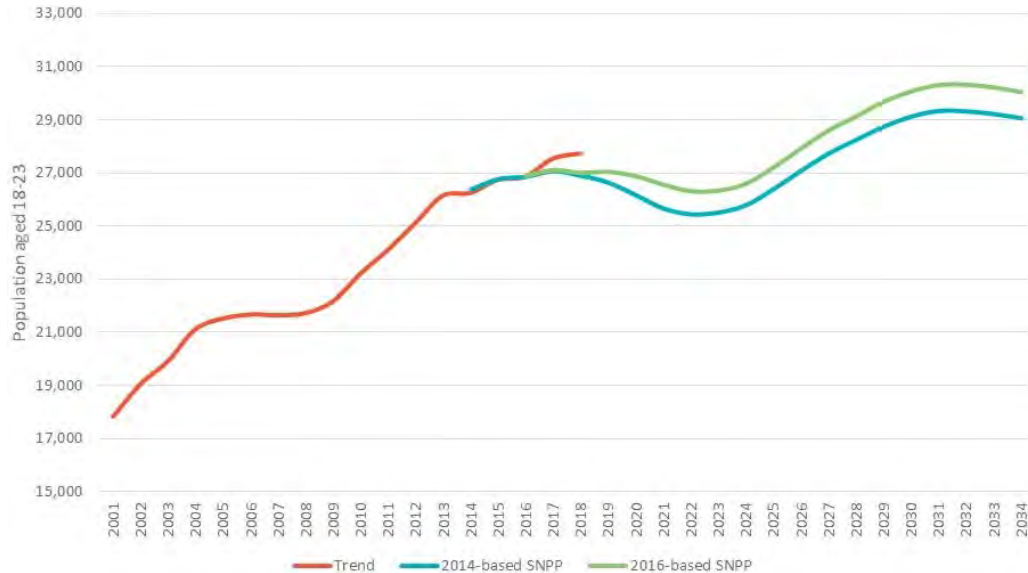
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

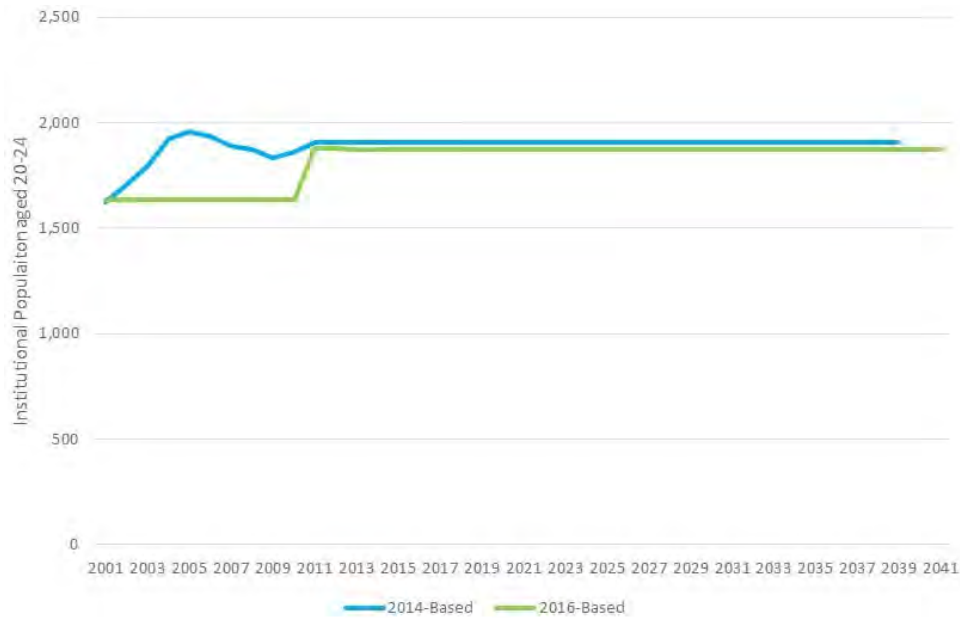
<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth



and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

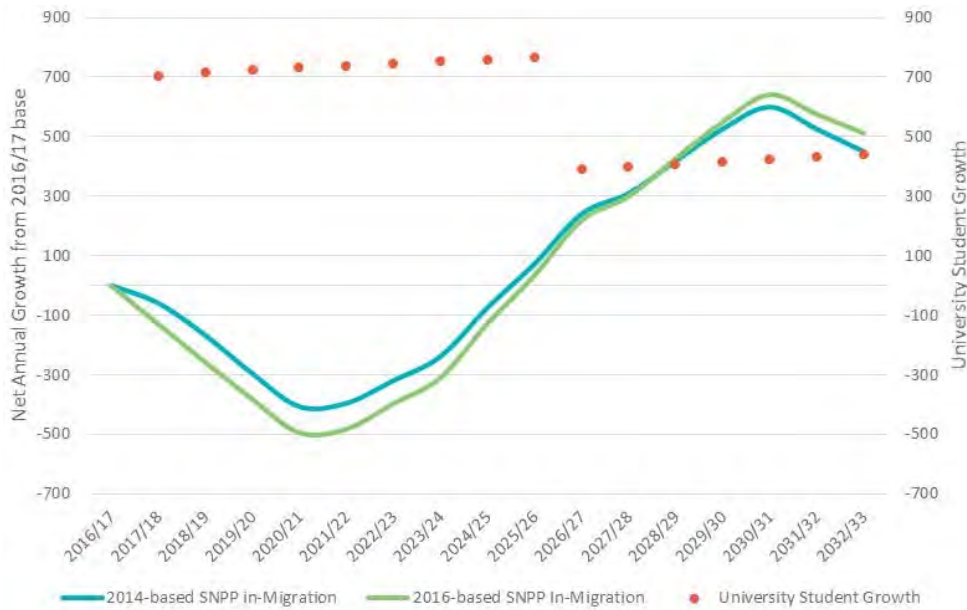
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

5.30

Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

<sup>48</sup> ID-3-042-20180913

Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

## 7.0 Conclusions on the City of York’s Housing Need

- 7.1 The Council’s approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn’s uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields’ critique of the projections clearly indicates that they do not adequately reflect the Universities’ student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn’s OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%



## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

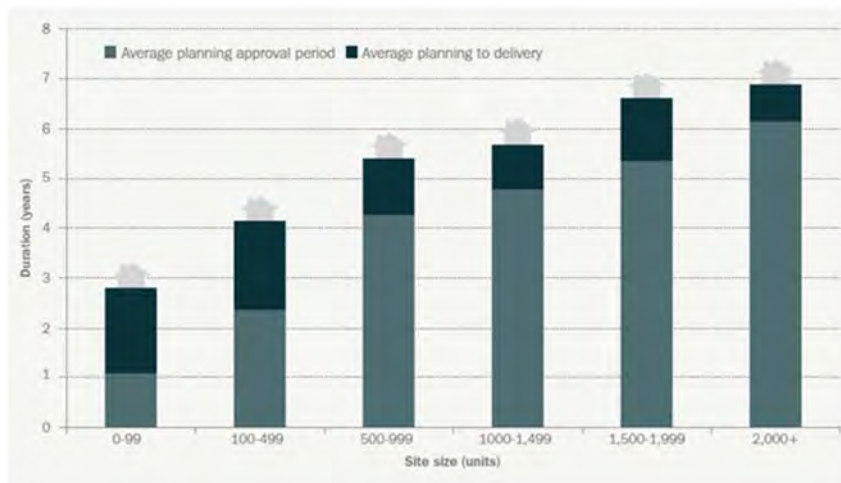
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

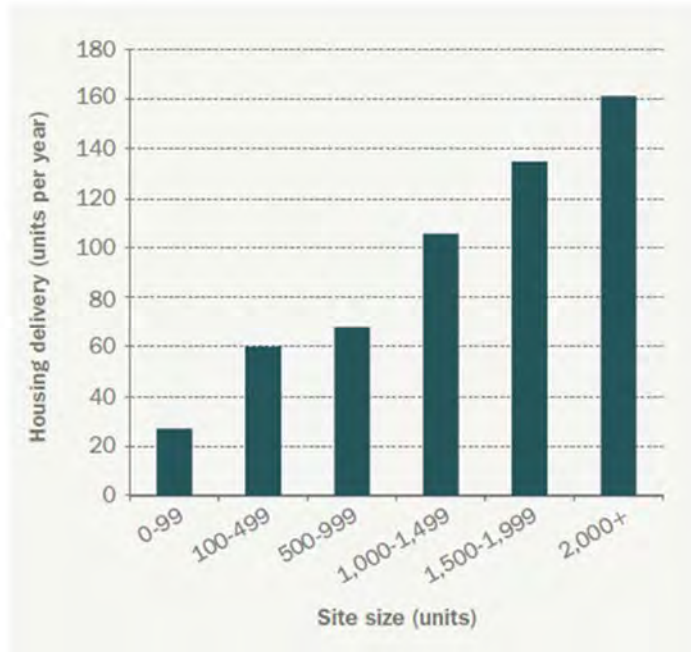
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.

- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306



under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five-year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

## 9.0 Overall Conclusions and Recommendations

### Conclusions on the City of York’s Housing Need

- 9.1 The Council’s approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn’s uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields’ critique of the projections clearly indicates that they do not adequately reflect the Universities’ student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the

Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.





**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk



[Redacted]

**From:** Kiely, Jesse [Redacted]  
**Sent:** 22 July 2019 23:55  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** York Local Plan - Main Modifications Consultation - Persimmon Homes Representation - General & Site Westfield, Wigginton, York  
**Attachments:** 50642\_05 York Local Plan Proposed Modifications 22.07.19.pdf; City of York Local Plan - Westfield, Wigginton, York - Persimmon Homes ....pdf; City of York Local Plan - Westfield\_Lane,\_Wigginton\_-\_Masterplan\_Documen....pdf  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for inviting representations to be submitted on the York Local Plan Main Modifications Document as part of this consultation process.

Please find attached representation on general Local Plan matters and also a site specific representation for Westfield, Wigginton, York (including previously submitted Masterplan Document) on behalf of Persimmon Homes (Yorkshire).

If you need any further information please do not hesitate to make contact.

Please can you confirm receipt of this email.

Many thanks

Jess Kiely BSc (Hons) MA  
 Senior Land Manager  
 Persimmon Homes Yorkshire

[Redacted]  
 [Redacted]  
 Persimmon House | Fulford | York | YO19 4FE

We are proud to be an official partner of Team GB.



As part of our partnership with Team GB, we're **Building Futures**, giving away £1 million to the next generation of stars. [Find out more....](#)

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you are not the intended recipient please contact the sender and delete the message.

Our privacy policies for our customers, employees and job applicants are available at

<https://www.persimmonhomes.com/corporate/corporate-responsibility/policies>

Persimmon Homes Limited is registered in England number 4108747, Charles Church Developments Limited is registered in England number 1182689 and Space4 Limited is registered in England number 3702606. These companies are wholly owned subsidiaries of Persimmon Plc registered in England number 1818486, the Registered Office of these four companies is Persimmon House, Fulford, York YO19 4FE.

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---



PERSIMMON HOMES YORKSHIRE  
Persimmon House  
Fulford  
York  
YO19 4FE  
Tel: 01904 642199  
DX 711680 Fulford  
www.persimmonhomes.com

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

22<sup>nd</sup> July 2019

Dear Sir or Madam,

**BY EMAIL**

**CITY OF YORK LOCAL PLAN – WESTFIELD LANE, WIGGINTON, YORK – PERSIMMON HOMES**

I write on behalf of Persimmon Homes to provide City of York Council (CYC) with our representations to CYC's Proposed Modifications to the York Local Plan (June 2019).

We wish to maintain our **objection to** CYC's rejection of the site as a proposed housing allocation within the emerging City of York Local Plan.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our land interest at Westfield Lane, York.

With regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs (OAHN) in order to critique the approach proposed by the Council. Which we do not consider to be robust.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Westfield Lane, York.

This letter seeks to re-iterate previous evidence we have submitted to the Council to demonstrate the deliverability of the site. However, it also seeks to provide a specific response to the Proposed Modifications to the Local Plan that are currently being consulted on, namely the Local Plan housing requirement and the updated background Green Belt Topic Paper.

**DELIVERABILITY OF WESTFIELD LANE, YORK SITE**

As it has been over a year since we previously submitted representations in respect of the site. We consider it prudent to provide a summary of the previous representations we submitted in respect of the deliverability of the Westfield Lane site.

It has been promoted by Persimmon Homes for residential development for over 10 years. The proposed development of the site has been formulated following the undertaking of technical investigations. These assessments have never identified any constraints that would preclude the development of the site.

A Masterplan document prepared by J R Paley Associates was previously submitted to City of York Council for consideration and included a proposed development Masterplan for the site including for 230 new homes.

The Masterplan Document demonstrates that the site is well suited to residential development and the approach taken through the derivation of the identified concept masterplan has accounted for all known environmental constraints and is considered to have satisfactorily addressed them through sensitive design. The document also demonstrates that the site offers a highly deliverable, yet appropriate response to its location and surroundings and would make a significant contribution toward the delivery of the City's future housing requirements.

The previously submitted documentation confirms that the development proposals are situated in a suitable and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the site. The site is available now as it is under the control of a national house builder who is actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as Persimmon Homes can deliver new homes on the site within the next five years.

**Flooding:** The Environment Agency's Flood Risk Mapping shows the majority of the site is wholly located within Flood Risk Zone 1, where the annual probability of river and sea flooding is less than 1:1,000 (0.1%). In addition, relatively small parts of the site are within Flood Zones 2 and 3. The accompanying masterplan, show these areas will be retained as part of the open space proposal.

**Ecology:** The site is not subject to any national or local nature conservation designations covering the site or the immediate surrounding areas, which could constrain its development. A Phase 1 Habitat Survey has been undertaken which included a desk study and field survey to obtain ecological features within the site boundary. The Survey demonstrates that there are no ecological constraints that would prevent this site from being developed for residential use.

Should the site be included as a housing allocation within the final adopted version of the Local Plan, it is anticipated that the site can deliver 35 new homes per annum in the monitoring year 2021/2022 onwards. Resulting in the delivery of all 140 homes from the site in the first five years post adoption of the Local Plan.

**Cultural Heritage:** No cultural heritage features of national or local statutory or non statutory designation, such as Scheduled Monuments, Listed Buildings or Conservation Areas, are located within or immediately surrounding the development site<sup>1</sup>.

Whilst we are not aware of any archaeological constraints preventing the site coming forward we would undertake all necessary detailed investigations at the appropriate time.

**Landscape and Visual Assessment:** There are no national or local landscape designations covering the site. There are no designated Areas of Outstanding Natural Beauty, National Parks or World Heritage sites within the immediate vicinity of the site. The site is located within the Wigginton built up area and is currently in agricultural use. The northern boundary of the site has an obvious visual connection with existing residential properties. The area to the far south becomes more rural in character. Our landscape consultant, JR Paley, has undertaken a Landscape and Visual Assessment to consider the landscape issues raised by the proposed residential development of the site. The site is not situated in a sensitive landscape and makes no contribution to the function of the proposed Green Wedge extension as identified in the York Local Plan (June 2019). A substantial arm of existing development immediately to the north of the site extends westwards out of Wigginton to the B1363 and into the proposed Green Wedge extension. This arm of development would not be extended any further to the west if the site were to be developed. A small southward extension of the existing arm of development would also have no effect on the purpose of the proposed Green Wedge extension as the site is some 1.8km to the north of the Ring Road and there is no inter-visibility between the two.

---

<sup>1</sup> Source: National Heritage List for England

It is considered that an appropriate Landscape Strategy could mitigate views out of or into the site. In keeping with national and local character areas any future development would seek to retain and enhance key features, such as existing trees and existing hedgerows on the southern boundary of the site. The Masterplan has regard to the landscape characters retaining where possible existing trees and hedgerows.

**Contamination:** The site has been in agricultural use for a considerable period of time.

**Transport and Access:** Local Transport Projects has undertaken a Highway Feasibility Assessment to consider the highways and transportation issues of the site.

The report sets out the key transport issues and identifies some minor measures that will need to be provided to accommodate the anticipated transport impacts on the site.

The Highway Feasibility Assessment and masterplan show that the site will have a primary access off Westfield Lane.

The Highway Feasibility Assessment states that the site is sustainably located in close proximity to a range of local facilities and services and public transport links. The Highway Feasibility Assessment concludes there are no reasons on highways or transport grounds why the site could not be developed for residential purposes.

The site can deliver substantial socio-economic benefits to the City, in respect of providing much needed new homes within the early years of the Plan Period; new direct and indirect employment opportunities; and financial contributions to help improve local infrastructure.

With regards to the site's current location in the Green Belt, we previously provided the following assessment of the site against each of the Framework's five Green Belt purposes: -

**To check the unrestricted sprawl of large built-up areas**

The site is visually contained on three sides, with built residential development to the north and east of the site, and the B1363, Wiggington Road to the west.

The southern boundary is formed by a well-maintained hedgerow containing large mature trees. It is a readily recognisable feature in the landscape as it is located at the point of a break in the slope. The southern boundary would form the logical boundary of the Green Belt.

The release of the site from Green Belt would allow for a defensible and enduring boundary to be defined with further structural planting on the southern boundary to provide a clear and defined edge to the site.

**The development of the site would not result in unrestricted urban sprawl.**

**To prevent neighbouring towns from merging into one another**

The closest settlement to the objection land is York to the south. However, the site is towards the northern end of Wiggington and the southern boundary of Wiggington lies over 1km to the south. If the objection site was developed there would still be 1km of existing development closer to York than the objection site.

Development of the site would not have the effect of merging Wigginton with York or any other settlement. There would be minimal impact on users of the B1363 as housing development already adjoins or forms the backdrop to the site. The masterplan shows the degree of Green Belt separation with York that would be retained following development of the site.

**The development of the site would therefore not result in the merging of settlements.**

**To assist in safeguarding the countryside from encroachment**

We object to the site being identified as an extension to an existing 'Green Wedge' identified in the York Local Plan (June 2019). The Landscape and Visual Assessment, undertaken by JR Paley Associates demonstrates the site does not contribute to the rural setting of the City and its development would have no impact on the perception of Wigginton from users of the B1373.

The site is in agricultural use.

The site does not contain any national or locally designated nature conservation areas, nor does it contain any protected areas of woodland. Indeed, the masterplan illustrates how existing landscape features would combine with new and improved areas of planting, including a central open space on the southern boundary and significant landscape buffer to the south of the site.

**The site does not perform an important role in safeguarding the countryside from encroachment.**

**To preserve the setting and special character of historic towns**

Our landscape consultant, JR Paley, has undertaken a Landscape and Visual Assessment to consider the landscape issues raised by the proposed residential development of the site. The site is not important to the special character of the City of York given its location and its relationship with the adjacent housing development which is modern in character.

The accompanying masterplan shows development purposely set back from the southern boundary of the site to minimise impact of development further into the Green Belt. Retention of the boundary hedges and replanting along the southern and western boundaries of the site would ensure there was a logical defensible boundary to the site.

**The site would have no effect on the setting and special character of historic features.**

**To assist in urban regeneration by encouraging the recycling of derelict and other urban land**

York has had a very tight Green Belt boundary for many years. The City has relied on the redevelopment and regeneration of brownfield sites to make a contribution towards its ever increasing unmet housing need. The Submitted Draft Local Plan has recognised the Green Belt boundary needs to be amended to allow the city to provide homes for its residents. In doing so, the City of York Council must have accepted that identifying housing sites on former Green Belt land can take place without discouraging urban regeneration.

The removal of Green Belt designation and allocation of the site as a housing allocation will not have any impact on this criteria being achieved.

**The development of the site would have a positive effect on encouraging the use of an available and constraint free site for housing.**

In conclusion, it is clear that the site does not meet any of the five purposes of Green Belt designation. The site should therefore be removed from the Green Belt and allocated for residential development, with the site being used to define this part of the inner Green Belt boundary with a rational boundary.

Further evidence to justify this position is provided in our up to date assessment of the objectively assessed housing needs of the City.

### **THE OBJECTIVELY ASSESSED HOUSING NEEDS OF YORK**

As identified above, with regards to CYC's proposed amendment to the Local Plan's objectively assessed housing needs figure (to 790 dwellings per annum), we are a member of the development consortium that has instructed Lichfields to undertake a thorough assessment of the City's objectively assessed housing needs in order to critique the approach proposed by the Council. Which we do not consider to be robust.

The conclusions of Lichfields work are that the Council's approach to identifying an assessed need of 790 dwellings per annum (dpa) in the Housing Needs Update (HNU) is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based.

The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the enclosed Lichfields report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows: -

1. **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 Mid-Year Estimates (MYEs), and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based Sub-National Population Projections (SNPP). Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
2. **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
3. **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the Economic Land Review Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met.
4. **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York, Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.

5. **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above in respect of affordable housing need (i.e. 1,299 dpa).
6. **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
7. **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how CYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017 to 2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

Lichfields' approach to the identification of the appropriate OAHN for York allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012 to 2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning System does everything it can to support sustainable development.

Lichfields' work has also undertaken an analysis of the Strategic Housing Land Availability Assessment (2018) which sets out the assumptions used to calculate the Council's housing land supply. Lichfields consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the a 5-Year supply will therefore be achieved.

Furthermore, in line with the NPPF (2019) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

Lichfields' work clearly identifies the need for CYC to release additional housing sites across the City in order to meet Lichfield's robustly evidenced increased OAHN for the City. Sites such as ours at Westfield Lane, York.

## **GREEN BELT TOPIC PAPER ADDENDUM**

We are concerned that there are some fundamental flaws to the approach taken by CYC as outlined in the Green Belt Topic Paper Addendum.

The overall approach taken by CYC can be considered to simply be the wrong way around. The focus of decision making in respect of the Green Belt should be on what land should not be designated as being in the Green Belt, rather than setting out the exceptional circumstances for removing land from the Green Belt.

The general extent of the York Green Belt is established by the saved policies of the Yorkshire & Humber Regional Spatial Strategy. The Local Plan now needs to identify what the inner Green Belt boundaries should be. Whilst seeking to deliver the sustainable development to meet the City's housings needs over the Plan Period.



CYC current proposed approach is therefore overly restrictive. Resulting in an overly negative assessment of a number of development sites. Including our site at Westfield Lane, York.

This approach has also led to the lack of safeguarded land being allocated within the Local Plan. Which of course is required by the Framework in order to meet the longer-term development needs of the City beyond the plan period. The Local Plan Working Group recommended that the “longer-term” should relate to a 10-year period. However, it is widely accepted that a 5-year period is generally appropriate. When considering the implications of the evidence presented in the Lichfields OAHN work, we request that CYC also factor in the need to deliver at least 5-years’ worth of safeguarded land within the final adopted version of the Local Plan in order to comply with Paragraph 85 of the Framework.

If the site was assessed correctly we are of no doubt that it would have been considered for release for residential development. The Green Belt Topic Paper Addendum does not provide a robust evidence base from which to make decisions on the identification of housing allocations within the Local Plan.

Accordingly, the evidence base should be amended. When considered against the need to release additional housing sites to meet the increased OAHN proposed by Lichfields, we believe there is compelling evidence for our Westfield Lane, York site to be identified as a housing allocation within the final adopted Local Plan.

## CONCLUSIONS

Unless substantial changes are made to the Local Plan prior to its adoption, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF (2012), we consider the following in relation to our proposed development site at Westfield Lane, York: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as unless additional housing sites are identified the objectively assessed housing needs of the City will not be met; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

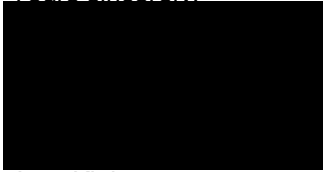
When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City’s full objectively assessed housing needs.

On account of the above we **object** to our Westfield Lane, York site being rejected as a potential housing option within the York Local Plan.

The site has the potential to provide a residential development of up to 230 new homes, areas of public open space and associated infrastructure. The site will provide a significant opportunity to help meet York’s current and future housing needs and the delivery of a number of socio-economic benefits.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



Jess Kiely BSc (Hons) MA  
Senior Land Manager  
Persimmon Homes Yorkshire





**W**

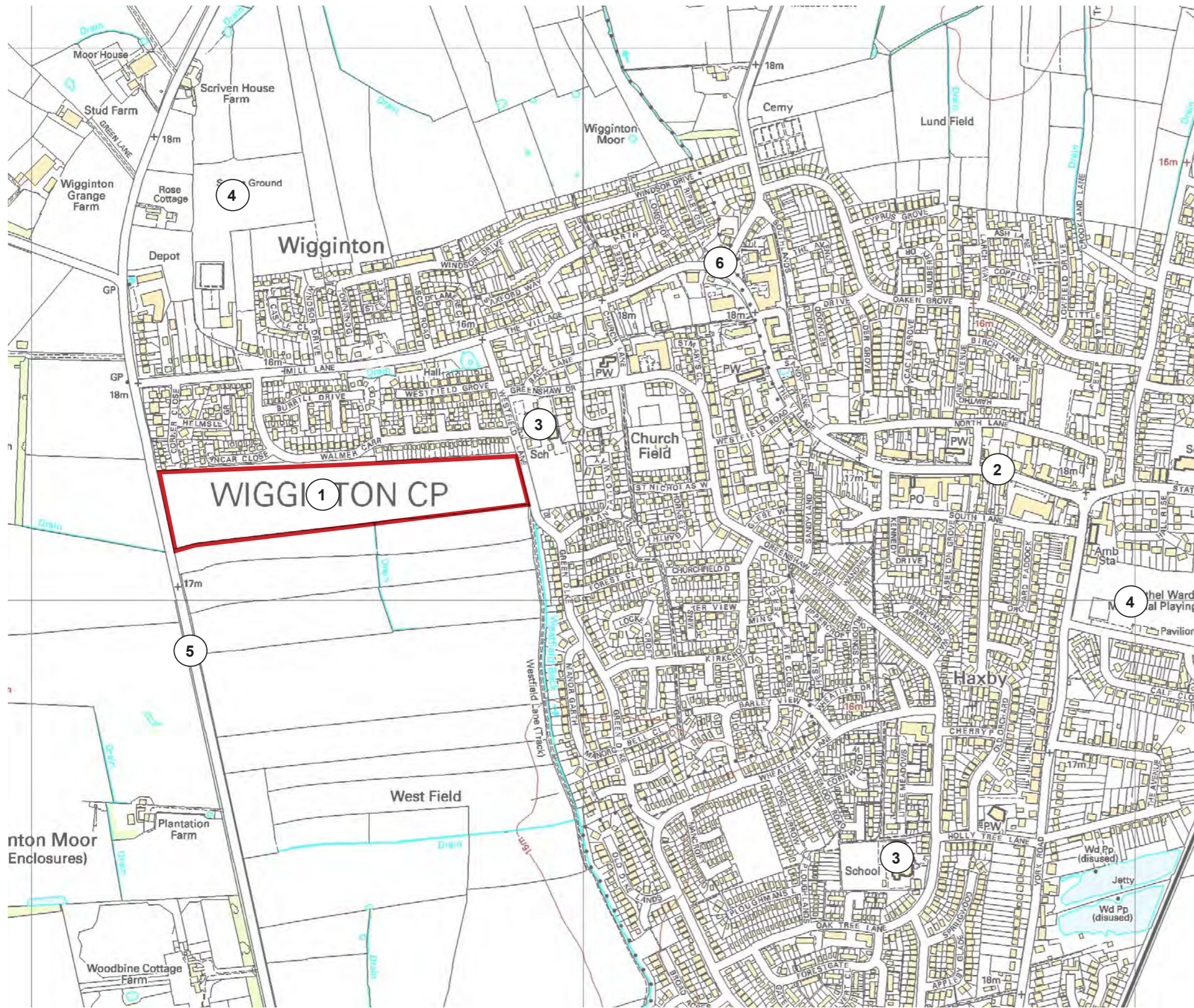
**igginton**

City of York Local Plan: Preferred Option  
Masterplan

- architectural design
- town planning
- landscape architecture



John R Paley Associates



- ① SITE LOCATION
- ② VILLAGE CENTRE - INCLUDING VARIOUS RETAIL, COMMERCIAL, FOOD RETAIL AND MEDICAL FACILITIES
- ③ SCHOOL
- ④ PLAYING FIELDS
- ⑤ B1363 WIGGINTON ROAD
- ⑥ LOCAL SHOPS



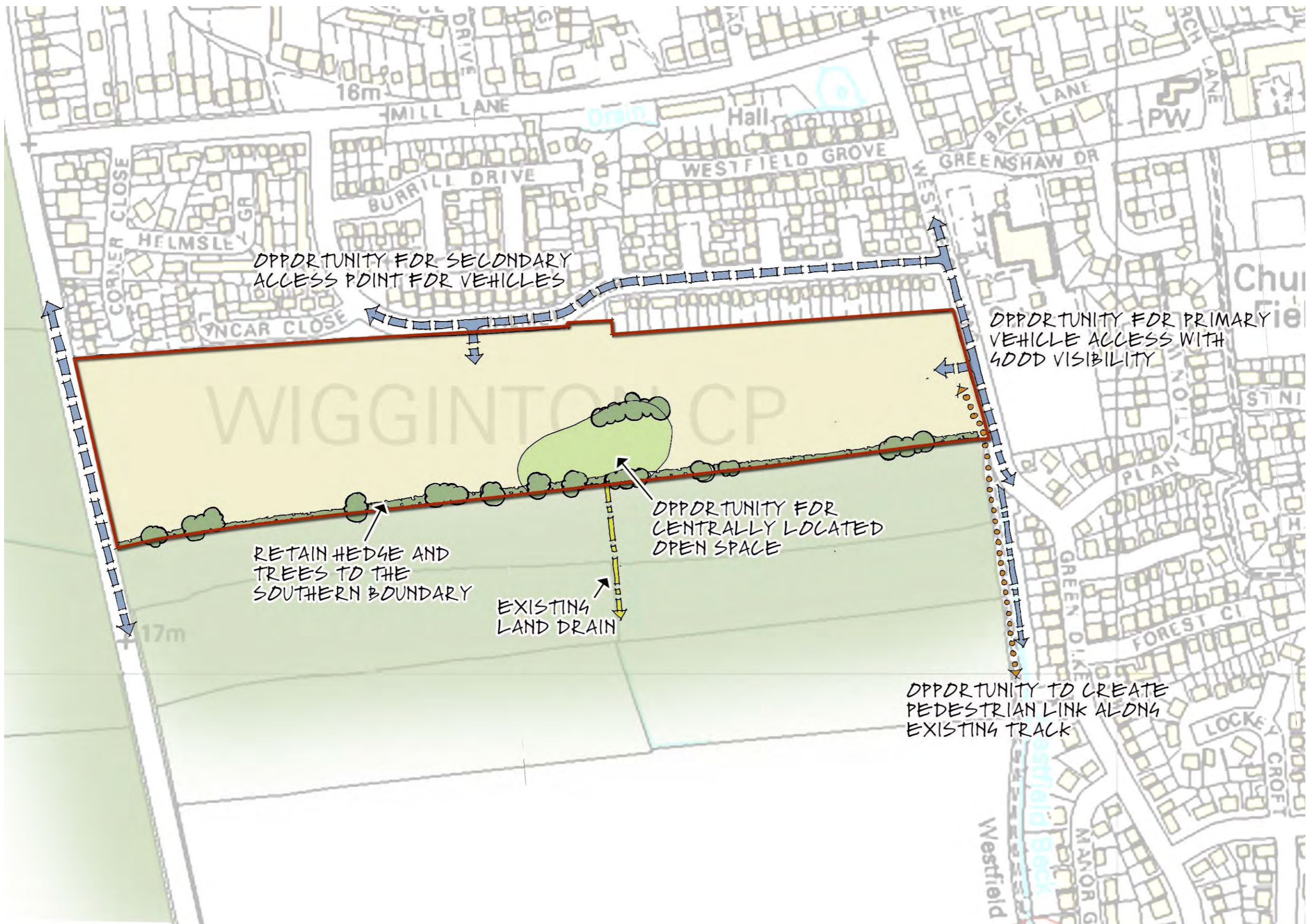
# LOCATION PLAN



**PERSIMMON**

**Wigginton**

City of York Local Plan: Preferred Option



**OPPORTUNITIES AND CONSTRAINTS**



**W** **igginton**  
City of York Local Plan: Preferred Option



- ① WIDENED ACCESS WITH LANDSCAPED VERGE ALLOWING EXISTING DWELLINGS TO HAVE VIEWS OVER OPEN SPACE
- ② SECONDARY ACCESS TO SITE
- ③ SQUARE USED TO CREATE AN ARRIVAL SPACE ON ENTRANCE TO SITE
- ④ PEDESTRIAN LINK ALONG SITE FRONTAGE TO ALLOW PEDESTRIAN ACCESS TO THE VILLAGE CENTRE
- ⑤ PRIMARY ACCESS TO SITE FROM WESTFIELD LANE
- ⑥ CENTRALLY POSITIONED AREA OF POS WITH OPENING IN BUFFER PLANTING ALLOWS VIEWS OUT OF THE SITE ACROSS POS AND OVER FIELD

**TOTAL SITE AREA**  
= APPROX 7.7 hA

**NETT DEVELOPABLE AREA**  
= APPROX 6.7 hA



# MASTERPLAN



**PERSIMMON**

**W**

**igginton**

City of York Local Plan: Preferred Option

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019





**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1



# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59



## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG



published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

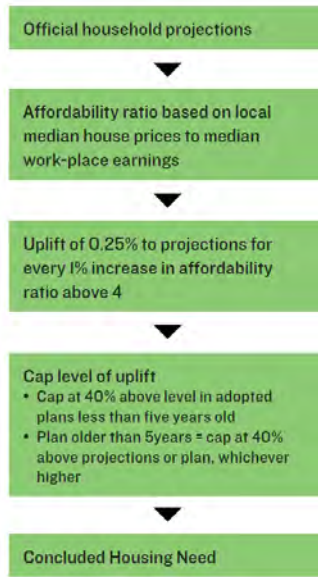
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the ‘Sedgefield’ approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG’s September 2017 consultation on *“Planning for the right homes in the Right Places”*. The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*“The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes.”*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*“Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.”*  
*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.”<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*

*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*



*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

3.0

## Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

---

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12

*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.*<sup>18</sup>

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term 'norm' they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

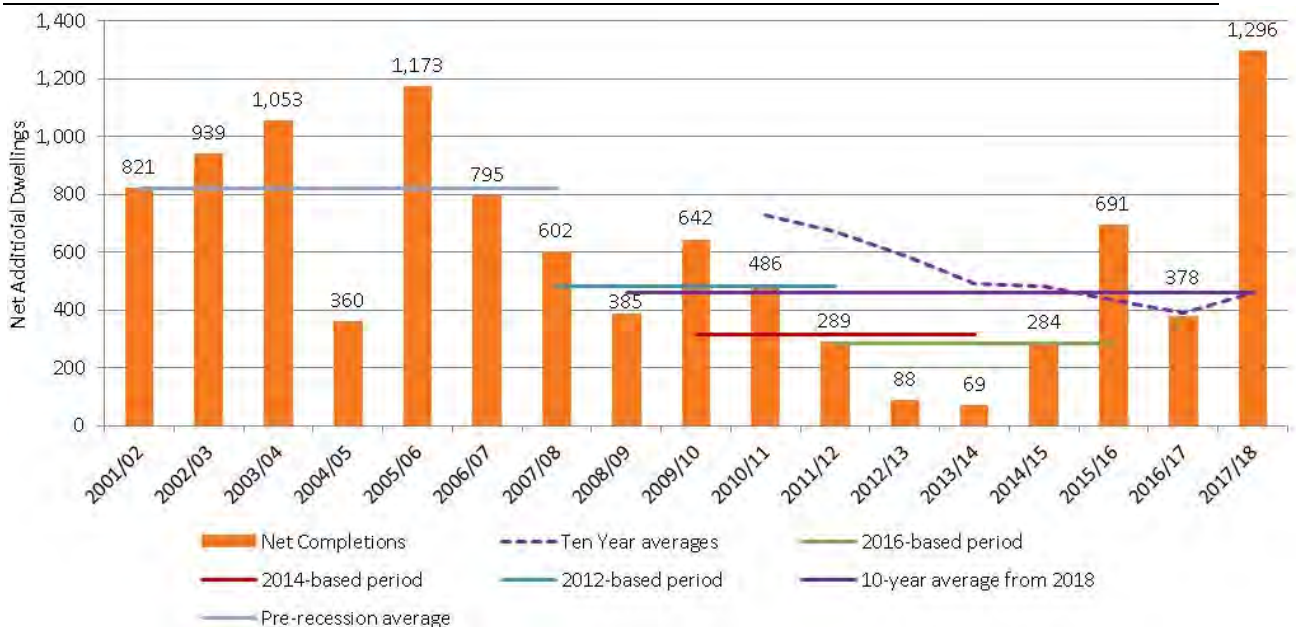
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

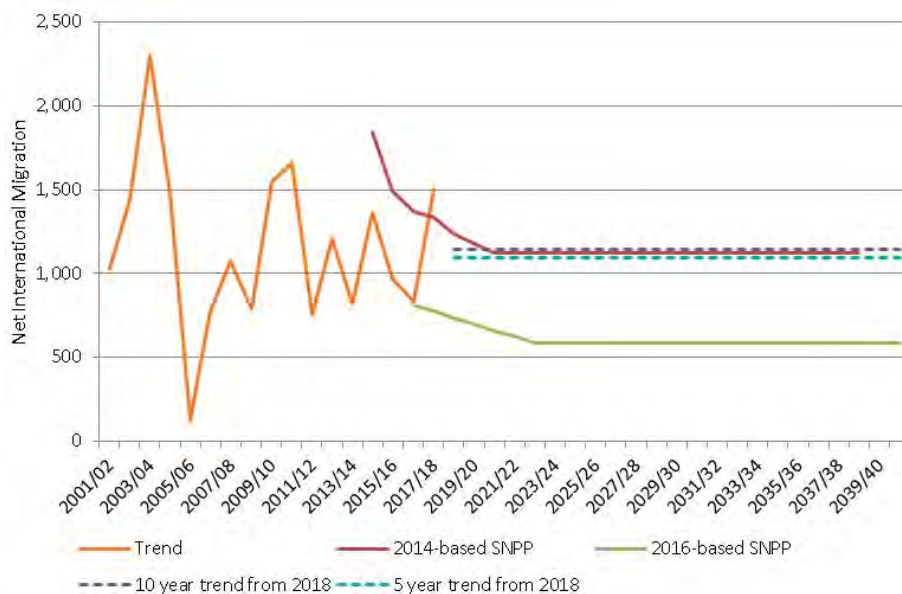
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

## Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*



Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs “*should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.*” [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

---

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**

**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

- 4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:
- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
  - An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
  - Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
  - In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
  - Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].
- 4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

- 4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.
- 4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently



being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

**2. Affordability Modelling based on University of Reading/OBR assumptions**

4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:

*“Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*

4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.

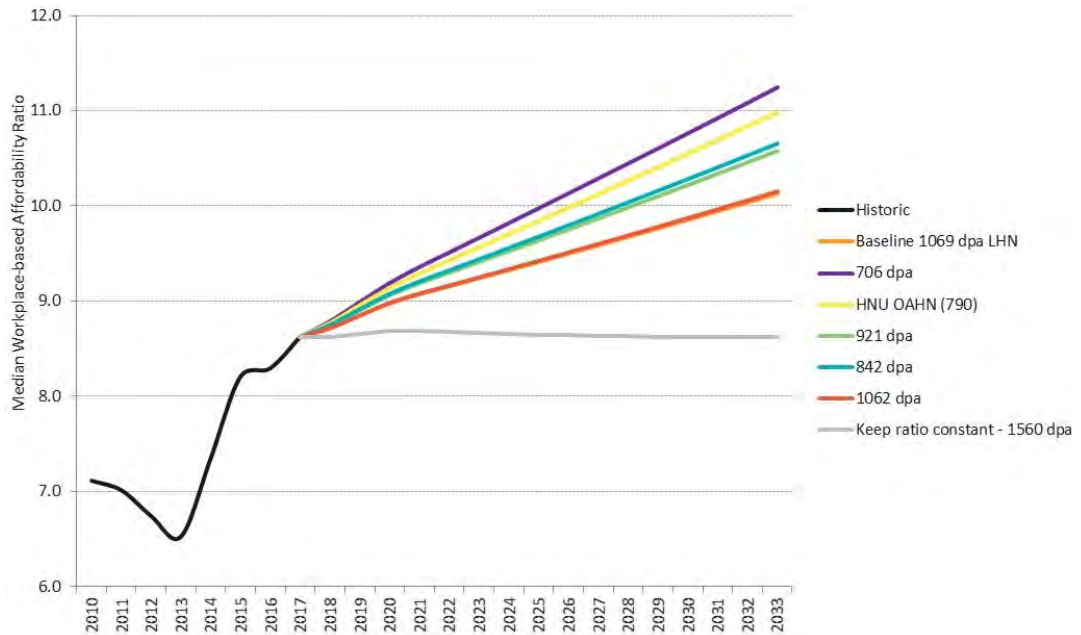
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
- House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
- The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
- A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
- An uplift of 20% is well-founded and realistic (p.6).

- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

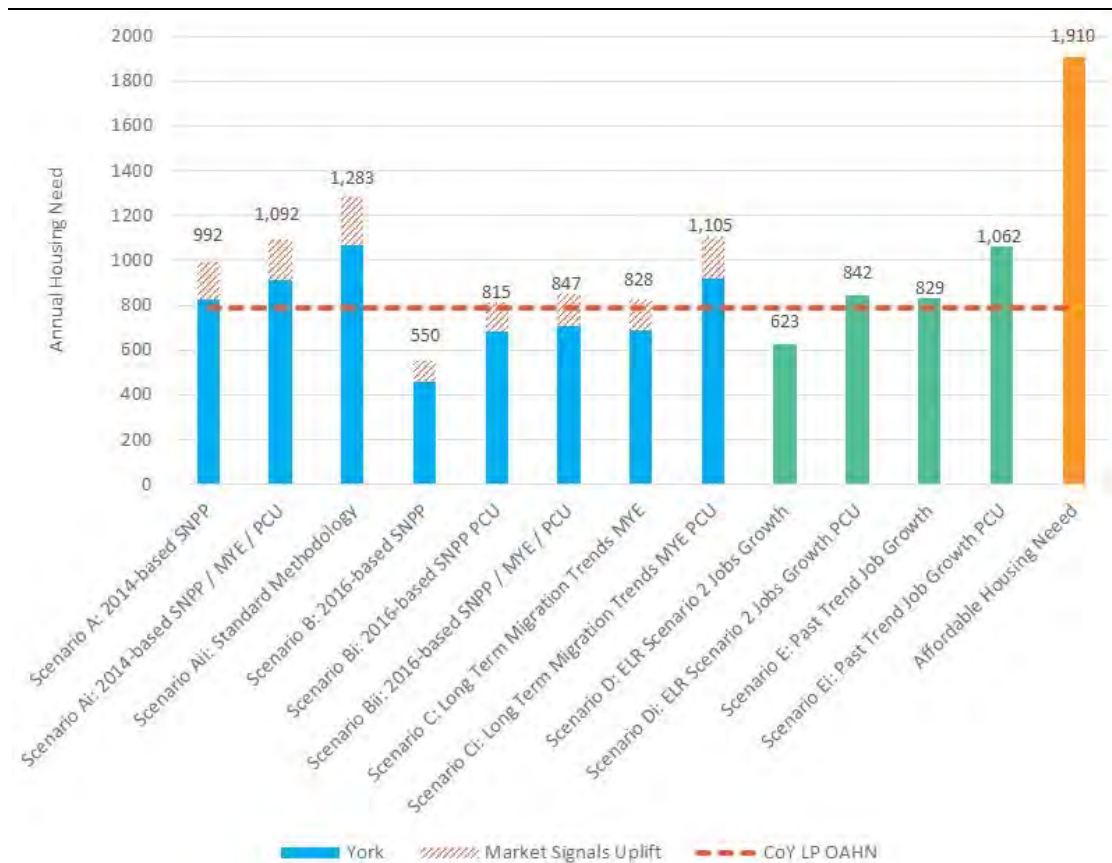
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306



## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

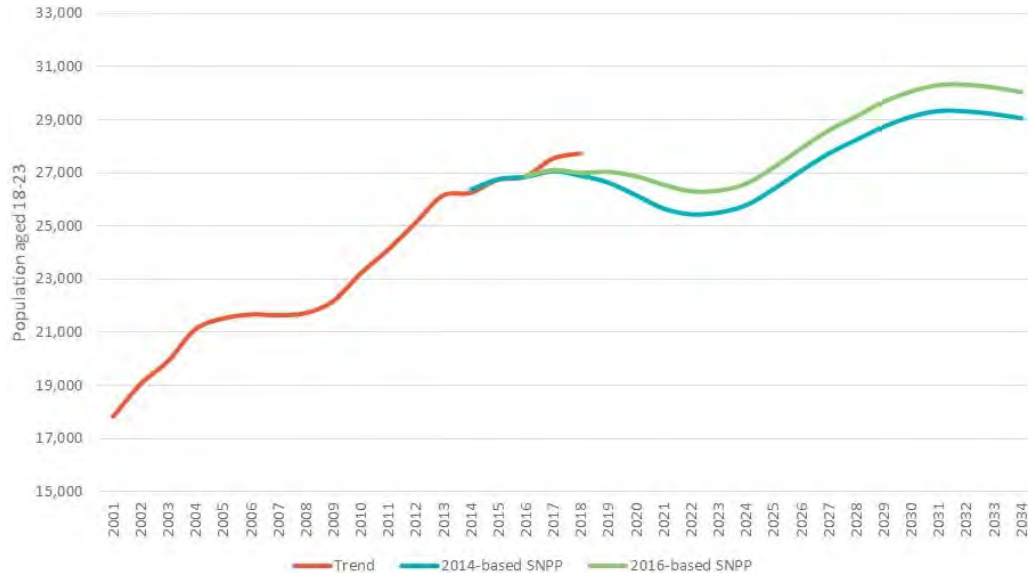
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5

## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

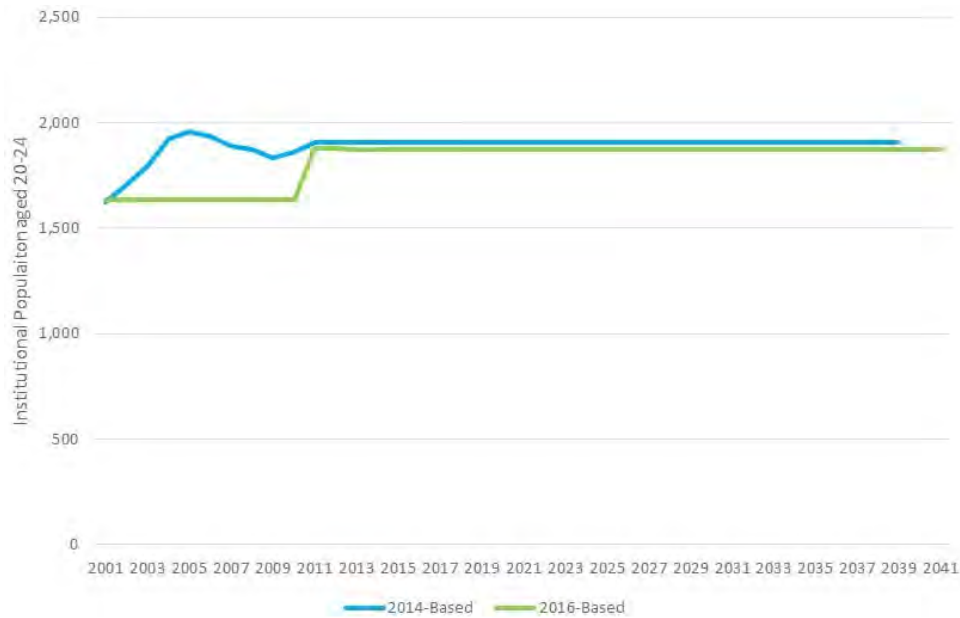
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

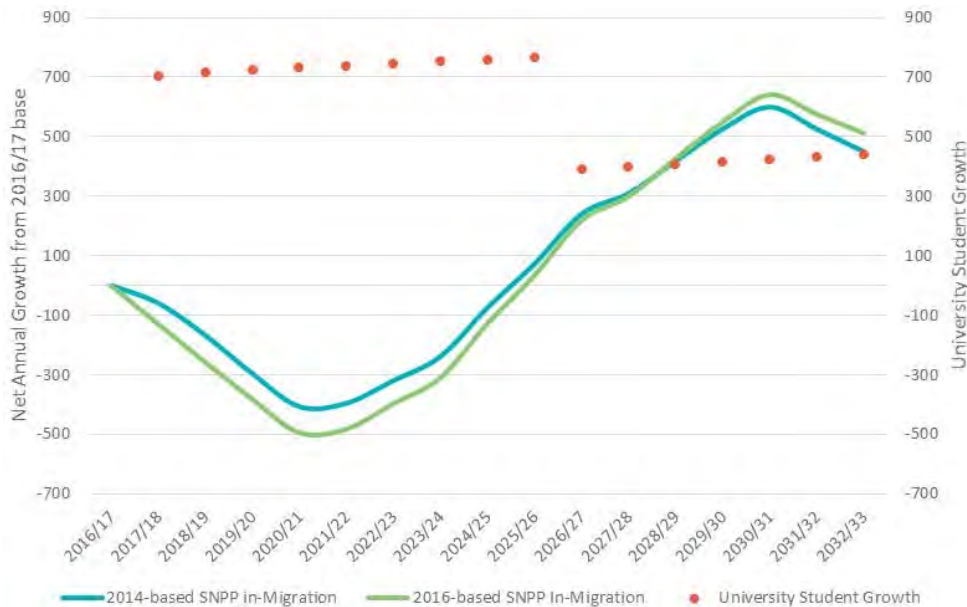
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

- 5.30 Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

---

<sup>48</sup> ID-3-042-20180913



Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

7.0

## Conclusions on the City of York's Housing Need

7.1

The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an

additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

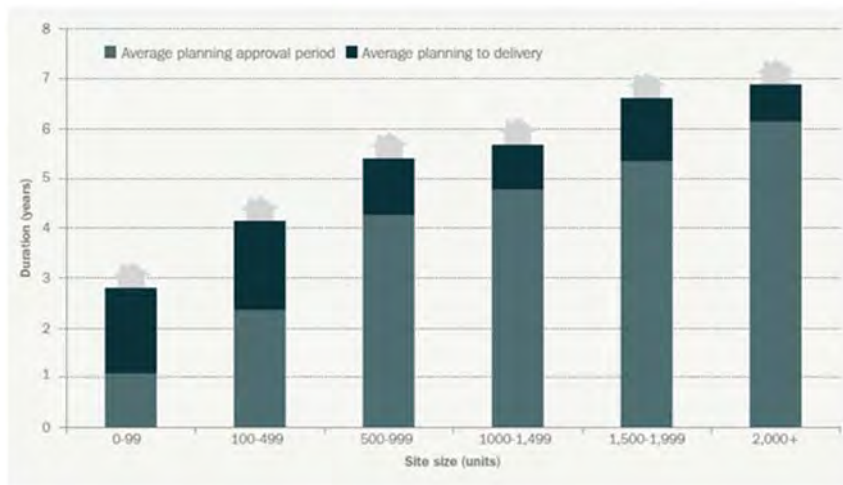
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

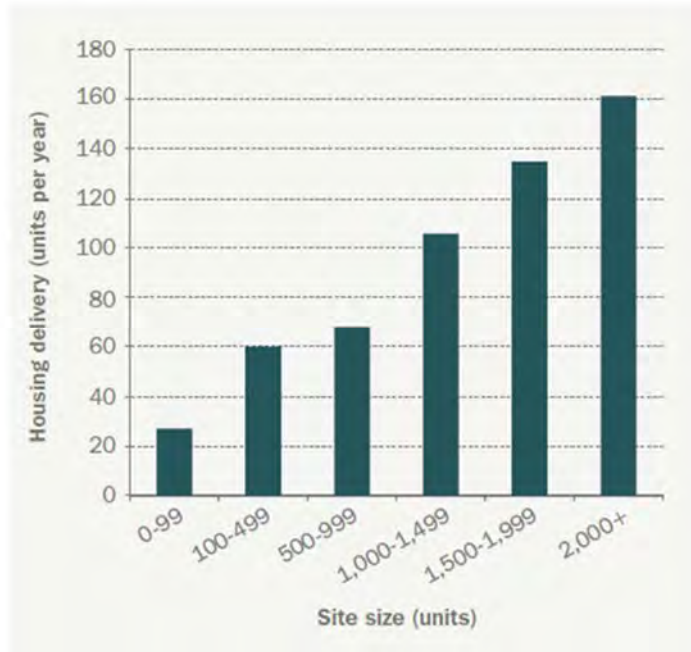
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.



- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

<sup>54</sup> NPPF (2019), §70

- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five- year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

## 9.0 Overall Conclusions and Recommendations

### Conclusions on the City of York’s Housing Need

- 9.1 The Council’s approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
  - 2 **Market Signals Adjustment:** GL Hearn’s uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
  - 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
  - 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
  - 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields’ critique of the projections clearly indicates that they do not adequately reflect the Universities’ student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
  - 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
  - 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the



Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.





**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk

**From:** Neary, Lauren (Avison Young - UK) [Lauren.Neary@avisonyoung.com]  
**Sent:** 22 July 2019 13:53  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** Proposed Modifications - Consultations Response  
**Attachments:** Proposed Modifications June 2019 - Oakgaet Group PLC Representation.zip

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/ Madam,

Please find attached to this email the representation prepared by Avison Young, on behalf of Oakgate Group PLC (Oakgate), to the York Local Plan – Proposed Modifications – June 2019 Consultation.

The full suite of documentation submitted with this representation comprises:

- Completed Proposed Modifications Response Form;
- Proposed Modifications June 2019 – Representation 220719
  - Representations 2019 – Appendix I – Site Location Plan;
  - Representations 2019 – Appendix II – Naburn Business Park Masterplan 2013-104-100419;
  - Representations 2019 – Appendix III - Publication Representation 280318; and,
  - Representations 2019 – Appendix IV - Regeneris Addendum to Naburn Business Park Economic Case.

I would appreciate if confirmation of receipt of this email and full suite of documentation could be sent across.

Please do not hesitate to contact should you not be able to receive any of the documentation or have any further queries.

Kind regards,

Lauren  
**Lauren Neary**  
Graduate Planner  
[lauren.neary@avisonyoung.com](mailto:lauren.neary@avisonyoung.com)

Avison Young  
Norfolk House  
7 Norfolk Street  
Manchester, M2 1DW  
United Kingdom

D +44 (0)161 956 4072

M [REDACTED]

[avisonyoung.co.uk](http://avisonyoung.co.uk)



Avison Young is the trading name of GVA Grimley Limited.

[Legal Disclaimer](#)

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Johnston
Organisation (where relevant)		Avison Young
Representing (if applicable)		Oakgate Group PLC
Address – line 1		Norfolk House
Address – line 2		7 Norfolk Street
Address – line 3		Manchester
Postcode		M2 1DW
E-mail Address		Andrew.johnston@avisonyoung.com
Telephone Number		██████████

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.



# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

**Proposed Modification Reference:**

PM 16 and 17

**Document:**

1. Proposed Modifications June 2019
2. Local Plan – Publication Draft February 2018
3. Topic Paper 1 – Approach to defining York’s Green Belt – Addendum – March 2019 (including all Annex’s)

**Page Number:**

1. Pages 21-22
2. Pages 11, 26 -31, 75-78, 175 – 181.
3. All pages.

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

**4.(1) Do you consider that the Local Plan is Legally compliant?**

Yes

No

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

Yes

No

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

See attached letter and appendices.

## 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

#### **5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

#### **5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

#### **5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

See attached letter and appendices.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

See attached letter and appendices.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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 site promoted by our client (Oakgate Group PLC); land to the east of the York Designer Outlet, is a reasonable alternative for employment development and could help to address the shortfall. An application has been submitted to the Council on the 13<sup>th</sup> June 2019 under application reference 19/01260/OUTM. This application seeks permission for:

“Outline planning permission for a business park up to 270,000sq.ft (Use Class B1) and an Innovation Centre up to 70,000sq.ft (Use Class B1/B2), with ancillary pavilion units up to 9,000sq.ft (Use Classes A1, A3, A4, D1 and D2), associated car parking, a park and ride facility, including park and ride amenity building up to 2,000sq.ft, hard and soft landscaping and highway alterations, all matters reserved apart from detailed access.”

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date

22<sup>nd</sup> July 2019

22 July 2019

[avisonyoung.co.uk](http://avisonyoung.co.uk)

Planning Policy  
City of York Council

By email only:  
[localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Dear Sir / Madam,

## YORK LOCAL PLAN PROPOSED MODIFICATIONS CONSULTATION (JUNE 2019)

These representations have been prepared by Avison Young, previously HOW Planning LLP, on behalf of Oakgate Group PLC (Oakgate). They relate to land to the east of the Designer Outlet, Naburn (the site). A site location plan is included at Appendix I.

### Naburn Business Park

In June 2019, a planning application was submitted to the City of York Council (CYC) for a new business park on the site (application ref: 19/01260/OUTM). A masterplan is included at Appendix II.

The proposals will meet employment needs that have not been adequately addressed through the Local Plan, delivering 2,000 new jobs, an enhanced park and ride facility and better public access to the Green Belt. The application is yet to be determined.

### Local Plan background

Over several years, Oakgate has engaged with CYC at all stages of the Local Plan preparation process including:

- The Preferred Options Local Plan consultation (2013);
- The Preferred Sites consultation (2016);
- The Pre-Publication consultation (2017); and
- The Publication Draft Regulation 19 consultation (2018).

These representations relate to the latest consultation on "Proposed Modifications" to the Local Plan and should be read alongside previous submissions including those at Appendix III.

The Proposed Modifications do not go far enough to address the fundamental flaws identified with the Local Plan.

To be found sound, the flaws should be remedied now, with the opportunity for informed participation. This will require a comprehensive Green Belt

review and analysis of alternative options to meet employment (and housing) needs with the benefit of an essential evidence base. This would allow a detailed review of the deliverability of identified employment land and an assessment of the consequences of the proposed employment strategy on job creation to ensure that the Local Plan can be put forward as the most appropriate strategy in terms of overall sustainability. Without this analysis it is not possible to properly conclude the Local Plan is justified, likely to be effective, positively prepared or consistent with the NPPF.

## Proposed Modifications 16 and 17

Proposed modifications 16 and 17 relate to Policy EC1 (Employment Allocations), which seeks to deliver the forecast employment land requirement of 231,238 sqm, including 107,081 sqm of office floorspace, over the plan period. This is against a backdrop of severe historic undersupply of office space in York, which has led to a vacancy rate of less than 2%<sup>1</sup>.

The largest proposed allocation, by far, is York Central accounting for over 40% of all allocated employment land. We maintain that the Local Plan is over reliant on this single site, which has significant constraints, in terms of deliverability, but also the limited type of office floorspace it can deliver to the market.

The Proposed Modifications fail to reflect the latest position at York Central and continue to overstate the amount of office space that can be delivered:

- The planning permission for York Central, approved in March 2019, includes between 70,000sqm and 87,693 sqm of office space. The majority of which (anticipated 76,762sq.m) is intended to be delivered within Phases 3 and 4 of the scheme's phasing plan with Phases 1 and 2 focused on the delivery of residential development. Phases 3 and 4 are set to be completed by 2033 and have start dates ranging between 2023 and 2026.
- The proposed allocation for York Central in the draft Local Plan is for 100,000 sqm. This means at York Central there will be a shortfall of at least 12,000 sqm, and potentially up to 30,000sqm, of office floorspace against the draft Local Plan allocation. This is alongside, very little delivered in the early stages of the plan period (anticipated 8,525sq.m within Phase 1) with the majority focused within Phase 3 and 4, as demonstrated above.
- There are no other allocations included in the draft Local Plan that include a specific requirement for office floor space. This means, combined with the shortfall at York Central, there is potentially 37,000 sqm of office floor space unaccounted for in the draft Local Plan.
- Naburn Business Park includes 25,000sqm of office floorspace that could help plug the office floorspace gap we have identified in the draft Local Plan. An application has been submitted to CYC, which is supported by an EIA and a suite of technical documents which demonstrates how the proposals represent sustainable development, which could be delivered immediately to meet York's unmet employment needs.
- The employment allocations should identify a mix sites to reflect the needs of different markets and occupiers (who will have differing locational drivers). York Central will be a desirable location for some office occupiers, but it will not suit the needs of those sectors with a higher dependency on occupiers who need quick access to the road network (either for commuting or for business reasons). Other types of occupiers may also prefer a campus style business park environment to a city centre location for reasons of security or privacy, for example headquarters of large businesses, defence organisations and data centres, which the Naburn Business Park is designed to the meet the needs of.

---

<sup>1</sup> Appendix IV - Regeneris Addendum to Naburn Business Park Economic Case – Figure 1.3 (CoStar)

We maintain, Policy EC1 has not been justified, is unlikely to be effective, does not represent positive planning and is not consistent with the NPPF.

## Topic Paper 1 – Approach to defining York's Green Belt – Addendum (March 2019)

The Topic Paper 1 Addendum is a selective review of the York's Green Belt and retrospectively seeks to justify the Local Plan strategy already adopted.

CYC acknowledge that the growth planned in the Local Plan cannot be accommodated without a review of Green Belt boundaries but, as submitted, the Local Plan evidence base only includes a selective review of York's Green Belt, which has been carried out retrospectively to justify a pre-existing employment (and housing) strategy.

CYC's approach of only assessing selected allocations means that more suitable land has potentially been overlooked and it is not possible to conclude that the Local Plan can be put forward as the most appropriate strategy in terms of overall sustainability.

All reasonable opportunities, including the Naburn Business Park site, should be reviewed prior to the allocation of sites. It is not appropriate that only proposed allocations sites have been considered. CYC should be in a position where they have the evidence to showcase that they have considered all reasonable alternatives and selected the most suitable and sustainable sites based on evidence, with justification for discounting others.

A comprehensive Green Belt review is necessary to ensure consistency with the spatial strategy and to ensure that the boundaries will not need to be reviewed again at the end of the plan period in accordance with NPPF paragraph 85. This is the same conclusion that the Inspector for the Leeds City Council Core Strategy reached in September 2014<sup>2</sup>.

This is particularly relevant in York because: a) it will be the first time that York's **Green Belt** has been properly defined; and b) the identified shortfall of employment land identified in Policy EC1.

## Summary

- The Proposed Modifications fail to address the shortfall of employment land identified in the draft Local Plan;
- The Council's proposed modifications fail to reflect the latest position at York Central and continue to overstate the amount of office space that can be delivered; and
- The further Green Belt evidence submitted as part of the Proposed Modifications, in the form of Topic Paper 1 Addendum, does not address our previous concerns over the methodology behind the site allocations and a comprehensive Green Belt review should be undertaken.

As drafted, the Local Plan put forward is the not most appropriate strategy in terms of overall sustainability. Without a comprehensive Green Belt review and subsequent analysis of employment allocations, it is not possible to properly conclude the Local Plan is justified, likely to be effective, positively prepared or consistent with the NPPF.

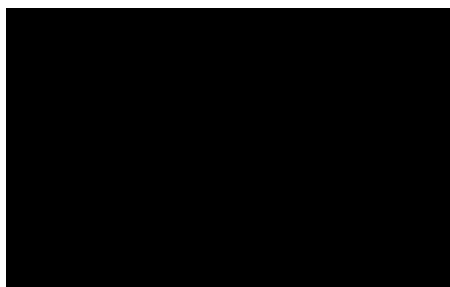
We trust the above comments will be taken into consideration in the next stages of the preparation of the Local Plan. Please do not hesitate to contact me if you have any questions or require any further information in relation to Oakgate.

Yours faithfully,

---

<sup>2</sup> Mr A Thickett - Report on the Examination into Leeds City Council Core Strategy – 5<sup>th</sup> September 2014



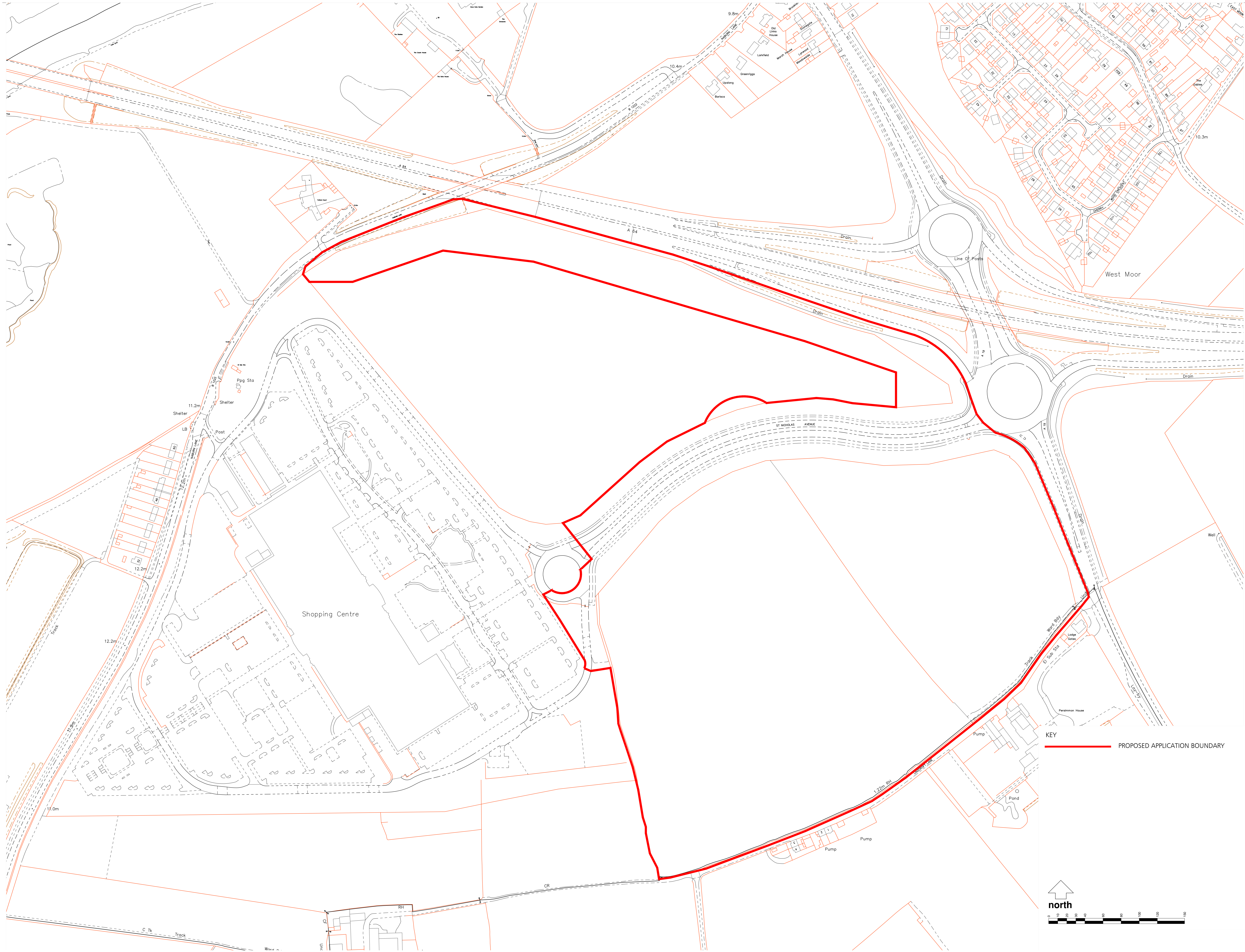


Andrew Johnston  
Director

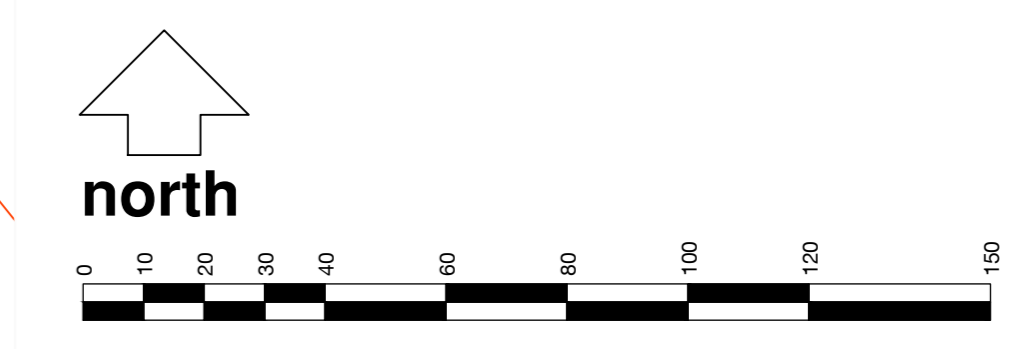


[Andrew.johnston@avisonyoung.com](mailto:Andrew.johnston@avisonyoung.com)  
For and on behalf of GVA Grimley Limited

REVISIONS		
A	25/01/19	OB JO
HOW COMMENTS 22-01-19		
B	10/04/19	OB JO
HOW COMMENTS 04-04-19		
HOW COMMENTS 04-04-19		



KEY  
 PROPOSED APPLICATION BOUNDARY



**DLA ARCHITECTURE**  
 www.dla-architecture.co.uk  
 55 St Pauls Street  
 LEEDS LS1 2TE  
 T: 0113 887 3100 E: info@dlarchitecture.co.uk

PROJECT  
**NABURN,  
 YORK**

TITLE  
**PLANNING APPLICATION  
 RED LINE BOUNDARY**

SCALE 1:1250 @ A0	DATE 16/01/19
DRAWN OB	REVIEWED JO
DRAWING NO 2013-104/808	REVISION B

FILE PATH  
 T:\2013\2013-104\2013-104-0808-Approved\Drawings  
 Page 746 of 4486

**DEVELOPMENT BOUNDARY**  
**AREA = 18.200 HECTARES (44.987 ACRES)**

**PROPOSED PARK AND RIDE**  
 Area includes car parking, bus drop off and associated infrastructure (including access, drainage and shelters), amenity and meadow grass areas, and ornamental tree and shrub planting  
**AREA = 2.288 HECTARES (5.653 ACRES)**  
**12.5% OF TOTAL SITE AREA**

**CORE SITE WIDE GREEN INFRASTRUCTURE**  
 Area includes native tree and scrub planting, ornamental tree and shrub planting, amenity and meadow grass areas, ponds/wetland with native planting, and associated infrastructure including access and drainage.  
**AREA = 6.851 HECTARES (16.929 ACRES)**  
**37.6% OF TOTAL SITE AREA**

**DEVELOPMENT PLOT INDICATIVE OPEN SPACE**  
 Area includes ornamental tree and shrub planting and associated infrastructure including access and drainage.  
**AREA = 0.9100 HECTARES (2.251 ACRES)**  
**5% OF TOTAL SITE AREA**

**Schedule of Approximate Gross Floor Areas**

**2 STOREY B1 OFFICE UNITS**

UNIT A	20,000 SQ FT	2 STOREY
UNIT B	16,000 SQ FT	2 STOREY
UNIT C	15,000 SQ FT	2 STOREY
UNIT D	20,000 SQ FT	2 STOREY
UNIT E	20,000 SQ FT	2 STOREY
UNIT F	12,000 SQ FT	2 STOREY
UNIT G	20,000 SQ FT	2 STOREY
UNIT H	20,000 SQ FT	2 STOREY
UNIT I	10,000 SQ FT	2 STOREY
UNIT J	10,000 SQ FT	2 STOREY
UNIT K	15,000 SQ FT	2 STOREY
UNIT L	15,000 SQ FT	2 STOREY
UNIT M	15,000 SQ FT	2 STOREY
UNIT N	17,000 SQ FT	2 STOREY
UNIT O	15,000 SQ FT	2 STOREY
UNIT P	15,000 SQ FT	2 STOREY
UNIT Q	15,000 SQ FT	2 STOREY
<b>TOTAL</b>	<b>270,000 SQ FT</b>	

**2 STOREY INNOVATION CENTRE**

UNIT R	70,000 SQ FT	2 STOREY
--------	--------------	----------

**PARK AND RIDE AMENITY BUILDING**

UNIT S	2,000 SQ FT	SINGLE STOREY PAVILION UNIT
UNIT T	3,000 SQ FT	2 STOREY PAVILION UNIT
UNIT U	3,000 SQ FT	2 STOREY PAVILION UNIT
UNIT V	3,000 SQ FT	2 STOREY PAVILION UNIT

**OVERALL TOTAL 351,000 SQ FT**

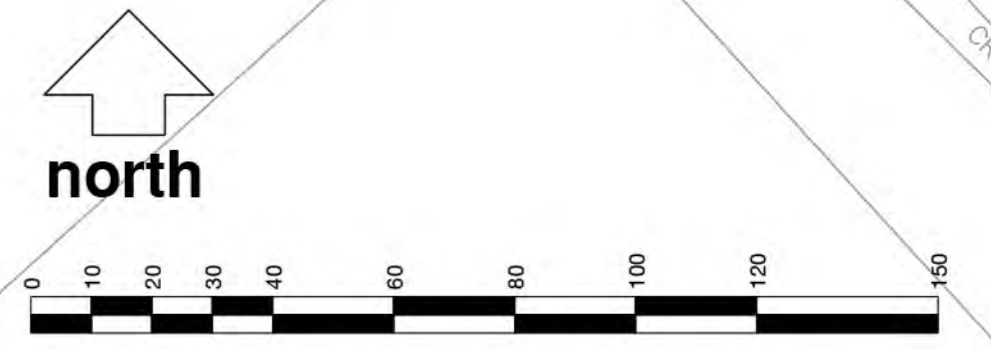
On plot car and cycle parking will be provided in accordance with the City of York's car and cycle parking standards.

This is: 1 car space per 30 sq m of accommodation.

This equates to circa 1,000 on plot car parking spaces.

**REVISIONS**

A	14/11/18	OB	JD
Site plan updated following community consultation feedback			
B	27/11/18	OB	JD
Site plan updated following Highway works			
C	17/01/19	OB	JD
Red Line updated			
Areas updated			
Scale to 1:1250			
D	20/01/19	OB	JD
Red line updated			
E	13/02/19	OB	JD
Innovation Centre Updated			
F	10/04/19	OB	JD
Highways Update			



**FOR INFORMATION**

**DLA ARCHITECTURE**  
 www.dla-architecture.co.uk  
 65 St Pauls Street  
 LEEDS LS1 2TE  
 T: 0113 887 3100 E: info@dl-a-architecture.co.uk

**PROJECT**  
 NABURN, YORK

**TITLE**  
 SITE PLAN

**SCALE**  
 1 : 1250 @ A0

**DATE**  
 04/10/18

**DRAWN**  
 VP

**REVIEWED**  
 OB

**REVISION**  
 F

**DRAWING NO**  
 2013-104\_002

**FILE PATH**



Our ref: RPW/EJ/1498

28th March 2018

Planning Policy  
City of York Council

By email only:  
localplan@york.gov.uk

Dear Sir or Madam

**YORK LOCAL PLAN PUBLICATION REGULATION 19 CONSULTATION (FEBRUARY 2018)  
REPRESENTATIONS ON BEHALF OF OAKGATE/CADDICK GROUPS**

These representations have been prepared by HOW Planning LLP ("HOW") on behalf of Oakgate/Caddick Groups and refer to land to the east of the Designer Outlet ("the Naburn site"). The Naburn site extends to approximately 18 hectares and is illustrated edged red on the plan included at Appendix 1.

Through its appointed professional consultants Oakgate/Caddick Groups have engaged fully with City of York Council (CYC) at all key stages of the Local Plan process to date. This has included detailed representations to the Preferred Options Local Plan in summer 2013, the Preferred Sites Consultation in summer 2016 and the Pre-Publication Consultation in September 2017. This representation has been prepared in order to directly respond to the Publication Draft Local Plan February 2018 (the 'Publication Plan').

These representations explain the soundness concerns with the plan and sets out why the site should be allocated as an employment site for B1a office floorspace. This representation seeks to re-provide CYC with technical evidence demonstrating the suitability of the site, and sets out Oakgate/Caddick Groups' observations on the Publication Plan and, where appropriate, the changes which they wish to see in order to meet concerns and overcome major issues of soundness which the Local Plan currently faces.

At the Local Plan Working Group on 23rd January 2018 and also Executive on 25th January 2018, Officers reported to the Members the outcome of the Pre-publication Draft Local Plan Regulation 18 Consultation (September 2017) ('the Pre-publication Plan') and made a series of recommendations to make alterations to the plan allocations to increase housing numbers and employment land provision to take account of certain consultation comments. Members rejected most of the options presented by Officers and only accepted minor wording changes and changes proposed to increase density of York Central and reduce the number of dwellings at Queen Elizabeth Barracks to increase the on-site recreational buffer required to mitigate impacts on the nearby Strensall Common SAC. Various minor wording changes made for clarity were also approved to be made to the Publication Plan.

**Planning and Environmental Advisers**

**Partners:**

Gary Halman BSc FRICS MRTPI  
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI  
Jon Suckley MTCP (Hons) MRTPI  
Richard Barton BSc (Hons) MA MRTPI  
Neil Lucas MRTPI  
Richard Kevan BSc MA (EIA) MPlan MRTPI PIEMA  
Fiona Woodford  
Julie Halman

**Associates:**

Conor Vallely MTCP MRTPI  
Keith Jones BA (Hons) MSc MRTPI  
Emma Jones BA (HONS) DipEP MRTPI  
Andrew Johnston – MTCP MRTPI MNZPI

**HOW Planning LLP**

Registered Office: 40 Peter Street, Manchester M2 5GP  
Registered in England and Wales Registered Number: OC318465  
HOW Planning LLP is a Limited Liability Partnership  
Any reference to Partner means a member of HOW Planning LLP

Thus, except for the minor wording changes and changes to the capacity of two proposed allocated sites, the Publication version of the plan remains virtually the same as the Pre-publication Local Plan consulted on in October 2017, despite the advice of the Council's own officers to increase the housing numbers and employment provision to make the plan more robust.

HOW Planning has significant concerns that the Council is proceeding with an unsound plan with an absence of key evidence to support the Council's approach. As presented, the Publication Plan cannot be found to be sound, or a sound approach which can be built upon, due to the absence of robust evidence to inform the promoted strategy.

## EMPLOYMENT LAND SUPPLY

### Employment Land Review 2016 and 2017 Update

On behalf of Oakgate/Caddick, at the Pre-publication stage Regeneris Consulting undertook an update addendum of their 2016 report (Appendix 2) to review the changes to the Local Plan and the underpinning evidence base, and revisit/update the conclusions from the original report in light of this new evidence published. There has been no change to the employment evidence base since that stage.

The Regeneris Addendum (Appendix 3) highlighted that the total amount of office floorspace (B1a) required to meet jobs growth increased significantly. Table 4.1 in the Publication Local Plan identifies the need to deliver a total of 107,081 sq m of B1a space (13.8 Ha), compared to 44,600 sq m in the Preferred Options Plan. This need for office floorspace was based on calculations in the Council's 2016 Employment Land Review (ELR) and the 2017 ELR update. Regeneris conclude that this increase represents a sound assessment of need and is consistent with CYC's growth aspirations for the City and therefore provides a sound basis for planning.

In addition to this increased quantitative requirement, the 2017 ELR update prepared by CYC Officers contains several findings that also point towards a qualitative requirement for additional B1a office supply to provide greater flexibility.

Paragraph 3.6 states:

*Flexibility requirements were discussed in the original ELR. A number of comments were received through the consultation that further work was needed on assessing flexibility requirements. Make it York stated that it will be important in confirming the employment allocations that the Council has ensured not only sufficient overall quantum but that there is sufficient range and flexibility to deliver land requirements throughout the whole plan period. Following what Make it York call 'significant losses' of office accommodation under permitted development (PD) rights, it has been suggested that there is a severe shortage of high quality Grade A office stock within the city centre and old stock being removed from the market that is not currently being replaced.*

Paragraph 4.2 states

*'The York and North Yorkshire Chambers of Commerce have suggested that on the basis of sites identified in the Preferred Sites Consultation (2016) it is unlikely that the future supply will offer a sufficient range of choices of location for potential occupiers and that there will be a risk that York would lose out on investment for potential occupiers. The Chamber feels that further land should be identified to broaden the portfolio of sites available to cater for York's diverse high value added business. Make it York suggested that allocating land flexibly amongst use classes will help mitigate risk of undersupply and is strongly welcomed.'*

and

*'However, the fact that the Preferred Sites document (2016) proposed to meet all B1a office need through a single allocation at York Central, may be perceived to undermine the objectives of building in*

churn. Whilst development will be phased at York Central allowing multiple developers, outlets and phased schemes the partnership suggest that it may be appropriate for the Local Plan to allow small scale B1a uses to be accommodated on additional sites in the district.'

Paragraph 5.2 of the ELR goes on to conclude:

*'In terms of the Local Plan it is important to ensure there is sufficient flexibility within the land supply for a range of scenarios rather than an exact single figure which one can precisely plan to with complete certainty. The case for further flexibility is enhanced by recent changes to permitted development enabling offices to be converted to housing without having to apply for planning permission.'*

### **Local Plan Working Group Agenda 10th July 2017**

In summarising the ELR the Officers report to Members stated:

*The case for further flexibility is enhanced by recent changes to permitted development enabling offices to be converted to housing without having to apply for planning permission. For York, based on completions only, there has been some 19,750sqm of office space lost to residential conversion over the last three monitoring years between 2014/15 and 2016/17. Records show that unimplemented Office to residential conversions (ORC) consents at 31st March 2017 include for the potential loss of a further 27,300sqm of office floorspace if implemented.*

At paragraph 93 CYC Officers state:

*The revised forecasts support the position taken in the Preferred Sites Consultation (2016). However, the report highlights that during consultation key organisations argued for increased flexibility in the proposed supply to provide choice. This includes addressing the loss of office space to residential development through ORC's and to provide additional choice for B1a (office) provision in the earlier part of the plan period as an alternative to the York Central sites. [our emphasis]*

### **Proposed Supply**

The ELR Update and Officers 10th July 2017 report to the Local Plan Working Group were unambiguous. In addition to the increased quantitative need, Officers consider that there is a clear qualitative justification for additional B1a office sites to be allocated to provide greater flexibility and reduce reliance upon one site York Central with its recognised delivery constraints. However, HOW noted in its representation to the Pre-publication plan that there was a major disconnect between this rationale and the strategic sites that were proposed to be allocated in the Pre-Publication Plan which allocated an undersupply of some 40,000 sqm and also retained the reliance on York Central as the key office location.

The York and North Yorkshire Chamber of Commerce continued to object to the Pre-publication plan stating:

*The identified employment land supply will not cater for York's future needs and this will constrain economic growth. In light of this, the Chamber feels that further land should be identified to broaden the portfolio of sites available to cater for York's diverse high value-added businesses. Such sites should be located in areas accessible by public transport and the major road network and be deliverable in the short term.*

At this Publication Plan stage, the Council has sought to address the shortfall in quantitative supply of B1a office employment through increasing the allocation of office floorspace at York Central by an additional 40,000 sqm. Paragraph 29 of the January 2018 Working Group Paper states that discussions with representatives from the York Central Partnership have indicated that York Central is capable of accommodating between 1700 and 2400 residential units and that the higher figure of 2500 units could be achieved through detailed applications by developers for individual plots and/or flexibility to increase

residential at the margins of the commercial core. It is stated that the figure of 1700 reflects land currently under the partnerships control; the higher figure includes land in private ownership or currently used for rail operations. It does not explain how the higher employment land figure can be achieved or why this has increased.

Table 1 below sets out the strategic employment land allocated in the Publication Plan and how it has altered throughout the most recent plan stages.

*Table 1: York Local Plan Employment Land Supply*

Site Ref.	2018 Publication Plan Sites Floorspace (sqm)	2017 Publication Sites Floorspace (Sqm)	Pre- 2016 Preferred Sites Floorspace (Sqm)	Council's Comments
ST5: York Central	100,000 (B1a)	61,000 (B1a)	80,000	At the Pre-publication stage, Officer's stated that the outcome of work to date is suggesting that the site can deliver a minimum of 61,000 sq m of B1a office floorspace (GEA). This is a reduction to the position in the Preferred Sites Consultation which included up to 80,000 sqm B1a office <sup>1</sup> .  At Publication stage Officer's state that the amendment has been undertaken to reflect work carried out by the York Central Partnership <sup>2</sup>
ST19 Land at Northminster Business Park	49,500 (B1c, B2 and B8. May also be suitable for an element of B1a)	49,500 (B1c, B2 and B8. May also be suitable for an element of B1a)	60,000	At Pre-publication stage, Officer's highlighted that further assessment is required to understand the predicted significant highways impact around Popleton. <sup>3</sup>
ST26 Land South of Elvington Airfield Business Park	25,080 (B1b/B1c/B2/B8)	25,080 (B1b/B1c/B2/B8)	30,400 (B1b/B1c/B2/B8)	The site will require detailed ecological assessment to manage and mitigate potential impacts. The site is adjacent to two site of local interest (SLI) and candidate SINC sites and previous surveys have indicated that there may be ecological interest around the site itself. The site is also within the River Derwent SSSI risk assessment zone and will need to be assessed through the Habitat Regulation Assessment process required to accompany the Plan. The proposal would result in material impacts on the highway network particularly on Elvington Lane and the Elvington Lane/A1079 and A1079/A64

<sup>1</sup> Local Plan Working Group Paper, July 2017

<sup>2</sup> Local Plan Working Group Paper, January 2018

<sup>3</sup> Local Plan Working Group Paper, July 2017

				Grimston Bar junctions. A detailed Transport Assessment and Travel Plan would be required. <sup>4</sup>
ST27 University of York Expansion	Up to 25ha for B1b	21,500 (B1b)	20,000 (B1b)	To meet the needs of the university alongside student housing and an academic research facility. Campus East and ST27 will across both sites deliver up to 25ha of B1b knowledge based businesses including research led science park uses identified in the existing planning permission for Campus East.
ST37 Whitehall Grange	33,330 (B8)	33,330 (B8)	0	Whitehall Grange site is allocated as a strategic employment site within the Local Plan to reflect the planning consent granted.

Regeneris note that potential investors looking for B1a accommodation will have a choice of just two large sites (York Central and Northminster Business Park). However, they question exactly how much B1a space will be available at Northminster Business Park, where the Draft Local Plan indicates the main focus will be on industrial development.

Whilst the Publication Plan has sought to address the shortfall by allocating the 'missing' 40,000 sqm B1 floorspace at York Central it clearly does not address the recognised qualitative need for an alternative to York Central in the early years of the plan. HOW also has significant concern that the proposed quantum of development at York Central has not been justified.

Regeneris has also evaluated the 2016 ELR and then the 2017 Update scoring of the market attractiveness of sites. This has exposed a number of flaws with the scoring framework and relative weightings given to different criteria, indeed Regeneris conclude that if inconsistencies were addressed Naburn Business Park would score higher than Northminster and would emerge as one of the most attractive sites for B1a development.

The Council's stance is deeply flawed. The evidence base prepared by Council Officers readily accepts that there is an increased quantitative need and a qualitative need for greater flexibility in the employment land supply to provide additional choice for B1a (office) provision in the earlier part of the plan period as an alternative to the York Central site and address the loss of office floorspace through office to residential conversions.

Having regard to York Central, it is concerning that the proposed quantum of employment floorspace has varied significantly between the 2016 Preferred Sites consultation, the 2017 Pre-publication consultation and the current Publication consultation and also that the developable area of the site has not been confirmed.

As recognised by the Council, York Central has significant infrastructure challenges, being entirely circumscribed by rail lines and restricted access points unable to serve a comprehensive redevelopment. The site is also in fragmented ownership, albeit the key public sector landowners have come together as York Central Partnership to assemble land for development and clear it of operational rail use.

Furthermore, there are heritage constraints that will restrict development and as such Historic England objected to the lesser quantum of development proposed at the Pre-publication stage in terms of the

<sup>4</sup> Local Plan Working Group Paper, July 2017



impact on the site's many heritage assets and also the potential knock-on to the city centre. They consider that a lot more work is needed to demonstrate how the quantum of development can be created on the site in a manner which would also be compatible with the need to safeguard the significance of the numerous heritage assets in its vicinity and the other elements which contribute to the special character of the city.

A masterplan is currently being consulted on by York Central Partnership which provides some indication of how the development might come forward at the site. A significant proportion of development is proposed on areas that are currently operational rail including the western access road. It has not yet been demonstrated how the quantum of development proposed will impact upon heritage assets in York.

We also note that the Sustainability Appendix I: Appraisal of Strategic Sites and Alternatives suggests that key assessment work which will impact upon viability and the amount of developable area is yet to be completed:

*This is a brownfield site which has predominantly been used for the railway industry. The site is known to have contamination issues from its railway heritage and there is a need to remediate any the land to ensure the health of residents. There therefore may be a risk of contamination which would need to be established through further ground conditions surveys.*

Clearly York Central is a complex site to deliver and the required access infrastructure alone is not estimated to be completed until at least 2021. The site subject to the injection of public funding to assist delivery due to the scale of constraints and infrastructure required. We understand that funding is promised by the West Yorkshire Transport Fund and that a funding application of £57 million to the Housing Infrastructure Fund is through to the final round, with decisions on the latter to be made in Autumn 2018. The Council state that this will speed up the delivery of houses at the site.

The Council estimate that York Central will take between 15 and 20 years to complete and it is unclear from the Publication Plan documents when the B1a office developments are likely to come forward. At the aborted Publication Local Plan (2014) stage, the Council provided the following assessment of York Central:

***York Central:*** *This is likely to be an attractive site with significant investor appeal for HQ and other corporate requirements due to its central location and connectivity. However there are major deliverability challenges, which we believe could take a long time to address, including access issues and compulsory purchase orders. Crucially, there is not yet a developer in place and a number of questions have been asked about the viability of the scheme. As the Council has not published a viability of feasibility assessment, it has not been possible to ascertain the likely timescales for providing office space which is available for occupation. However, given the complexities associated with the site, we believe this could take at least ten years before any office development is delivered<sup>5</sup>. [our emphasis]*

Whilst the Publication plan appears to be silent about delivery timescales for York Central, it is stated at Sustainability Appraisal Appendix I: Appraisal of Strategic Sites and Alternatives:

*the mixed use development of this site is likely to provide long-term **jobs on site in the long-term**. The York central site benefits from Enterprise Zone status and therefore should be an attractive prospect for business. Both the allocation and alternative would provide 100,000sqm of floorspace and is therefore projected to provide approximately **8,000 jobs in the long-term**.*

HOW believe that the continued reliance on one site to provide for the majority of the needs of York entails significant risks which could see the City lose out on potential investment. The timescales for the

---

<sup>5</sup> Local Plan Working Group Paper, July 2017

delivery of new office space at York Central remain unclear but it is still likely to be many years, with York City Council estimating that the development could take 15 to 20 years to complete.

The lack of commitment to early delivery of office development in the Local Plan is considered unsound particularly given the recent significant losses of office to residential in the city centre (due to the change in permitted development rights and the lack of alternative housing supply in York).

In addition, HOW consider that the Council has failed to justify how the quantum of B1a employment floorspace proposed at York Central will be delivered given the scale of constraints at the site and the outstanding assessment of these.

We are not aware of the timescales for delivery of new B1a office space at other sites such as Northminster Business Park. Although we note that paragraph 73 of the July 2017 Local Plan Working Group raised concerns about traffic: *“Initial transport modelling of potential residential and employment sites has shown that increased queues and delays are being forecast in the Poppleton area, exacerbated by the potential level of development projected for that area, including potential employment sites at Northminster Business Park (ST19), Land to the North of Northminster Business Park and the former Poppleton Garden Centre”*. This suggests there may be some delays in bringing forward new development in this location.

Regeneris's Addendum highlights that recent trends show a dwindling supply of office space across the city. This means that the city is facing a potential shortage of B1a office space in the short term which could act as a barrier to growth. Regeneris consider that it is important that areas provide a balanced portfolio of sites to reflect the needs of different markets and occupiers (who will have differing locational drivers). Whilst York Central will be a highly desirable location for many office occupiers, it will not suit the needs of those sectors with a higher dependency on car-borne occupiers who need quick access to the road network (either for commuting or for business reasons). Therefore, in addition to it being questionable that the plan can deliver sufficient quantity of land allocated for B1a development, the continued reliance on York Central means there would be insufficient choice for investors.

Regeneris conclude that it is therefore unlikely that the identified sites will meet demand for B1a office space in the short to medium term (particularly York Central). This means there is a risk of York losing out on potential investment in the next five or ten years if it does not have an “oven ready” product for occupiers.

In conclusion, the continued reliance upon only York Central to deliver future B1a office development would risk losing out on potential investment from those investors who are looking at space in the next five or ten years and those who are seeking a business park location but are deterred by congestion and quality of the environment elsewhere. The approach promoted within the Publication Plan consultation is not in accordance with paragraph 160 of the National Planning Policy Framework (NPPF), which advises that local planning authorities should assess the needs of land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the Plan period. The current approach is not consistent with national policy and is not justified.

## GREEN BELT DESIGNATION

As far back as 2005 the Naburn site was identified as a suitable location for meeting development needs post 2011 and allocated as a ‘reserved’ site in the Draft 2005 Local Plan. However, in more recent iterations of the emerging plan the site has been allocated for Green Belt.

Paragraph 1.49 of the Publication Plan sets out that the York Local Plan is establishing the detailed boundaries of the Green Belt for the first time. It explains that the majority of land outside the built-up areas of York has been identified as draft Green Belt land since the 1950's, with the principle of York's Green Belt being established through a number of plans including the North Yorkshire County Structure Plan (1995-2006), and the Yorkshire and Humber Plan: Regional Spatial Strategy to 2026 (2008). It

states that the overall purpose of York's Green Belt is to preserve the setting and special character of York, also helping to deliver the other purposes.

Whilst the Council does not have a formal adopted Local Plan which has set the Green Belt boundaries, the Draft 2005 Local Plan that was approved by the Council on 12th April 2005, represents the most advanced stage of the draft City of York Local Plan and was also approved for the purpose of making development control decisions in the City, for all applications submitted after the date of the Council meeting (12th April 2005). It was to be used for this purpose until such time as it was superseded by elements of the Local Development Framework (now the Local Plan).

The Draft 2005 Plan included detailed Green Belt boundaries and under Policy GP24a: Land Reserved for Possible Future Development, 9 hectares of the Naburn site was reserved until such time as the Local Plan is reviewed (post 2011) as shown in Figure 1 below.

Figure 1: Extract from Draft 2005 York Local Plan



The emerging Local Plan will now establish the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and define the inner boundary to establish long term development limits that safeguard the special character and setting of the historic city. It is therefore the role of the Local Plan to define what land is in the Green Belt and in doing so established detailed green belt boundaries.

### Green Belt Evidence Base

The Council's evidence base for setting the Green Belt boundaries dates back to 2003 and earlier: 'The Approach to the Green Belt Appraisal 2003'. This 2003 16 page long report states that the appraisal consisted of the following three component parts:

- Desk top study - comprising two parts: firstly a review of relevant written information including [now superseded] PPG2, the work of Baker of Associates in the East Midlands, and previous work undertaken by the City of York and North Yorkshire County Councils; and secondly, the detailed consideration of maps both historic and current of the City of York Council area.
- Field analysis - A considerable amount of time was spent in the field assessing the land outside the City's built up area.

- Data collation and analysis. The output from the two stages above was analysed and evaluated to determine which areas of land are most valuable in Green Belt terms. The results of this work are included within this document and illustrated in map form.

The report does not include the detailed evaluation outlined above and reads as a conclusion. It is considered unsound that the empirical evidence base upon which the Council's site selection process is based has not been made available and relies upon documents that are over 25 years old including the work of North Yorkshire County Council in their York Green Belt Local Plan, which was considered at a public inquiry between autumn 1992 and spring 1993.

The 2003 report states that it sought to identify those areas within York's Draft Green Belt that were key to the City's historic character and setting. The outcome was the identification of the following areas of land important to the historic character and setting of York:

- Areas preventing coalescence
- Village setting area
- Retaining the rural setting of the City
- River corridor
- Extension to the Green Wedge
- Green Wedge
- Stray

These areas of land, established in 2003, still form the basis of the Council's approach to site selection and Green Belt boundaries.

At that stage the Naburn site was not appraised as falling within any of the historic character areas and indeed it was subsequently partly allocated as a reserved site for development in the 2005 Draft Local Plan.

The 2003 assessment was updated in 2011 by the City of York LDF Historic Character and Setting Technical Paper (January 2011), the stated purpose of this was:

*'to consider potential changes to the boundaries proposed in the 2003 Appraisal document, in light of issues raised on historic character and setting designations as part of the consultation on the Core Strategy and Allocations DPD. It is not intended to readdress or reconsider the background principles in or behind the Appraisal or make any changes to the principles behind the designation of a piece of land.'* (paragraph 1.2, York Council Historic Character and Setting Technical Paper, 2011).'

The 2011 Technical Paper sets out that the work was undertaken as a response to the consultation response by Fulford Parish Council which included a review of Fulford's Green Belt Land and other consultation responses to the Core Strategy Preferred Options document and to the Allocations DPD Issues and Options document.

Notably, it did not comprehensively review all of the historic character areas, only responding to specific concerns raised. The only changes made were around the village of Fulford and reliant upon the Parish Council's assessment of the Green Belt. At this stage the status of the Naburn site changed in response to the Fulford Parish Council – LDF Submission including Review of Fulford's Green Belt Land.

That report states that the objector's response was as follows:

*That the Green Wedge (C4) be broadened to encompass the fields and open land of the A19 southern approach corridor, including both the arable field to the south of Naburn Lane and the field east of the A19 (adjacent to the Fordlands Road settlement). The arable field south of Naburn Lane contributes to the openness and rural character of the A19 corridor and prevents urban sprawl and assists in*

*safeguarding the countryside from encroachment. It also performs a valuable role in preventing coalescence between the Designer Outlet and housing at Naburn Lane.*

*The field between the A19 and Fordlands Road settlement acts as a green buffer zone between the housing at Fordlands Road and the busy A19 carriageway, whilst the trees along the field boundary serve to screen the washed over settlement from view. It therefore prevents sprawl of the built up area and safeguards the countryside from encroachment.*

And that:

*Officers agree that designating both suggested sites either side of the A19, north of the A64, as 'Green Wedge' would be appropriate and give a continuance of protection to the approaches to Fulford from the south. The A19 approach does give an open and rural feel as you enter Fulford – this is inferred by the Conservation Area Appraisal and the emerging Fulford Village Design Statement.*

Since 2011 further incremental updates have been undertaken to the Green Belt/Heritage evidence base:

- Historic Character and Setting Technical Paper Update (June 2013). This Update considered sites that had been submitted to the plan process and made a series of additions and deletions to the boundaries under the relevant historic character and setting designations. Again, it did not undertake a wholesale re-assessment of the historic character and setting areas.
- Heritage Topic Paper Update 2013 (June 2013). This states that:

*it is clear that the evidence base:*

*is incomplete and that there is a requirement for further specific studies which will provide more detailed evidence for this exploration of the special historic character of the city; and it is subjective and that at any one moment the constituent parts of the categories can change and be redefined. The results of any further studies will demand a review of this paper and the process of review may challenge parts of the narrative.*

This document examines and assesses existing evidence relating to the City of York's historic environment and how it can be used to develop a strategic understanding of the city's special qualities. This assessment proposes six principal characteristics of the historic environment that help define the special qualities of York. The 2013 Update sets out those factors and themes which have influenced York's evolution as a city and whilst it makes references to some sites within this, it does not comprise specific nor general site assessments.

- Heritage Topic Paper Update (September 2014). Appears identical to the Topic Paper 2013 Update. We note that the 2013 Topic Paper Update is no longer available on the Council's website only the 2014 document.
- Heritage Impact Assessment (September 2017). this document comprises a detailed assessment of the proposed Strategic Sites or planning policies against the six Principal Characteristics identified in the Heritage Topic Paper. It does not re-evaluate the historic character and setting areas.

Whilst the above evidence base sets out a series of incremental changes to the proposed designations of Green Belt 'areas of land important to the historic character and setting of York', largely in response to consultation responses, a full re-appraisal of the designations has not been carried out since 2003.

NPPF paragraph 83 allows for Green Belt boundaries to be altered in exceptional circumstances as part of the preparation or review of a Local Plan. Paragraph 84 confirms that when drawing up or reviewing

Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development and the consequences of channelling development towards non-Green Belt locations should be considered. Paragraph 84 also requires local planning authorities to satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period and to define boundaries clearly, using physical features that are readily recognisable and likely to be permanent. Paragraph 85 seeks (amongst other things) consistency with the strategy for meeting identified requirements for sustainable development, including longer term development needs "stretching well beyond the plan period".

Planning Practice Guidance Paragraph 014 Reference ID: 12-014-20140306 states that:

*'evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively. It should also be kept up-to-date. For example, when approaching submission, if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available (and, if necessary, the plan adjusted in the light of this information and the comments received at the publication stage).*

Local planning authorities should publish documents that form part of the evidence base as they are completed, rather than waiting until options are published or a Local Plan is published for representations. This will help local communities and other interests consider the issues and engage with the authority at an early stage in developing the Local Plan.'

Given the national importance of the York Green Belt in heritage terms, an evidence base relying upon work carried out more than 25 years ago and not made available for review cannot be considered to be justified by appropriate and proportionate evidence base or in line with national policy on Green Belts which has changed since 2003 with the publication of NPPF. Given that the designations are based on changing factors such as views and landscape clearly this should have been updated by the Council and their failure to do so is unsound as is their failure to make the empirical site assessment available for scrutiny.

There is no definitive national guidance on how to undertake Green Belt studies. Documents prepared by the Planning Officers Society (POS)<sup>6</sup> and the Planning Advisory Service (PAS)<sup>7</sup> provide a useful discussion of some of the key issues associated with assessing Green Belt and reviewing/revising Green Belt boundaries.

The POS guidance advises using the following methodology for undertaking Green Belt review:

- identify areas that can be developed in a sustainable way. This will essentially be identifying transport nodes along high capacity public transport corridors that have the capacity, or the potential to economically create the capacity, to take additional journeys into the centre of the conurbation or other areas of significant economic activity. The growth of communities around these train, tube and tram stations will be a key feature of a GB review release strategy.
- In reviewing the GB it is important to understand the intrinsic quality of the land in terms of SSSI, SNCI, Heritage, alongside high quality landscape (AONB, SLA etc) and other features. The need is to understand the relative qualities of land so that informed decisions can be made about the acceptability of release.
- It is important to accept that the character of some landscapes will change in this process, so understanding the relative merits of landscape quality will be vital
- A GB review would also involve a review of all such similarly protected land to test what is the most appropriate land to release. This would be an exercise in ensuring that areas

---

<sup>6</sup> Approach to Review of the Green Belt, Planning Officers Society

<sup>7</sup> Planning on the Doorstep: The Big Issues – Green Belt, Planning Advisor Service (2015)

- remain well served by public open space, but looking carefully at areas where there may be an overprovision.
- Once all these factors are captured, spatial areas will emerge with the greatest potential for development in the most sustainable way.

HOW considers that the incremental updates to the 2003 Green Belt Study do not accord with the above methodology. In particular, the 2011 update which changed the designation around the Naburn site was not fully justified by an appraisal that carried out a full assessment of the various factors that are important to the purposes of Green Belts.

In addition to setting the detailed boundaries, HOW Planning also consider that exceptional circumstances exist which justify a general review of the extent of Green Belt boundaries around York. Indeed, the Plan does propose allocations that would be considered to site within the broad extent of the Green Belt as it currently stands.

### **Impact on the Green Belt**

The Publication Plan does not consider the Naburn site as a reasonable alternative, thus is silent on the reasons for it being discounted as a site. However, the site has been reviewed by Officers at previous stages of the plan, most recently the Local Plan Working Group Agenda (10 July 2017) Annex 4: Officers Assessment of Employment Sites following PSC states:

*The further landscaping evidence has been reviewed and it is still considered that the scheme would have a negative impact on the setting of the city as it would bring development right up to the A19 on a key approach to the city. It is acknowledged that the proposed landscaping scheme and the reduced height/density of this revised proposal could help to mitigate some impacts however there would still remain a solid development within what is currently a fluid landscape creating a visual impact on what are currently open fields viewed from the A19. The surrounding open countryside currently presents a rural approach to the city and to Fulford village.*

As at Pre-publication state, an Interim Landscape and Visual Briefing Note, prepared by Tyler Grange and previously submitted is included at Appendix 5. In summary, Tyler Grange identified three key issues:

- Maintaining separation between Fulford Village and the Designer Outlet area, both physical separation, separation of landscape character and visual/perceptive and separation;
- Maintaining the openness of the A64 and A19 approach road into York; and
- The site falls within a 'Green Wedge' within the Green Belt.

The character of Fulford Village and the existing Designer Outlet have their own "very distinct character." Due to this lack of inter-visibility between the two areas, it is not anticipated that changes to the site, which falls within the character of the area of the Designer Outlet, would have any effect on setting (positive or negative) of the landscape character within the area of the Fulford Village.

To further strengthen the separation between the two areas, Tyler Grange recommend that the following mitigation measures are implemented in developing the Naburn site:

- strengthen the existing boundary vegetation of all boundaries, including some evergreen species for year round screening;
- ensure building heights are limited to be no taller than that of the existing Designer Outlet so that built form does not appear in views from Fulford Village; and
- to make use of or locate the access parallel to the existing St Nicholas Avenue to access the site and strengthen existing or implement new screen planting alongside it.

With regards to the maintenance of the openness of the A64 and A19 approach road into York, the site is screened well from the A64 in the immediate locality and to the west when travelling eastbound. To the east, the eastern boundary of the site is visible from the A64 when travelling westbound. It is not considered that strengthening the existing eastern boundary vegetation to the Naburn site would have an effect (positive or negative) upon experiencing views of openness from the A64 in this location. The addition of new vegetation to existing with built development sitting behind it, would barely be perceptible from this location of the A64, particularly while travelling at speed.

The area surrounding the A19 and A64 Junction lacks an overall sense of openness compared with that further south along the A19 due to a combination of dense screen planting along the roads, as well as blocks of planting within fields. Some views towards the east remain open whereas the westward views are significantly diminished by existing screen planting. Although the Naburn site comprises two open fields which could contribute to the sense of openness, the views across them from the A64 and A19 are limited. The Naburn site is well contained to all of its boundaries. It is not anticipated that further strengthening the existing planted boundary against the A19 is likely to affect (positively or negatively) the sense of openness for people travelling along the A19 or A64.

To ensure the sense of openness is not further diminished in this location, the following mitigation measures are proposed to be implemented in developing the site:

- ensure a wide offset of built form from the eastern boundary;
- retain, maintain and supplement the existing planting eastern boundary; and
- retain and maintain the open offset between the road and the eastern boundary to maintain long views towards the junction and adjacent to the footpath.

The Interim Landscape and Visual Briefing Note concludes that through a full Landscape and Visual Impact Assessment (LVIA) the site would be suitable to accommodate the development type proposed with no adverse effects on the landscape and visual amenity. The road infrastructure has a great influence on the character to the south of Fulford Village. The area is already subject to large scale retail use to the immediate north west of the site at the Designer Outlet and built form exists along the A19 to the south of the site (Persimmon House). Screen planting along the A19 and wider area is a common feature within this area. The site could sit well within the existing landscape and result in minimal effects if the above described mitigation measures were carried out to ensure the existing landscape character is maintained. Opportunities exist to improve public access to the site; to introduce planting that could better reflect the characteristics of the local landscape along the boundaries and that internally tie in with that at the existing Designer outlet. Increased screen planting will add a further degree of prevention of physical or visual merging with Fulford Village, ensuring the divide between the two.

An indicative masterplan was produced which took into account the key opportunities and constraints of the site. This is included at Appendix 6.

#### THE CASE FOR A BUSINESS PARK AT NABURN

Based upon the evidence HOW strongly believe that there is a strong economic case for new business park development at Naburn. The site offers the opportunity to provide a genuine range of choice for office occupiers which reflects the economic geography of York and its links to both the north and the south. At present there are no sites to the south of York, which Naburn would address. Furthermore, the site provides an employment site that would be attractive to the market, particularly for occupiers that are seeking an office based location but are deterred by traffic congestion at Monks Cross. The provision of high quality office space would also help to address the short to medium term shortfall of supply caused by the likely delays at York Central.

The main locational benefits of the site are as follows:



- It is in an easily accessible location by road without the problems of traffic jams to the north on the outer ring road. It is adjacent to an existing Park and Ride as part of the York Designer Outlet Shopping Centre and any scheme brought forward in the future would incorporate a fully functional and integrated Park and Ride.
- The location is well placed to draw upon the highly skilled workforce located to the south and east of York (particularly North East Leeds and Harrogate). Using Census data and travel time analysis, Regeneris estimate that there are over 170,000 people with degree level qualifications living within a 45 minute travel time of the site.
- The site is located on the 'right side' of York in terms of access to York University and the main science and technology hubs (York Science Park and the Heslington East Campus), which would be less than ten minutes' drive from the site.
- There is the potential to develop the site quickly in the short term to meet demand enabling continuity of employment land supply in the period before York Central comes forward as there is likely to be sufficient highways capacity at the junction with the A64.
- One of the most significant housing allocations - ST15: Land to the West of Elvington Lane - is in very close proximity to the Naburn site to the east. This provides the opportunity for new residents to live near an employment location, which presents sustainability benefits.
- A new business part at Naburn as part of the new Local Plan would result in a more balanced portfolio of sites catering for all market sectors. It would perform a complementary role to the York Central site.

With regards to key occupiers, there is no clear sector split between the occupiers of city centre and business park accommodation in York, therefore the site would potentially appeal to a wide range of sectors. The shortage of units in York capable of accommodating requirements from large investors also means that the site would appeal to HQ functions and large corporate occupiers. The connections to Leeds, access to a highly skilled workforce and quality of life in York would also appeal to these investors. Furthermore, the site would be attractive as a possible 'grow-on' space for firms located at York Science Park (YSP) or the Heslington East Campus. There is already some evidence that some firms at YSP have been lost to the city because of a lack of grow on space e.g. Avacta Group, which moved from YSP to Thorpe Arch (about 8 miles from York). The high rate of occupancy at YSP and the restrictions on the type of uses at Heslington East meant that there is no clear ladder of opportunity for those firms who want to expand in York, and to grow their office based administrative functions, while still maintaining close proximity to the science park and University. While the Naburn site could play this role, this is likely to be longer term role of the site. The Naburn site's location could be particularly advantageous if the cluster of science based firms in York continued to grow, and the Council's ambitions to be a leading science based city were realised.

In terms of planning principles set out in national guidance aimed at evaluating the suitability of sites for development, the following benefits are associated with allocating the site for business park use:

- The site exhibits all of the locational advantages for successful business parks across the UK as set out in paragraphs 4.4 to 4.8 of the report included at Appendix 2;
- The site is in single ownership and has excellent access to public transport and the A64. The site benefits from existing extensive infrastructure including a dual carriageway site access as well as an existing Park and Ride on part of the Designer Outlet car park. Any new development proposals would incorporate a new fully functional Park and Ride to enhance the accessibility of the Designer Outlet and business park.
- In light of the single ownership, existing excellent infrastructure and locational advantages of the site from a market perspective, the site is capable of being delivered in the short term and would make a major contribution towards new employment generation in the early part of the Plan period.
- The site has clear and defensible boundaries. A campus style business park development with extensive areas of landscaping - some of which are already well established from the Designer Outlet development, will enable an exceptional scheme to be designed which responds to the site's current Green Belt location.

## HIGHWAYS

In dismissing the site for inclusion as an allocation the Local Plan Working Group Agenda (10 July 2017) Annex 4: Officers Assessment of Employment Sites following PSC states:

*There are also significant transport constraints on the A19 which would be exacerbated through the further expansion of the Designer Outlet and the introduction of B1a (office) use and the associated trips. Whilst it is recognised that the adjacent Park and Ride would offer a sustainable alternative to car use there would still be a significant amount of peak hour trips created through the development of this site as proposed.*

Fore Consulting Strategic Access and Connectivity Report at Appendix 7 considers the strategic access and connectivity implications of the proposed allocation of the site at Naburn for an employment development with ancillary uses. They conclude that the site is well located to encourage trips to the adjacent existing retail facilities, wider surroundings and the city centre on foot or by cycle. The site is also well-served by the existing public transport network. Direct high frequency bus services connect the Designer Outlet Park and Ride to the city centre, as well as services providing additional local connections towards Selby.

In direct response to the Officer's comments Fore respond that it is likely that significant changes to improve Fulford Interchange will be required to safely and efficiently accommodate traffic associated with an allocation, bus priority measures and enhanced pedestrian and cycle connections. The promoters control the necessary land adjacent the junction that is likely to be required and on this basis, changes to Fulford Interchange to improve capacity are deliverable.

The impacts of traffic associated with an allocation on the wider network are considered to be of a scale that is capable of being satisfactorily accommodated, or mitigated.

## SUSTAINABILITY APPRAISAL

HOW prepared a Sustainability Appraisal of the site in February 2016 and submitted this to the Council for review and consideration. For ease of reference, the Sustainability Appraisal is submitted as part of these representations, included at Appendix 8.

In summary, the Sustainability Appraisal has considered the locational and physical attribute of the site in order that it can be allocated for new development to support the economic growth aspirations of York. The site is capable of providing a readily supply of employment opportunities for highly skilled existing and future residents. In particular, the site is strategically located to capitalise on:

- The strategic highways network and the excellent public transport provision;
- The huge growth ambitions of York and the wider region; and
- Capitalise on the co-location of future housing sites, sustainably located within the site's vicinity.
- The site is in single ownership, sustainable and deliverable. It does not have any significant constraints to development which could not be mitigated through appropriate technical assessments and best practice mitigation measures. The site has the potential to make a major contribution towards providing high-end office accommodation in a sustainable location to meet the future growth and aspirations of York as part of a balanced portfolio of sites.

## SUMMARY

This representation has been prepared by HOW Planning on behalf of Oakgate/Caddick Groups in relation to land east of the Designer Outlet and promotes it for a business park.

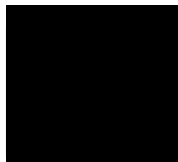
HOW object to the approach taken within the Publication Local Plan to the identification of employment land to meet development needs for the Plan period. The reliance upon only York Central to deliver future office development would risk losing out on potential investment from those investors who are looking at space in the next five or ten years and those who are seeking a business park location but are deterred by congestion and quality of the environment elsewhere. The approach promoted within the Publication Local Plan is not in accordance with paragraph 160 of the NPPF, which advises that local planning authorities should assess the needs of land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the Plan period. The current approach is not consistent with national policy and is not justified.

Furthermore, at the forefront of the development of the Local Plan it must be noted that CYC is setting Green Belt boundaries for the first time. If sufficient land to meet development needs is not allocated within this Plan there is a real risk of increased pressure being put on Council to revise Green Belt boundaries before the end of the Local Plan period, which is not in accordance with the NPPF which seeks to ensure the long term permanence of Green Belt boundaries.

The technical issues previously identified by Officers have been addressed, with further work currently being undertaken by Oakgate/Caddick Groups, and it has been demonstrated that the site is suitable (with the proposed mitigation measures) to accommodate a business park site. Oakgate/Caddick Groups would welcome the opportunity to discuss the technical work with the Council's Officers in due course.

We trust this representation provides the Council will a sound understanding of the benefits of allocating land to the east of the Designer Outlet as a business park site within the Local Plan, and confidence that the site is entirely suitable. Oakgate/Caddick Groups is committed to working with the Council to ensure that an allocation within the Local Plan can be delivered within an entirely appropriate manner and would welcome a dialogue with the Council to discuss the information submitted as part of this representation.

Yours sincerely



**Emma Jones**  
**Associate**

**Email: [emma.jones@howplanning.com](mailto:emma.jones@howplanning.com)**

Encl:

- Appendix 1: Site Location Plan
- Appendix 2: New business park in York Final Report
- Appendix 3: Naburn Economic Case Update
- Appendix 4: Naburn Business Park York Heritage Settings Assessment
- Appendix 5: Landscape and Visual Briefing Note
- Appendix 6: Masterplan
- Appendix 7: Strategic Access and Connectivity
- Appendix 8: Sustainability Appraisal

# 1. Addendum to Naburn Business Park Economic Case

## Purpose of Addendum

- 1.1 The purpose of this addendum is to support a planning application for a new business park at Naburn. This addendum should be read in conjunction with our original report and takes in to account changes to the Local Plan and underpinning evidence base.

## Background

- 1.2 In 201, Regeneris Consulting was appointed by Oakgate Group plc to review the case for the development of a new business park on land to the south of York just off the A64 and adjacent to the York Designer Outlet Centre. This was intended to inform discussions between Oakgate plc and the City of York Council about potential site allocations in the new Local Plan.
- 1.3 In February 2018, the City of York Council (COYC) published its Publication Draft of the Local Plan (hereafter referred to as the Draft Local Plan). This included some changes to the assessed quantity of employment land that COYC will need to ensure is available between 2017 and 2032 and changes to the sites allocated for future development to meet this need.

## Employment Land Policies in Draft Local Plan

### Demand for Office Space/Land

- 1.4 Policy SS1 of the Draft Local Plan states the aim of providing “*sufficient land to accommodate an annual provision of around 650 new jobs that will support sustainable economic growth*”. This is a lower rate of jobs growth than was previously assumed in the 2013 Preferred Options Local Plan (800 per year).
- 1.5 Despite this, the total amount of office floorspace (B1a) required to meet this jobs growth has increased significantly. Table 4.1 in the Draft Local Plan identifies the need to deliver a total of 107,000 sq m of B1a space (13.8 Ha), compared to 44,600 sq m in the Preferred Options Plan. This need for office floorspace is based on calculations in the 2016 Employment Land Review (ELR) and the 2017 ELR update.
- 1.6 These ELRs provide a number of explanations for why the need for B1a space has increased significantly from the Preferred Options Plan:
- the 107,000 sq m is based on the forecast need over a 21 year time period (2017 to 2038)<sup>1</sup>, while the previous estimate of 44,600 sq m was based on an 18 year period (2012-2030).
  - Although the overall rate of jobs growth is lower in the Draft Local Plan than previous estimates, the forecast growth rate of a number of office based sectors is higher than previous estimates and it is this that drives the need for extra office space. This includes ICT, professional, scientific and technical activities and real estate sectors.

<sup>1</sup> Although the Local Plan period is based on the period 2017 to 2032/33, the plan allows for a five year period after the end of the plan to “provide a degree of permanency for the Green Belt”

- The new estimate includes an upward adjustment of 34,500 sq m of B1a office space to replace the space which has been lost between 2012 and 2017 (mainly due to office to residential conversions).
  - The new estimate has also added a buffer for delays in sites coming forward (an additional two years supply<sup>2</sup>) which was not included in the estimates of need in the Preferred Options Plan.
- 1.7 Whilst the target for delivery of office space is larger than before, we consider that it represents a sound assessment of need and is consistent with COYC's growth aspirations for the City and therefore provides a sound basis for planning. We also agree with the upward adjustments which have been made, which are consistent with the approach taken in ELRs in other parts of the country.

## Supply of Employment Land

- 1.8 Policy EC1 identifies the sites which it is proposed are allocated to meet future demand for office space (and other uses). The strategic sites are set out in Table 1.1. The only site which is allocated specifically for B1a development is York Central, which it is suggested can accommodate 100,000 sq m of office space (up from 80,000 sq m in the Preferred Options paper and 61,000 sq m in the Pre-Publication Draft published in 2017). It is not clear how why the estimated capacity of this site has fluctuated so much in various iterations of the plan.
- 1.9 Northminster Business Park may also be able to accommodate some B1a space, however the main focus of development at this site appears to be industrial uses, with the Local Plan only stating that it "*may be suitable for an element*" of B1a.

**Table 1.1 Strategic Sites Allocated in Draft Local Plan**

Site	Size	Suitable Employment Uses
ST5: York Central	100,000 sq m/3.33ha	B1a
ST19: Northminster Business Park	49,500 sq m/15ha	B1c, B2 and B8. May also be suitable for an element of B1a
ST27: University of York	21,500 sq m/21.5ha	B1b knowledge based activities including research-led science park uses
ST26: South of Elvington Airfield Business Park	25,080 sq m/7.6ha	B1b, B1c, B2 and B8
ST37: Whitehall Grange, Autohorn, Wiggington Rd	33,330 sq m/10.1ha	B8

Source: City of York Council (2018): Publication Draft of the Local Plan

- 1.10 In addition to these strategic sites, the Draft Local Plan also identifies a series of other smaller employment sites (see Table 1.2). The only site which could definitely accommodate B1a is Annamine Nurseries, a one hectare site which has also been allocated for industrial uses. The Poppleton Garden Centre may also include an element of B1a, but again is likely to be mainly for industrial uses.
- 1.11 There may also be scope to provide additional space on infill sites in York city centre, although it is unclear how much additional space this could provide.

<sup>2</sup> In practice this is a fairly modest buffer over a 22 year period (less than 10%)

**Table 1.2 Other sites allocated for employment uses**

E8: Wheldrake Industrial Estate	1,485 sq m/0.45ha	B1b, B1c, B2 and B8
E9: Elvington Industrial Estate	3,300 sq m/1ha	B1b, B1c, B2 and B8
E10: Chessingham Park, Dunnington	792 sq m/0.24ha	B1c, B2 and B8
E11: Annamine Nurseries, Jockey Lane	3,300 sq m/1ha	B1a, B1c, B2 and B8
E16: Poppleton Garden Centre	9,240 sq m/2.8ha	B1c, B2 and B8. May also be suitable for an element of B1a
E18: Towthorpe Lines, Strensall	13,200 sq m/4ha	B1c, B2 and B8 uses

Source: City of York Council (2017): Pre-Publication Draft of the Local Plan

1.12 To assess whether this supply of land and mix of sites is likely to meet the updated assessed needs of York’s economy over the plan period, we have sought to answer three questions:

- Has a sufficient quantity of employment land been identified to meet the forecast need for B1a space (107,000 sq m)?
- Do the allocated sites meet market requirements and offer enough choice to potential investors?
- What are the likely timescales for delivery of the sites and will there be sufficient supply of employment land to meet demand in the short, medium and long term?

**Has a sufficient quantity of land been identified?**

1.13 Based on the evidence above, we cannot say definitively how much land has been allocated for B1a development in York, or how much office space this could support. However, based on the assumption that the Northminster Business Park site will be able to accommodate around 7,000 sq m of B1a floorspace, it seems likely that the proposed supply of employment land will **just be sufficient to meet the forecast demand for 107,000 sq m of B1a space** between 2017 and 2038. This is because the capacity at York Central has increased significantly from the earlier iterations of the plan.

**Do the allocated sites meet market requirements and offer enough choice to potential investors?**

1.14 Although the allocated sites have changed since our previous report it remains the case that potential investors looking for B1a accommodation will have a choice of just two large sites (York Central and Northminster Business Park). There is also a question over exactly how much B1a space will be available at Northminster Business Park, where the Draft Local Plan indicates the main focus will be on industrial development.

1.15 As we stated in our original report, it is important that areas provide a balanced portfolio of sites to reflect the needs of different markets and occupiers (who will have differing locational drivers). Whilst York Central will be a highly desirable location for many office occupiers, it will not suit the needs of those sectors with a higher dependency on car-borne occupiers who need quick access to the road network (either for commuting or for business reasons). Other types of occupiers may also prefer a campus style business park environment to a city centre location for reasons of security or privacy eg headquarters of

large businesses, defence organisations and data centres. Finally, given that York Central is likely to command high rental values, it may not suit the needs of small to medium enterprises which are more cost sensitive and tend to look for affordable and flexible premises.

**1.16 Therefore the continued reliance on York Central means there would be insufficient choice for investors.**

1.17 The market attractiveness of sites has been assessed through the application of a simple scoring framework used in the 2016 ELR and then the 2017 Update. This considers five criteria and attaches different weights to each based on the importance of these factors to B1 occupiers (based on the judgment of the ELR authors). These criteria and weighting are as follows:

- Travel time to motorway x1
- Travel time to York railway station (& city centre) x3
- Agglomeration with other businesses x2
- Size of site x2
- Assessment of current demand x2
- Proximity to research and knowledge assets x 2

1.18 The scores given to each of the sites allocated for B1a office space (including those with an element of B1a) are shown in Table 1.3. We have also included the scores for the Designer Outlet (which we assume to be the Naburn Business Park site). Naburn scores higher than both of the two smaller sites (Poppleton Garden Centre and Annamine Nurseries) but lower than York Central and Northminster Business Park.

1.19 York Central scores particularly high because of its city centre location and proximity to the railway station. As we stated in our original report, this is a highly attractive and sustainable location for B1a development which will be in high demand once developed. The key issue with this site is the timescales for delivery (see below).

1.20 The main difference between Northminster Business Park and the Designer Outlet is in the scores for agglomeration and the travel time to York railway station. In both cases, we believe there are flaws in the design of the scoring framework itself or in how the scores have been applied.

	Travel time to motorway	Travel time to rail station	Agglomeration	Size of site	Current demand	Proximity to R&D assets	Score for B1
York Central	1	15	8	10	6	4	44
Northminster	3	6	10	6	8	2	35
Designer Outlet (Naburn)	3	3	4	8	6	4	28
Poppleton Garden Centre	3	6	8	4	4	2	27
Annamine Nurseries	2	3	4	2	2	4	17

- 1.21 **We believe agglomeration of businesses is an unsuitable criteria for assessing the market appeal of a site, particularly in the way it has been defined in the 2016 ELR.**
- 1.22 Agglomeration effects refer to the productivity benefits that come when firms and people locate near one another eg to be closer to suppliers or customers or so that they can more easily attract or recruit workers. These effects help to explain why cities form and why certain industries tend to cluster together. However, the presence of a number of firms being located in close proximity is not sufficient for agglomeration benefits to occur, nor is it likely to be a key factor influencing most businesses' location decisions. The exceptions to this may be on business parks which have a specific industry focus (such as science parks) where businesses and workers work in similar fields so are more likely to form relationships and have an incentive to locate in close proximity to each other (commonly referred to as clustering rather than agglomeration, which tends to refer to towns and cities).
- 1.23 This is not what is being assessed in the ELRs, where sites can gain a score of 6 (after weighting) if there are "*several businesses present in the area within 5 minutes walking distance*" and will be awarded higher scores if a number of these businesses are "*high value*" (where high value can refer to any sector with median wages above the national average). There is no consideration of which sectors are located on sites or whether the businesses are working in related fields, which is where agglomeration benefits might arise.
- 1.24 This criteria is therefore flawed and, because of its double weighting, skews the results in favour of those sites which already have a number of businesses in the local area, even though there is no evidence this will increase the appeal of the site to new occupiers. In addition to the Northminster site, South of Airfield Business Park and Elvington Industrial Estate also achieve relatively high score from the ELR assessment and have been allocated for development. The latter two sites are particularly inaccessible from the strategic road network or public transport and have weak evidence of business demand but have been allocated for development because of a high score for agglomeration.
- 1.25 **The inclusion of the criterion for travel time to railway station is justified, however we disagree with the relative scores given to Northminster Business Park and Naburn (Designer Outlet).** According to our estimates (based on drivetime modelling in Google maps) both sites can be accessed from York Railway Station in under 20 minutes (both around 16-17 mins) and should both receive a score of six (after weighting). Yet Northminster achieves a score of 6 while Naburn receives a score of 3.
- 1.26 **Based on the above, if the two sites were both given a score of 6 and the agglomeration criteria was removed, Naburn Business Park would score higher than Northminster and would emerge as one of the most attractive sites for B1a development.**
- 1.27 We believe there are a number of other flaws with the scoring framework and relative weightings given to different criteria. These are set out below:
- **There is no explicit consideration of access to skilled workers:** the types of sectors which occupy B1a space tend to be highly skilled sectors such as ICT and professional services. Access to skilled workers is therefore a key factor influencing the location decisions of these firms. Although this is indirectly referred to in two of the criteria (travel time to motorway and travel time to rail station), this is so important that it should be a criteria in its own right. Our original report showed that Naburn Business Park was very well positioned to draw upon the highly skilled labour markets to the south west of York in the Leeds City Region (although the same could also be said of Northminster)
  - **The weighting of criteria understates the importance of road access to office occupiers:** because of the importance of access to workers, the travel time to the motorway is very important for assessing the market appeal of a site. However this

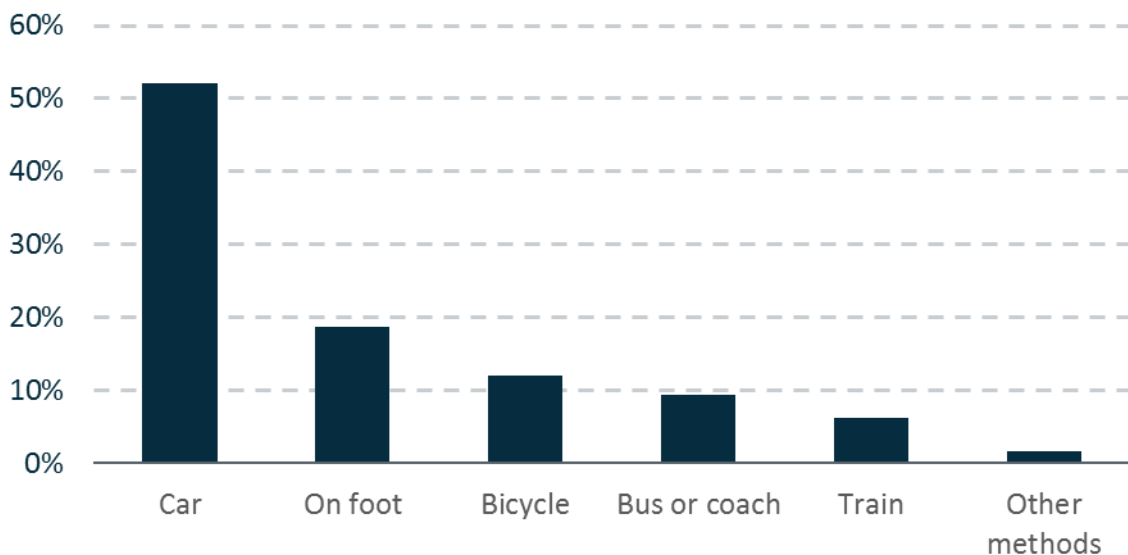


is given the lowest weighting of all the criteria in the scoring framework (x1). Data from the 2011 Census showed that over 50% of commuters working in office based sectors in York still used a car to get to work, compared to only 6% who used a train (see Figure 1.1). We agree that access to a rail station is very important in the context of York and therefore the triple-weighting is fair. However, given the continued importance of cars to a number of office occupiers, we would argue that this criteria should be brought in to line with the other four and be double-weighted.

- Proximity to research and knowledge assets will only be an important locational factor for a small proportion of office occupiers:** Proximity to the University may be an important consideration for some businesses, particularly those in science based and R&D intensive industries such as bioscience. However this is likely to be of minor importance to the majority of office based businesses, who work in sectors such as public admin, ICT and professional services. This is also given a double weighting despite the fact it will only be important for a minority of businesses.
- There is no consideration of access to amenities or the quality of the local environment:** our original report showed that local amenities (shops, cafes, restaurants), a landscaped environment and public transport connections can all enhance the appeal of a site for office uses, particularly for business parks. The scoring framework should therefore assess the potential to create a high quality office environment.

**1.28** As stated in our original report, Naburn site exhibits all of the locational advantages described above and in paragraphs 4.4 to 4.8 of our original report and has high potential to create a campus style business park development. **We therefore conclude it should receive a much higher score for market attractiveness and should be allocated to address the shortfall of B1a space.**

Figure 1.1 Method of Travel to Work for Commuters Working in Office Based Sectors



Source 2011 Census

Note: Office based sectors defined as ICT, financial services, professional, scientific and technical activities and admin and support service activities

## Will there be sufficient supply of employment land to meet demand in the short, medium and long term?

- 1.29 It is common practice for ELRs to assess the likelihood that sites will come forward, the nature of any barriers which need to be overcome and the implications for timescales for delivery. This is not considered in either the 2016 ELR or the 2017 update.
- 1.30 This is particularly important given the continued reliance on York Central to deliver the majority of B1a office space, which could take many years to complete. Our original report noted a number of concerns about the deliverability of this site (see paragraph 7.11) which are all still relevant. At the time the report was published, the Council had indicated that site works would commence in 2017 however this has not been the case.
- 1.31 The York Central Partnership submitted an application for planning permission in August 2018 which should be determined at Planning Committee in early 2019. A reserved matters application for the first phase of infrastructure should then follow. However the timescales for delivery of development are still highly uncertain and there are a number of potential obstacles to new development coming forward. In particular, Highways England has expressed doubts about the traffic management and impact on the wider city, and has ordered that a planning decision be postponed until its concerns on transport infrastructure are answered.
- 1.32 We are not aware of the timescales for delivery of new B1a office space at other sites such as Northminster Business Park. Although we note that paragraph 73 of the Local Plan Working Group raised concerns about traffic: *“Initial transport modelling of potential residential and employment sites has shown that increased queues and delays are being forecast in the Poppleton area, exacerbated by the potential level of development projected for that area, including potential employment sites at Northminster Business Park (ST19), Land to the North of Northminster Business Park and the former Poppleton Garden Centre”*. This suggests there may be some delays in bringing forward new development in this location.
- 1.33 Recent trends show a dwindling supply of office space across the city (see below). This means that the city is facing a potential shortage of B1a office space in the short term which could act as a barrier to growth.
- 1.34 **It is therefore unlikely that the identified sites will meet demand for B1a office space in the short to medium term (particularly York Central). This means there is a risk of York losing out on potential investment in the next five or ten years if it does not have an “oven ready” product for occupiers.**

## Recent office market trends

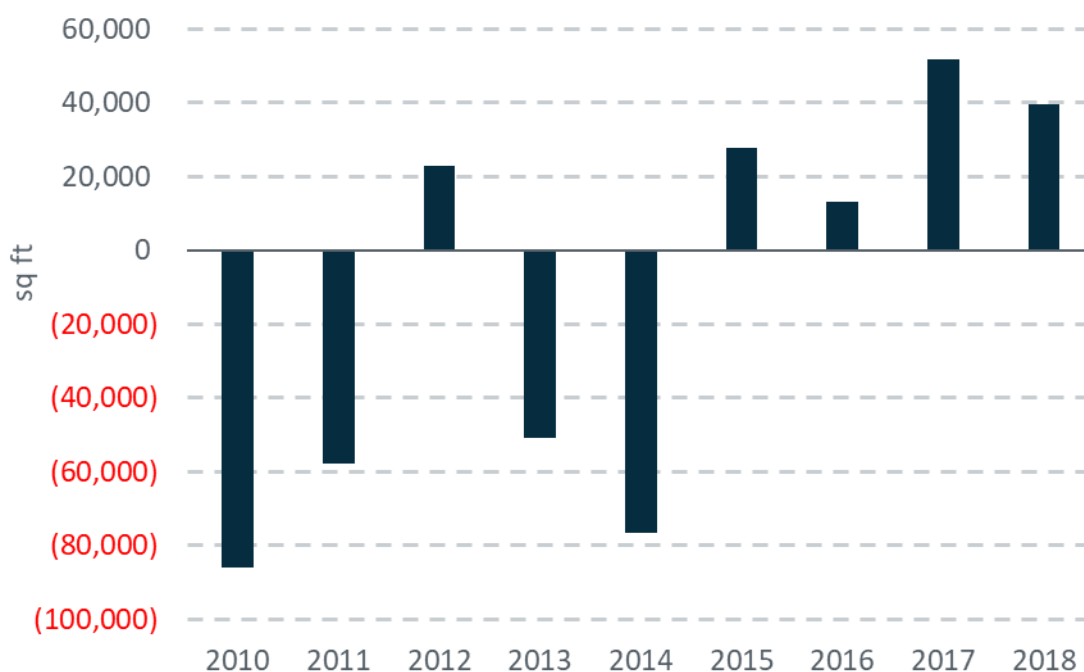
---

- 1.35 Figure 1.2 shows recent trends in net take-up<sup>3</sup> of office space in York. It suggests demand was subdued for a long time period from 2010 to 2014. Since 2015 there is some evidence of an increase in demand, with net take-up of over 150,000 sq ft (14,000 sq m) of office space. Notable recent deals include BHP Chartered Accountants which took 40,000 sq ft of office space at Moorside (Monks Cross) and the Tees Esk Valley NHS Trust which took 19,000 sq ft at Huntington House on Jockey Lane.
- 1.36 These recent trends were borne out by local agents Lawrence Hannah (who handle around half of office deals in York including both of the above). They reported they had seen an increase in the number of enquiries and deals in the last three or four years, due to

<sup>3</sup> This measures the net change in occupied space over a given period of time, calculated by summing all the positive changes in occupancy (move ins) and subtracting all the negative changes in occupancy (move outs).

improving business confidence and investment from rail engineering businesses (a key sector in York) due to increased infrastructure spending by Government.

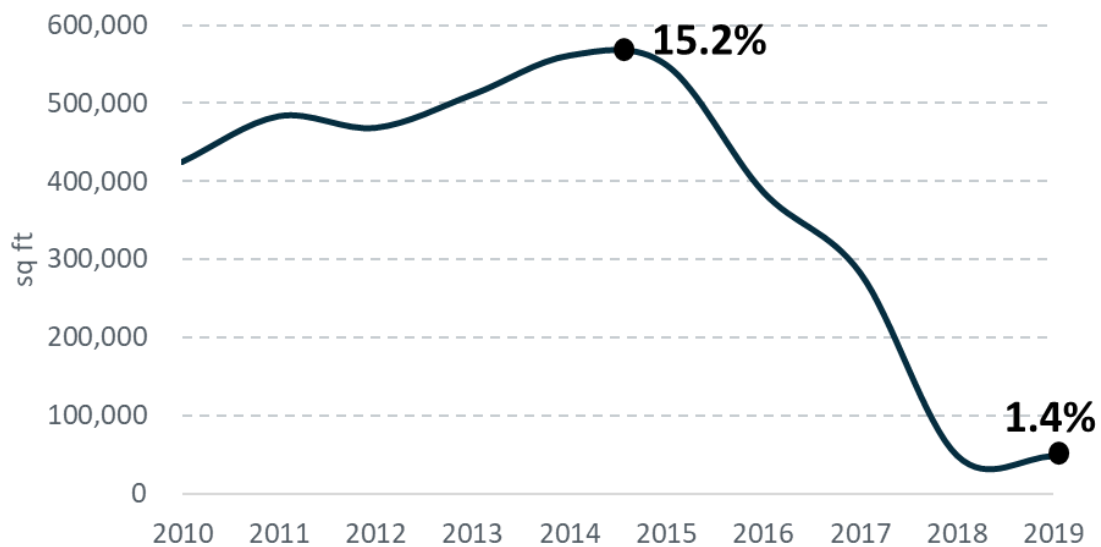
Figure 1.2 Net take-up of office space in York, 2010-2018



Source CoStar

- 1.37 Since 2014 there has been a sharp fall in the amount of vacant office space in York. There is currently just 50,000 sq ft (5,000 sq m) of space available, representing a vacancy rate of 1.4%. The drop is explained in part by an increase in net take-up since 2015 but also by the loss of large amounts of office space which has been converted to residential uses under permitted development rights (which is why we agree it is sensible for the Local Plan to address this loss of existing stock).
- 1.38 There is therefore very limited space available either in York city centre or in the outer business parks. This position has deteriorated since our original report and means there is a significant danger of losing investment in the short term.
- 1.39 Lawrence Hannah agents confirmed that they no longer have any office premises on their books and that there are no longer any premises offering over 10,000 sq ft of space across the whole of York. This means none of the larger requirements for space can currently be satisfied, which means York risks losing out on investment to other areas in the short to medium term. There was some anecdotal evidence that this is already happening.

Figure 1.3 Vacancy rate of office space in York, 2010-2019



Source CoStar

## Conclusions

1.40 There is a strong economic case for new business park development at Naburn on the following grounds:

- **Naburn Business Park would provide a genuine range of choice for office occupiers**, which reflects the fact that city centre space at York Central will not meet the needs of all occupiers, particularly cost sensitive SMEs and businesses that need good access to the road network.
- **Naburn Business Park would be attractive to the market**, being well located for the road network and accessing a skilled workforce, and capable of providing a high quality business park environment. A fair and objective assessment of Naburn would find that it is just as attractive to the market as Northminster Business Park.
- **Naburn Business Park could help to address the short to medium term shortfall of supply caused by the likely long delays at York Central**. Recent market evidence shows available supply has fallen even further since our original report, meaning there is a major risk of investment being lost to York unless new sites come forward.

[Redacted]

**From:** Ken Guest [Redacted]  
**Sent:** 19 July 2019 13:49  
**To:** localplan@york.gov.uk  
**Subject:** Submissions in respect of Local Plan Modifications Consultation  
**Attachments:** Local Plan Modification - The Stables SP-1.pdf; Local Plan Modification - Land west of Elvington ST-15.pdf; Local Plan Modification - Elvington TP1 Annex 5.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Local Plan Representative

**My ref ID666**

Find attached 3 submissions in respect of the current Local Plan Modifications consultation.

Please send me confirmation of receipt by return email.

Many thanks

Ken Guest

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

## Local Plan Modifications Consultation

### Comments and Objections to proposed Travelling Showpersons site (3 plots) at **The Stables, Elvington - Topic Paper 1, Annex 5, Site Ref: SP1**

In conjunction with this submission, please read through my extensive Local Plan consultation submission (dated October 2017) relating to this site. In addition, I now have the following comments in respect of the recently proposed 'modifications' to the Local Plan.

In its blatant favouritist efforts to comply with the desires of members belonging to the travelling community, CYC is now proposing to remove The Stables paddock from the Green Belt presumably in order to reduce or eliminate the associated planning constraints of inappropriateness and encroachment etc. that have led to the 5 time previous refusals of planning permission to grant this site use as a single permanent Travelling Showperson's plot (more recently requested extended to permit 3 permanent plots on the site).

In doing so, CYC are electing to:

- Totally ignore the 2011 ruling by your Planning Inspector colleague ■■■■■ who only permitted 5 years Temporary use of the site (as a single TSP plot) in order to afford CYC 'ample time' to identify an '**alternative appropriate**' plot ..... not the very same plot. N.B. CYC Planning extended that Temporary Permission by an additional 4 years in 2016 to give time to include it in the Local Plan.
- Totally ignore every aspect of National Planning Policy in relation to Travelling Showpersons plots ... including the fact that defined 'Mixed Use' TSP Plots should not be permitted as Rural Exception/Inset sites (irrespective of Green Belt status) and should be restricted solely to Brown Field locations. Following the last round of consultations I distinctly recall CYC publicly celebrating the fact that they had identified 'in excess of 100 hectares of Brown Field land for re-development'. How then can they possibly justify removing this land from the Green Belt in order to accommodate such inappropriate TSP plots?

- Totally disregard the numerous (hundreds) objections from local residents, our Local Councillor, Parish Council, Elvington's own planning group (Keep Elvington Rural) and our MP.
- Ignore the fact that in the pre-Local Plan Site Assessment Exercise (conducted by an independent contractor), The Stables site scored well below the minimum required to even qualify for inclusion in the Local Plan. That document has been well hidden away by CYC.
- Remove The Stables paddock from the Green Belt purely in response to previous (failed) Planning Applications submitted by members of the Travelling community. I believe such behaviour is against NPP ... especially where Very Special Circumstances have been ruled out. Members of the settled community would most certainly not have received this special treatment and hence CYC are behaving in an extremely positive discriminatory fashion towards the TSP applicants.
- Overlook the fact that the TSP family in temporary residence have continuously breached their conditions of residency, have introduced an enormous number of additional trailers, caravans, fairground equipment (including HGV wagons together with large HGV size trailers) and a very large chalet style park home where they live year round. They do not 'travel' anywhere. The total volume of equipment on site today (most of which never leaves the site and is therefore not in commercial use) is many times greater than was permitted by the Planning Inspector in his 2011 ruling. And the greater area of the Stable paddock is untended, covered in weeds and with no form of effective screening from adjacent homes.
- Over-ride their widely stated commitment to protect the Green Belt against all inappropriate development ..... or does that not apply to requests received from members of the travelling community ?
- Ignore the fact that The Stables site not only lies within the Green Belt but falls within the central zone of the Elvington > Heslington nature corridor (the Tillmire).

All the foregoing considerations clearly demonstrate that The Stables green field paddock should not be extracted from the Green Belt and should certainly not be given over to use as a permanent TSP plot (or plots). Even as a single temporary TSP plot it is incongruous in every respect with adjacent homes and the surrounding land. The site is immediately adjacent to 5 Green Belt properties whose residents take great pride in their homes and gardens which are all well-tended compared to the complete eye-sore that is the current temporary TSP



plot which continues to regularly expand with the introduction of more and more seemingly redundant equipment apparently destined for long-term storage on this site..... see photo. A site which clearly destroys the openness and visual amenity across the Green Belt.

So, Mr/Mrs/Ms Planning Inspector, my neighbours and I are counting on you to apply National Planning Policy to this site proposal. Please do not allow CYC to remove this site from the Green Belt and allocate it for use as a permanent TSP plot or plots. They must instead identify an appropriate tranche of Brown Field land as per NPP Guidelines and as previously instructed by the Planning Inspector back in 2011. Taking land such as this out of the Green Belt simply to satisfy the wishes and demands of travellers could help to set an undesirable precedent.

Note that CYC have very recently refused Planning Permission on Green Belt issues to a couple of proposed developments within 500 metres of The Stables site. Additionally, they imposed very tight Green Belt restrictions to the design and specifications of a new house build just 200m away from ,and in a virtually identical setting to, The Stables. And yet now it seems they are in favour of permitting a totally incongruous TSP site development in an almost identical and virtually adjacent location. And doesn't the large caravan/chalet home blend in seamlessly with the local architecture of other (somewhat older)



properties here at Brinkworth Estate ? Someone in CYC needs to explain these inconsistencies of policy.



Addendum:

Notwithstanding my absolute opposition to the contrived proposed modification of the Local Plan by CYC to remove The Stables Site from The Green Belt and allocate its use for Travelling Showpersons Plots; should that proposal be approved then I, as the 'willing owner' of house and land (The Old Coach House, Brinkworth Hall) immediately adjacent to The Stables site hereby request equal treatment of my property such that my land and house are also removed from the Green Belt. To effectively treat the same request on two adjacent pieces of land differently would surely constitute clear discrimination against a member of the settled community whilst applying special treatment to members of the travelling community. I believe that Planning Law states that 'fair and equal treatment' must be applied to all members of the community.

K Guest

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Local Plan Modifications Consultation

### Comments and Objections to proposed Topic Paper 1

#### PM9 & PM10 Policy SS13 - Land West of Elvington Lane, Site Ref ST15

Under this Local Plan Modification it is accepted that CYC are attempting to make some provision to preserve the Elvington > Heslington 'Tillmire' Nature Corridor.

However, the modified Plan shows that the proposed housing development ST-15 still encroaches right across the Elvington Airfield Runway thereby destroying it completely.

I and many other residents of Elvington, nearby villages (and indeed the whole of York) **consider this proposal to be an act of large scale vandalism and those currently responsible for the CYC Local Plan must not be allowed to get away with it.**

The Elvington Airstrip is a well-preserved remnant of the Cold War era which is impossible to replace. It should rightly be protected under National Heritage status .... not simply destroyed for the sake of a few cheap houses.

The runway is well-used for diverse events attracting visitors from near and far. It therefore contributes to the facilities and tourist income of York.

The runway **MUST BE PRESERVED** for the benefit of future generations.

K Guest

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## **Local Plan Modifications Consultation**

### **Comments and Objections to proposed Topic Paper 1, Section 8, Annex 5**

#### **Plan Modifications affecting Elvington Village in general**

Dear Planning Inspector(s)

I hope that you are able to give some consideration to the following general comments relating to the development of the CYC Local Plan and its impact on Elvington Village.

As you are aware, over the past 4 -5 years we have had the same number of consultation rounds in respect of the Local Plan with the ever-changing City of York Council. Elvington Village has an active Parish Council which concerns itself in all local planning matters but in addition local residents formed a dedicated village planning group (Keep Elvington Rural) to specifically address proposals and responses to the ongoing Local Plan development. This group has promoted interest in the Local Plan to our villagers and sought to build a consensus of how best Elvington could be developed to meet future growth requirements under planning guidelines. We have acted reasonably and responsibly and not as a NIMBY group. We have readily accepted localised business activity expansion and development on the 2 main industrial estates and an appropriate increase in the nature and number of homes needed to be built in the village.

Our comments and suggestions have been submitted on each round of the Local Plan consultations and (with perhaps some minor acknowledgement) have otherwise been absolutely and totally ignored by CYC. We have not received one single reasoned response to any of our submissions ..... a fact also true for all personal submissions. As far as we are concerned, the Local Plan development has not been a consultative process with members of the community ..... it has simply been imposed upon us by the Local Plan team in CYC. I'm sure that you would find the same to be true for all other areas of York, This is why the Local Plan was rejected and why you have been sent in to appraise the final version.

The latest 'Plan Modification' consultation exercise was rather unexpected and was promoted as a selection of relatively minor changes to the previous version. Imagine our surprise then when we looked into the multi-layered document only to discover that one of the minor proposed changes was to take our entire village out of the Green Belt. No big deal eh ? The reasoning is not clear but appears to hinge on the degree of openness in the more populated southern area. It's interesting to note that the accompanying CYC map shows Elvington village stretching from the River Derwent in the south up to and including the primary school ..... most of which admittedly does not demonstrate a high degree of openness. However, the northern boundary of Elvington Village is actually located north of the turn-off to the

Air Museum. This northern half of the village encompasses both industrial estates together with the Air Museum, the health centre and sports club and a fair number of other properties. If one adds the two parts of the village together then it would show a great deal of openness ..... perhaps even more than Knapton Village which has now been included within the Green Belt based on its degree of openness.

Historically the whole of Elvington has always been treated as Green Belt as demonstrated by all previous planning applications. The reasoning given by CYC to now change the lower half of the village to have 'insert village' status is totally inadequate and somewhat puzzling. As yet we do not know what the full implications might be of such a re-designation but it almost certainly will expose the village to a lower level of future development protection that would be afforded by Green Belt status.

Interestingly, and at the travellers very own request, CYC have further proposed to categorise The Stables site (Ref SP1) as an 'Elvington Village Extension' and to remove what is clearly a rural Green Belt paddock from the Green Belt in an attempt to justify its proposed use as a Travelling Showpersons site ..... regardless of the fact that, under National Planning Policy, such 'mixed use' TSP plots should only ever be permitted on Brown Field land. So considerate of CYC to endorse a travellers truck, trailer, caravan and equipment storage yard immediately adjacent to 5 residential properties in the Green Belt. Fantastic planning! And additionally, the nearby proposed ST-15 'Garden Town' site in its current configuration will necessitate the gross vandalism and destruction of the historically important Elvington Airfield Runway.

It seems to me that Elvington is being given 'very special treatment' all round by CYC in their newly 'modified' version of the Local Plan. Their degree of incompetence is clear to see and hence responsibility for the York Local Plan needs to be removed from their hands and handed over to professionals at the Planning Inspectorate in order to ensure compliance with National Planning Policy.

York is quite possibly the most historic city in the whole of the UK and it deserves to be treated with great respect. It is imperative to retain the city's ancient character and to defend its Green Belt against all inappropriate developments.

Thank you for your consideration of this submission.

K Guest

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 09:56  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122806
- Date submitted: 20/07/2019
- Time submitted: 09:56:03

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Mr Simon Lock

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

Which proposed modification or new evidence document are you commenting on?

Proposed modification reference (PM1 to PM46): PM40

Document: Topic Paper 1 Addendum - Annex 4 - Urban Areas within the General Extent

Page number: 17

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

I don't believe the Local Plan to be legally compliant or in compliance with the Duty to Cooperate. The Elvington Parish Council have not been included sufficiently and their views not been considered when the recommendation in Topic Paper 1 Addendum - Annex 4 - Urban Areas within the General Extent 'not to keep this land permanently open but to inset it within the Green Belt' has been taken.

I believe this whole process to be one of obfuscation. CYC have made the ability of local residents to make their views clear and have answers to their questions responded to, as difficult as possible. CYC deliberately make sourcing information difficult to find and place barriers upon responses such as imposing 10 minute time outs when inputting data.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

Please give reasons for your answer(s):

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

Not positively prepared, Not justified, Not effective, Not consistent with national policy

Please give reasons for your answer(s):

Over the past few years for each of the observations I have made there has been a wall of silence in response. A simple question such as have all the possible brown field sites been assessed and discounted for genuine reasons before taking land out of Green Belt is considered. I have raised this numerous times in the past but if the answer has been provided it is done so in such a way that it is difficult to find.

---

**Your comments - necessary changes**

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

Speak with our local Elvington Parish Council. Consider the views of local residents through that council. CYC complain when central Government 'impose' things upon them. By not consulting with our Parish Council, CYC are doing exactly the same.

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

Yes, I wish to participate

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

Because I am not confident that my views and the views of many other local residents are not being supplied to the Inspector by CYC, or if they are, they are being sanitised before submission.

---





**From:** CPRE North Yorkshire [info@cprenorthyorkshire.co.uk]  
**Sent:** 17 July 2019 14:38  
**To:** localplan@york.gov.uk  
**Subject:** CYC Local Plan consultation  
**Attachments:** PM\_Consultation\_Response\_Form\_2019 CPRENY 1.pdf;  
PM\_Consultation\_Response\_Form\_2019\_CPRENY 2.pdf

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir,

Please find attached 2 completed response forms on behalf of CPRENorthYorkshire in relation to the Proposed Modifications to the Local Plan. These are to be read alongside previous comments.

CPRENorthYorkshire welcome the reduced OAN for the York area although in general still have some concerns in relation to delivery in relation to historic build out rates. We are fully supportive of the minor GB amendments which we see as aspects of clarification. Our responses are limited to those issues of most pertinence to the charity, those PMs which we have not specifically commented upon, CPRENorthYorkshire are supportive of in general.

Many thanks

**You can help us to save rural North Yorkshire from as little as £3 per month.**

Yours Sincerely

**Fran Evans**

Administrator of CPRE North Yorkshire

[www.cprenorthyorkshire.co.uk](http://www.cprenorthyorkshire.co.uk)

<mailto:info@cprenorthyorkshire.co.uk>

The North Yorkshire Branch of the Campaign to Protect Rural England CIO number 1174989  
President The Lord Crathorne KCVO

07983 088120

PO Box 189, York, YO7 9BL

CONFIDENTIALITY NOTICE: This message is from CPRENorthYorkshire CIO and may contain confidential charity information. It is intended solely for the use of the individual to whom it is addressed. If you are not the intended recipient please contact the sender and delete this message and any attachment from your system. Unauthorized publication, use, dissemination, forwarding, printing or copying of this E-Mail and its attachments is strictly prohibited.

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors to consider your representations you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mrs
First Name	Stuart	Katie
Last Name	White	Atkinson
Organisation (where relevant)	CPRENorthYorkshire	KVA Planning Consultancy
Representing (if applicable)		CPRENorthYorkshire
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 Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



### 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM 29-41

Document:

Topic Paper 1 and appendices and Proposed Modifications Schedule

Page Number:

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

#### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

#### 4.(2) Do you consider that the Local Plan 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

CPRENorthYorkshire welcomes the revised Green Belt boundaries and additional supporting text to corresponding policies and policy maps. The minor revisions all provide greater clarity for all potential readers of the Local Plan.

Furthermore, CPRENorthYorkshire strongly supports the inclusion of Knapton as a 'washed over' village within the Local Plan

6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

7. If your representation is seeking a change at question 6.(1);

7.(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

x

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspectors 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 Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

[Redacted Signature]

Date

16<sup>th</sup> July 2019

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors to consider your representations you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mrs
First Name	Stuart	Katie
Last Name	White	Atkinson
Organisation (where relevant)	CPRENorthYorkshire	KVA Planning Consultancy
Representing (if applicable)		CPRENorthYorkshire
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 Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 Inspectors 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM3

Document:

Schedule of Modifications

Page Number:

9

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

CPRENorthYorkshire welcomes the revised housing requirement as set out by the GL Hearn update. Previously, CPRENorthYorkshire have stated concerns regarding achievability of delivery of a minimum provision of 870 dwellings per annum (dpa) during the life of the plan, based predominantly on historic trends of delivery.

Whilst a lower figure is welcomed, the adjusted figure of 790dpa, is still considered high in comparison to the current build out rate of 575 units pa. Having considered the documents provided with the evidence base, CPRENorthYorkshrie understand the logic behind GL Hearn's update and the requirement for the uplifts to take account of worsening housing market signals and affordability.

This comment relates to all PMs where 790dpa is discussed.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

**7. If your representation is seeking a change at question 6.(1);**

**7.(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

**x**

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspectors 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 Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

[Redacted Signature]

Date

16<sup>th</sup> July 2019



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 10:45  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122622
- Date submitted: 17/07/2019
- Time submitted: 10:45:05

The following is a copy of the details included.

---

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mrs
<i>Forename:</i>	Megan
<i>Surname:</i>	Taylor
<i>Address: building name/number:</i>	[REDACTED]
<i>Address: Street name:</i>	[REDACTED]
<i>Address: Area:</i>	
<i>Address: town/city:</i>	[REDACTED]
<i>Address: postcode:</i>	[REDACTED]

**Question****Response**

*Email address:*

[REDACTED]

*Telephone number:*

[REDACTED]

*Proposed modification reference (PM1 to PM46):*

All

*Document:*

All

*Page number:*

All

*Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:*

Yes, I consider the Local Plan to be legally compliant

*Do you consider the Local Plan to comply with the Duty to Cooperate?:*

Yes, I consider the Local Plan to comply with the Duty to Cooperate

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

The modified Plan has been prepared in line with statutory regulations, the duty to co-operate, and legal procedural requirements.

*Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:*

Yes, I consider the Local Plan to be sound

*Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The document is positively prepared

The modified Plan is considered to be sound but the opportunity should be taken to reduce the suggested number of dwellings on two allocated housing sites at Copmanthorpe (sites ST31 and H29).

*Please give reasons for your answer(s):*

The modified Plan includes recent (January 2019) downward revisions in the Objectively Assessed Housing Need (OAN) from 867 to 790 dwellings each year for the duration of the Plan. This reduced number is welcomed but is still considered too high in light of other authoritative population



## Question

## Response

projections for York which have emerged since the original Plan was submitted in May 2018. In respect of the OAN, it is noted that currently national planning policy is in a state of flux, including the introduction of the new standard method for calculating housing needs.

The reduction in OAN numbers provides the flexibility to reassess the suggested housing densities (contained in Plan Policy H2) on the two allocated sites at Copmanthorpe; ST31 and H29. The Plan sets out indicative estimated housing yields for these two sites as 158 (site ST31), and 88 (site H29). Both sites are greenfield, both are currently in the Green Belt, and both are extension or infill sites within an existing settlement.

Both of the Plan allocated sites are also identified as housing development sites in the emerging Copmanthorpe Neighbourhood Plan although at lower housing yield numbers of 75 (for site ST31) and 60 (for site H29). These numbers reflect the average housing density across Copmanthorpe (a total of approximately 1750 dwellings). Local Plan Policy H2 is an indicative guide only and acknowledges that housing development densities should be informed by the character of the local area.

For these reasons, the maximum number of dwellings permitted on the two Local Plan allocated sites at Copmanthorpe should be 75 (for site ST31) and 60 (for site H29).

The modified Plan is considered to be sound but the opportunity should be taken to reduce the suggested number of dwellings on two allocated housing sites at Copmanthorpe (sites ST31 and H29).

The modified Plan includes recent (January 2019) downward revisions in the Objectively Assessed Housing Need (OAN) from 867 to 790 dwellings each year for the duration of the Plan. This reduced number is welcomed but is still considered too high in light of other authoritative population projections for York which have emerged since the original Plan was submitted in May 2018. In respect of the OAN, it is noted that currently national planning policy is in a state of flux, including the introduction of the new standard method for calculating housing needs.

The reduction in OAN numbers provides the flexibility to reassess the suggested housing densities (contained in Plan Policy H2) on the two allocated sites at Copmanthorpe; ST31 and H29. The Plan sets out indicative estimated housing yields for these two sites as 158 (site ST31), and 88 (site

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

## Question

## Response

H29). Both sites are greenfield, both are currently in the Green Belt, and both are extension or infill sites within an existing settlement.

Both of the Plan allocated sites are also identified as housing development sites in the emerging Copmanthorpe Neighbourhood Plan although at lower housing yield numbers of 75 (for site ST31) and 60 (for site H29). These numbers reflect the average housing density across Copmanthorpe (a total of approximately 1750 dwellings). Local Plan Policy H2 is an indicative guide only and acknowledges that housing development densities should be informed by the character of the local area.

For these reasons, the maximum number of dwellings permitted on the two Local Plan allocated sites at Copmanthorpe should be 75 (for site ST31) and 60 (for site H29).

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

No, I do not wish to participate at the hearing sessions

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

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 23 July 2019 08:55  
**To:** localplan@york.gov.uk  
**Subject:** FW: Objection to proposal PM36 - removal of Little Hob Moor from the Green Belt

[REDACTED]  
[REDACTED]

**City of York Council** | Directorate of Economy and Place  
Strategic Planning

West Offices, Station Rise | York YO1 6GA  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)

---

**From:** Cllr. S. Fenton  
**Sent:** 22 July 2019 23:41  
**To:** [REDACTED]  
**Cc:** Cllr. A. Mason; Cllr. P. Widdowson; Cllr. A. Waller  
**Subject:** Objection to proposal PM36 - removal of Little Hob Moor from the Green Belt

Dear [REDACTED]

Having frustratingly been 'timed out' twice whilst attempting to register my comments on the Local Plan Proposed Modification via the council website, please consider this e-mail to be my formal submission.

I should like to object to Proposed Modification 36, which seeks to remove Little Hob Moor from the Green Belt.

The documentation notes that this area already enjoys some protections, such as Open Space designation, but fails to provide a compelling justification why this area should be afforded less protection than the rest of Micklegate Stray, which would continue to enjoy Green Belt protection. It is regrettable that in 2013 a previous council administration chose to remove Hob Moor from the Green Belt, but I see no reason why Little Hob Moor should receive a similar fate.

Topic Paper 'TP1 Addendum – Annex 3' states that the 'long term strategic permanence of the Green Belt is determined by its ability to endure over the lifetime of the Plan and beyond.' I believe that Little Hob Moor meets this criteria for inclusion in the Green Belt.

Whilst I am content that the Plan is legally compliant and complies with the Duty to Co-operate, I would urge you to reconsider your proposal to remove Little Hob Moor from the Green Belt.

Regards,

Stephen

Cllr Stephen Fenton  
Liberal Democrat councillor for Dringhouses & Woodthorpe  
City of York Council  
tel. 01904 787988 | mob. 07751 963215 | e: [cllr.sfenton@york.gov.uk](mailto:cllr.sfenton@york.gov.uk)

**From:** Kay Prendergast [REDACTED]  
**Sent:** 19 July 2019 16:19  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Proposed Modifications Consultation Response Form and Representations [GATELEY-GW.FID5295268]  
**Attachments:** York Local Plan Proposed Modifications Consultation Response Form and Representations.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

Please see attached City of York Local Plan Proposed Modifications Consultation Response Form and Representations submitted on behalf of Gateway Developments (York) Limited.

Yours faithfully

**Gateley Legal**

[REDACTED]

[REDACTED]

[REDACTED]



The contents of this e-mail are subject to Gateley Legal's disclaimer. [Click here to read our disclaimer.](#)

Visit our website at [www.gateleylegal.com](http://www.gateleylegal.com)

Gateley Legal is the business name of Gateley Plc.  
Gateley Plc is a public limited company incorporated in England and Wales.  
Registered Number: 9310187. Registered Office: One Eleven, Edmund Street, Birmingham B3 2HJ.  
Authorised and regulated by the Solicitors Regulation Authority, SRA number 621996.

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Piatt
Organisation (where relevant)	Gateway Developments (York) Limited	Gateley Legal
Representing (if applicable)		
Address – line 1	c/o Agent	Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		Andrew.Piatt@gateleylegal.com
Telephone Number		0161 836 7724/07802 663593

# Part B -Your Representation

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

### 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

City of York Local Plan

Page Number:

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

#### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

No – because the Plan is not sound, for the reasons set out in the attached representations.

### 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

None of the tests are satisfied



**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

- (i) Increase the OAN to 1070 per annum.
- (ii) Allocate the sites put forward by Gateway Developments (York) Limited

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

To explain and argue the position and challenge the Council's position.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

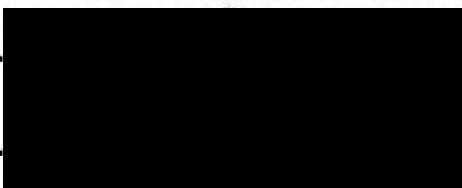
Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date

19/7/19

**REPRESENTATIONS ON BEHALF OF  
GATEWAY DEVELOPMENT (YORK) LIMITED IN RELATION TO THE  
CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS 2019**

1. Gateway Development (York) Limited maintains its representations submitted to the Council on 3<sup>rd</sup> May 2018.
2. **Proposed modification to the housing requirement reducing it to 790 per annum.**
  - 2.1 These representations should be read in conjunction with those earlier representations.
  - 2.2 The Council relies on a Housing Needs Update of January 2019 to provide for a significant reduction in the objectively assessed need to 790 units per annum compared to the previous figure of 867 units per annum. It is not accepted that the Housing Needs Update Report provides a proper basis for a reduction in the objectively assessed need. The approach taken within the Housing Needs Update is fundamentally based upon the 2016 Sub-National Population Projections. Those projections show a reduction in the level of household growth across the country and are essentially relied upon by the City of York for the significant reduction in its objectively assessed need for housing. That approach is entirely inconsistent with the Government's approach for the following reasons.
    - The Government maintains its commitment to significantly boosting the level of housing on a national basis within the National Planning Policy Framework and to delivering 300,000 dwellings per annum. The Government recognises that if reliance is made on the

2016 projections then its policy aspirations are incapable of being achieved.

- The 2016 figures have been prepared by the Office for National Statistics and are based on a much more limited data set than earlier figures. The ONS itself states that household projections are not a prediction or a forecast of how many houses should be built in the future and to rely on the 2016 figures for the purposes of this ONN exercise is a flawed approach.
- The Government's own Planning Practice Guidance sets out how to undertake a housing needs assessment and in particular sets out the standard methodology. The PPG provides that using the 2016 household projections is not considered to be following the standard method because they do not provide an appropriate basis for that use. Rather the PPG requires the 2014 based household projections to be used for the standard methodology. It is recognised that the PPG relates to the standard method but quite clearly set within the context of Government policy in general, the reliance on the 2016 projection is clearly inconsistent with policy and guidance and therefore flawed.
- The record of the City of York in delivering housing and the existence of a large shortfall in housing land supply which will take a number of years to address, such that the City Council still does not have a 5 year housing land supply is relevant to this issue and the need to have a

robust approach to OAN and the level of housing allocations.

- 2.3 Drawing all of these points together it is clear that the reliance upon the 2016 household projections is being incorrectly utilised to impose an artificial constraint on the objectively assessed need for housing in York. The 790 units per year simply will not address the need and the policy should be amended to include a much higher level of minimum annual provision. We note that the HBF supports an annual provision of 1070 new dwellings over the plan period and we would support that figure.

### **3. Greenbelt Topic Paper TP1**

- 3.1 The need to allocate the sites put forward in our original representations in order to help meet objectively assessed housing need in the early years of the plan is maintained. It is not accepted that the approach taken in the Greenbelt Topic Paper to the greenbelt in respect of these sites is valid and we therefore make objection to that also.
- 3.2 The greenbelt assessment in respect of the land of the site proposed for allocation in the vicinity of Sim Balk Lane in proximity to the York College is not accepted. It is not accepted that that land performs any significant function in terms of protecting the special character and setting of the City of York, nor does it have any significant function protecting the countryside. The land in question is clearly seen as part of the urban area of York bounded by Tadcaster Road and the A64 with York College to the North and park and ride commercial uses to the West together with land now being developed for pitches. The area has an urbanised

character and its development would not have any adverse effect upon the purposes of including land within the greenbelt.

- 3.3 Without this area of land the greenbelt would continue to perform its function. The overwhelming need for deliverable housing sites in the early years of the plan combined with the lack of greenbelt and other harm arising from the development of this site means that the exceptional circumstances required to remove it from the general ambit of the greenbelt are demonstrated.

**Andrew Piatt**  
**Gateley Legal**  
**19 July 2019**

**From:** Gen Kenington [REDACTED]  
**Sent:** 22 July 2019 16:10  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Proposed Modifications Consultation Response KCS Chapelfields  
**Attachments:** Local Plan Proposed Modifications July 2019 KCS Chapelfields.pdf;  
Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 KCS  
Chapelfields.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

Please find attached a completed consultation form and formal response to the Local Plan Proposed Modifications.

The response has been made on behalf of KCS Development Ltd in relation to their land interests west of Chapelfields, York.

Please could you acknowledge receipt of the attachments.

Kind regards

**Gen Kenington**

MTP MRTPI  
Associate Director

**Johnson Mowat**

Planning & Development Consultants

Coronet House, Queen Street, Leeds, LS1 2TW

W: [www.johnsonmowat.co.uk](http://www.johnsonmowat.co.uk)

Please consider the environment before printing this email. This email and any files transmitted with it are confidential and may contain privileged information intended solely for the use of the addressee. If you are not the intended recipient you are hereby notified that any dissemination of this communication is strictly prohibited. If you are not the intended recipient, please advise the sender immediately by return email, or contact our office on 0113 887 0120 and delete this message from your system. As this message has been transmitted over a public network Johnson Mowat cannot guarantee its accuracy or completeness. If you suspect that the message may have been intercepted or amended, please contact the sender.

Johnson Mowat, Coronet House, Queen Street, Leeds, West Yorkshire LS1 2TW  
Registered in England Nos: OC407525

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Mark
Last Name		Johnson
Organisation (where relevant)	KCS Development Ltd	Johnson Mowat Planning Limited
Representing (if applicable)		
Address – line 1		Coronet House
Address – line 2		Queen Street
Address – line 3		Leeds
Address – line 4		
Address – line 5		
Postcode		LS1 2TW
E-mail Address		████████████████████
Telephone Number		██████████

Representations must be received by Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM4 and all subsequent PM's relating to the housing requirement reduction.

Document:

- G L Hearn Housing Needs update
- Sustainability Appraisal Report Addendum

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

See attached Statement

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

See attached Statement.

Increase the housing requirement in Policy SS1 to a minimum of 1,070 dwellings per annum in line with the Standard Method Local Housing Need calculation.

Identify additional housing sites and safeguarded land.

Amend the housing trajectory to annualize the undersupply of 512 dwellings over the first 5 years of the plan rather than over the Plan Period.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

To have the opportunity to engage in the debate particularly relating to the housing requirement and housing supply, and present the case in support of land west of Chapelfields.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature



Date

22<sup>nd</sup> July 2019



**JohnsonMowat**  
Planning & Development Consultants



**CITY OF YORK LOCAL PLAN**

**PROPOSED MODIFICATIONS JUNE 2019**

**LAND TO THE WEST OF CHAPELFIELD, KNAPTON**

**On Behalf of KCS Development Ltd**

**July 2019**



## **1.0 Introduction**

- 1.1 This representation should be read alongside previous consultation responses submitted to the Publication Draft Local Plan in March 2018 on behalf of KCS Development Ltd, in relation to their continued land interest at land west of Chapelfields, Knapton, on the western edge of the York urban area. The Publication Draft consultation response (and appendices) included detailed site specific information of the suitability of the site, including information on Green Belt analysis and landscape value. This remains relevant, particularly in the context of the Topic Paper 1 Defining York's Green Belt Addendum.



## 2.0 Housing Requirement

2.1 There are a number of Proposed Modifications which all relate to the Council's decision to reduce the housing requirement, which forms the basis of this consultation exercise. Our comments relating to the housing requirement are therefore relevant to the following Proposed Modifications:

PM3, PM4, PM5, PM20a – PM20d, PM21a – PM21d, PM22, PM44.

2.2 We object to the Council's further reduction to the housing requirement at this late stage, following the submission of the Local Plan. Previous comments submitted to the Publication Draft Local Plan objected to the Council's choice to opt for the lowest possible housing requirement, contrary to advice in the SHMA update at the time.

2.3 The Council's proposed modifications attempt to justify the reduction in the housing requirement from 867 dwellings in the Publication Draft to 790 dwellings based on the updated Housing Needs Update evidence published by G L Hearn in January 2019. It is considered the proposed modifications to reduce the housing requirement are unsound as they fail the 'positively prepared', 'justified', and 'consistent with National Policy' soundness tests. We have significant concerns with the evidence update, which uses the 2016-based population projections, despite Government guidance requiring the continued use of the 2014-based projections, for reasons outlined below.

2.4 The ONS published 2016-based Sub-National Population Projections (SNPP) and Sub-National Household Projections (SNHP) have been used as the starting point by G L Hearn to generate a number of new potential housing need scenarios. We note and support the detailed HBF (July 2019) comments relating to the reasons behind the differences between the 2014-based and 2016-based SNPP and SNHP, and do not repeat them here.

2.5 The concerns with the 2016-based projections have been well documented, with the resultant reduction in the level of household growth across the Country causing concerns in how the Government will fulfil its aspiration to increase housing delivery to 300,000 dwellings per annum by the mid 2020's. The Government have been clear that for the purposes of calculating housing needs assessment under the new guidance in relation to the Standard Method, that the 2016-based projections are **not** to be used. This is now reflected in revisions to PPG, which at Paragraph 005 ID2a-005-20190220 state:





“the 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes.”

2.6 PPG goes on to state at Paragraph 015 Id 2a-015-20190220 that:

“Any method which relies on using the 2016-based household projections will not be considered to be following the standard method... it is not considered that these projections provide an appropriate basis for use in the standard method.”

2.7 The revisions to PPG follow on from the Governments February 2019 response to the technical consultation on updates to NPPF and NPPG which stated:

“The changes to underlying assumptions in the population projections and methodological improvements to the household projections had led to significant variations in housing need at a local level, something that needs addressing in the short term... the Government continues to think that the 2016-based household projections should not be used as a reason to justify lower housing need. We understand respondents’ concerns about not using the latest evidence, but for reasons set out in the consultation document we consider the consultation proposals to be the most appropriate approach in the short-term. We are specifying in planning guidance that using the 2016-based household projections will not be considered to be an exceptional circumstance that justifies identifying minimum need levels lower than those identified by the standard method.”

2.8 We are aware that the Government guidance for the continued use of the 2014-based projections relates to the calculating using the standard method in the updated NPPF, which differs from the City of York Local Plan, which has been submitted and is being examined under the transitional arrangements and against the 2012 NPPF. The housing requirement in the York Local Plan has therefore been calculated using the Objectively Assessed Needs identified through a SHMA. That said, it would logically apply that the Government’s concern with the 2016-based projections would also apply to Authorities calculating housing need under the transitional arrangements and OAN calculations.



- 2.9 The City of York is the only authority in the Yorkshire region whereby housing need calculated using the standard method results in an increased housing need compared with the current local assessment. The first Standard Method published on 14<sup>th</sup> September 2017 resulted in an indicative annual requirement of 1,070 dwellings for the City of York which was more in line with the latest G L Hearn 2017 SHMA Update at the time of 953 dwellings per annum.
- 2.10 Calculating the Local Housing Need figure using the 2014-based household projections from the current year over a ten year period (2019 – 2029) and adjusting using the latest affordability ratio (published in March 2019), results in a requirement of **1,069** dwellings per annum. This remains the same as the original standard methodology figure of 1,070 dwellings per annum, and remains considerably higher than the Council's reduced figure of 790 dwellings per annum. It is clear from the latest Local Housing Need calculation that the direction of travel remains above 1,000 dwellings per annum, yet the Council are seeking to reduce the requirement.
- 2.11 The implications of fixing a housing requirement via the Local Plan that is lower than justified has significant implications for York, and will lead to the worsening of an already severe affordability situation. It is likely that the affordability ratio in York will continue to rise, particularly if there is pent up demand as a result of a restricted housing requirement. Based on the direction of travel, it is likely that the housing requirement will be increased in future reviews, therefore continuing to restrict the housing requirement now will make it increasingly difficult to deliver a potentially significant increase in housing requirement via future reviews.
- 2.12 We disagree with the Council's interpretation of the use of the 2016 based projections as stated in the Sustainability Appraisal Addendum (SAA). In justifying the reasons for selecting the 790 dpa figure and rejecting the alternatives, the SAA references the ONS SNPP 2016 based projections and references a 'marked discrepancy with the previous 2014 based figures' (SAA paragraph 5.3.40), which has had a significant bearing on the lower OAN in the GL Hearn Update of 790 dpa. There is however no reference to the Government's technical update or NPPG which proposes in the short term the continued use of the 2014 based data for calculating housing need via the standard method.
- 2.13 The SAA importantly states at paragraph 5.3.26 that:
- “Given the significant positive effects identified for the 2017 SHMA recommended alternative figure [953 dpa] against the SA objectives for housing, employment and equality of access (with a similar performance for the remaining objectives to the proposed preferred housing figure of 790 dpa and Publication Draft figure of 867 dpa),



**the 2017 SHMA Update figure is considered to perform marginally better in sustainability terms than the proposed figure.**” (our emphasis).

- 2.14 Clearly, the Council are willing to delay the progress of the Local Plan by consulting on Proposed Modifications to the submitted Publication Draft Local Plan which reduces the housing requirement. Arguably, it is considered that this delay allows the opportunity to re-visit the evidence in light of the updated NPPF and NPPG and look to amend the housing requirement and increase the requirement based on the latest calculation of Local Housing Need.
- 2.15 We are aware that Lichfields have updated their housing need modelling work as a result of the Council's Proposed Modifications. Their July 2019 findings conclude that there are fundamental flaws in the Council's updated housing need assessment of 790 dwellings per annum. The Lichfields calculation, which adjusts the demographic baseline allowing for long term trends to international migration levels; applies a 20% market signals adjustment and a 10% affordable housing uplift results in a figure of **1,215** dwellings per annum.
- 2.16 Lichfields identify a further 84 dwellings per annum as required to meet the Universities' student growth needs, which results in a rounded OAHN of **1,300** dwellings per annum. This is considerably higher than the Council's updated requirement of 790 dwellings per annum and 22% higher than the Standard Methodology figure of 1,069 dwellings per annum.
- 2.17 It is recommended that the student housing requirement in York is considered in isolation, and therefore removed from both the identified supply and the overall requirement and regarded as a separate policy requirement. Currently, the City are over-relying on student housing to meet their overall housing need.

**Recommendation:**

**In order to make the Local Plan sound, it is recommended that the Housing Requirement in Policy SS1 is increased to a minimum of 1,070 in line with the Standard Method Local Housing Need calculation.**

**Should the Council continue to progress the Local Plan under the transitional arrangements and seek a lower housing requirement it is recommended that upon Adoption, a review of the Local Plan is immediately triggered to ensure the Local Plan is updated in line with the Standard Method and updated Framework.**



### **3.0 SHLAA Figure 6 Update– Detailed Housing Trajectory**

- 3.1 We object to the undersupply of 512 dwellings being annualised over the Plan Period. The shortfall should be annualised over first 5 years of the Plan. This affects the Associated Figures and Tables in the Proposed Modifications document (PM20 a – d and PM21 a – d).



#### 4.0 Topic Paper TP1 – approach to defining York’s Green Belt Addendum

##### Annex 3 – Inner Boundary Section 1

4.1 This Addendum includes a Green Belt analysis of land immediately west of Chapel Fields which has been assessed as part of Inner Boundary Section 1. The proposed inner boundary is very tightly constrained around existing built development which includes the garden boundaries of residential development on Chapel Fields Road. We object to this proposed Green Belt boundary and refer to points raised during the Publication Draft consultation which remain relevant.

4.2 It is maintained that the Local Plan needs to identify additional land for housing, above that identified, not only due to the need to increase the housing requirement, but also in order to identify safeguarded land. The lack of the identification of Safeguarded Land in the Local Plan remains a major shortcoming.

4.3 Having regard to paragraph 80 of the Framework, the site performs none of the five purposes of Green Belt:-

- The site does not promote urban sprawl given it appears as a logical ‘rounding off’ of the urban form.
- The site does not create a threat to merging neighbouring towns.
- The site does not represent an encroachment into the countryside given the Outer Ring Road represents the point for more open countryside.
- The site has not been kept open in order to preserve any historic setting.
- Not developing the site would not otherwise result in urban regeneration.

[Detailed comments in relation to the five Green Belt purposes are contained in the Chapelfields Promotional Brochure, which is appended again to this response]

4.4 It is clear that the draft Green Belt Boundaries of York will need to be altered and it is considered that the site at Chapelfields would be a suitable site to allocate for housing. The development of this site would provide a logical urban extension to the existing settlement of Chapelfields.



## 5.0 Conclusions

- 5.1 We object to the proposed further reduction of the Housing Requirement in Policy SS1. In order to make the plan sound it is recommended that the housing requirement is increased to a minimum of 1,070 dwellings per annum. It is therefore recommended that additional sites are identified in the Local Plan.
- 5.2 It also remains our opinion that there is a need for more housing allocations to be identified in the Local Plan to make good the early years 5 year supply shortfall. There is a need for more allocations and as well as the identification of safeguarded land to give the Local Plan longevity to 2038 to support the new Green Belt boundaries for a period of 20 years.
- 5.3 KCS Development Ltd maintain their interest in land west of Chapelfields on the western edge of York, and are keen to secure the delivery of the site. Site specific comments submitted to the Publication Draft Local Plan in March 2018 remain relevant, and are repeated in part in this response.
- 5.4 KCS Development Ltd were actively engaged with the Rufforth and Knapton Neighbourhood Plan Group in the preparation of their Neighbourhood Plan, which was formally adopted on 20<sup>th</sup> December 2018. The Neighbourhood Plan group have regularly confirmed that should Green Belt release be required within the Parish Boundary then the land west of Chapelfields is considered as the most suitable site, as it already sits adjacent to the built-up area of the City. Appendix IX of the Adopted Neighbourhood Plan states in relation to the site (Site Ref 4) that:
- “Of the potential sites in the Draft Green Belt, it is the least damaging in terms of outlook and access to serviced and if city of York requires additional land to the west of the City to meet housing requirements we may be prepared to reconsider this site subject to very strong safeguards against any other Green Belt development in the Parish.”*
- 5.5 The site west of Chapelfields is an appropriate and available site with the ability to deliver circa 90 dwellings, as a small urban extension to the existing settlement edge on the western side of York. In seeking to achieve the delivery of sustainable development via the Local Plan, we maintain our support to focus growth in the York urban area, and to expand the existing main urban edge and outlying existing settlements before considering isolated new settlements outside of the ring road. This approach would make best use of existing infrastructure and resources and lessen potential congestion concerns. The site at Chapelfields would fit comfortably with this approach, as a logical and contained extension to the existing urban edge.



Now is the appropriate time to allocate this site and secure a long term Green Belt boundary.  
There are no technical reasons why the site should not be allocated for development.



# APPENDIX 1





## SITE LOCATION

## CHAPEL FIELDS, YORK

# Introduction

York City Council, like all Local Authorities in England, has a duty to maintain a five year land supply for new housing.

In order to achieve this the Local Authority, as well as producing a Development Plan, need to continuously identify sites for residential development.

It is commonly agreed that insufficient Brownfield land within the City of York exists to supply all the Local Authority's housing needs.

Decisions will therefore have to be made by the Local Authority, Parish Councils etc. where further development can take place.

There have been previous suggestions that villages around the City should be expanded or indeed even new settlements within the Greenbelt created, but both these courses of action do give rise to issues, both to existing residents and in respect of the sustainability of the new developments.

As York City itself is viewed as the most sustainable location within the York area it therefore seems sensible that some expansion of the City must be considered as one of the ways the Local Authority can meet its housing need.

The City of York is generally deemed to be surrounded by Greenbelt, although no proper review of the Greenbelt has taken place for many years.

It therefore stands to reason that if the City is to expand then any expansion must respect the strategy behind the original Greenbelt designation and if it can be shown that land can be released without a detrimental effect to overall Greenbelt aims, then any new development that is proposed must logically be designed to the highest standards.

# Green Belt Issues and Analysis

The National Planning Policy Framework (NPPF) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

When considering the impact of releasing land from the Green Belt for housing (or other) development, it is first necessary to consider the particular value of that piece of land in terms of its strategic Green Belt function. This enables us to understand how its allocation for development would affect the wider strategic functioning of the Green Belt.

For the purposes of this document, the value of the Site can be measured by reference to its performance against the five purposes of including land within the Green Belt. This is considered over the next few pages.

## 1. To check the unrestricted sprawl of large built up areas

Development of the Site will result in the extension of the existing built up area of Chapel Fields on the edge of the City limits.

However, if the Council is to meet the identified housing need, Green Belt land must be released for development and therefore a level of sprawl is inevitable. In these circumstances, it is therefore important to ensure that sprawl is controlled. In this respect, future development of the Site will be controlled by clearly defined and robust boundaries (including significant planting and a further landscape buffer to the A1237), designed to protect against future pressure to develop the surrounding Green Belt land.

See Figure 1.1 below:



Figure 1.1: Defensible boundaries

<sup>1</sup>The Council's latest position on housing figures is set out in the Local Plan (Preferred Options) document. Whilst halted, this document nevertheless confirms a need for York to provide a minimum of 1090 homes per annum with an additional 15% buffer supply (taking the total per annum to a possible 1250 dwellings). This was based on the Office for National Statistics' (ONS) 2008 projections which indicated that 1270 households would form per annum in York. However, in light of the latest ONS forecast (2012), it is anticipated that the Council will reduce the above figure by 20%, creating an amended requirement of 1000 new households per annum. This remains significant.

It is clear from the above that the landscape buffer zone will ensure that only the eastern half of the wider site is developed, whilst the A1237 provides a further (and significant) barrier to development westwards.

The ring road is perceived as running through a green corridor and the proposed development will not alter this. The closest the development comes to the ring road is 120m a greater distance than Knapton which is 90m and much greater than the 15m at Rawcliffe.

Furthermore, the north western edge of the existing settlement of Chapel Fields wraps around the northern edge of the Site, preventing development northwards. The need to respect the setting of Acomb Grange to the south/south east would further restrict development of the Site.

Figure 1.2 below emphasises the extent to which the site is contained by existing development:



The red lines above denote the barriers to further development of the site.

Figure 1.2: Barriers to further sprawl

## 2. To prevent neighbouring towns merging into one another

The key strategic areas of separation between settlements are the gaps between Chapel Fields and Rufforth to the east and Knapton to the north. No coalescence would be caused in either case as a result of developing the Site for reasons outlined below:

### Chapel Fields to Rufforth

- the development would only extend marginally beyond the western edge of the existing settlement of Chapel Fields;
- a distance of 2.8km would be retained between both settlements; and
- the A1237 and the Rufforth Airfield act as significant existing barriers to further development (and therefore coalescence)

### Chapel Fields to Knapton

- a distance of 700m would be retained between settlements;
- the Site would extend no closer to Knapton than the existing settlement of Chapel Fields, which extends 320m further northwards than the Site; and
- the B1224 acts as a significant barrier to further development northwards of the Site, preventing coalescence.

These points are illustrated at Figure 1.3.



Figure 1.3: Strategic areas of separation

### 3. To assist in safeguarding the countryside from encroachment

As stated above, there is a need to respond to the growing housing demand. This response will necessarily include releasing sites from the Green Belt. It follows therefore that a level of encroachment into the Green Belt will be inevitable.

However, development of the Site would result in a minimal level of encroachment for the following reasons:

- as stated above and illustrated by Figure 1.2, the Site is largely contained within an existing built envelope provided by the existing Chapel Fields settlement to the north and east, the A1237 to the west and Acomb Grange to the south/south east.
- development of the Site would not extend much further west than the western-most part of the existing settlement, and
- the size of the Site is considered to be limited within the context of its surroundings. This is shown on Figure 1.4.

It is considered that development of this contained site on the edge of the City limits would result in a lower level of harm as a result of encroachment when compared to sites which are more rurally located, in the villages and towns surrounding York City Centre.

Notwithstanding the above, it is inevitable that any Green Belt release would result in a level of encroachment into the countryside. Any harm caused as a result must therefore be balanced against other considerations.



Figure 1.4: Spread of development in York

#### 4. To preserve the setting and special character of historic towns

The scheme has evolved through extensive consultation with the Council, resulting in reduction in the scale and density of development from 250 to 102 units, with a further reduction to just 89 units. (See scheme design for details)

#### 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Development of brownfield land, existing allocations (of which there are currently none in York in the absence of an adopted plan) and sites with the benefit of planning permission represent the preferred options for delivering new housing. This is reflected in the NPPF.

However, these sites do not provide a sufficient deliverable supply of land to meet the growing need. This lack of supply has been publically conceded by the Council.

This situation is exacerbated by the increasing prospect that the two largest housing allocations proposed as part of the Council's draft Local Plan are now unlikely to form part of the Local Plan when the process resumes.

The Council is therefore faced with the following options for delivering against the housing need:

- development of towns and villages surrounding the City Centre, and/or
- development on the edge of the existing city limits.

In our opinion, development of the scale required to meaningfully contribute to the housing need is unlikely to be delivered in the villages and towns surrounding the city on the basis that it would inevitably result in greater harm to the openness and rural character of the Green Belt in those locations.

Consequently, development on the edge of the existing city limits is therefore considered to represent a more sustainable option for new housing development that would result in the lowest level of impact to the open and rural character of the countryside surrounding York, whilst also representing the most sustainable location in terms of links to key transport infrastructure and services.

## Summary

The pressing need for housing in York will necessitate a level of Green Belt release – a fact that does not appear to be in dispute by the Council. A broader recognition of this need is further demonstrated by the recent survey of its members by the York Civic Trust, which confirmed a high level of support for new housing in York and, in turn, a need to develop some Green Belt land.<sup>3</sup>

It is inevitable, therefore, that any Green Belt release will result in a level of conflict with one or more of the five purposes of including land within the Green Belt.

Whilst we intend to expand on the above points as the project moves forward, they nevertheless indicate that there would be limited conflict with the five Green Belt purposes if the Site is released for housing development, which in turn reduces the impact on the wider functioning of the Green Belt. This is (to an extent) evidenced by the Council's comments in response to our July 2013 representation to the Local Plan, wherein the Council's Local Plans Team acknowledged that "some extension of Chapel Fields may be viable".

Notwithstanding the above, the limited level of conflict identified is considered to be clearly outweighed by:

- the Site's ability to deliver against the pressing need for housing in terms of type, tenure and size;
- the Site's highly sustainable location on the edge of the settlement limits, with excellent access to services and transport links (especially in Acomb);
- the Site's limited impact on the openness of the Green Belt and its wider strategic functioning, and
- the range of other planning benefits associated with developing the Site for housing (See Planning Benefits).

<sup>2</sup>Speech given by Mike Slater (Chief Planning Officer at the City of York Council) at the York Development Plans Update, 9 September 2015, confirming that York is exploring a number of options to accommodate its housing need, including distributing some of its housing requirement to neighbouring authorities.

<sup>3</sup>The Future of York Seminar (January 2016) – 84% of 150 participants supported the need for new housing in York, with 70% supporting a level of Green Belt release to meet this need.

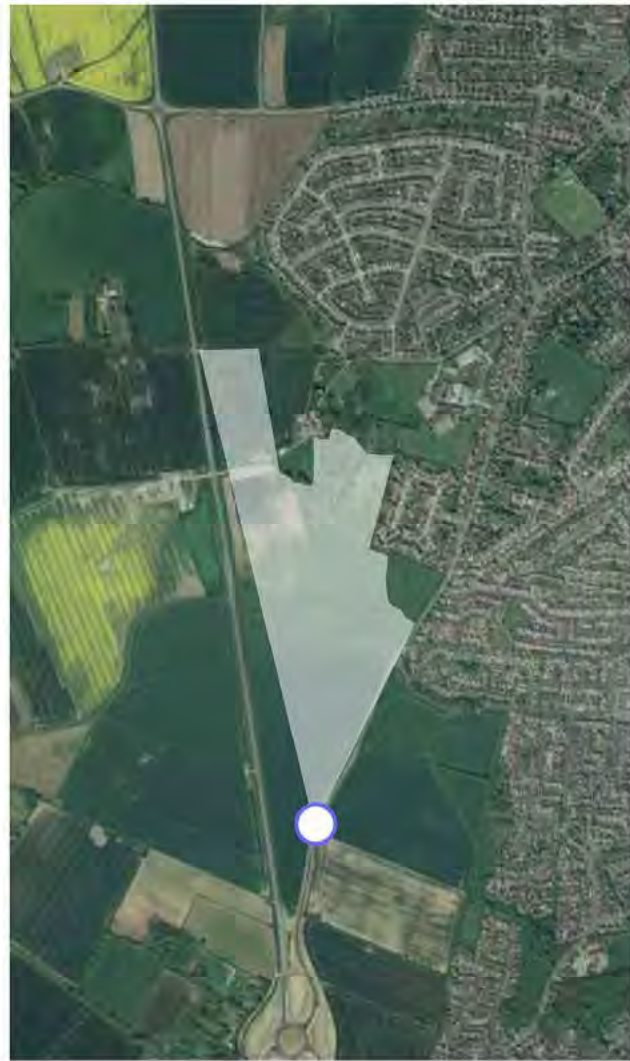


The scheme design has been developed reflecting comments from consultation with planning officers, local groups and the design team.

Consideration has been taken to accommodate the following -

- Development density to reflect the local context
- Integration of surrounding pedestrian links
- Maintain existing landscaping
- Buffer zone to ring road
- Protect visual impact on glimpse view to site
- Create links to wider context
- Simplified vehicular access
- Appropriate structured landscaping
- Provide sufficient off street car parking (2 per dwelling)
- A mix of housing to suite local demand



















Context Plan of Wider Distant Southern View of Site



- 1 Restricted view of site from the north looking south-east across the existing and open settlement edge. Development will be set almost entirely within the context of the urban form resulting in an insignificant appreciable reduction of the open setting of the Green Belt.
- 2 Corridor views along the A1237 often set down within the landform and bound by nature hedgerow cover. From the vast majority of the highway the development will not result in any appreciable change to open character of the Green Belt.
- 3 From the south there are very restricted distant views of the site that are set in the immediate context of the settlement. The site itself is screened in part by intervening landform, settlement, and vegetation cover. Over such distance the restricted nature of the views towards the development will be insignificant to the open appreciation of the Green Belt.
- 4 The development will secure a structure landscape setting that will enhance the character and appearance of the settlement in this location over time, and secure associated wildlife and nature conservation benefits.
- 5 The development will secure new public access linkages to create new circulatory routes at the settlement edge, alongside the provision of new play and recreation features.

**Key**

-  Existing settlement
-  Highway infrastructure
-  Existing tree cover
-  Existing hedgerows
-  Farmland
-  Existing public access
-  Viewpoint
-  Distant/corridor view
-  Proposed development
-  Proposed structural landscaping
-  Proposed landscaping to watercourse
-  Proposed development landscaping
-  Proposed public access securing permeable settlement edge
-  Proposed play facilities located on new circulatory route at settlement edge



View 1 - Taken from the B1224 approximately 370m from the site looking south



View 2a - Taken from the A1237 approximately 100m from the site looking north-east



View 2a - Taken from the A1237 approximately 100m from the site looking north-east



View 3 - Taken from Askham Lane approximately 1km from the site looking north

**View 1** is taken from the B1224 approximately 370m from the site looking south. To the east the visual horizon is defined by the exposed modern settlement edge with open farmland extending west towards the A1237 outer ring-road. The site is in part set within the settlement edge with a small element extending west into the open farmland.

Even in the short-term the development will represent a low magnitude of change and will not introduce a new or visually discordant element into the landscape. Any change to the visual setting and open character of the Green Belt will not be of significance to the planning decision making process. In the long-term new planting measures will have matures securing and enhanced landscape setting at the boundaries of the site.

**View 2** is taken from the A1237 outer ring-road at the junction with Grange Lane approximately 100m from the site looking east. The character of the highway is defined by continuous hedgerow cover on both sides, often combined with sections of cutting flanked by vegetated and grassed embankments. Their is an extremely limited appreciation of the wider setting of farmland and settlement beyond the highway. Where filtered/glimpsed views of the site exist they are already defined by the settlement edge.

Receptors local to this views are not primarily concerned with the enjoyment and appreciation of the wider landscape and associated open character. The development will represent a low magnitude of change and will not alter the overriding visual character of the highway. Any views to the development will be set within the framework of the existing settlement and mitigated over time by the proposed planting measures. Any change to the visual setting and open character of the Green Belt will not be of significance to the planning decision making process.

**View 3** is taken from Askham Lane approximately 1km from the site looking north. Opportunities to view the site from the south are extremely restricted. View 3 represents probably the best viewing opportunity taken from a layby at the roadside where there is a break in the hedge line. This is a distant view looking back towards the settlement edge and adjoining farmland extending west towards the A1237 outer ring-road. Acomb Grange is visible set within mature tree cover with the site extending beyond.

In the short-term the development will be visible but set over distance and seen as part of the wider settlement edge to the east. The proposal will result in a low magnitude of change restrict to a distant, small scale element in keeping with the wider visual character of the settlement. Any change to the visual setting and open character of the Green Belt will not be of significance to the planning decision making process.



## KEY VIEWS

## CHAPEL FIELDS, YORK



The scheme incorporates the following design principles, aimed at preserving the setting and special character of York:

- Density – ensuring that the Site responds positively to the pattern and spread of development in this part of York;
- Design - the development will respond to the local vernacular in terms of building type, size and use of materials;
- Layout - the development will be stepped away from the boundary with Acombe Grange to the south east, preserving its setting by maintaining an appropriate level of separation; and
- Landscaping - tree, shrub and grassland planting, and areas of open space, will support a positive transition between the surrounding open countryside and the development limits of the City.
- Parking - The scheme incorporates a minimum of 2 off road car spaces per dwelling.
- Housing mix - the majority of 2/3 bed properties will meet local demand.
- Access - the internal layout of the scheme is in accordance with best practice (Manual for Streets),
- Pedestrian Links - the proposal improves pedestrian links both through and alongside the development site

The design evolution is an on-going process and it is possible that further amendments will be made in response to on-going dialogue with key stakeholders



1 Gateway and primary avenue tree planting comprising larger species with striking spring and autumn cover to secure a high quality landscape framework.



2 Street/development trees comprise more upright species with spring/autumn colour.



3 Existing watercourse retained and enhanced through effective management.



4 Creation of broad meadow margin at the edge of the development, securing appropriate integration with surrounding farmland.



5 Natural play area located centrally within the development and linked to the wider public access network at the edge of the settlement.



- Key**
- Existing settlement
  - Highway infrastructure
  - Existing tree cover
  - Existing hedgerows
  - Existing watercourse
  - Existing farmland
  - Proposed development
  - Structural native tree planting to western boundary
  - Statement tree planting to site gateways and avenues
  - Domestic tree planting within development cells
  - Native tree planting and shrub cover to retained watercourse
  - Proposed play hub located centrally within the development and linked to existing/proposed public access
  - Existing public footpath terminating at site boundary
  - Extended public access network creating a permeable development and circulatory walking routes
  - Meadow grassland margin creating extended wildlife habitat at edge of the settlement

# Key Benefits

The key benefits associated with developing the Site for housing include:

Provision of Housing – that responds to housing need in a meaningful and sustainable way by:

- providing up to 89 dwellings, catering to the range of housing need in terms of the size (2,3 and 4 bedroom family homes), type (detached and semi-detached) and tenure. In relation to the latter, the site would accommodate a minimum of 30% affordable housing, creating up to 27 much needed affordable homes in York;
- taking advantage of key transport links (i.e. bus routes) into the City, whilst also drawing on nearby key facilities such as shops and supermarkets; and
- limiting the impact on the wider functioning of the Green Belt, by developing an edge of settlement site and reducing the need to develop others in the surrounding towns and villages, which would arguably have a much greater negative visual (openness of Green Belt) and strategic impact (access to services and transport links).

Infrastructure Improvements – development of the Site could generate potentially significant payments through the Community Infrastructure Levy (CIL). Whilst the Council is yet to adopt CIL, it is possible that it will as the Local Plan process develops. CIL payments can be used to deliver wider infrastructure improvements within the Neighbourhood Plan area, if the Neighbourhood Plan is adopted.

It should also be noted that, in the absence of CIL, Section 106 Agreements can still secure funds resulting in local infrastructure improvements which can be shown to be connected with the Site (i.e. local highway improvements, contributions towards healthcare and education).

The Council will also receive the New Homes Bonus from Central Government for each new house that is built.

# Conclusion

It is our belief that the information contained within this pamphlet has proven the following:-

- a). The land at Chapel Fields currently makes a minimal contribution only to the Greenbelt surrounding York.
- b). Development in this location has been considered by York City Council and the principle of some expansion of Chapel Fields has previously been accepted.
- c). Ongoing liaison between the Development Team at Chapel Fields, the City Council, Local Neighbourhood etc. has taken place and is now reflected in the landscaping, highway layout, design etc. of the current proposed scheme.
- d). If constructed the scheme will deliver much needed market and affordable housing; new public footpath links to the west of the City as well as potential further benefits from Community Infrastructure Levy etc.
- e). The scheme proposed would be of the highest quality, providing a wide range of benefits to the local community.

The site should be supported for development for these reasons.



City Of York Council  
Planning and Public  
Protection

Planning Service

Jill Thompson

By Email

23 July 2019

Dear Sir/Madam

### City of York Local Plan – Proposed Modifications

Thank you for consulting the District Council on the proposed modifications to the plan. I apologise for the delay in sending a response. I should note that this response is an officer level response to the consultation.

The District Council has previously supported in principle, the identification of housing sites to the north of the City. This is to help address the City's housing needs and to provide housing choice in view of the close housing market relationship between the City and southern Ryedale.

The District Council fully understand the reasons why land at Strensall is proposed to be removed from the plan and has no objection to this for the reason given, which relate to the Strensall Common SAC. It is understood that the proposed modifications do not alter the other proposed strategic allocations to the north of the City. This would mean that the plan will contribute to providing additional housing choice to the north of the city centre and to the south of Ryedale.

The District Council notes the proposed modifications to reduce the OAN and the policy mechanism to address historic under delivery. The District Council reiterates its position that the City should meet its own housing needs and has no comments or objection to the proposed modification to the OAN. It will also be vital that the City responds to any future under delivery accordingly.

Yours Sincerely

Jill Thompson  
Planning and Development Manager





**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 14:49  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Green Category

A new Local Plan proposed modifications consultation 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: 122649
- Date submitted: 17/07/2019
- Time submitted: 14:49:15

The following is a copy of the details included.

---

<b>Question</b>	<b>Response</b>
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Martin
<i>Surname:</i>	Moorhouse
<i>Address: building name/number:</i>	██████████
<i>Address: Street name:</i>	██████████
<i>Address: Area:</i>	██████████
<i>Address: town/city:</i>	██████

Question	Response
<i>Address: postcode:</i>	[REDACTED]
<i>Email address:</i>	[REDACTED]
<i>Telephone number:</i>	[REDACTED]
<i>Proposed modification reference (PM1 to PM46):</i>	PM40
<i>Document:</i>	TP1 Annex 5
<i>Page number:</i>	ST1
<i>Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:</i>	No, I do not consider the Local Plan to be legally compliant
<i>Do you consider the Local Plan to comply with the Duty to Cooperate?:</i>	No, I do not consider the Local Plan to comply with the Duty to Cooperate
<i>Please justify why you do/do not consider the Local Plan to be legally compliant or in compliance with the Duty to Cooperate:</i>	Please see response
<i>Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:</i>	No, I do not consider the Local Plan to be sound
<i>Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:</i>	TheLocal Plan is not positively prepared
<i>Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of</i>	The Local Plan is not justified

## Question

## Response

*soundness' are relevant to your opinion:*

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not effective

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

*Please give reasons for your answer(s):*

please see response

Topic Paper 1  
Appendix 5  
SP1 - The Stables, Elvington

The decision to remove this site from the Greenbelt represents clear discrimination against the members of the settled community. The proposal is not related to the land itself and represents a clear statement that to CYC the principle of Greenbelt does not hold value. By its very definition, Greenbelt is a 'belt of land' and each incursion into that belt destroys the value of the overall.

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

CYC clearly regard the immediately surrounding area as Greenbelt

1. CYC have very recently, correctly, refused planning applications on Greenbelt issues for 18/02877/OUT and 18/00706/FUL both of which lie within 500 yards of The Stables site.
2. CYC have imposed significant Greenbelt related restrictions on 18/02192/FUL which lies on Elvington Lane only 200 yards from The Stables site.

Furthermore, to quote CYC itself – “Development would result in a loss of openness and encroachment into the countryside. The site sits within a defined area of Nature Conservation interest, specifically a District level Green Corridor. The historic landscape provides the city and its outlying villages with its rural setting.....”

## Question

## Response

Yet somehow CYC manage to justify that the 'right' willing landowners invalidate all of the above.

As outlined below the proposal to remove this site from Greenbelt represents yet another further attempt by CYC to override UK Planning Policy against the interests of the local settled community.

This site fails the tests of Legal Compliance for Travellers sites in Rural environments whether they be Greenbelt or otherwise.

1. The site does not comply with National Policy PPG2 for Greenbelt
2. The site does not comply with National Policy for Travellers sites (PPTS) – policy B
3. The site does not comply with National Policy for Travellers sites (PPTS) – policy C
4. The site does not comply with National Policy for Travellers sites (PPTS) – policy D
5. The site does not comply with National Policy for Travellers sites (PPTS) – policy E
6. The site does not comply with National Policy for Travellers sites (PPTS) – policy F
7. Further it is generally against government policy guidelines to take sites out of Greenbelt in response to previously submitted planning applications.
8. The proposals directly reverse a decision made by the Planning Inspectorate 10/02082/FUL made for a single site and indeed now extend this abuse of National Planning Policy to 3 plots on the single site.
9. The site has already been refused permanent permission (for one plot only) on 5 occasions: 3 by CYC themselves and twice by the Planning Inspectorate, who required that the land be returned to Greenbelt.
10. CYC have failed to observe the requirements of the Planning Inspectors report and have made no effort to find an alternative site – the Local Plan seeks to hide this failure to observe the requirements of the Planning Inspector.
11. However, through the local plan process CYC have now identified significant areas of Brownfield Land – any of this could potentially be a suitable (and legal) alternative. The suggestion that this site is the only one identified and that there is no capacity elsewhere within York simply does not accord with brownfield claims made elsewhere within the local plan document even before consideration of the new urban areas identified. If you do not look then you will not find.
12. The site failed the original tests of the Strategic Housing Land Availability assessment yet that has been ignored.
13. CYC officers have failed in their duty to consult the settled community as well as the applicants.
14. The following statement sums up the regard held by CYC

**Question****Response**

Officers to the local community – “Whilst there was overwhelming objection to this site, a number of respondents supported the site which is welcomed”.

15. CYC have spend considerable time and effort crafting policies to ensure the ‘success’ of this site. If they had spent the same time and effort consulting local communities we would all have a better proposed Local Plan.

16. The inclusion of this site against all National Policy Guidelines and local consultation is indicative of the way that CYC and its Officers have prepared the Draft Local Plan. The Plan should be rejected and the responsibility taken over by National Government.

In summary this proposal fails to meet any sensible tests of legality, fairness, equality and consultation, as well as directly contravening the very principles of Greenbelt.

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

No, I do not wish to participate at the hearing sessions

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



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 15:00  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

A new Local Plan proposed modifications consultation 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: 122652
- Date submitted: 17/07/2019
- Time submitted: 14:59:59

The following is a copy of the details included.

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Martin
<i>Surname:</i>	Moorhouse
<i>Address: building name/number:</i>	[REDACTED]
<i>Address: Street name:</i>	[REDACTED]
<i>Address: Area:</i>	[REDACTED]
<i>Address: town/city:</i>	[REDACTED]
<i>Address: postcode:</i>	[REDACTED]
<i>Email address:</i>	[REDACTED]

**Question****Response**

Telephone number:

██████████

Proposed modification reference (PM1 to PM46):

PM40

Document:

TP1 Annex 5

Page number:

ST1, E9 and ST26

Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:

No, I do not consider the Local Plan to be legally compliant

Do you consider the Local Plan to comply with the Duty to Cooperate?:

No, I do not consider the Local Plan to comply with the Duty to Cooperate

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

As written the plan is discriminatory - see response

Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:

No, I do not consider the Local Plan to be sound

Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

The Local Plan is not positively prepared

Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

The Local Plan is not justified

Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your

The Local Plan is not effective



**Question**

**Response**

*opinion:*

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

Topic Paper 1

Appendix 5

SP1 – The Stables, Elvington

I have already written with my objections to the removal of both this site from the Greenbelt together with the main part of E9.

Notwithstanding those objections, [REDACTED]

[REDACTED] Brinkworth Hall, Brinkworth Park House and The Old Plantation [REDACTED]

*Please give reasons for your answer(s):*

Given that, by definition, Greenbelt designation is determined by the land itself, [REDACTED]

[REDACTED] is also removed from Greenbelt.

To treat the two adjoining pieces of land differently would, in my opinion, amount to clear discrimination [REDACTED]

Furthermore, given the proposed removal of Greenbelt status for the adjacent ST26 and the nearby E9 it would be incongruous and unreasonable to treat the land sandwiched between these areas any differently.

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

Topic Paper 1

Appendix 5

SP1 – The Stables, Elvington

I have already written with my objections to the removal of both this site from the Greenbelt together with the main part of E9.

Notwithstanding those objections, [REDACTED]

[REDACTED] Brinkworth Hall, Brinkworth Park House and The Old Plantation [REDACTED]

Given that, by definition, Greenbelt designation is determined by the land itself, [REDACTED]

[REDACTED] is also removed from Greenbelt.

To treat the two adjoining pieces of land differently would, in my opinion, amount to clear discrimination [REDACTED]

Furthermore, given the proposed removal of Greenbelt status for the adjacent ST26 and the nearby E9 it would be incongruous and unreasonable to treat the land sandwiched between these areas any differently.

**Question**

**Response**

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

No, I do not wish to participate at the hearing sessions

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

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 15:27  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

A new Local Plan proposed modifications consultation 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: 122658
- Date submitted: 17/07/2019
- Time submitted: 15:26:45

The following is a copy of the details included.

Question	Response
<i>Whose views on the proposed modifications to the Local Plan do your comments represent?:</i>	My comments represent my own views
<i>Title:</i>	Mr
<i>Forename:</i>	Martin
<i>Surname:</i>	Moorhouse
<i>Address: building name/number:</i>	[REDACTED]
<i>Address: Street name:</i>	[REDACTED]
<i>Address: Area:</i>	[REDACTED]
<i>Address: town/city:</i>	[REDACTED]
<i>Address: postcode:</i>	[REDACTED]
<i>Email address:</i>	[REDACTED]

**Question****Response**

Telephone number:

██████████

Proposed modification reference  
(PM1 to PM46):

PM40

Document:

Page number:

E9

Based on the proposed  
modification or evidence  
document, do you consider the  
Local Plan is legally compliant?:

No, I do not consider the Local Plan to be legally compliant

Do you consider the Local Plan to  
comply with the Duty to  
Cooperate?:

No, I do not consider the Local Plan to comply with the Duty to  
Cooperate

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

No attempt has been made at true consultation with local  
people

Based on the proposed  
modification or new evidence  
document indicated, do you  
consider the Local Plan to be  
'sound'?:

No, I do not consider the Local Plan to be sound

Related to the proposed  
modification or evidence document  
indicated above, you do not  
consider the Local Plan to be  
'sound' - which of the 4 'tests of  
soundness' are relevant to your  
opinion:

The Local Plan is not positively prepared

Related to the proposed  
modification or evidence document  
indicated above, you do not  
consider the Local Plan to be  
'sound' - which of the 4 'tests of  
soundness' are relevant to your  
opinion:

The Local Plan is not justified

## Question

## Response

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not effective

*Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:*

The Local Plan is not consistent with national policy

*Please give reasons for your answer(s):*

The definition of this area as Elvington Industrial estate is incorrect.  
There are two elements to this area - residential with a number of houses and a small industrial estate set back from the road.  
I have no objection to the industrial estate being removed from the Greenbelt.  
However, the area proposed to be taken out of the Greenbelt is considerably larger and incorporates perhaps 20% of the houses within the village of Elvington. These houses are largely set back from the road and built with due regard to the Greenbelt. Further CYC itself, has recently, vigorously applied Greenbelt Planning policies to four applications that are in the immediate vicinity/boarder the proposed area to be removed (18/02877/OUT, 18/02192/FUL, 18/00706/FUL and 18/01512/FUL)  
Greenbelt is by definition a belt of land. To remove this block weakens/invalidates the Greenbelt characteristics of the surrounding land.  
To remove these houses from the Greenbelt will eliminate the Greenbelt protections that CYC have so vigorously applied on immediately adjacent land and ultimately lead to the degradation of the whole area.

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

The definition of this area as Elvington Industrial estate is incorrect.  
There are two elements to this area - residential with a number of houses and a small industrial estate set back from the road.  
I have no objection to the industrial estate being removed from the Greenbelt.  
However, the area proposed to be taken out of the Greenbelt is considerably larger and incorporates perhaps 20% of the houses within the village of Elvington. These houses are

**Question**

**Response**

largely set back from the road and built with due regard to the Greenbelt. Further CYC itself, has recently, vigorously applied Greenbelt Planning policies to four applications that are in the immediate vicinity/boarder the proposed area to be removed (18/02877/OUT, 18/02192/FUL, 18/00706/FUL and 18/01512/FUL)

Greenbelt is by definition a belt of land. To remove this block weakens/invalidates the Greenbelt characteristics of the surrounding land.

To remove these houses from the Greenbelt will eliminate the Greenbelt protections that CYC have so vigorously applied on immediately adjacent land and ultimately lead to the degradation of the whole area.

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

No, I do not wish to participate at the hearing sessions

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

**From:** Clare Dickinson [REDACTED]  
**Sent:** 22 July 2019 08:56  
**To:** localplan@york.gov.uk  
**Subject:** CYC Local Plan Proposed Modifications

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Thank you for providing us with the opportunity to comment on the proposed modifications to the York Local Plan.

Discussions have been ongoing between Selby District Council and the City of York Council throughout the preparation of the Local Plan. As part of these discussions both Selby and York have agreed to meet their own objectively assessed housing need within their own authority boundaries. We note that the annual housing figure has been reduced from 867 to 790 dwellings per annum. We are satisfied that the amended housing figure is underpinned by robust evidence, in the form of the updated SHMA, which has applied an uplift to take account of economic growth.

If you wish to discuss these comments further, please feel free to contact myself on [REDACTED].


Kind regards

Clare

**Clare Dickinson**  
Principal Planning Policy Officer

t: [REDACTED]  
e: [REDACTED]  
w: [www.selby.gov.uk](http://www.selby.gov.uk)

 [Follow us on twitter @SelbyDC](https://twitter.com/SelbyDC)

 [Like us on Facebook](#)

Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.



The information in this e-mail, and any attachments, is confidential and may be subject to legal professional privilege. It is intended solely for the attention and use of the named addressee(s). Its contents do not necessarily represent the views or opinions of Selby District Council. If you are not the intended recipient please notify the sender immediately. Unless you are the intended recipient, or his/her representative, you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it.





**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 16:34  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122817
- Date submitted: 20/07/2019
- Time submitted: 16:34:19

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Mr Peter Murray

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM40

**Document:** policies map - Green Belt change

**Page number:** 42

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

These proposed modifications will have a profound impact on the village of Elvington, yet CYC has on no occasion bothered to consult the elected representatives of the parish.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Not justified

**Please give reasons for your answer(s):**

The Parish Council has never been consulted about what the village actually needs, nor has it been consulted on proposed fundamental changes to the Green Belt in the parish.

---

**Your comments - necessary changes**

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

Consult with the Parish Council on the proposed fundamental changes to the Green Belt in the Parish.

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

No, I do not wish to participate

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

---



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 16:41  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122820
- Date submitted: 20/07/2019
- Time submitted: 16:40:38

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Dr Jessica Murray

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM40

**Document:** policies map - Green Belt change

**Page number:** 42

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

These proposed modifications will have a profound impact on the village of Elvington, yet CYC has on no occasion bothered to consult the elected representatives of the parish.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Not justified

**Please give reasons for your answer(s):**

The Parish Council has never been consulted about what the village actually needs, nor has it been consulted on proposed fundamental changes to the Green Belt in the parish.

---

**Your comments - necessary changes**

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

Consult with the Parish Council on the proposed fundamental changes to the Green Belt in the Parish.

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

No, I do not wish to participate

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

---





**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 16:43  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122821
- Date submitted: 20/07/2019
- Time submitted: 16:42:31

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Miss Natasha Murray

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM40

**Document:** policies map - Green Belt change

**Page number:** 42

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

These proposed modifications will have a profound impact on the village of Elvington, yet CYC has on no occasion bothered to consult the elected representatives of the parish.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Not justified

**Please give reasons for your answer(s):**

The Parish Council has never been consulted about what the village actually needs, nor has it been consulted on proposed fundamental changes to the Green Belt in the parish.

---

**Your comments - necessary changes**

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

Consult with the Parish Council on the proposed fundamental changes to the Green Belt in the Parish.

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

No, I do not wish to participate

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

---



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 16:36  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122819
- Date submitted: 20/07/2019
- Time submitted: 16:36:18

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Miss Anneliese Murray

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM40

**Document:** policies map - Green Belt change

**Page number:** 42

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

These proposed modifications will have a profound impact on the village of Elvington, yet CYC has on no occasion bothered to consult the elected representatives of the parish.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

**Please give reasons for your answer(s):**

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

**Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:**

Not justified

**Please give reasons for your answer(s):**

The Parish Council has never been consulted about what the village actually needs, nor has it been consulted on proposed fundamental changes to the Green Belt in the parish.

---

**Your comments - necessary changes**

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

Consult with the Parish Council on the proposed fundamental changes to the Green Belt in the Parish.

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

No, I do not wish to participate

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

---





**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 20 July 2019 16:21  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan proposed modifications consultation response form has been submitted

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A new Local Plan proposed modifications consultation 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: 122816
- Date submitted: 20/07/2019
- Time submitted: 16:21:05

The following is a copy of the details included.

---

### About your comments

**Whose views on the proposed modifications to the Local Plan do your comments represent?**

Own comments

---

### About you (individual response)

**Name:** Mrs Julie Murray

**Address:** [REDACTED]

---

### About the organisation, group or other individual you are representing

**Name:**

**Name of your organisation (if applicable):**

**Name of the organisation, group or other individual you represent:**

**Contact address:** , , , ,

---

**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

---

**What are your comments about**

**Which proposed modification or new evidence document are you commenting on?**

**Proposed modification reference (PM1 to PM46):** PM40

**Document:** policies map - green belt change

**Page number:** 42

---

**Your comments - Legal compliance of the Local Plan**

**Based on the proposed modification or evidence document, do you consider the Local Plan is legally compliant?:**

No, I do not consider the Local Plan to be legally compliant

**Do you consider the Local Plan to comply with the Duty to Cooperate?:**

No, does not comply with Duty to Cooperate

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

These modifications will have profound implications for Elvington yet CYC has on no occasion bothered to consult the elected representatives of the parish.  
The parish council has not been consulted on proposed fundamental changes to the Green Belt in the parish.  
I consider that methodology wrong and therefore the Local plan is unsound.

---

**Your comments - whether the Local Plan is 'sound'**

**Based on the proposed modification or new evidence document indicated, do you consider the Local Plan to be 'sound'?:**

No, I do not consider the Local Plan to be sound

---

**Your comments - the Local Plan is 'sound' (if applicable)**

Related to the proposed modification or evidence document indicated above, you consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

Please give reasons for your answer(s):

---

**Your comments - the Local Plan is not 'sound' (if applicable)**

Related to the proposed modification or evidence document indicated above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of soundness' are relevant to your opinion:

Not justified

Please give reasons for your answer(s):

As the Parish Council has not been consulted about the changes to the Green Belt this makes the Local plan unsound.

---

**Your comments - necessary changes**

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

Consult with the Parish council about what the village of Elvington needs and also the fundamental changes to the green belt in the parish.

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

No, I do not wish to participate

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

---



**From:** Laura Fern [REDACTED]  
**Sent:** 22 July 2019 18:08  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan - Main Modifications and Further Evidence Base Consultation  
**Attachments:** Main Modifications Response Form Completed.pdf; Main Modifications Representations July 2019.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

Please find attached a copy of representations, and the associated submission form, prepared and submitted on behalf of Mr J Harrison of [REDACTED] in respect of the above consultation.

It would be greatly appreciated if you could confirm receipt of this email and the attached documents.

Please do not hesitate to contact me should you require any further information.

Kind regards

Laura

---

LAURA FERN  
Director



mobile: [REDACTED]  
email: [REDACTED]  
website: [www.airedon.co.uk](http://www.airedon.co.uk)

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors to consider your representations you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Miss
First Name	Jolyon	Laura
Last Name	Harrison	Fern
Organisation (where relevant)	N/A	Airedon Planning and Design
Representing (if applicable)	N/A	Mr Jolyon Harrison
Address – line 1	██████████	
Address – line 2	██████████	
Address – line 3	████	
Address – line 4		
Address – line 5		
Postcode	██████████	
E-mail Address	c/o agent	<a href="mailto:laura@airedon.co.uk">laura@airedon.co.uk</a>
Telephone Number	c/o agent	██████████

Representations must be received by Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

Document:

Green Belt Topic Paper 1 Addendum

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

Please see attached representations.

## 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see attached representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see attached representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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 Green Belt Topic Paper is an assessment and document that should fundamentally underpin the preparation of the Local Plan. It is clear that the LPA has underestimated its importance. The LPA has consistently over many years failed to prepare an adequate Green Belt assessment that successfully provides evidence to the Plan making process and decisions made to allocate sites for development. It is therefore considered paramount that all evidence and opinions from various parties be heard and it would be greatly appreciated if our client could have the opportunity to engage in such conversations during the Hearing sessions.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

22<sup>nd</sup> July 2019



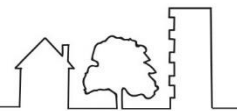
**AIREDON**  
PLANNING & DESIGN

## York Local Plan Main Modifications and Further Evidence Base Consultation

Representations submitted on behalf of:

Mr J Harrison

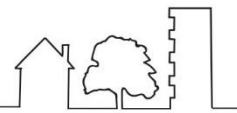
July 2019



- 1.1 These representations are submitted on behalf of Mr J Harrison, resident of [REDACTED] and relate to the main modifications and further evidence base consultation by the City of York Council.
- 1.2 The 2019 Addendum to Topic Paper 1 sets out how York City Council has approached the assessment of Green Belt, both in terms of identifying inner and outer boundaries and also in identifying the need to release some sites from the Green Belt in order to provide sufficient area for development.
- 1.3 The Preferred options report clearly indicates that “In this Local Plan the Green Belt’s prime purpose is that of preserving the setting and special character of York. This essentially comprises the land shown earlier in the section at Figure 5.3.” (Paragraph 5.9). Paragraph 5.10 also identifies the other Green Belt purposes.
- 1.4 The Plan at Figure 5.3 (see below) identifies areas which should remain open to prevent coalescence.

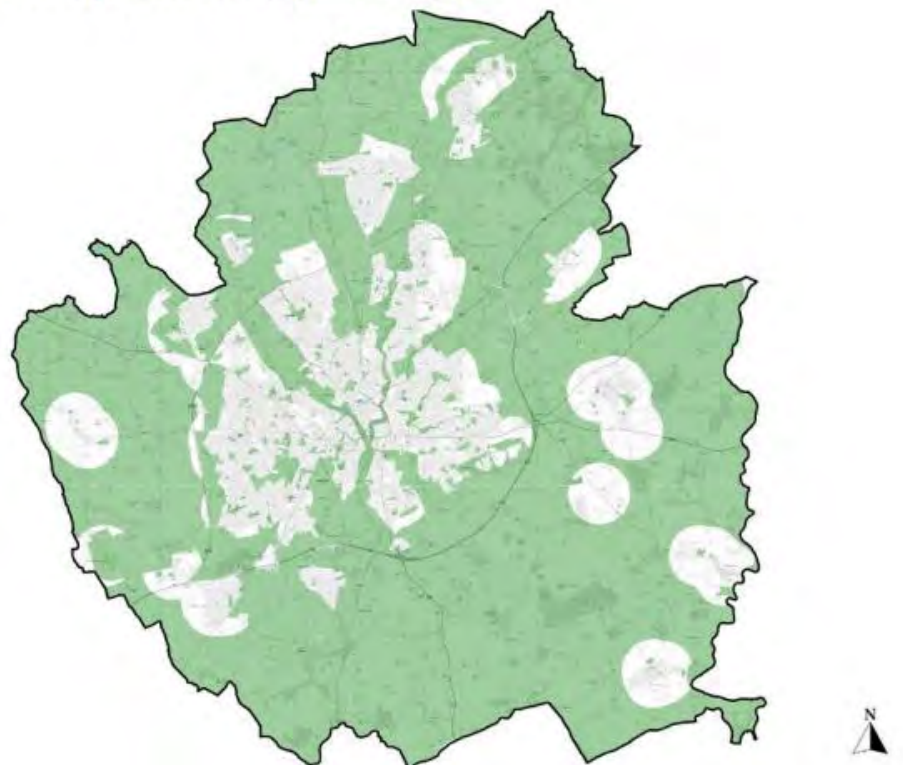
**Figure 5.3: York’s Green Belt Character Areas**



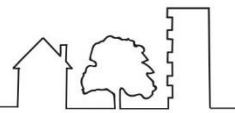


- 1.5 It is of note that, to the north west, these (maroon) areas lie between the northern ring road and the Poppletons, Skelton and Haxby. The assessment therefore clearly identifies that, to avoid coalescence, it is important to maintain a green wedge between the outer edge of the ring road and any housing development. If this were not the case, one of the options could have been to extend the villages closer to the ring road, thus benefiting new residents who would have access to all the existing services, and making it more likely that these services would continue to be viable for existing residents. However, to preserve the historic character of York it was clearly identified that a wedge of open countryside should be retained.
- 1.6 The Green Belt Topic Paper continues with this suggestion, and indeed identifies areas of York Green Belt which should be strategic areas that should be kept permanently open. It should be noted that this includes land between Skelton and Haxby to the north of the ring road.

**Figure 7: Strategic areas to keep permanently open**



- 1.7 However, having determined that it is necessary to take some land out of the green belt to provide for the development needs of York, no assessment appears to have taken place at the early stage of the impact of the proposed development upon the Green Belt. Indeed, many of the Strategic Sites appear to have been allocated without any thought for the definition of long-term defensible boundaries, which has resulted in several amendments at this stage, such as PM38,



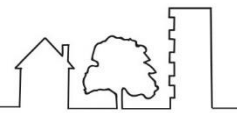
and PM40. Indeed even PM31 includes reference to the fact that the altered boundary will be formed by landscaping and green space as part of the development proposals.

- 1.8 The element that suggests that the Green Belt appraisal was not carried out as suggested in the Topic paper is the allocation of the land to the west of Wiggington Road all the way down to the ring road. Subsequent modifications have pulled the development site back from the ring road, but the initial allocation was not done this way and therefore matters such as the need to consider the long-term boundaries were not undertaken at an early stage and has only been imposed at a later date onto the pre-existing allocated sites.
- 1.9 It is clear from this that the strategic sites were, in large, identified simply because someone put forward land for allocation in areas that had not been identified as 'Green Wedge' or 'Areas preventing Coalescence' or 'Strays'. No consideration was made about the implication of the allocation upon the Green Belt. For instance, if the significant areas between the ring road and the Poppletons, Skelton and Haxby are necessary to avoid coalescence, it is logical that a similar (if not wider) area would be necessary between new development and the ring road. This is a step of assessment that is clearly missing from the Green Belt Assessment and indeed not included in the recent Topic Paper Addendum Report. Had this step been carried out the original allocation for west of Wiggington Road would not have extended down to the ring road, and the modified allocation would not extend down as close to the ring road as it does, particularly as there is no existing landscaping feature that creates the southern boundary.
- 1.10 Indeed, the introduction to the Topic Paper includes:

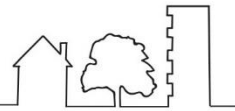
*1.4 Essentially the document is structured in line with the process undertaken which was to:*

- *establish the current status of the York Green Belt and its general extent;*
- *then establish the Local Plan's strategic approach to Green Belt;*
- *use the strategic approach to set the scope for which boundaries need formal definition and a methodology for how to do this;*
- *once the preferred boundaries of the York Green Belt were identified to establish if the objectively assessed needs for growth could be accommodated in land that was not identified as Green Belt;*
- *identify whether exceptional circumstances exist;*
- *evaluate the preferred sites within the Green Belt to accommodate any additional need;*  
*and*
- *produce a policies map with a permanent Green Belt boundary capable of accommodating growth and enduring for a minimum of 20 years.*





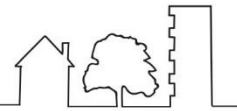
- 1.11 The first three bullets points pertain to the study to define Green Belt, however the inclusion of point 6 would appear to be misplaced as this is predicated on making a case for justification of previously defined draft allocations within Green Belt without an analysis of the whole Green Belt to identify areas that do not perform strongly as Green Belt and which may have potential for release from the Green Belt and subsequently to be considered for allocation.
- 1.12 In Section 4, considering the strategic approach to the Green Belt, consideration is given to weighting the comparative value of the five purpose of Green Belt as set out in the NPPF. This discussion results in the conclusion expressed in 4.8. below:
- 4.8 Given the importance of preserving the setting and special character of York, it is addressed first, followed by a review of the other four NPPF purposes, which are relevant, albeit not considered to be of the same importance as the primary purpose.*
- 1.13 This approach is not identified in the NFFP (2012) to which this topic paper refers and current editions of the framework reiterate “...*The fundamental purpose of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*”
- 1.14 Most surprising is that there appears to be no attempt to assess the five purposes of the Green Belt within each of the parcels that comprise the Green Belt. Whilst the objective ‘*to preserve the setting and special character of historic towns*’ will not apply to Green Belt assessments in areas where there is no historic town, there is no suggestion within the NPPF that, when it may apply, this purpose is more important than any other. In assessing the Green Belt value of study areas or identified parcels of land within the Green Belt assessment should be undertaken to score the effective contribution of each function without weighting. It may be that in assessing areas in the York Green Belt this purpose could score a maximum amount in every case, however this would not preclude scoring of other purposes providing the basis of assessment for a comparison of areas that have stronger or weaker Green Belt value.
- 1.15 Section 5.67 describes the importance of setting the detailed boundaries of the Green Belt as ‘*readily recognisable and likely to be permanent*’, however Annex 5 when considering boundaries to proposed allocations within the Green Belt in considering ST14 for example illustrates that boundaries to two sides of the proposed inset are weak and to the south non-existent. If this is acceptable within the Green Belt in this area, then in this respect it might be anticipated that many other site in the Green belt within field boundaries would be suitable for development. This approach illustrates the concern that the identification of potential site where development might be considered is not lead by a comparative assessment of Green Belt values of land parcels within the overall extent of the Green Belt.



- 1.16 Therefore objection is made on two grounds relating to the submission of the 'Approach to Defining York's Green Belt'. Firstly objection is made that this report was not prepared before the process started, it was prepared at the end of the process (indeed, in response to the Inspector's questions of the LPA). This means that it reflects, broadly, what should have happened, although the changes to various parts of the Green Belt at this modification stage demonstrate that there were elements of the Green Belt that were only considered when the report was written, which is an unacceptable approach in Plan making terms. Furthermore, it should have been the basis for the process, not a response to the process which has had no bearing upon principal decisions made with respect to York's Green Belt.
- 1.17 Secondly, objection is made in that the report fails fundamentally to consider the restrictions that should be made upon allocating sites within the acknowledged Green Belt area to ensure that these sites cause as little harm to the purposes of Green Belt, particularly those highlighted by York City Council as the principal purposes with respect to York – preserving the historic character which in part requires the prevention of coalescence. If such a strategy had been taken, a further plan would have been prepared which builds upon the 'York Green Belt Character Areas' at the Preferred Options stage, and extended those principals to create, for instance, a ring of 'areas preventing coalescence' that would stretch around the York Green Belt to ensure any new development allocated in the Green Belt areas would not adversely affect this aim. If it is necessary to stop development between existing villages and the ring road to prevent coalescence with the main urban area of York, clearly it is inappropriate to allow new development closer to the main urban area of York unless there is already a significant landscape structure that would prevent the new development from being seen from the centre of York.

### **Planning Practice Guidance**

- 1.18 Paragraph 034 (Reference ID: 61-034-20190315) specifically states in its opening line that *"authorities preparing local plans should assess future needs and opportunities for their area, explore and identify options for addressing these, and then set out a preferred approach...This involves gathering evidence, carrying out a Sustainability Appraisal to inform the preparation of local plans..."*
- 1.19 The PPG explicitly states that the gathering of evidence should be undertaken to inform the preparation of local plans and therefore should occur prior and it therefore follows that evidence should not be constructed at a later date to justify decisions that have already been made.
- 1.20 Paragraph 038 (Reference ID: 61-038-20190315) reflects this stance by confirming that *"the evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively"*.



1.21 In this case the ‘Approach to Defining York’s Green Belt’ has clearly been written as an afterthought, following the initial questions posed by the Inspectors. In some cases, the previously allocated sites have been amended so that they accord better with the guidance set out in the document, but this document should have been available at the start of the process so no such changes would have been necessary. More fundamentally, if a proper assessment that looked at the impact of new development within the Green Belt and where it should be restricted had been included, sites such as ST14 would not have been incorporated as initially submitted, and even the much-reduced version would still be found to be significantly detrimental to preventing coalescence. It is therefore considered that, as the Plan fails fundamentally to address the Green Belt issues that were well-known before the start of the plan process and fails to follow the clear guidance of PPG12 it is unsound.



**From:** Nicholas Mills [nicholas.mills@lichfields.uk]  
**Sent:** 22 July 2019 13:26  
**To:** localplan@york.gov.uk  
**Cc:** George.Mahy@nwhglobal.com; Helen Bougourd; james@sandburnhall.co.uk  
**Subject:** York Local Plan Proposed Modifications Consultation - Representations on behalf of Wakeford Properties Limited [NLP-DMS.FID632716]  
**Attachments:** 50781\_03 Wakeford Reps to York LP Proposed Mods 22.07.19.PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM44).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM39).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM22).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM21d).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM21c).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM21b).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM21a).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM20d).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM20c).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM20b).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM20a).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM5).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM4).PDF; 50781\_03 Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 (PM3).PDF

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I refer to the above consultation and attach representations prepared on behalf of Wakeford Properties Limited in relation to their land interests at Southfields Road, Strensall and Princess Road, Strensall.

The representations comprise the following documents:

- Completed Representation Forms
- Detailed representations report

Please can you confirm receipt of these representations by return.

Should you have any queries regarding the submitted documents please do not hesitate to contact me.

Kind regards

**Nicholas Mills**  
**Senior Planner**  
 Lichfields, Ship Canal House, 98 King Street, Manchester M2 4WU  
 T 0161 837 6130 / E [nicholas.mills@lichfields.uk](mailto:nicholas.mills@lichfields.uk)

lichfields.uk  

## Lichfields' planning news updates for July are now available

[VIEW NEWS](#)



This email is for the use of the addressee. It may contain information which is confidential and exempt from disclosure. If you are not the intended recipient you must not copy, distribute or disseminate this email or attachments to anyone other than the addressee. If you receive this communication in error please advise us by telephone as soon as possible.

Nathaniel Lichfield & Partners Limited is registered in England, no. 2778116. Our registered office is at 14 Regent's Wharf, All Saints Street, London N1 9RL.



Think of the environment. Please avoid printing this email unnecessarily.

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.



# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM44

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM39

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.



**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM22

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date



# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM21c

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.



# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM21d

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM21b

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.



**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundatmental aspects of the local plan. We would therefore like the oppotunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



### 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM21a

Document:

Local Plan Proposed Modifications

Page Number:

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

#### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

#### 4.(2) Do you consider that the Local Plan 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date



# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM20d

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.



# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM20c

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**  **Justified**

**Effective**  **Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM20b

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.



**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



### 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:	PM20a
Document:	Local Plan Proposed Modifications
Page Number:	

### 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](http://www.york.gov.uk/localplan)

### 4. Based on the Proposed Modification or new evidence document indicated:

#### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

#### 4.(2) Do you consider that the Local Plan 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.

### 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundatmental aspects of the local plan. We would therefore like the oppotunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date



# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM5

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundatmental aspects of the local plan. We would therefore like the oppotunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.



# Part B -Your Representation

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

## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM4

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundatmental aspects of the local plan. We would therefore like the oppotunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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		Nicholas
Last Name		Mills
Organisation (where relevant)		Lichfields
Representing (if applicable)		Wakeford Properties Limited
Address – line 1		Ship Canal House
Address – line 2		98 King Street
Address – line 3		Manchester
Address – line 4		
Address – line 5		
Postcode		M2 4WU
E-mail Address		nicholas.mills@lichfields.uk
Telephone Number		0161 837 6130

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM3

Document:

Local Plan Proposed Modifications

Page Number:

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

### 4.(2) Do you consider that the Local Plan 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.

## 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. Based on the Proposed Modification or new evidence document indicated:**

**5.(1) Do you consider that the Local Plan is Sound?**

Yes

No

If yes, go to question 5.(3). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness are applicable to 5.(1):** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) Please justify your answers to questions 5.(1) and 5.(2)**

Please see the attached representations report for detailed representations.



**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Please see the attached representations report for detailed representations.

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There is the need to examine some fundamental aspects of the local plan. We would therefore like the opportunity to participate at the oral part of the examination.

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

City of York Local Plan  
Proposed Modifications  
Consultation  
Representations on behalf of  
Wakeford Properties Limited

July 2019

**LICHFIELDS**

**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL  
Formatted for double sided printing.  
Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.  
© Crown Copyright reserved. Licence number AL50684A  
50781/03/JG/NMi  
17585093v2

# Contents

1.0	Introduction	1
	Structure	2
2.0	Background to the Southfields Road and Princess Road Sites	4
	Policy History of the Sites and Evidence Base	4
	Green Belt Purposes	5
	Suitability of Land at Southfields Road and Princess Road for Development	5
	Deliverability	6
	Conclusion	7
3.0	Modifications PM3 PM4, PM5, PM20a to PM20d, PM21a to PM21d, PM22 and PM44	8
4.0	Modification PM39 – Policies Map Green Belt Change – Strensall Village	12
	Introduction	12
	Consideration of Modification	12
	Tests of Soundness	15
	Recommended Change	16



## 1.0 Introduction

- 1.1 This report has been prepared by Lichfields on behalf of Wakeford Properties Limited [Wakeford Properties]. It forms Wakeford Properties' response to the City of York Local Plan Proposed Modifications (June 2019) Consultation in the context of Wakeford Properties' land interests of in York, namely:
- 1 Land at Southfields Road, Strensall
  - 2 Land at Princess Road, Strensall
- 1.2 Wakeford Properties is seeking the allocation of the above sites in the City of York Local Plan for residential development. Plans showing the location of the sites are attached at Appendices 1 and 2.
- 1.3 The representations are accompanied by a Housing Technical Report, which has been produced on behalf of a consortium of developers including Wakeford Properties (See Appendix 3). The Housing Technical Report provides a review of the Housing Needs Update prepared by GL Hearn on behalf of the Council which advises a reduction in minimum annual provision from 867 dwellings to 790 dwelling per annum. In particular, two main issues are analysed:
- 1 **A review of CYC's existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,**
  - 2 **An appraisal of the housing trajectory and five-year land supply position which underpins CYC's Plan.**
- 1.4 The sites are identified on the York Local Plan Proposals Map as lying within the Green Belt.
- 1.5 Representations have been submitted by Lichfields to City of York Council at various stages of the emerging Local Plan seeking the allocation of the above sites.
- 1.6 It is a statutory requirement that every development plan document must be submitted for independent examination to assess when it is "sound", as well as whether other statutory requirements have been satisfied (s.20(5) of the 2004 Act). By s.19 of the 2004 Act, in preparing a development plan document a local planning authority must have regard to a number of matters including national policies and advice contained in guidance issued by the Secretary of State. Such guidance currently exists in the form of the National Planning Policy Framework [the Framework] and the National Planning Practice Guidance [Practice Guidance].
- 1.7 The Framework<sup>1</sup> (February 2019) states that the policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. The York Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government for examination in May 2018. The policies in the Framework (March 2012) therefore apply in this instance.
- 1.8 **There is no statutory definition of "soundness". However,** the Framework<sup>2</sup> states that to be sound a Local Plan should be:
- 1 **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.

---

<sup>1</sup> National Planning Policy Framework (February 2019) Annex 1: Implementation

<sup>2</sup> National Planning Policy Framework §182

- 2 Justified: The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
- 3 Effective: The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- 4 Consistent with National Policy: The Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1.9 In addition, the Framework<sup>3</sup> states that:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For plan-making this means that:*

- *Local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, 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.....”***

1.10 The Core Planning Principles are set out in the Framework<sup>4</sup>.

1.11 The requirements of the Framework in respect Local Plans are reinforced in the Practice Guidance<sup>5</sup> which states that the Framework **“sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities”**.

## Structure

1.12 This report supplements the completed representation form and demonstrates that a number of policies within the Local Plan Proposed Modifications [LPPM] **are, at present, ‘unsound’ in the** context of the tests of soundness established by the Framework.

1.13 The report firstly provides background context to the Southfields Road and Princess Road sites to demonstrate why their removal from the Green Belt and allocation for residential development is appropriate.

1.14 This report then provides detailed representations in relation to the following proposed modifications:

- 1 Modification PM3 – Explanation of City of York Housing Needs
- 2 Modification PM4 – Policy SS1: Delivering Sustainable Growth for York

---

<sup>3</sup> National Planning Policy Framework §14

<sup>4</sup> National Planning Policy Framework §17

<sup>5</sup> Practice Guidance - ID: 12-001-20170728



- 3 Modification PM5 – Policy SS1: Delivering Sustainable Growth for York
- 4 Modification PM20a to PM20d – Policy H1: Housing Allocations
- 5 Modification PM21a to PM21d – Policy H1: Housing Allocations
- 6 Modification PM22 – Policy H1: Housing Allocations Explanation
- 7 Modification PM39 – Policies Map Green Belt Change – Strensall Village
- 8 Modification PM44 – Table 15.2: Delivery and Monitoring of Housing

1.15 Recommendations are set out at the end of each Modification section setting out how the Council needs to address the Modification to make it sound.

## 2.0 **Background to the Southfields Road and Princess Road Sites**

### Policy History of the Sites and Evidence Base

- 2.1 The York Local Plan Preferred Options 2013 [YLP-PO] identified both sites as lying outside of the Green Belt. The YLP-PO (Policy H3) identified the northern part of the Southfields Road site as part of a general housing allocation (Ref: H30). The southern part of the Southfields Road site (beyond the railway line) was identified as Safeguarded Land (Ref: SF1). The Princess Road site and the southern part of the Southfields Road site were identified as Sites of Local Interest for Nature Conservation [SLI] (YLP-PO Policy GI2). The reason for the identification of the sites as SLIs were not made clear in the YLP-PO.
- 2.2 Representations were submitted by Lichfields on behalf of Hogg Builders York to the YLP-PO which fully supported the Princess Road site and the northern part of the Southfields Road site for residential development (as part of a wider allocation). Objections were made to the designation of the SLI on the land at Princess Road. Whilst the YLP-PO indicated that these designations had been informed by a biodiversity audit, no information was provided in the YLP-PO on the biodiversity value of the sites and the efficacy of the information that had been used to inform this designation was questioned on this basis. It was requested that the SLI designations attached to the site should be removed and the area should be allocated for residential development. These allocations and designations were carried forward into the York Publication Draft Local Plan [YLP-PD] (September 2014).
- 2.3 The residential allocation of the northern part of the Southfields Road site was removed in the York Local Plan Preferred Sites Consultation [YLP-PS] 2016. According to Section 3.0 of the YLP-PS, the revised portfolio of sites was based on further technical assessment which included updated sustainability criteria; updated technical officer comments; transport; education; open space; agricultural land classification; sequential flood risk; and, Green Belt appraisal. Lichfields notes that of the further technical assessments listed in the YLP-PS, only site access was considered relevant to the decision to no longer include the Southfields Road site as an allocation. No issues were raised in terms of the removal of the site from the Green Belt.
- 2.4 No new evidence was provided in the Local Plan Pre-Publication Draft [LPPP] and its evidence base either. The Local Plan Preferred Sites Consultations Statement (2017) produced at the LPPP stage simply summarised representations made on the site through the YLP-PS consultation (on other parts of the wider allocation previously identified in the YLP-PO as site Ref: H30). However, the summary of representations made in support of the wider allocation suggest that an access solution is available.
- 2.5 No further substantive evidence was provided in the Local Plan Publication Draft [LPP] and its evidence base. The LPP Sustainability Appraisal – Appendix K identifies the Southfields Road site [Site Ref: 971] as a **“Reasonable – Alternative boundary to Previous Allocation H30”** but states that it was rejected as it **“fails technical officer comments”**. No further explanation is given for its rejection.
- 2.6 In summary, the sites have consistently been excluded from draft Green Belt boundaries in previous iterations of the Local Plan and the Council has previously accepted that they do not serve any Green Belt purpose.
- 2.7 The Princess Road site and the southern part of the Southfields Road site were identified as Sites of Local Interest to Nature Conservation on the LPPP Proposals Map. Wakeford

Properties note that these designations have been removed on the LPP Proposals Map and the removal of these designations is supported.

## Green Belt Purposes

- 2.8 A consideration of the sites against the Framework<sup>6</sup> demonstrates that they do not serve any specific role when compared against the five purposes of the Green Belt.
- 2.9 Given the size of the sites and their location, the development of the sites for residential use will not cause any undue harm upon these purposes. They form a logical extension to the existing settlement and do not comprise land which it is necessary to keep permanently open. The sites benefit from clearly defined boundaries with physical features that are readily recognisable and can form permanent boundaries. The sites are surrounded by existing built development to the north, east, and west. The railway line to the south and Flaxton Road further south create strong permanent boundaries which means that development of the sites will not impact upon the landscape beyond.
- 2.10 In accordance with the Framework<sup>7</sup>, the sites will channel development towards the existing settlement of Strensall and their development is consistent with the Local Plan strategy for meeting identified requirements for sustainable residential development. It is therefore considered that the identification of the sites as allocated or safeguarded land for residential development meets the requirements of the Framework when defining new Green Belt boundaries<sup>8</sup>.
- 2.11 The Council has previously confirmed that Southfields Road and Princess Road sites do not serve any Green Belt purposes by identifying the land outwith the Green Belt in previous iterations of the draft Local Plan. The previous policy approach to the sites, together with the inclusion of the Southfields Road site as an allocation and safeguarded land in the earlier drafts of the YLP (now aborted), all demonstrate that they do not perform a Green Belt function and can be developed. The Council has previously followed the guidance in the Framework which emphasises that land which is unnecessary to keep permanently open should not be included within the Green Belt. The current approach does not.

## Suitability of Land at Southfields Road and Princess Road for Development

- 2.12 The Framework<sup>9</sup> establishes a presumption in favour of sustainable development. Development of land at Southfields Road and Princess Road, Strensall meets economic, social and environmental roles of sustainable development set out in the Framework<sup>10</sup>. The sites are available for development in the short term and, as a result, the benefits of the scheme will be delivered to the local community quickly.
- 2.13 The development of the sites will create direct and indirect construction jobs and there will be additional expenditure within the local area from construction workers. Once the development is completed, the new occupiers will create demand for local facilities which will increase the wealth of the surrounding area and contribute to the community. The development of the sites would also generate new homes bonus payments, which the local authority can spend on local services and infrastructure.

---

<sup>6</sup> Framework §80

<sup>7</sup> Framework §84

<sup>8</sup> Framework §85

<sup>9</sup> Framework §14

<sup>10</sup> Framework §7

- 2.14 The Framework requires local authorities to identify a supply of specific deliverable sites sufficient to meet a five year requirement and specific developable sites for years 6-10 and where possible years 11-16<sup>11</sup>.
- 2.15 A Technical Report on Housing Issues has been produced by Lichfields for a consortium of developers including Wakeford Properties in response to the LPP consultation on the scale of housing growth set out in Policy SS1 of the LPP. The report seeks to increase the housing **requirement identified in Policy SS1 in order to help meet the City's full housing needs across** the plan period, including the need for affordable housing. In order to assist the Council in meeting this requirement and help ensure a deliverable 5-year supply, it is imperative that the allocation of the land at Southfields Road and Princess Road, Strensall for housing development is carried through into the Local Plan and brought forward for development in the short term.
- 2.16 The sites will deliver a sustainable pattern of development. They are extremely well located in terms of local services in Strensall village, including Robert Wilkinson Primary School, and a regular bus service provides a service between Strensall and York. The development of the sites will not only increase the range of house types within Strensall but will also help to sustain existing local facilities within the village.
- 2.17 The development of the sites will not harm the built or historic environment. and are not subject to any historic designation. The sites are bound by existing residential development to the north, east and west and (for the most part) a railway line to the south. They therefore form logical infill sites for the settlement and will not intrude into the wider landscape. Strensall Common, which is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC), is located to the south of the sites. It is not considered that residential development in this location would have any significant detrimental impact on Strensall Common, and the possible impact would be considered through the planning application process. Mature trees and hedgerows within the sites, and along boundaries, will be assessed as part of the planning application process and those of value can be retained and incorporated into the development. The sites lie in flood risk zone 1 and development of this land for residential use therefore accords with the Framework<sup>12</sup> which seeks to steer new development to areas with the lowest probability of flooding. There are no further environmental constraints associated with the sites. Development of the sites will incorporate measures to meet local and national sustainability criteria.

## Deliverability

- 2.18 The Framework<sup>13</sup> states that for sites to be considered deliverable, they must be suitable, available and achievable. The land at Southfields Road and Princess Road, Strensall meets all of these requirements:
- 1 Suitable: the sites can be accessed from existing access points on Princess Road and the village. They are located within an established residential area, very close to the village centre, and provide the opportunity to increase housing provision within Strensall without impacting upon the wider landscape.
  - 2 Available: The sites are in the ownership of a willing landowner who is looking to release them for development.
  - 3 Achievable: The sites are capable of coming forward for development in the short term as soon as a developer has secured the grant of planning permission.

---

<sup>11</sup> Framework §47

<sup>12</sup> Framework §101

<sup>13</sup> Framework footnote 11, page 12

- 2.19 The Technical Report on Housing Issues prepared by Lichfields and submitted with these representations sets **out our concerns in relation to the Council's housing requirement and** housing supply. It concludes that the Council is not providing sufficient land to meet the housing needs of the City and further sites should be allocated for housing development as part of the YLP. The Local Plan is therefore not soundly based and it is requested that the calculation **of York's Objective Assessment of Housing Needs [OAHN]** is revisited, and that Southfields Road and Princess Road are allocated for residential development in order to help make up for the shortfall in housing land.

## Conclusion

- 2.20 It is considered that the sites at Southfields Road and Princess Road, Strensall, represent sustainable locations for housing development. They are suitable, available and achievable for residential development for market and affordable dwellings and there are no insurmountable constraints to delivering housing on the sites. The sites are able to come forward for development in the short-term (years 1 – 5) and therefore represent deliverable sites as defined by the Framework. In order to assist the Council in delivering its housing land requirement it is considered that the sites at Southfields Road and Princess Road, Strensall should be allocated for housing development and brought forward for development in the short term. If the sites are not identified for allocation they should be identified as Safeguarded Land.

3.0

## **Modifications PM3 PM4, PM5, PM20a to PM20d, PM21a to PM21d, PM22 and PM44**

### Introduction

3.1

The above modifications relate to the modification to Policy SS1 which sets a need to deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38. The annual dwelling requirement has been reduced from the 867 dwellings per annum proposed in the Local Plan Publication Draft.

3.2

An updated version of Figure 6 of the May 2018 SHLAA has been produced as a background document to accompany the modifications, based on the revised annual dwelling requirement put forward by the Council.

### Consideration of Modifications

3.3

Wakeford Properties object to Modification PM5 (and associated modifications) as it is considered that the **Council's proposed objectively assessed housing need (OAHN) is not based** on a robust assessment which is compliant with the Framework. On behalf of Wakeford Properties, and a wider consortium of housebuilders, Lichfields has undertaken a review of the work prepared by GL Hearn on behalf of the Council which advises a reduction in minimum annual provision from 867 dwellings to 790 dwelling per annum.

3.4

Lichfields review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (**"the 2019 HNU"**), **and prior iterations of that study, that this housing requirement fails to meet** the full OAHN, which is significantly higher than the Council has estimated.

3.5

Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient **housing to sustainably deliver, in a timely manner, housing in line with the City's full OAHN**, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

3.6

Lichfields' analysis can be found at Appendix 3. The main conclusions of the review are set out below:

- 1 Demographic Baseline: The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to 921 dpa.
- 2 Market Signals Adjustment: **GL Hearn's uplift is 15%. However, for the reasons set out** above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for 1,105 dpa.
- 3 Employment growth alignment: The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2

(which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;

- 4 Affordable Housing Need: The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of 1,215 dpa.
  - 5 Student Housing Needs: household projections explicitly exclude the housing needs of **students living in communal establishments**. Furthermore, **Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets**. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
  - 6 Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York. This is 22% higher than the MHCLG standard methodology figure of 1,069 dpa
  - 7 Shortfall of housing delivery 2012-2017: The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the **CoYC have calculated past housing delivery**. **Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full**. **If Lichfield's higher OAHN of 1,300 dpa is applied, this would result in a figure of 285 dpa to be factored on top.**
- 3.7 Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.
- 3.8 Lichfields has reviewed the delivery assumptions **which the Council's** housing trajectory is based upon. It is considered that the suggested lead-in times and delivery rates for a number of proposed allocations are unrealistic and not based on robust assumptions. Our review of the **Council's** lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on. Furthermore, whilst it is **considered that the Council's approach** to delivery rates is a reasonable starting point, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Our analysis can be found at Appendix 3. This assessment also raises **concerns regarding further aspects of the Council's housing supply such as density** assumptions and the extent to which delivery from the windfall source can be relied upon. Overall, the assessment of the estimated housing supply by York Council identifies, even at a high level, an over-estimation of the supply both in the immediate 5-year period and for the Plan period.
- 3.9 Wakeford Properties has **concerns regarding the Council's approach to calculating its five-** year housing land supply, including the assumptions which the housing trajectory is based upon. Wakeford Properties therefore concludes that additional housing supply needs to be identified

in York to meet what is considered to be a shortfall in predicted delivery, particularly against a properly formulated OAN, for the Plan period.

## Tests of Soundness

- 3.10 Wakeford Properties consider that the above modifications fail to meet the following tests of soundness because:
- 1 It is not Positively Prepared: Based on Lichfields' analysis it is considered that the plan is not based on a robust OAHN or understanding of passed under delivery. Therefore, the plan is not positively prepared and will not meet the OAHN for the authority area. **The Council's current proposals will not seek to allocate sufficient housing to meet the identified OAHN and unmet need.**
  - 2 It is not Justified: The proposed modification to the housing requirement is not justified as it is not based on a robust evidence and is not considered to be compliant with the Framework.
  - 3 It is not Effective: In the absence of an identified supply of housing allocations which **would be sufficient to deliver the Council's OAHN identified through Lichfields' analysis**, there is a risk that the Local Plan will not be deliverable and sufficiently flexible to respond to change over the plan period. Furthermore, it is considered that the assumptions **which the Council's housing trajectory are not robust.**
  - 4 It is not Consistent with National Policy: **The Council's currently identified OAHN** of 790 dwellings is not based on a robust evidence base and will not deliver sustainable development in accordance with the policies in the Framework. **The Council's housing trajectory** is not based on robust assumptions and therefore it is questionable if the Council has sufficient sites to demonstrate a five year housing supply or meet the housing requirement across the plan period.

## Recommended Change

- 3.11 In order to address the conflicts identified above and ensure that the Local Plan is sound, it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' **analysis which sets out that the Council's OAHN is 1,300 dpa plus the unmet need between 2012-2017 (285 dpa).**
  - 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' **analysis of the Council's housing evidence base.**
  - 3 Revisit the delivery assumptions which the housing trajectory is based upon to ensure they **are robust and sufficient housing is identified to provide five years' worth of housing against** requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.
- 3.12 **It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN** is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts **that the housing trajectory is based on robust delivery assumptions and therefore the Council's** ability to deliver a five year housing land supply or meet the housing requirement across the plan period.



- 3.13 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.

## 4.0 **Modification PM39 – Policies Map Green Belt Change – Strensall Village**

### Introduction

- 4.1 As part of the Proposed Modification consultation, the Council has produced an Addendum to **Topic Paper 1: Approach to York’s Green Belt**. **The TP1 Addendum is intended to provide** further clarity on the approach to defining the inner and outer Green Belt boundary and the exceptional circumstances within which allocations within the general extent of Green Belt have been made. This work brings together conclusions from previously published evidence and decision making.
- 4.2 The Council is proposing minor modifications to the Green Belt boundary depicted on the 2018 policies map, as part of the further work undertaken to produce the Addendum to Topic Paper 1 and as a result of the proposed modifications required by the updated Habitats Regulations Assessment.
- 4.3 Modification PM39 proposes that the detailed inner Green Belt boundary around the village of Strensall should follow along Ox Carr Lane, placing all the land to the south of this within the Green Belt, as opposed to encompassing the Military Barracks and associated housing within the village envelope as presented on the policies map.

### Consideration of Modification

- 4.4 Wakeford Properties objects to Modification PM39 as it considered that the proposed inner Green Belt Boundary around Strensall has not been properly assessed and the changes proposed by Modification PM39 fail to release land at Southfields Road and Princess Road from the Green Belt.
- 4.5 Wakeford Properties is concerned with the approach taken in the TP1 Addendum to identifying the inner Green Belt boundary around Strensall as it is considered that there is a lack of transparency as to how the findings within the document have resulted in the Green Belt boundaries identified.
- 4.6 The stated purpose of Section 4 of the TP1 Addendum is to set out how the Local Plan has defined land which needs to be kept permanently open in terms of the 5 purposes of Green Belt. The TP1 Addendum advises in Section 4 that preserving the setting and special character of York **should form the primary purpose of York’s Green Belt** but notes that consideration has been given to the other Green Belt purposes as part of the process.
- 4.7 Figures 3 to 6 in the TP1 Addendum identify the areas of land which are considered to contribute to Green Belt purposes 1,2 3 and 4. In relation to land at Southfields Road and Princess Road, Strensall, the figures indicate the following:
- 1 Purpose 1: Both sites lie outside of areas that the Council considers would exacerbate urban sprawl.
  - 2 Purpose 2: Both sites lie outside of areas the Council considers are essential for preventing coalescence.
  - 3 Purpose 3: Neither of the sites appear to lie within areas which the Council considers are necessary to safeguard the countryside from encroachment (though it is not possible to fully confirm this given the small size and low image quality of the Figure).

4 Purpose 4: Neither sites lies within an area considered by the Council to be important to **York's special character and setting.**

- 4.8 With regard to Purpose 5, the TP1 Addendum notes that this purpose is achieved through the overall effect of the York Green Belt rather than the identification of particular parcels of land which must be kept permanently open. It states that variety of potential allocations, both close to the urban area and separate to it, have been identified so as to balance the need for growth and the ability of the Green Belt to promote regeneration in existing built up areas.
- 4.9 Figure 7 of the TP1 Addendum identifies those areas which have been identified as being strategically important to keep permanently open in the context of the 5 purposes of the Green Belt (the TP1 Addendum<sup>14</sup> notes that Figure 7 is a combination of Figures 3-6). Notwithstanding the above comments, Wakeford Properties notes that Figure 7 appears to show both the Southfields Road and Princess Road sites as lying outside of these strategically important areas. The Council therefore appears to accept that the sites are not of strategic Green Belt importance. However, it not possible to accurately confirm whether sites fall within or outwith the strategically important areas as the scale and detail of Figure 7 is not sufficient to make an accurate assessment.
- 4.10 Whilst this part of the assessment process appears to suggest that the Southfields Road and Princess Road sites are not of strategic Green Belt importance, Wakeford properties has concerns with the approach taken. It is not clear what weight has been given to each purpose **and there is no clear explanation as to how this has informed the Council's overall conclusions** on the strategic areas which need to be kept permanently open. In addition, it is not clear why the information used to inform the impact upon some of the purposes has been used. For example, with regard to Purpose 1: To check the unrestricted sprawl of large built-up areas, the TP1 Addendum identifies all the land in York which does not currently have access to two or more of key services to inform land which is to be kept permanently open as Green Belt. The development of land on the edge of any settlement has the potential to result in sprawl and the usual barometer to assess sprawl is to consider how well contained the parcel is by the urban area and how strong the boundary is to restrict it from sprawl.
- 4.11 The TP1 Addendum<sup>15</sup> notes that Figure 7 serves to explain the general extent of the York Green Belt, and informs the analysis for determining the detailed inner and outer boundaries as outlined in Section 5 of the TP1 Addendum. However, it is not clear how this translates into the boundaries defined. For example, there are parts of Strensall which are identified as lying outside of the strategically important areas but which fall within the Green Belt proposed around the settlement.
- 4.12 Section 6 of the TP1 Addendum considers additional urban areas in the general extent of the Green Belt to determine if detailed Green Belt boundaries need to be established. The TP1 Addendum notes that where analysis determines that an urban area needs to be inset, the proposed boundary is based on the methodology set out in Section 5 of the TP1 Addendum. It draws a conclusion on whether an area should be included or inset from the general extent of the Green Belt. As part of this process, parts of the settlement of Strensall are proposed for exclusion from the Green Belt. Annex 4 of the TP1 Addendum provides a plan which identifies the proposed boundaries for Strensall. The boundary identified shows the sites at Southfields Road and Princess Road as lying within the Green Belt, adjacent to the proposed boundary with the urban area.

---

<sup>14</sup> TP1 Addendum §4.42

<sup>15</sup> TP1 Addendum §4.42

4.13 Whilst Wakeford Properties welcomes the exclusion of the settlement of Strensall from the Green Belt it has concerns with the proposed inset boundary and considers that the approach taken to identifying the boundary is fundamentally flawed. With regard to defining the proposed boundaries the TP1 Addendum<sup>16</sup> states:

*“The proposed boundaries presented in Annex 4 (and summarised overleaf) are based on current built development and do not account for the need to release land/sites in accordance with accommodating identified needs for growth and setting a permanent Green Belt. Issues on exceptional circumstances and the sites these can be applied to are set out in sections 7 and 8”.*

4.14 The approach taken of identifying Green Belt boundaries and then attempting to retrofit allocations in afterwards is illogical. As the Council is aware that the release of Green Belt land is necessary, the whole point of defining Green Belt boundaries through this process should be to help identify land which no longer meets the Green Belt purposes and to help identify the most appropriate locations for Green Belt release. This process should have been undertaken prior to any allocations being identified in order to help inform what the most appropriate locations are. The identification of a boundary based on current built development does not make any sense as this does not provide any opportunity to consider where boundaries could possibly be realigned to exclude areas which no longer serve Green Belt purposes. On this basis, there is no transparent logic or justification as to how the sites identified for allocation and their respective boundaries have been defined.

4.15 **The Council’s approach in which it has considered the suitability of sites in relation to Green Belt harm is also considered to be flawed.** The TP1 Addendum<sup>17</sup> states:

*“Table 2 identifies those sites which are considered to be the most suitable and sustainable as identified through the Local Plan site selection process and identified as causing the least harm to the green belt. Overall, the table includes 21 sites identified in the Local Plan (2018) that sit within the general extent of the York Green Belt, as described above and are all therefore considered to have some impact on the openness of Green Belt and on the 5 purposes set out in the NPPF. The sites identified provide sufficient land for 7,769 dwellings and 151,850 sqm of employment floorspace”.*

4.16 The issue of harm of a potential development to the Green Belt is normally considered through a planning application, where development is proposed within an existing Green Belt boundary (i.e. the site is located in the Green Belt so the harm upon it needs to be considered in accordance with the Framework). When identifying land for Green Belt release and allocation through the Local Plan process this approach is not taken. Instead, a thorough assessment to the 5 purposes of the Green Belt is normally undertaken and the suitability of land for release is assessed on this basis. The contribution of the Green Belt to the 5 purposes is normally balanced with other considerations such as, the overall distribution strategy, sustainability, accessibility etc. to identify the most appropriate sites for release and allocation. This again illustrates how the Council is seeking to retrofit allocated sites into the Green Belt assessment process. In addition, whilst the allocated sites are individually assessed in the TP1 Addendum (Annex 5) against the Green Belt Purposes, there is no comparison of the allocated sites with other areas of Green Belt land so it is not possible to confirm whether they are the most appropriate locations for development.

---

<sup>16</sup> TP1 Addendum §6.17

<sup>17</sup> TP1 Addendum §8.6

## Safeguarded Land

- 4.17 The Framework<sup>18</sup> is clear that local authorities should consider 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. It states that authorities should identify 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. Representations submitted on behalf of Wakeford to previous stages of the Local Plan consultation have established a case as to why safeguarded land should be identified in York.
- 4.18 However, the Council has failed to consider the release of safeguarded land as part of the Proposed Modifications consultation and in the additional Green Belt work undertaken in the TP1 Addendum. With regard to this matter the TP1 Addendum<sup>19</sup> states:
- “Several of the strategic sites identified in the submitted Local Plan have anticipated build out times beyond the fifteen year trajectory included within the plan; this coupled with a small windfall allowance and an approach to Green Belt predicated on boundaries enduring for a minimum of 20 years (5 years beyond the Plan period) mean that it is no longer necessary to designate safeguarded land, although some of the site boundaries may include land which was previously identified in his way”.*
- 4.19 The now aborted YLP-PD identified a reserve of safeguarded land to ensure that the Green Belt boundary was capable of enduring beyond the plan period. This approach is entirely consistent with national guidance. Wakeford Properties are therefore concerned that the Local Plan no longer designates safeguarded land, provides no justification for this approach, and relies on strategic sites delivering beyond the plan period.
- 4.20 The identification of safeguarded land is considered particularly important as the Local Plan will set detailed Green Belt boundaries for the first time and an appropriate and sound strategy is therefore required to enable flexibility beyond the plan period. Wakeford Properties consider that safeguarded land is required in the City to provide a degree of permanence to the Green Belt boundary and avoid the need for future review. It would also provide flexibility and allow land to be brought forward quickly without a fundamental review of the whole Local Plan if allocated sites were unable to deliver the quantum of development envisaged. This is particularly important when considering the complex nature of some of the sites that are proposed for allocation in the LPP e.g. Land to the West of Elvington Lane, where deliverability is uncertain due to issues including land ownership, funding and viability.
- 4.21 Wakeford Properties therefore considers that the establishment of suitable boundaries for safeguarded sites should have been assessed as part of the further work undertaken in the TP1 Addendum. This is the only way to ensure strong and permanent Green Belt boundaries.

## Tests of Soundness

- 4.22 Wakeford Properties consider that Modification PM39 fails to meet the following tests of soundness because:
- 1 It is not Positively Prepared: The identification of a Green Belt boundary based on current built development does not make any sense as this does not provide any opportunity to consider where boundaries could possibly be realigned to exclude areas

<sup>18</sup> The Framework §§83 and 85

<sup>19</sup> TP1 Addendum §5.64

which no longer serve Green Belt purposes. The approach taken of identifying Green Belt boundaries and then attempting to retrofit allocations in afterwards is illogical.

- 2 It is not Justified: It is not clear what weight has been given to each purpose and there is **no clear explanation as to how this has informed the Council's** overall conclusions on the strategic areas which need to be kept permanently open. There is no transparent logic or justification as to how the sites identified for allocation and their respective boundaries have been defined. Whilst the allocated sites are individually assessed in the TP1 Addendum (Annex 5) against the Green Belt Purposes, there is no comparison of the allocated sites with other areas of Green Belt land so it is not possible to confirm whether they are the most appropriate locations for development. There is no clear evidence to demonstrate why safeguarded land has not been identified to meet need beyond the plan period.
- 3 It is not Effective: In the absence of identifying additional land outwith the Green Belt boundary, and allocating land in sustainable locations to meet development needs, there is a risk that the Local Plan will not be deliverable over its period.
- 4 It is not Consistent with National Policy: The identification of additional land outwith the Green belt boundary in sustainable locations is necessary in order to meet the delivery of sustainable development in accordance with the policies in the Framework.

## Recommended Change

- 4.23 In order to address the conflicts identified above and ensure that the Local Plan is sound, it is considered that City of York Council should:
- 1 Review the Green Belt evidence to address the issues identified above.
  - 2 Define the boundary of the Green Belt around Strensall such that land at Southfields Road and Princess Road, Strensall are excluded from it and allocated for residential development on the Local Plan Proposals Map.
  - 3 The Southfields Road and Princess Road, sites should be identified as Safeguarded Land on the Local Plan Proposals Map if they are not allocated for development.
- 4.24 For the reasons set out in these representations, the Council should identify additional land to meet the housing needs of the community and define the Green Belt boundary accordingly. These sites should be able to deliver early in the plan period. This is the only approach that will **deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs. The identification of a portfolio of small site allocations (e.g. up to 250 dwellings)** around existing settlements and the main urban area would assist in meeting any shortfall created by the delay in large sites delivering dwellings early in the plan period.
- 4.25 As demonstrated in these representations, the Southfields Road, and Princess Road sites should not be included within the identified Green Belt boundary, as they do not serve a Green Belt function, and should be allocated for residential development to help the Council meet its housing requirement.
- 4.26 Even if the sites are not allocated they should be identified as Safeguarded Land for future development.

# Appendix 1 **Land at Southfields Road, Strensall**

HM Land Registry  
Official copy of  
title plan

Title number NYK235968  
Ordnance Survey map reference SE6360NE  
Scale 1:1250 enlarged from 1:2500  
Administrative area York



© Crown Copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

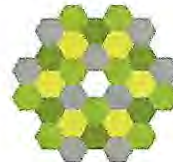




## Appendix 2 **Land at Princess Road, Strensall**

HM Land Registry  
Official copy of  
title plan

Title number **NYK235970**  
Ordnance Survey map reference **SE6360NW**  
Scale **1:2500**  
Administrative area **York**



©Crown Copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.



## Appendix 3 **Housing Technical Report**

# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019

**LICHFIELDS**

**LICHFIELDS**

# **Lichfields is the pre-eminent planning and development consultancy in the UK**

We've been helping create great places  
for over 50 years.

**lichfields.uk**

© 2019 Nathaniel Lichfield & Partners Ltd, trading as Lichfields. All Rights Reserved. Registered in England, no. 2778116. 14 Regent's Wharf, All Saints Street, London N1 9RL

Formatted for double sided printing.

Plans based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.

© Crown Copyright reserved. Licence number AL50684A

41640/05/SPM/CR

17597946v1

# Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
	City of York Council’s Local Plan Proposed Modifications (June 2019)	3
	Report Structure	4
<b>2.0</b>	<b>Housing Need</b>	<b>5</b>
	Introduction	5
	Housing Need Local Policy Context	11
	Overview of the City of York HNU	13
<b>3.0</b>	<b>Critique of the SHMA Update</b>	<b>16</b>
	Introduction	16
	Starting Point and Demographic-led Needs	16
	Market Signals	21
	Affordable Housing Needs	24
<b>4.0</b>	<b>OAHN – Demographic and Affordable Needs</b>	<b>27</b>
	Demographic Modelling	27
	Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?	30
	Are Economic Growth Needs Being Addressed?	36
	Is there a need to increase housing supply to aid the delivery of affordable housing?	37
<b>5.0</b>	<b>Integration of Student Housing Needs</b>	<b>39</b>
<b>6.0</b>	<b>Factoring in the Backlog</b>	<b>46</b>
<b>7.0</b>	<b>Conclusions on the City of York’s Housing Need</b>	<b>49</b>
<b>8.0</b>	<b>Analysis of the Forward Supply of Housing</b>	<b>51</b>
	Introduction	51
	Delivery Assumptions	51
	Components of the Housing Land Supply	55
	Conclusion	60
<b>9.0</b>	<b>Overall Conclusions and Recommendations</b>	<b>61</b>
	Conclusions on the City of York’s Housing Need	61
	Conclusions on the 5YHLS and Forward Supply of Housing	62
	Recommendations	62



## Tables

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios	14
Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18	23
Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033	29
Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033	30
Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033	32
Table 6 Adopted Housing Targets in post-NPPF Plans	33
Table 7 Impact of scales of housing growth on affordability	35
Table 8 Outcomes for the City of York- Apportionment of National Needs	36
Table 9 Recent trends in University student headcounts in York 2014/15-2017/18	40
Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33	45
Table 11 Rate of net housing delivery in York, 2012/13-2016/17	47
Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17	48
Table 13 Approach to OAN for the City of York 2017-2033	50
Table 14 Lead-in Times	52
Table 15 Annual Delivery Rates	54
Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)	59
Table 17 Five year housing land supply calculation - Lichfields OAHN	59





## 1.0 Introduction

- 1.1 This statement is prepared on behalf of four different and separate participants who have jointly instructed Lichfields to represent them on matters of housing need. The participants are Taylor Wimpey, Persimmon Homes, Wakeford Properties and Bellway Homes. Each has their own distinct interests in the City and have submitted separate responses on other matters, but present the following shared position on housing need.
- 1.2 The assessment of York’s housing need in this statement forms part of the above participant’s response to the York Local Plan [YLP] Proposed Modifications Version (June 2019) covering Local Housing Need, housing land supply and affordable housing. They are submitted to City of York Council [CYC] for consideration in the formulation of its new Local Plan for the City.
- 1.3 In particular, two main issues are analysed:
- 1 A review of CYC’s existing evidence on housing needs and establishing the scale of need and demand for market/affordable housing in the City; and,
  - 2 An appraisal of the housing trajectory and five-year land supply position which underpins CYC’s Plan.

### City of York Council’s Local Plan Proposed Modifications (June 2019)

- 1.4 A review of the Objectively Assessed Housing Need [OAHN] was undertaken on behalf of CYC by GL Hearn in January 2019 (*The Housing Needs Update report*), which supersedes the previous SHMA Update (2017). This report advised that in light of the latest set of 2016-based Sub-National Household Projections [SNHP] in September 2018, York’s OAN has fallen from 867 dwellings per annum [dpa] to 790 dpa.
- 1.5 On the basis of this evidence, the Council considered that under the transitional arrangements of the 2012 NPPF and the requirements of the National Planning Practice Guidance [the Practice Guidance] in relation to the assessment of housing need, it was justified in making minor modifications to its submitted Plan as a result of the updated OAHN.
- 1.6 These modifications include an update to Figures 5.1 and 5.2 of the Plan – the housing trajectory and figure 6 of the Strategic Housing Land Availability Assessment (SHLAA) which provides the detailed housing trajectory. Policy SS1: *Delivering Sustainable Growth for York*, has been modified to state that the Council will “*deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38*”.
- 1.7 Furthermore, paragraph 3.3 of the accompanying explanation to Policy SS1 is now revised to state that:
- “Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections to ~~867~~ 790 per annum. Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of ~~867~~ 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.”*

- 1.8 Our review concludes that on the basis of the approach taken to reaching the 790 dpa housing requirement identified within the City of York Housing Needs Update (January 2019) (“the 2019 HNU”), and prior iterations of that study, that this housing requirement fails to meet the full OAHN, which is significantly higher than the Council has estimated.
- 1.9 Furthermore, we consider that the Plan would fail to make appropriate provision for sufficient housing to sustainably deliver, in a timely manner, housing in line with the City’s full OAHN, with further site allocations required within this Plan in order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change.

## Report Structure

- 1.10 The report is structured into the following sections:
- **Section 2.0** –sets out the housing policy context at a national and local level;
  - **Section 3.0** – reviews the robustness of the Council’s evidence on housing need within the City, and whether the Council is seeking to meet its OAHN;
  - **Section 4.0** – identifies a new OAHN;
  - **Section 5.0** – considers the integration of student housing needs;
  - **Section 6.0** – reviews the Council’s approach to factoring in backlog;
  - **Section 7.0** - provides a summary and conclusion on the City of York’s housing need;
  - **Section 8.0** –reviews the Council’s housing trajectory and five-year housing land supply position [5YHLS] which underpin the Plan’s Proposed Modifications, in respect of realistic and reasonable lead-in times and build-out rates, including presenting a revised trajectory; and
  - **Section 9.0** –provides a summary and overall conclusion on the whether the evidence underpinning the Plan is sound, in respect of the need for both market and affordable homes and the housing trajectory, and provides recommendations in respect of these matters.

## 2.0 **Housing Need**

### **Introduction**

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This is in the context that the Council's Local Plan was submitted during the transitional arrangements for the 2019 National Planning Policy Framework [NPPF]. That said, the standard method for calculating housing need set out in the NPPF (and set out in more detail in the revised 2019 Practice Guidance), provides relevant context for the direction of change the Government has moved towards, and the unwavering emphasis of seeking to substantially boost the supply of housing to attain an overall national target of 300,000 dwellings per year.
- 2.2 This will provide the benchmark against which the 2019 HNA will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### **National Planning Policy Framework**

- 2.3 The 2012 NPPF outlines that local planning authorities [LPAs] should positively seek opportunities to meet the development needs of their area (paragraph 14). It adds that, in order to “*boost significantly*” the supply of housing, they 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, as far as is consistent with the policies set out in the framework...*” (paragraph 47)
- 2.4 The NPPF (paragraph 159) specifies the evidence required to objectively define housing needs within an area, setting out that LPAs should:
- "Prepare a Strategic Housing Market Assessment to assess their full housing needs... identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
- *Meets household and population projections, taking account of migration and demographic change;*
  - *Addresses the needs for all types of housing, including affordable housing...; and*
- Caters for housing demand and the scale of housing supply necessary to meet this demand."*

### **2019 NPPF**

- 2.5 The Revised Framework was published in February 2018. It has an unequivocal emphasis on housing, with the introduction to the 2018 consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year.
- 2.6 The 2019 NPPF states that to support the Government's objective of “*significantly boosting the supply of homes*”, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [S59].

2.7 In particular:

*“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. [S60]*

2.8 The revision also makes clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [S61].

2.9 Paragraphs 67 - 76 also set out how Councils should identify and maintain a five-year supply of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this key policy document, it is accepted that paragraph 214 to Annex 1 of the NPPF states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans were submitted on or before the 24<sup>th</sup> January 2019.

2.11 However, the 2019 NPPF remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

## **Planning Practice Guidance**

2.12 The Planning Practice Guidance [PPG] contains a section providing guidance on housing and economic development needs assessments. It identifies that whilst there is no one methodological approach, an OAHN should fulfil the following criteria:

- be proportionate and not consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur (ID: 2a-003);
- be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need (ID: 2a-004);
- utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need (ID: 2a-015);
- consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (ID: 2a-017); and
- take account of employment trends (ID: 2a-018), appropriate market signals including market indicators of the balance between the demand for and supply of dwellings (ID: 2a-019) and affordable housing needs (ID: 2a-029).

## **2019 Planning Practice Guidance**

2.13 Following on from the revisions to the Framework, on 13<sup>th</sup> September 2018 MHCLG

published its revised PPG on Housing and economic land availability assessment covering changes to the 5YHLS approach, whilst on 20<sup>th</sup> March 2019 MHCLG updated its Housing and economic needs assessment to factor in the calculation of Local Housing Need via the standard methodology.

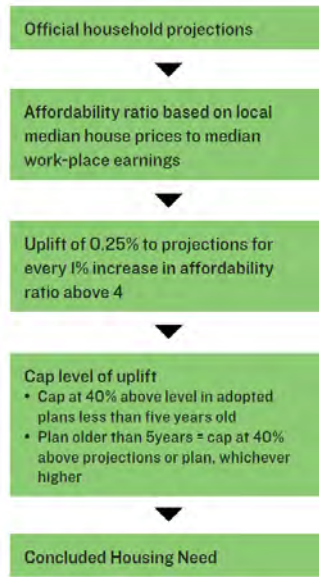
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.15 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the ‘Sedgefield’ approach to backlog).
- 2.16 In terms of the Local Housing Need [LHN] assessment, this takes forward the approach set out in CLG’s September 2017 consultation on “*Planning for the right homes in the Right Places*”. The new approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components.
- 2.17 This uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply<sup>1</sup>. This takes an average of the household projections over a 10-year period and adjusts them based on the affordability of the area. A cap may be applied which limits the increase, depending on the current status of relevant policies for housing.
- 2.18 The PPG states that:  
*“The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes.”*
- 2.19 If an authority uses a different method for calculating housing need the PPG sets out how this should be tested at examination:  
*“Where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.”*  
*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.”<sup>3</sup>*
- 2.20 The various stages are set out in Figure 1.

<sup>1</sup> 2a-002-20190220 [CD/021]

<sup>2</sup> 2a-002-20190220

<sup>3</sup> 2a-015-20190220[CD/021]

Figure 1 Methodology for determination of LHN



Source: Lichfields

2.21 Applying this revised approach to the standard methodology would result in a LHN figure of **1,069 dpa** for the City of York. This represents the minimum number of homes needed per year as set out in paragraph 60 of the revised Framework (February 2019).

2.22 This is calculated using the 2014-based household projections for 2019-2029, which equates to household growth of 820 per annum (8,198 over the 10-year period), plus a market signals uplift of 30.4%. This latter figure has been generated as follows, based on the most recent (April 2019) affordability ratio data for the City of York:

- Median local workplace-based affordability ratio (2019) = 8.86
- deduct 4 = 4.86
- divide by 4 = 1.215
- multiply by 0.25 = 0.304 (30.4%).

2.23 No cap is applied as the capped figure is greater than the minimum LHN figure.

### Relevant Caselaw

2.24 There have been several key legal judgments which provide clarity on interpreting the NPPF and PPG in terms of how to address the issue of affordable housing need in the context of arriving at a concluded figure for OAHN:

- 1 'Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370' referred to as "Satnam";
- 2 'Kings Lynn and West Norfolk Borough Council v Secretary of State for Communities and Local Government [2015] EWHC 2464' referred to as "Kings Lynn";
- 3 'Barker Mill Estates Trustees v Test Valley BC & Secretary of State for Communities and Local Government [2016] EWHC 3028 (Admin)' referred to as "Barker Mill"; and

- 4 ‘Jelson Ltd. v Secretary of State for Communities and Local Government, Hinckley and Bosworth Borough Council [2018] EWCA Civ 24’ referred to as “Hinckley and Bosworth”.

### **Satnam**

- 2.25 Satnam highlights the importance of considering affordable housing needs as part of – and not separate to – concluding on OAHN. The decision found that the adopted OAHN figure within the Warrington Local Plan was not in compliance with policy in respect of affordable housing because (as set out in paragraph 43) the assessed need for affordable housing was never expressed or included as part of OAHN. The judgment found that the “proper exercise” had not been undertaken, namely:

*“(a) having identified the OAHN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;*

*(b) the Local Plan should then meet the OAHN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

- 2.26 In summary, this judgment establishes that OAHN has to include an assessment of full affordable housing needs and is not a ‘policy-on’ judgement in determining the housing requirement.

### **Kings Lynn**

- 2.27 Kings Lynn helps establish how full affordable housing needs should be addressed as part of an OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not specifically to meet all these needs in full.

- 2.28 The relevant passage on this is to be found in paragraphs 35 to 36 of the judgment:

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAHN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAHN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered*



*by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.'*

*This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAHN. They should have an important influence increasing the derived FOAHN since they are significant factors in providing for housing needs within an area." (Lichfields' emphasis)*

- 2.29 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to an OAHN figure which is so large that an LPA would have "little or no prospect of delivering [it] in practice". Therefore, it is clear from Kings Lynn that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the OAHN calculation. This reflects paragraph 159 of the NPPF.

#### **Barker Mill**

- 2.30 The Barker Mill High Court judgment considered uplifts to OAHN to address affordable housing need in the context of a challenge to a Local Plan. The judgment, in the context of a Local Plan process, placed consideration of an uplift for affordable housing into the second of a two-stage process, the first being calculation of OAHN and the second being a 'policy-on' adjustment (i.e. one that is made through the Local Plan process and thus not part of the OAHN). There is a tension between the findings in this judgment and Kings Lynn.

#### **Hinckley and Bosworth**

- 2.31 This judgment is relevant in the context of the findings of the above Barker Mill judgment. In short, in considering the refusal of planning permission for housing, the Inspector in this case, as a matter of planning judgment, accepted the need for affordable housing to make up a necessary component of OAHN for housing in the council's area, or in the context of the Barker Mill judgment, as part of the first stage calculation of OAHN.

*"This case is not analogous to Hunston Properties Ltd. and Gallagher Estates Ltd., where the decision-maker had adopted a level of housing need constrained by policy considerations – so called "policy-on" factors, as they were referred to in Gallagher Estates Ltd.. As Mr Phillipot and Ms Osmund-Smith submitted, the figure of 450 dwellings per annum identified by the inspector as the upper end of her range was not, in fact, a "constrained" figure. In her view, as a matter of planning judgment, it sufficiently embraced the need for affordable housing as a necessary component of the "full, objectively assessed needs" for housing in the council's area. It was the result not of a policy-driven subtraction from the figure of 375 dwellings per annum at the lower end of her range – the figure based on "demographic-led household projections" – but of an appropriate addition to that figure to ensure that the need for affordable housing was not omitted or understated. As the inspector clearly appreciated, a simple addition of the figures of 375 dwellings per annum in the*

*column headed "Demographic-Led Household Projections to 2031" in Table 84 of the SHMA and 248 dwellings per annum in the column headed "Affordable Housing Need per Annum" would have been inappropriate. That would have been, to some degree, double-counting. Planning judgment was required in gauging a suitable uplift to take account of the need for affordable housing, without either understating or overstating that need. The inspector grasped that. She exercised her planning judgment accordingly, doing the best she could on the evidence before her."* (para 36).

- 2.32 It is also worth noting in this regard that this judgment makes the following comment regarding the Planning Advisory Service (PAS) Technical Advice Note which is sometimes cited at Local Plan Examinations as a reason for excluding affordable housing as a policy-off in terms of OAHN:

*"This is not an official document and the relevant paragraphs cited do appear not to be consistent with case law... It would, of course, have been better had the Inspector either not referred to the Advice at all or recognised that it was (at least arguably) inconsistent with case law."*

## **Housing Need Local Policy Context**

- 2.33 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current Local Plan has been, it is not unfair to say, glacial.
- 2.34 The development plan for York comprises two policies<sup>4</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 2.35 The Council published the 'York Local Plan - Preferred Options' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014, which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a 'Publication Draft Local Plan and Proposals Map' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>5</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 2.36 However, at the Full Council on 9<sup>th</sup> October 2014<sup>6</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the

<sup>4</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>5</sup> Cabinet Meeting Thursday 25 September 2014 - Minutes

<sup>6</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October 2014

report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to “*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*”

2.37

The Council published the following ‘further work’ on the Local Plan relating to housing needs after the Full Council resolution to halt the Publication Draft Local Plan in 2014:

- 1 In December 2014, the LPWG considered a report on ‘*Housing Requirements in York*’ which was based on two background documents produced by Arup<sup>7</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>8</sup>;
- 2 In September 2015 the LPWG considered an update on the ‘*Objective Assessment of Housing Need*’ [OAHN] report produced by Arup<sup>9</sup> and a report on ‘*Economic Growth*’<sup>10</sup>. The Arup report concluded that the housing ‘requirement’ should be in the range of 817 dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG’s recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;
- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>11</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum<sup>12</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783 dpa (in the 2016 SHMA) to 867 dpa. In their Update, GL Hearn then applied a 10% uplift to the 867 dpa starting point to account for market signals and affordable housing need and identifies a

<sup>7</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>8</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>9</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>10</sup> York Economic Forecasts – Oxford Economics (May 2015)

<sup>11</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>12</sup> GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

resultant housing need of 953 dpa. However, a cover sheet to GL Hearn’s Update, entitled ‘Introduction and Context to objective Assessment of Housing Need’ was inserted at the front of this document by the Council. This states that 867 dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953 dpa figure on the basis that GL Hearn’s conclusions stating:

*“...Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”*

2.38 As a result of this approach, the February 2018 City of York Publication Draft stated in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*“Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.”*

2.39 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is “an objectively assessed housing need” [S3.3].

2.40 To bring this up to date, and as set out above, the Council has now revised the OAHN down even further in light of GL Hearn’s January 2019 HNA, which (based on the latest 2016-based SNHP) recommends a housing need figure of **790 dpa**.

2.41 Lichfields has submitted representations on behalf of housebuilders to the various stages of the York Local Plan formulation as and when the OAHN has been updated over the past 3 years. Our most recent representation, made on behalf of a consortium of housebuilders in March 2018, concluded that the OAHN should be increased to 1,150 dpa based on the 2014-based SNHP, with accelerated headship rates, a market signals uplift of 20% and a further 10% uplift to address a critical shortfall of affordable housing.

2.42 The remainder of this section provides an overview of the findings of the latest 2019 HNU.

## Overview of the City of York HNU

2.43 The stated purpose of GL Hearn’s Housing Needs Update [HNU] is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2016-based SNPP, equivalent 2016-based SNHP, and the 2017 Mid-Year Estimates. The analysis models housing need from 2012-37 to be consistent with the Local Plan, although because there is a known population for 2017 the data up to this point is fixed.

2.44 The HNU also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.

2.45 The report [Table 2] finds that over the 2016-39 period, the 2016-based SNPP projects an increase in population of around 17,622 people (8.5%) in York. This is significantly lower than the 2014-based SNPP (29,622), which represents a huge difference of 12,000 residents.

2.46 The reason for this is considered by GL Hearn to be a combination of 3 factors that are reflected in the 2016 National Population Projections – a substantial fall in (net)

international migration; a fall in fertility rates; and a reduction in the life expectancy of the so-called ‘golden cohort’ born between 1923 and 1938.

2.47 GL Hearn concludes that “*given the more recent trend of falling rates the 2016 based projections loos to reflect this to a greater extent than the 2014-based projections which show an immediate and significant improvement which is not founded on the most recent trends*” [paragraph 2.7].

2.48 The analysis models a range of demographic scenarios, including 2017 MYE population data and 10-year migration trends. The growth in population ranges from just 24,036 under the latest 2016-based SNPP between 2012 and 2037, to 36,348 using the 2014-based SNPP. The 10-year migration scenario sites within this range, at +26,078.

2.49 GL Hearn examines the household formation rates that underpin the latest round of 2016-based household projections. They highlight the fact that concerns have been raised regarding their robustness:

*“The criticism mostly stems from the fact that the new projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum once the standard methodology is applied to them.”* [paragraph 2.18]

2.50 GL Hearn notes that by focussing on shorter term trends ONS have effectively ‘locked in’ deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time.

2.51 The analysis [§2.28] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be 629 dpa, incorporating a 3% allowance for vacancy/second homes – this is c.30% higher than the figure (484 dpa) derived in the HNU for the main demographic-based projection. The part return to previous household formation trends for younger age cohorts (linking to the 2014-based SNHP) increases this still further, to 679 dpa.

Table 1 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2016-based SNHP HRRs	11,744	484
2014-based SNHP HRRs	15,256	629
Part Return to trend	16,492	679

Source: GL Hearn (January 2019): City of York Housing Need Update, Table 6

2.52 Moving on, GL Hearn models a series of economic growth forecasts, settling on 650 jobs per annum as this is considered to align with the ELR Update. In this regard, they conclude that the level of housing associated with the economic growth projections in the ELR Update (September 2017) which project growth of 650 jobs annually between 2014-31. Using the OBR economic activity rates and keeping unemployment rates, double jobbing and commuting ratios constant, this equates to a need for 590 dpa based on the 2016-based HRRs, rising to 735 dpa using the 2014-based HRRs and up to **790 dpa** using part-return to trend HRRs.

**Market Signals**

2.53 With regard to market signals, the HNU notes that

- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. “*Relatively higher values within a*

*lower quartile housing range suggests that those with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property” [paragraph 4.2].*

- The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3 [4.10].
- Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally [4.14];
- *“The data demonstrated that rental housing has overall become more unaffordable in the past 5 years, but increasingly so amongst lower-value properties. This could be linked to a lack of affordability in the purchase market forcing a greater level of competition for rental properties” [4.15];*
- York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12]. Affordability at a lower quartile [LQ] level is lower (at 7.26) and is below the national rate of 9.11, although it is still much higher than the regional rate of just 5.73;
- *“The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated” [4.19].*
- An uplift of 15% is considered reasonable by GL Hearn. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.” [4.34-4.35]*

2.54 Regarding **affordable housing need**, this has not been reassessed in the HNU. It notes that the previous SHMA identified a net affordable housing need of 573 dpa:

*“The affordable housing evidence suggests that a modest uplift to the demographic-based need figure to improve delivery of affordable housing in the City may be justified.” [4.21]*

2.55 However, GL Hearn then reviews a number of High Court judgements and Local Plan Inspectors reports (including the Cornwall Local Plan Inspector’s preliminary findings) and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that does not need to be done in a mechanical way’ whereby the affordable need on its own drives the OAN” [4.28].* No further uplift is made.

2.56 The HNU concludes that the 2016-based SNPP provide a more robust assessment of population growth for York than their predecessor, which is “ratified by more recent population estimates” [5.2]. Uplifting the 2016-based SNPP to meet an economic growth of 650 jobs per annum and adjusting household formation rates equates to a need for 790 dpa, which GL Hearn considers to be the OAHN on the grounds that this *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”*. [5.11]

## 3.0 Critique of the SHMA Update

### Introduction

- 3.1 The Companies represented by Lichfields have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 790 dpa (reducing this down from the already unsatisfactory 867 dpa) and the subsequent identification of this need as the housing requirement in the Policy SS1 of the Modified LPP.
- 3.2 This section provides a critique of GL Hearn’s City of York Housing Needs Update [HNU].

### Starting Point and Demographic-led Needs

#### Population Change

- 3.3 The Practice Guidance<sup>13</sup> sets out that in assessing demographic-led housing needs, the latest CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS’ latest Mid-Year Estimates [MYEs]<sup>14</sup>.
- 3.4 This previous guidance has of course been amended in the revised Practice Guidance, published in March 2019, which now formalises the standard methodology to calculate Local Housing Need. This is founded on the previous 2014-based SNHP rather than the more recent 2016-based equivalents as they “*provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes*”<sup>15</sup>.
- 3.5 GL Hearn accepts in paragraph 2.18 of its HNU that the 2016-based projections do not have the ability to meet the Government’s housing target of 300,000 homes per annum. In the Government’s Technical Consultation on updates to national planning policy and guidance (October 2018), the Government clarified that the 2016-based projections are not a justification for lower housing need, because:

*“1 Basing the assessment of local housing need on 2016-based household projections, would either not support the Government’s objective of significantly boosting the supply of homes (if other variables were unchanged) or produce major distributional changes that would produce instability for local planning authorities in general (if other variables were changed to produce an aggregate consistent with other estimates)...*

*2 Although the Government generally recommends the use of the latest data in producing assessments of housing need, in this case there have been substantial changes in the method for producing the projections that have resulted in major changes in the distribution of households nationally, and the Government would like to see the new method settling down before making a decision on whether this data provides the best basis for planning” [paragraph 27]*

<sup>13</sup> Practice Guidance - ID 2a-015-20140306

<sup>14</sup> Practice Guidance - ID 2a-017-20140306

<sup>15</sup> Practice Guidance - ID: 2a-005-20190220

- 3.6 These recommendations were subsequently taken forward into the revised NPPF and Practice Guidance following the consultation:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using the 2016-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the NPPF. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method”<sup>16</sup>.*

- 3.7 We acknowledge that the City of York Local Plan was submitted to the Secretary of State for Examination before 26<sup>th</sup> January 2019 and therefore should be examined under the transitional arrangements (i.e. the 2012 NPPF and 2014 Practice Guidance). For this reason, the LHN calculated by the standard method would not apply.

- 3.8 Furthermore, we accept that in accordance with the 2014 version of the Practice Guidance, GL Hearn is correct to at least model the 2016-based SNPP/SNHP; that does not necessarily mean it is right to use the much lower projections to directly inform the OAHN without making reasonable adjustments, particularly in light of the Government’s clearly stated objective to build more homes consistent with the 300,000 target by the mid-2020s, not to use potentially flawed projections to provide even fewer homes:

*“Population changes are only one aspect of the driver for housing supply. Rising incomes, changing social preferences and factors such as real interest rates and credit availability contribute to demand for housing. In summary, the Government’s judgment is that these factors combine to indicate that there is no need to change its aspirations for increasing housing supply. This is consistent with the argument in the housing White Paper that the ambition of delivering more homes should be about both keeping pace with population growth and looking to address worsening affordability through tackling the previous undersupply of homes.”<sup>17</sup>*

- 3.9 The 2016-based SNHP/SNPP should be sensitivity tested, based on alternative assumptions around underlying demographic projections, based on established sources of robust evidence:

*“The household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions. However, plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates. Account should also be taken of the most recent demographic evidence including the latest Office for National Statistics population estimates.*

*Any local changes would need to be clearly explained and justified on the basis of established sources of robust evidence.*

<sup>16</sup> Practice Guidance - ID: 2a-015-20190220

<sup>17</sup> MHCLG (October 2018): *Technical consultation on updates to national planning policy and guidance*, paragraph 12



*Issues will vary across areas but might include:*

- *migration levels that may be affected by changes in employment growth or a one off event such as a large employer moving in or out of an area or a large housing development such as an urban extension in the last 5 years*
- *demographic structure that may be affected by local circumstances or policies e.g. expansion in education or facilities for older people.”<sup>18</sup>*

3.10 This is explored in more detail below.

### **The use of longer-term trends**

3.11 The PPG is clear that household projections are the starting point for overall housing need and that these are nationally consistent and statistically robust<sup>19</sup>. It goes on to state that plan-makers may consider sensitivity testing based on local circumstances, but that this must be based on established sources of robust evidence<sup>20</sup>. Some of circumstances it cites includes migration levels which are affected by changes in employment, such as a large employer moving to the area or urban extension, or where demographic structures are affected by policies related to specific groups, e.g. expansion in education facilities or facilities for older people.

3.12 The use of short-term trends means recent changes in trends are picked up more quickly, although if recent trends are not representative of the longer term ‘norm’ they may over or under estimate future need (hence ID 2a-017). Whilst longer term periods can allow unusual trends to be ironed out, they may fail to pick up recent changes and therefore may also over or under-estimate future need. Despite these advantages and disadvantages, it is set out within Government guidance that the official projections – i.e. short-term trends – should provide the starting point for housing needs assessment.

3.13 The question therefore is whether, in York, there are any “*specific local circumstances*” (e.g. movement of major employers, higher education expansion, etc, as cited in ID 2a-017) in recent years which mean that it is not appropriate to use the official 2016-based SNPP and that a longer-term trend is more appropriate. The HNU does not even attempt to speculate about any such events occurring in York, instead concluding that the projections “*provide a more robust assessment of population growth for York than their predecessor*” [paragraph 5.2], and that this has been ratified by more recent population estimates.

3.14 GL Hearn has referred to the Cornwall Local Plan Inquiry (paragraph 4.27) when discussing affordable housing needs. It is therefore relevant to note that the use of long-term trends was accepted at the Cornwall Local Plan by the Inspector in 2015. That Inspector preferred long term trends specifically over the 2008-12 period (i.e. the 2012-based projection base period) and noted that this was to “*even out the likely effect of the recent recession on migration*” (see SHMA para 3.41).

3.15 We can ascertain whether there have been any unusual or one-off circumstances in the City of York specifically which warrant the use of long-term trends over short term trends by looking at historic completions and migration data (an exercise only partially undertaken in the HNU).

<sup>18</sup> Practice Guidance - ID: 2a-017-20140306

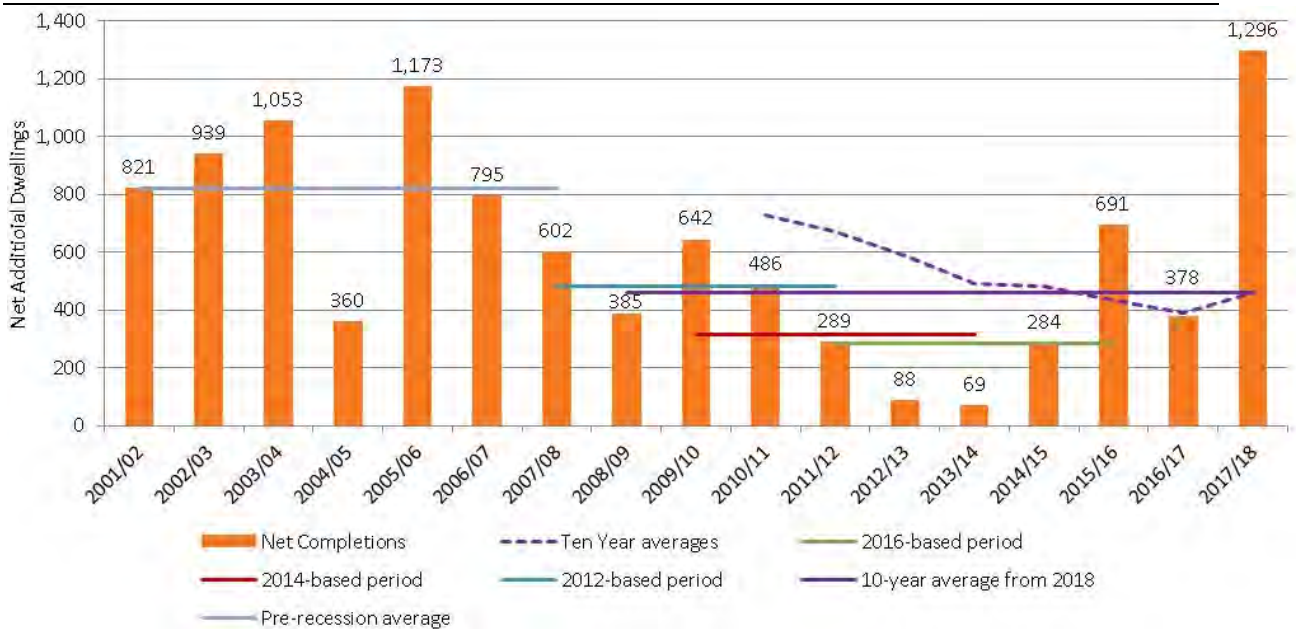
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<sup>20</sup> Practice Guidance - ID: 2a-017-20190220

**Housing completions**

- 3.16 Figure 2 show completions in the City of York back to 2001/02, along with the 10-year averages. It shows that in the 7 years up to the recession (2007/08), average completions were 820 per annum. Since then completions have been rapidly falling, with the average declining to just 461 dpa for the 10 years to 2017/18.
- 3.17 In the base period for the 2012-based projections, completions were slightly higher, at 481 dpa. The 2014-based projections are even lower, at 315 dpa. However, the most recent 2016-based projections draw upon a period where average completions were lower than any of the comparator time periods, of just 284 dpa, picking up the steady decline of housebuilding in York that fell to a pitiful 69 dwellings in 2013/14. The 2016-based SNPP does not draw upon data for the past two years, which have averaged 837 dpa, including an impressive 1,296 dwellings in 2017/18. This suggests that housebuilding is recovering to levels that were consistently seen in the boom years prior to the recession.
- 3.18 Based on housebuilding levels, in light of the very large differences seen in each period, it is clear that the 2016-based SNPP is based on a time period when the level of housebuilding might reasonably be said to be at an unusually low level, which could suggest that there is justification to make suitable adjustments.
- 3.19 Overall the trends suggest that since the recession, there has been a gradual, steady decrease in levels of housebuilding in York, although this has started to be corrected from 2015/16 onwards. The figures suggest that over the time period that the 2016-based SNPP relies upon, there have been years in which housebuilding has been unusually low (2012/13 and 2013/14 in particular), which suggests that at the very least an adjustment should be considered to the official projections inappropriate. It is notable that no similar analysis is presented in the HNU.

Figure 2 Historic completions in the City of York - 2001/02 to 2017/18



Source: MHCLG Table 122: Net Additional Dwellings by Local Authority District

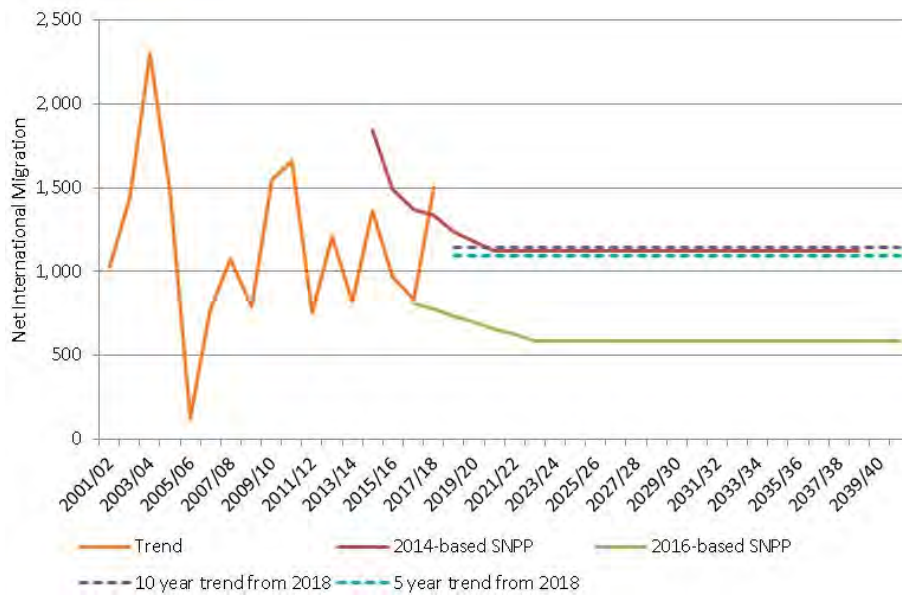
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**International Migration**

3.21 Another way to consider whether the City of York has seen any ‘unusual’ or one-off events which mean longer term trends are more appropriate is to look at migration. Figure 3 shows historic levels of net international migration to the City of York. It is similar to GL Hearn’s Figure 4 in the HNU, but it includes more up-to-date data relating to the 2018 Mid-Year Population Estimates.

3.22 Overall the international migration figures suggest net migration rose after the recession, at a time when housebuilding was falling. Net migration peaked in 2003/04 and fell to just 127 in 2005/06. However, since that time, net migration has fluctuated between c.750 and 1,660 annually.

Figure 3 Historic Net International migration to the City of York, 2001/02 to 2017/18 and Future Projections



Source: ONS

3.23 In particular, it is clear that the 2016-based SNPP net international migration figures look anomalous compared to past trends. From 2022/23 onwards, this is adjusted down to 587 annually, a figure that is far lower than any net international migration figure for the past 17 years with the exception of 2005/06. In contrast, the 10-year trend equates to 1,143 annually (almost double the 2016-based SNPP), whilst the 5-year trend is almost as high, at 1,096. As can be seen in the Figure, the 2014-based SNPP net international migration figure sits neatly between these trends, at 1,125.

3.24 The HNU argues (in paragraph 2.11) that there is a close alignment between the 2016-based SNPP and the recorded MYE for 2016/17, which there is; however, for 2017/18 the 2016-based SNPP recorded a net international migration figure of just 774, when 1,505 were actually recorded in the 2018 MYE – almost double.

3.25 In terms of what may be causing this discrepancy, it is worth noting that the emerging Local Plan recognises that York has a large proportion of higher education students which

is set to following the expansion of the University of York and as other establishments continue to provide modern education facilities to accommodate growing student numbers [paragraph 1.48]. In particular, York St John University has experienced rapid student growth in recent years:

*“The University currently has 6,500 students (FTEs) and employs 750 staff. The increase in student numbers of the last 10 years is circa 93% and it is anticipated that the total will increase to 8,000 by 2018.” [1.60]*

- 3.26 It is possible that a significant proportion of these students have come from abroad, helping to boost the projections, and that this is forecast to continue for the foreseeable future.

### Summary

- 3.27 ONS's 2016-based SNPP now assumes lower fertility rates, lesser improvements in life expectancy (i.e. higher death rates) and lower net international migration across the country, and York is no exception. The latter input does, however, appear excessive given past trends. Whilst we cannot place too much reliance on one years' worth of data, it is also salient to note that the 2018 MYE (and indeed the housing completions for 2018) suggest a marked upturn in growth.

- 3.28 It is considered that at the very least there should be a sensitivity testing for long term migration trends in the HNU for York based on ‘*specific local circumstances*’ (as per PPG ID 2a-017). In this respect, the HNU does not fulfil the requirements set out in ID 2a-017 regarding sensitivity testing of the official projections.

### Market Signals

- 3.29 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“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.” [S17]*

- 3.30 The Practice Guidance<sup>21</sup> requires that the housing need figure as derived by the household projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>22</sup> highlights the need to look at longer term trends and the potentially volatility in some indicators.

- 3.31 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>23</sup>.*

<sup>21</sup> Practice Guidance - ID 2a-019-20140306

<sup>22</sup> Practice Guidance - ID 2a-020-20140306

<sup>23</sup> *ibid*

- 3.32 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.
- 3.33 As set out in detail above, GL Hearn has undertaken an analysis of market signals in its Housing Needs Update (Section 4.0). In that report, the HNU notes that
- Lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price;
  - The gap of median house price growth between York and North Yorkshire has widened from 10 years ago. Since 2008 the rate of change for York has been 1.25, similar to the national growth of 1.3;
  - Median rental values in York are £745, £70 higher than the rest of England and £220 higher than Yorkshire and the Humber region [4.13]. LQ rental price growth has increased by 14% over the past 5 years, compared to 11% nationally;
  - York has a median affordability ratio of 8.62 and a 5-year rate of change equal to 1.88, compared to 5.90 for Yorkshire and the Humber (0.55 change) and 7.91 (1.14 change) for England [Table 12];
- 3.34 As a consequence of these poor (and worsening) housing market signals, GL Hearn concludes that:
- “The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated”* [4.19].
- 3.35 On the basis of these signals, GL Hearn applied an uplift of 15%. This is higher than the 10% previously recommended in the September 2017 SHMA Update. *“Such an uplift applied to the demographic starting point (484 dpa) would arrive at an OAN of 557 dpa...This is some way short of both the adjusted demographic growth and the economic growth. Therefore, the OAN should remain as 790 dpa in order to achieve both improvements to household formation and meet economic growth. This equates to an increase of 63% from the start point.”* [4.34-4.35]
- 3.36 In our previous representations<sup>24</sup>, Lichfields concluded that based on a detailed review of similar market signals, an uplift of 20% was suitable. Nothing that GL Hearn has presented causes us to change our opinion; quite the reverse in fact, given that on many of the indicators, the housing market appears to be even more constrained and under pressure than was the case even one year ago.
- 3.37 To take a clear example, which is not examined in GL Hearn’s assessment of market signals, the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. Table 2 sets the Council’s various housing targets/presumed OAHN against the actual net housing completions. With the exception of the last year, housing delivery in York has missed the target each year since 2006/07. Overall delivery targets for these years was missed by c.30% which equals 3,127 units below the target level. Over the plan period from 2012/13, GL Hearn noted in its previous May 2017 SHMA Addendum [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection-based analysis to establish the level of housing need moving forward.

<sup>24</sup>Lichfields (March 2018): *Housing Issues Technical Report*

Table 2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2017/18

Year	Net Housing Completions	Council's OAHN (790 dpa)	
		'Need'*	+/-
2004/05	360	640	-280
2005/06	1,173	640	+533
2006/07	795	640	+155
2007/08	602	640	-38
2008/09	385	850	-465
2009/10	642	850	-208
2010/11	486	850	-364
2011/12	289	850	-561
2012/13	88	790	-702
2013/14	69	790	-721
2014/15	284	790	-506
2015/16	691	790	-99
2016/17	378	790	-412
2017/18	1,331	790	+541
<b>Total</b>	<b>7,573</b>	<b>10,700</b>	<b>-3,127</b>

Source: MHCLG LT122

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

\*MHCLG: Housing Delivery Test Results 2018

- 3.38 The SHMA Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.
- 3.39 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 642 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 3,127 dwellings over the past 12 years.
- 3.40 **Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures (see discussion below).**

### What scale of uplift should be applied?

- 3.41 The PPG sets out a clear two-stepped process to addressing market signals within the calculation of OAHN:
- 1 Firstly, it is necessary to determine **whether** a market signals uplift is necessary. This is set out in PPG ID2a-019 within the first sub-paragraph as follows:
 

*“Appropriate comparisons of indicators should be made... A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”*
  - 2 Secondly, when a market signals uplift is required, it is necessary to identify at **what scale** that should be set, with guidance given that it should be set at a level that could be expected to improve affordability. This is set out in PPG ID2a-019 within the second and third sub-paragraphs as follows:

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable... they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period.”*

3.42 The principle of a market signals uplift in York (i.e. Stage 1) is not disputed by the Council’s housing consultants. However, the scale of the uplift is disputed, principally because there is no sound basis to conclude that the uplift can be reasonably expected to improve affordability, and the HNU provides no evidence that it will do so. In addition, as previously noted, because the HNU has applied its market signals uplift to a flawed demographic-led assessment of need, any figure flowing from this is in itself also flawed.

3.43 We examine the scale of a suitable uplift in Section 4.0.

## **Affordable Housing Needs**

3.44 In line with the 2012 Framework<sup>25</sup>, LPAs should:

*“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*

*“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*

3.45 The Practice Guidance<sup>26</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

*“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*

3.46 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs *“should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.”* [S36]. This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

3.47 Neither the HNU nor its predecessor, the September 2017 SHMA Assessment Update, states that it does not review affordable housing need, although the latter states that the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

3.48 Lichfields has not analysed in detail the figures forming the assessment of affordable

<sup>25</sup> Framework - Paragraphs 47 and 159

<sup>26</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

- housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.
- 3.49 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
- 3.50 It further states [§§3.17-3.18] that:
- “The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*
- “While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*
- 3.51 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:
- “Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*
- 3.52 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.
- 3.53 In contrast, the HNU reiterates the 573 dpa need, and accepts that *“a modest uplift to the demographic based need figure to improve delivery of affordable housing in the City may be justified.”* [paragraph 4.20].
- 3.54 However, the HNU then reviews a number of High Court judgements and other Inspector’s reports, notably that for the Cornwall Local Plan, and concludes that *“the expectation is that it may be necessary, based on the affordable needs evidence to consider an adjustment to enhance the delivery of affordable housing, but that this does not need to be done in a ‘mechanical way’ hereby the affordable need on its own drives the OAN”.* [paragraph 4.28]
- 3.55 The HNU does not proceed to test the scale of uplift that might be appropriate to help meet this very high level of affordable housing need, merely stating in the conclusions that the employment-led 790 dpa *“would be sufficient to respond to market signals, including affordability adjustments, as well as making a significant contribution to affordable housing needs”.*
- 3.56 Policy H10 of the emerging Local Plan sets out a wide range of affordable housing requirements on residential schemes for 2 or more dwellings, with 30% at the upper end for greenfield sites containing 15 or more dwellings. Applying this optimistic upper target to the 790 dpa CoYC OAHN would potentially deliver (at best) 237 affordable units annually. This represents just 41% of the 573 dpa target.
- 3.57 At a delivery rate of 30% of overall housing, the City of York would need to deliver **1,910**



**dpa** to address affordable housing needs in full.

3.58 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*“...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed.” [§35]*

This is also consistent with the Practice Guidance<sup>27</sup> which sets out the assessment of need *“does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.”*

3.59 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.

3.60 For example, it is interesting to note that in the Cornwall Local Plan example that GL Hearn quotes from, the Inspector ultimately **concluded that an uplift to the OAHN was justified, and this should be equal to an additional 1,500 dwellings over the course of the Plan period**<sup>28</sup>.

3.61 The HNU ultimately does not use the identified acute affordable housing needs in a way in which it has *“an important influence in increasing the derived F[ull] OAN”* as per the Kings Lynn judgment.

3.62 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited, if any, weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.

3.63 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).

3.64 Given the significant affordable housing need identified in City of York, Lichfields considers that this **10% uplift would be appropriate** in this instance and should be applied to the OAHN.

<sup>27</sup> Practice Guidance - ID:2a-003-20140306

<sup>28</sup> Planning Inspectorate (23<sup>rd</sup> September 2016): Inspector’s Report on the Examination into the Cornwall Local Plan Strategic Policies, paragraph 52

## 4.0 **OAHN – Demographic and Affordable Needs**

### **Introduction**

- 4.1 In practice, applying the 2012 NPPF requires a number of key steps to be followed in order to arrive at a robustly evidenced housing target:
- The starting point for Local Plans is to meet the full objectively assessed development needs of an area, as far as consistent with the policies set out in the Framework as a whole [§6, §47 & §156].
  - An objective assessment of housing need must be a level of housing delivery which meets the needs associated with population and household growth, addresses the need for all types of housing including affordable and caters for housing demand [§159].
  - Every effort should be made to meet objectively assessed needs for housing and other development, and there should be positive response to wider opportunities for growth. Market signals, including affordability should be taken into account when setting a clear strategy for allocating suitable and sufficient land for development [§17].
  - In choosing a housing requirement which would not meet objectively assessed development needs, it must be evidenced that the adverse impacts of meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework as a whole; unless specific policies indicate development should be restricted [§14].
  - Where an authority is unable to meet its objectively assessed development needs or it is not the most appropriate strategy to do so, e.g. due lack of physical capacity or harm arising through other policies, it must be demonstrated under the statutory duty-to-cooperate that the unmet need is to be met in another local authority area in order to fully meet development requirements across housing market areas [§179 & §182 bullet point 1].
- 4.2 It is against these requirements of the Framework which the City of York's housing need must be identified.

### **Demographic Modelling**

- 4.3 The Government's 2014 Practice Guidance states that "*household projections published by CLG should provide the starting point estimate of overall housing need.*" It also states that the household projection may require adjustment to reflect factors affecting local demography and household formation rates which are not necessarily captured in past trends<sup>29</sup>.
- 4.4 To comply with the Practice Guidance, Lichfields has modelled a range of new scenarios using the PopGroup demographic modelling tool. This analysis has used headship rates from the 2014-based SNHP, 2016 SNHP and also (in a similar vein to GL Hearn in its HNU) an accelerated household formation rate to reflect a partial return to past trends. We have firstly derived the baseline demographic need, which acts as the 'starting point' when determining the housing OAN. Thereafter, various assumptions, adjustments and

<sup>29</sup> ID 2a-015-20140306

sensitivities have been applied to take account of new demographic data, local factors and economic aspirations.

- 4.5 Using the data inputs and assumptions above, the following demographic scenarios have been assessed. The scenarios are modelled over the period 2017-2033 to align with the Local Plan period (hence there is a moderate discrepancy with GL Hearn's HNU, which models over the period 2012-2037). The scenarios modelled are as follows:
- a **Scenario A: 2014-based SNPP** – using on the 2014-based SNPP, incorporating headship rates from the 2014-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Ai: 2014-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; however, it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 212,068 to 209,893;
    - Scenario Aii: Standard Methodology** figure of 1,069 dpa is modelled.
  - b **Scenario B: 2016-based SNPP** – using the 2016-based SNPP, incorporating headship rates from the 2016-based SNHP, plus an allowance for vacant/second homes (1.7%);
    - Scenario Bi: 2016-based SNPP PCU** - Applying the same assumptions as for Scenario B; however, starting post-2017, headship rates amongst 15-34 year olds are projected to make up 50% of the difference of long term trends (as per Scenario Ai) by 2033;
    - Scenario Bii: 2016-based SNPP / 2018 MYE / PCU** - Applying the same assumptions as for Scenario Ai; it adjusts the 2015, 2016, 2017 and 2018 population figures to reflect the latest ONS Mid-Year Population Estimates. This has the effect of increasing the 2018 population figure from 209,432 to 209,893;
  - c **Scenario C: Long Term Migration Trends MYE** – based on past migration trends as observed over the last 10 years (to 2017) in the City of York, re-based to 2018 MYE population;
    - Scenario Ci: Long Term Migration Trends MYE PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.

### Economic Scenarios

- d **Scenario D: ELR Scenario 2 Jobs Growth** – based on forecasts of annual job growth (397 jobs 2017-2018, 650 jobs p.a. between 2018 and 2033,) for the City of York to align with the ELR, applied to the 2016-based SNPP (including 2018 MYE);
    - Scenario Di: ELR Scenario 2 Jobs Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai;
  - e **Scenario E: Past Trend Job Growth** – Taking into account the Compound Average Growth Rate [CAGR] of 0.83% that was achieved between 2000-2017 in the City of York (as recorded by NOMIS Job density figures), this scenario assumes this will continue over the plan period (including 2018 MYE);
    - Scenario Ei: Past Trend Job Growth PCU** – as above, but applying accelerated headship rates to the 15-34 age cohorts as per Scenario Ai.
- 4.6 The findings of the demographic scenarios are set out in Table 3.

Table 3 Key Outputs – Demographic Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Households	Dwellings 2017-2033	
			Total Change	DPA
<b>Scenario A: 2014-based SNPP</b>	<b>21,900</b>	<b>13,008</b>	<b>13,231</b>	<b>827</b>
Scenario Ai: 2014-based SNPP / 2018 MYE / PCU	24,027	14,318	14,564	910
Scenario Aii: Standard Methodology	33,979	16,815	17,104	1,069
<b>Scenario B: 2016-based SNPP</b>	<b>13,492</b>	<b>7,192</b>	<b>7,315</b>	<b>458</b>
Scenario Bi: 2016-based SNPP PCU	13,492	10,685	10,868	679
Scenario Bii: 2016-based SNPP / 2018 MYE / PCU	16,038	11,107	11,297	706
<b>Scenario C: Long Term Migration Trends MYE</b>	<b>23,926</b>	<b>10,851</b>	<b>11,037</b>	<b>690</b>
Scenario Ci: Long Term Migration Trends MYE PCU	23,926	14,481	14,730	921

Source: Lichfields using PopGroup

- 4.7 The findings of the demographic scenarios are broadly in line with those reported in the HNU, with differences generally attributable to the different timeframes used (2017-2033 vs. 2012-2037) and our incorporation of the latest 2018 MYE in some of the Scenarios. The projections clearly demonstrate the extent to which the 2014-based SNPP are significantly higher than the more up to date 2016-based SNPP. Allowing for these differences, the equivalent scenarios in the HNU’s Table 6 include Lichfield’s Scenario B, whereby our figure of 458 dpa equates to GL Hearn’s figure of 484 dpa; and our Scenario Bi, whereby our figure of 679 dpa is identical to GL Hearn’s 679 dpa.
- 4.8 Lichfields’ view is that the demographic starting point should comprise Scenario Bii, which updates the 2016-based SNPP with the most up-to-date demographic data (the 2018 MYE) and also makes a suitable provision for accelerating household formation rates in line with long term trends. **This equates to 706 dpa.**
- 4.9 However, as set out in detail in Section 3.0, Lichfields has serious concerns regarding the accuracy of the long-term international migration rates that underpin the 2016-based SNPP and therefore consider that a case can be made to examine the long-term international migration trends. By so doing, Scenario Ci (incorporating the 2018 MYE and PCU) generates a figure of **921 dpa**. Lichfields considers that this should form the demographic-led OAHN before other uplifts are applied.
- 4.10 Table 4 presents the employment-led scenarios. Scenario Di (**842 dpa**) represents the closest match to GL Hearn’s 790 dpa OAHN figure, which aligns with the Local Plan’s job target of 650 annually. The 52 dpa difference is likely to be due to subtle differences in our underlying assumptions concerning vacancy rates, timeframes, assumptions concerning economic activity rates, commuting ratios, unemployment levels and the incorporation of a higher MYE population starting point in 2018.
- 4.11 Lichfields’ view is that Scenario Ei is also valid, as the PPG states that when assessing housing need, “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate”<sup>30</sup>.
- 4.12 Given the very high levels of past job growth in the City, this would generate a need for 829 dpa, rising to **1,062 dpa** when accelerated household formation rates are applied.

<sup>30</sup> PPG 2a-019-20140306

Table 4 Key Outputs – Employment-led Scenarios for the City of York, 2017-2033

Scenario	Change in Population	Change in Jobs	Change in Households	Dwellings 2017-2033	
				Total Change	DPA
<b>Scenario D: ELR Scenario 2 Jobs Growth</b>	<b>21,727</b>	<b>10,147</b>	<b>9,801</b>	<b>9,969</b>	<b>623</b>
Scenario Di: ELR Scenario 2 Jobs Growth PCU	21,727	10,147	13,242	13,470	842
<b>Scenario E: Past Trend Job Growth</b>	<b>30,831</b>	<b>16,032</b>	<b>13,041</b>	<b>13,266</b>	<b>829</b>
Scenario Ei: Past Trend Job Growth PCU	30,831	16,032	16,711	16,998	1,062

Source: Lichfields using PopGroup

4.13 To summarise, our view is that the demographic-led OAHN (before further uplifts are applied) for the City of York would equate to the long-term migration Scenario Ci, at **921 dpa**, notwithstanding the considerable uncertainty surrounding Brexit. The 2016-based SNPP appears increasingly out of step with the latest 2018 MYE (which were unavailable to us in our previous representations), and it is considered that in this particular instance it is a reasonable sensitivity to apply.

4.14 As for the employment led scenarios, the level of job growth projected by the ELR Scenario 2 scenarios can be accommodated within the 921 dpa demographic need, although we consider that a case could be made to increase the figure still further, to **1,062 dpa**, to match job growth based on past trends. Furthermore, this latter figure is very similar to the NPPF 2019 standard method LHN figure of 1,069 dpa.

## Do Market Signals indicate a need for an upward adjustment to purely demographic-led needs?

4.15 The market indicators assessed in Section 5.0 shows that there are significant imbalances between the demand for and supply of housing in the City of York. This analysis indicates pressure on the housing market, which will not be addressed by providing only for the level of growth produced by the continuation of demographic trends. A response is clearly required through an adjustment to the demographic-based scenarios, in line with the recommendations set out in the Practice Guidance.

### Determining a scale of uplift

4.16 By way of setting the initial context, the 2019 HNU recommends a 15% uplift to the demographic starting point of 484 dpa, which results in an OAHN of 557 dpa. However, GL Hearn notes that this is some way short of the economic led need of 790 dpa, which is the housing requirement now identified in the Proposed Modifications to the City of York Local Plan.

4.17 It is noted that although the Local Plan will be examined under the transitional arrangements for the NPPF, the standard method identifies that York would have an **affordability uplift equal to 30% to the 2014-based SNHP**. This is because the Ratio of median house price to median gross annual workplace-based earnings in York was 8.86 in 2018. This is significantly higher than the equivalent affordability ratio for England and Wales, at 7.83 for 2018.

### 1. Review of National position

4.18 Under the current planning system, addressing affordability across the country will be a key function of implementing a large number of Local Plans either adopted or currently

being prepared. Each area will have a role in contributing to Government's aims as expressed in national planning policy. At the national level, a number of studies have analysed the scale of housing delivery and dwelling stock growth that would be necessary to address affordability problems:

- 1 The Barker Review of Housing Supply (2004)<sup>31</sup> concluded that to reduce the long-term house price trend to 1.1% per annum (the average across the EU) would require national delivery totalling 245,000 private dwellings per annum to 2026, alongside an increased provision of social sector housing (23,000 p.a.). The Barker Review concluded that such a level would be necessary for *"improving the housing market"* and ensure that *"affordability is increasingly improved over time"* (paras 1.39 and 1.40). Nationally, that scale of growth would represent dwelling stock growth of **c.1.13%** per annum<sup>32</sup>.
- 2 The National Housing and Planning Advice Unit's (NHPAU) *'Developing a target range for the supply of new homes across England'* (October 2007)<sup>33</sup> concluded that (para 4.68) the *"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."* This would represent a **1.14%** per annum scale of stock growth.
- 3 In July 2016, the House of Lords Select Committee on Economic Affairs published their report *'Building More Homes'*<sup>34</sup> which was the output of the House of Lords' inquiry into the housing market. It drew upon evidence provided to the inquiry by HM Treasury (HMT) indicating that *"modelling suggests that in order to keep the house prices to earnings ratio constant, somewhere between 250,000 and 300,000 homes per year need to be built"* in arriving at its ultimate conclusion that, *"to address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future."* (our emphasis). This would represent a **1.26%** per annum scale of stock growth.
- 4 The Redfern Review,<sup>35</sup> a 2016 independent review of the causes of falling home ownership and associated housing market challenges, was informed by a housing market model built by Oxford Economics<sup>36</sup> which looked at the impacts of different supply assumptions on prices and home ownership. It identified that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"* modelling a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dpa *"helps to keep prices in check"* up to 2026. This would represent a **1.31%** per annum growth in dwelling stock.

4.19 What each of the above studies have demonstrated is that increasing dwelling stock growth would be necessary to address and improve affordability at the national level. Across the analysis it suggests that, at the national level, stock growth of between 1.1%

<sup>31</sup> 'Review of Housing Supply, Delivering Stability: Securing our Future Housing Needs' (March 2004), Kate Barker - [http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17\\_03\\_04\\_barker\\_review.pdf](http://news.bbc.co.uk/1/hi/shared/bsp/hi/pdfs/17_03_04_barker_review.pdf)

<sup>32</sup> 23,733,000 dwelling stock in England in 2016 (CLG Live Table 100)

<sup>33</sup> 'Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>34</sup> 'Building more homes' 1st Report of Session 2016–17 (15 July 2016) House of Lords Select Committee on Economic Affairs (HL Paper 20) - <http://www.publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>35</sup> 'The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

<sup>36</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

and 1.3% per annum could achieve the beneficial impacts on affordability needed (recognising that in local areas this will clearly vary, depending on the local household growth rates). The figures would all represent significant increases above background projected household growth (c.210,000 households p.a. in the CLG 2014-based projections over the period to 2039 is the equivalent to c.215,000 dwellings p.a.) of between 21% and 44%. This gives an indication of the scale of dwelling delivery potentially required to address market signals at the national level.

- 4.20 The above reports show a clear consensus that around 250,000-300,000 homes per year are needed nationally. The Government’s standardised methodology equates to a national total of 266,0000 homes per year (the figure is 300,000 without the 40% ‘cap’), although the methodology includes a caveat allowing authorities to plan for more than the methodology shows, for example if there are economic reasons<sup>37</sup>.
- 4.21 In the Autumn 2017 Budget, the Chancellor Phillip Hammond MP set out Government aspirations for housebuilding to reach 300,000 per year<sup>38</sup>. It is clear that at a national level the consensus is that at least 250,000-300,000 homes per year are needed, and this would represent annual growth in the range of 1.1% to 1.3%.
- 4.22 Given that some areas (i.e. with weaker affordability pressures/footnote 6 environmental constraints) would be expected to do less than their ‘share’ of the nationally needed 1.1% to 1.3%, equally areas which are less affordable would be expected to do more than their ‘share’, i.e. more than 1.3%.
- 4.23 York is an area where affordability is worse than nationally (for example, the median quartile resident-based affordability ratio is 8.9, compared to 7.8 for England & Wales, whilst the figure is even more stark for Lower Quartile affordability, with York’s figure, at 9.4, dwarfing the national rate of 7.2). The City of York needs to do more than the national average to address affordability. Table 5 shows the equivalent dwellings per annum under various annual growth rates for York.

Table 5 Growth rate and equivalent dwellings per annum from 2017 to 2033

Growth rate	Dwellings per annum	Growth rate	Dwellings per annum
1.0%	952	1.6%	1,595
1.1%	1,055	1.7%	1,708
1.2%	1,160	1.8%	1,823
1.3%	1,267	1.9%	1,939
1.4%	1,375	2.0%	2,057
1.5%	1,484	2.1%	2,177

Source: Lichfields based on MHCLG Table 125 Dwelling Stock data – 88,280 dwellings in York as at 2017

- 4.24 For additional context, and to consider what scale of growth might “*reasonably be expected to occur*”, the Table below reviews stock growth rates in adopted post-NPPF plans. Even the area with the highest growth rate (Cherwell, at 1.82%) will see this increase further soon, when it reviews its Local Plan to include unmet need from Oxford.

<sup>37</sup> See ‘Planning for the Right Homes in the Right Places’ consultation

<sup>38</sup> See Autumn Budget at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/661583/autumn\\_budget\\_2017\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/661583/autumn_budget_2017_print.pdf)

Table 6 Adopted Housing Targets in post-NPPF Plans

	Adopted Annual Housing Target	Stock 2016	Annual Growth Rate
Cherwell*	1,140(+)	62,402	1.82%
Taunton Deane	850	52,840	1.61%
Milton Keynes	1,750	108,981	1.61%
Swindon	1,625**	94,374	1.72%
East Cambridgeshire	575	36,971	1.56%

Source: Housing targets - respective Local Plans. Stock - DCLG Council Tax Base data. \*Figure for Cherwell will increase following Local Plan Review to take account of additional need from Oxford. \*\*Total housing target 2011-2026 22,000 dwellings (1,467 dpa), however Policy SD2 of Local Plan states average annual housing delivery from 2016-2026 will be higher at 1,625 dpa.

## 2. Affordability Modelling based on University of Reading/OBR assumptions

4.25 The Office for Budget Responsibility [OBR] produced Working Paper No.6 Forecasting House Prices in July 2014. The report identifies the following with regards to future average earnings growth and median house price growth (the components of an affordability ratio) in paragraph 3.12:

*“Using some long-run assumptions for real income growth (2.2 per cent a year, including growth in the number of households of 1 per cent a year) and housing supply (keeping pace with the number of households), and assuming the housing discount rate and wage share variable are stationary, the model predicts around 3.3 per cent real house price growth a year in steady state. In addition, assuming consumer price inflation in line with the Bank of England’s 2% target implies 5.3 per cent a year nominal house price growth in steady state.”*

4.26 The University of Reading's affordability model found a high price elasticity (-2.0) in relation to increases in stock at regional level in England, implying in-effect that for every 1% increase in supply (with housing supply keeping pace with the household projections), relative prices would be expected to fall by 2%. These assumptions have been combined with the wage/house price growth forecasts in the March 2017 OBR Outlook to model affordability outcomes.

4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

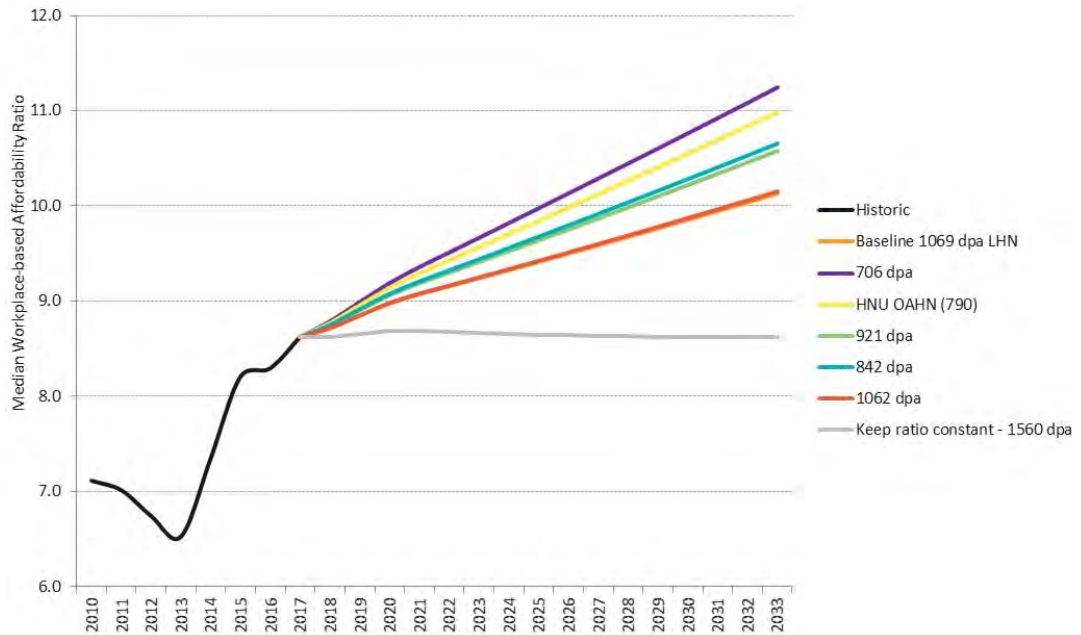
- The Council’s 24 dpa uplift for market signals was not sufficient, and although it was similar to approaches elsewhere however there have been changes in circumstances and a new approach is needed (p.2/3);
- House prices and affordability have worsened markedly in recent years, and there is a ‘serious and growing affordability problem’ for those on lower incomes (p.3);
- The approach of comparing a District to its neighbours in terms of market signals is flawed, because if each authority replicated this approach the cycle of worsening affordability would be perpetuated (p.3)
- A significant uplift is needed to improve affordability, and the approach based on OBR/University of Reading has the ‘greatest value’ (p.5);
- An uplift of 20% is well-founded and realistic (p.6).



- 4.28 On 1<sup>st</sup> February 2018, the Inspector’s Report on the Waverley Local Plan (part 1) Examination was published. In respect of market signals, the Inspector noted that:
- Affordability is particularly poor in Waverley, it is amongst the least affordable area outside London and affordability is worsening (IR 20);
  - The plans requirement, which incorporate a 5% upward adjustment to household formation rates to account for market signals is ‘not capable of addressing the Borough’s serious and worsening problem of housing affordability (IR 21);
  - The OBR/University of Reading approach put forward by representors (which yielded a 28.8% uplift) represents a ‘credible approach’ to modelling supply and affordability. Overall an uplift on the starting point of 25% should be applied (IR 22).

4.29 Applying this approach to York (for illustrative purposes, median workplace-based earnings are shown) suggests that 1,560 dpa would be needed to keep affordability at its 2018 level, as shown in Figure 4. This is set in the context that affordability has evidently worsened very significantly in the last 4 years alone. At the current HNU OAHN of 790 dpa, affordability would continue to worsen to around 11.0 by the end of the plan period.

Figure 4 Historic and forecast change in Median workplace-based affordability ratio



Source: ONS, Lichfields based on OBR/University of Reading/ONS

4.30 Table 7 shows the impacts on median workplace-based affordability in the short and long term. It demonstrates a significant worsening at the HNU’s current OAHN, and a clear improvement which directly relates to the scale of housing growth. A level of around 1,560 dpa would be sufficient to maintain affordability in the longer term.

Table 7 Impact of scales of housing growth on affordability

Dwellings per annum	Median, workplace-based		
	2017 ratio	Ratio in 2025	Ratio in 2033
(HNU OAHN) <b>790 dpa</b>	8.62	9.8	11.0
Scenario Bii: 2016-based SNPP PCU/MYE ( <b>706 dpa</b> )		10.0	11.2
Scenario Ci: Long Term Migration PCU ( <b>921 dpa</b> )		9.6	10.6
Scenario Di: ELR Scenario 2 ( <b>842 dpa</b> )		9.7	10.7
Scenario Ei: Past Trends Job growth ( <b>1,062 dpa</b> )		9.4	10.1
Level required to keep current (2017) affordability ratio constant ( <b>1,560 dpa</b> )		8.6	8.6

Source: Lichfields based on OBR/University of Reading/ONS

- 4.31 This exercise provides two useful conclusions in assessing what scale of uplift might be needed in York:
- 1 The HNU’s OAHN would clearly be insufficient to bring about any improvement whatsoever in affordability, and affordability would likely worsen significantly in the short and long term; and
  - 2 Up to 1,560 dpa would be needed just to maintain affordability at its 2017 (which is the highest level seen in York), and arguably this should be treated as a minimum given affordability has worsened significantly in the last few years alone.

**3. Apportionment of national needs**

- 4.32 The City of York is relatively worse in respect of affordability than the national equivalent. All other things being equal, to improve affordability across the country, the City of York and its HMA peers would need to make a proportionately greater uplift than those where affordability issues are less acute. This exercise has been undertaken on the basis that Government now has a clear aim to bring housebuilding to a level of 300,000 per year by the mid-2020s, as set out in the Autumn 2017 budget<sup>38</sup> (a level which is consistent with much of the literature review considered earlier in this section). This national total equates to an uplift of 85,000 on the 2016-based household projections (which suggest a need for c. 215,000 homes per annum).

- 4.33 It is possible to consider how this required uplift should be shared between 320+ Local Planning Authorities across the country in order to seek to hold the affordability ratio (at least at a national level) constant. Three alternative scenarios for market signals uplifts across the country have been modelled, as follows:

- 1 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure;
- 2 Each district with an affordability ratio above the national ratio makes a market signals uplift in proportion to its difference with the national figure (weighted 50%) and its projected household growth (weighted 50%); and
- 3 Every district (whether above or below the national ratio) makes a market signals uplift in proportion to its difference with the lowest affordability ratio, in Copeland at 2.6, (weighted 50%) and its projected household growth (weighted 50%).

- 4.34 The results for the City of York under these methods is shown in Table 8. The uplift has been based on a demographic baseline of 18,000 dpa, based on the projections plus a

vacancy rate. To meet a national figure of 300,000 per annum the scale of uplift would need to be 20% at least, although taking into account the City of York’s relative size this could be as high as 30%.

Table 8 Outcomes for the City of York- Apportionment of National Needs

	National total of 300,000		
	Share of 85,000 uplift	Dwellings	Uplift (to 921 dpa)
Method 1	0.22%	189	20%
Method 2	0.21%	182	20%
Method 3	0.33%	278	30%

Source: Lichfields based on ONS/DCLG

4.35 The analysis clearly shows that an uplift well in excess of the 15% put forward in the HNU would be needed to reasonable expect an improvement in affordability in the City of York, and for the City to be contributing to the need nationally for new homes, taking into account affordability and its size. It is notable that using a 300,000 per annum total, the uplift for York identified in the Government’s standardised methodology – at 30.4% - falls at the very upper end of the range (20%-30%) identified through this exercise.

**Summary**

4.36 In light of the above analysis, there is a case to be made that at the very least, the market signals uplift for the City of York should be a minimum of 20%. Taking a demographic-led baseline of 921 dpa based on the latest projections, this would equate to 1,105 dpa. OBR modelling suggests that an uplift even greater than this may be needed to improve affordability, however in light of stock growth elsewhere and the outcomes of method (3), a minimum of **20%** is considered appropriate.

4.37 This clearly underlines the failure of the HNU to adequately meet the PPG requirement to set its uplift at a level that is related to the problems of affordability or that could be expected to improve affordability; indeed, the HNU fails to approach this question at all.

4.38 **When applied to Scenario Ci (921 dpa), this results in a need for 1,105 dpa.**

**Are Economic Growth Needs Being Addressed?**

4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns which could potentially reduce the resilience of local businesses.

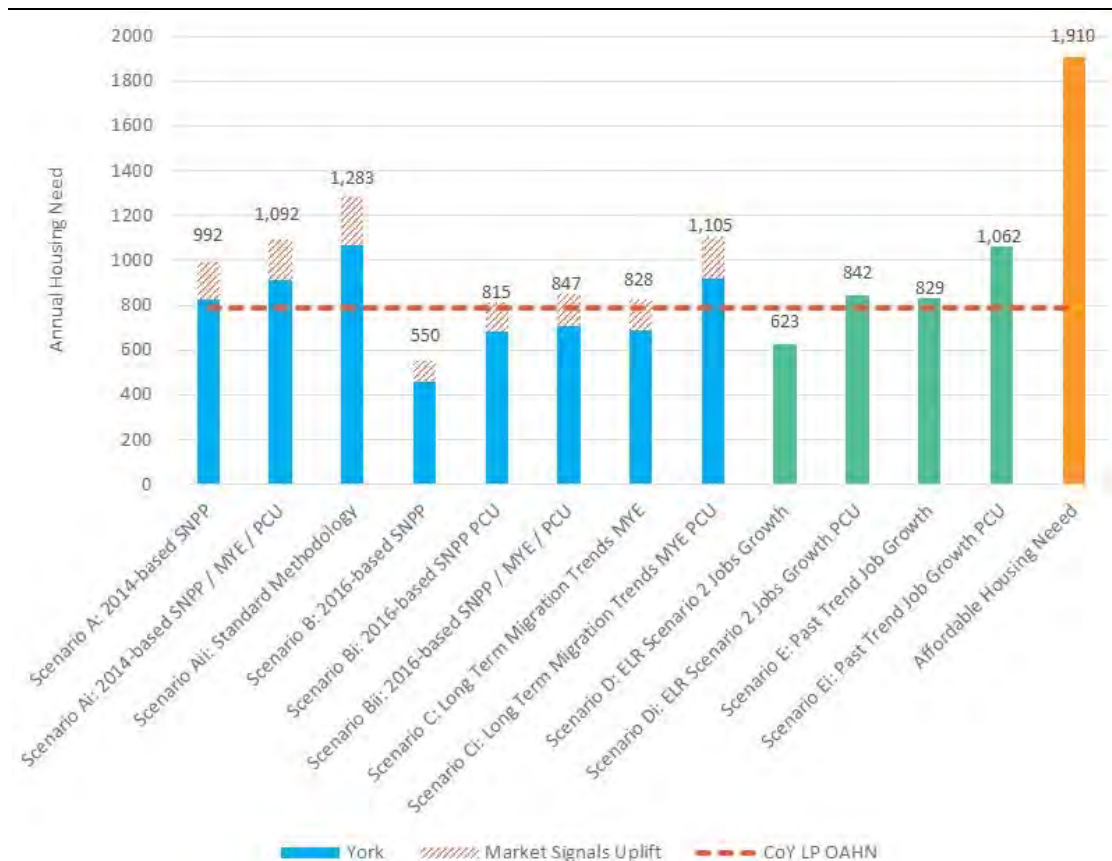
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

4.41 The economic forecasts for York indicate that, factoring in accelerated household formation rates, the employment-led figures range from 861 dpa based on the ELR Scenario 2’s 650 annual job growth (842 dpa) to 1,062 dpa based on past trends. These are all lower than the level of housing need associated with the uplifted demographic scenario as set out above.

4.42 The implication of this analysis is to demonstrate that the demographic-based projections would support a reasonable level of employment growth, and that no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met. Conversely, it is important to recognise that the past trends job growth scenario (Ei) generates a level of housing need that is only marginally lower than the demographically-led starting point (Scenario Ci after an adjustment is made for market signals) of 1,105 dpa. Therefore, the OAHN cannot be any less than this as it would not meet the most appropriate employment-led scenario.

4.43 Figure 5 sets out the annual dwelling need under each scenario as identified by Lichfields' modelling work.

Figure 5 Model Outputs for the City of York: Dwellings per Annum 2017-2033



Source: Lichfields Analysis  
 Note: The orange boxes on the blue bars relate to the recommended uplift to address worsening market signals

### Is there a need to increase housing supply to aid the delivery of affordable housing?

4.44 The Practice Guidance makes clear that the consideration of an uplift in response to market signals and any adjustment to take account of affordable housing need should be undertaken as two discrete stages. The Practice Guidance<sup>39</sup> identifies six relevant market signals that are to be considered. Not one of these relates to affordable housing need, i.e. the specific need of those households who lack access to suitable housing (both now and

<sup>39</sup> ID 2a-019-20140306

in the future). The assessment of market signals therefore does not include a consideration of affordable housing need. However, affordable housing needs must still be taken into account when determining OAHN.

4.45 Following the discussion on market signals, the Practice Guidance provides an overview of how affordable housing needs are to be assessed. The section closes by stating that:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes”<sup>40</sup>.*

4.46 In this regard, and as noted above, the SHMA Update (September 2017) has identified an affordable housing need of 573 dpa. Assuming an optimistic 30% delivery requirement, this would result in need for 1,910 dpa.

4.47 GL Hearn has not allowed for any adjustment to the identified housing need to reflect this level of affordable housing need. We consider that this is a serious misjudgement.

4.48 Lichfields does not consider that it is adequate just to suggest that an uplift for market signals would be sufficient to address affordable housing need. Such an approach is contrary to the Satnam Millennium, Oadby and Wigston and Kings Lynn judgments, all of which require an additional uplift (i.e. as distinct to the market signal adjustment). It also fails to reflect the requirements of the Framework [§47] and the Practice Guidance which clearly show the uplift for market signals to be separate to the adjustment for affordable housing.

4.49 In order to meet the identified level of affordable housing need in full, the bottom end of the range would need to be higher (although it is recognised that at 1,105 dpa, over half of the City’s affordable housing need would be met). The approach of Dove J at Kings Lynn informed the recommendation of LPEG to apply a specific level of uplift in response to identified housing need. Whilst the implication of the Kings Lynn HCJ is that Local Plans are not required to meet their affordable housing needs in full, in this instance, **an uplift of the OAHN by a further 10%, from 1,105 dpa to 1,215 dpa would, in theory, go a meaningful way to ensuring that this can be achieved (based on a 30% delivery rate).**

---

<sup>40</sup> ID 2a-029-20140306

## 5.0 Integration of Student Housing Needs

5.1 It is important to note that the household projections upon which York’s OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG’s household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the ‘Communal establishment population’).

5.2 As summarised by CLG in its *2014-based household projections Methodological Report* (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the ‘institutional’ population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:

*“The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections.” [page 12]*

5.3 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn’s methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

5.4 In this regard, it is worth noting that in March 2017 GL Hearn published an addendum to the West Surrey SHMA for Guildford Borough Council<sup>41</sup>. In that document, GL Hearn recommended an adjustment of an extra 23 dpa be added to the OAHN of 539 dpa based on an analysis of future student numbers and accommodation need in the Borough.

5.5 According to the GL Hearn’s Guildford analysis, there are three things necessary to consider when determining whether there is a need to adjust the objectively assessed housing need to take account of student growth:

- How the student population at University of Surrey is expected to change over the plan period;
- What growth in typical student age groups is expected within the population projections, on the basis that the CLG Household Projections model is not assuming growth in numbers in institutions;
- The number/ proportion of students which can be expected to require housing within Guildford, and of these what proportion might be expected to be accommodated in halls of residence rather than the wider housing stock.

5.6 This was accepted in the Inspector’s Report dated 27<sup>th</sup> March 2019, resulting in a new OAHN of 562 dpa. The Inspector concluded that:

*“From the figure of 539 dpa resulting from the assessment of jobs-led economic growth, the Council have made a further adjustment of 23 dpa for the growth of the student population based on analysis carried out in the SHMA addendum. Taking the University of Surrey’s known aspirations for growth, it is estimated that the number of full-time Guildford-based students at the University will increase by 3,800 between 2015-34, resulting in additional migration to Guildford. Assuming that 45% would be accommodated in the wider housing market, and on the basis of*

<sup>41</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

*an average 4 students per household, the SHMA Addendum calculates that this would equate to growth of 23 additional dwellings per annum. It has been argued that the 18 to 23 age group in the most recent population projections and mid-year estimates includes students; but this cannot be assumed to be the case, and by its nature Guildford is likely to be attractive to young people whether or not they are students. It is a sound step to add this allowance for students when considering the overall housing requirement, to ensure that there is not a significant incursion of students into the housing market which would diminish the supply available to others needing housing in the area.”*

- 5.7 Given that York has a disproportionately high student population following the ongoing success of the University of York, York St John University, Askham Bryan College of Agriculture and Horticulture and the landmark campus development of York College, it is surprising that GL Hearn did not follow a similar exercise to the one they undertook for Guildford Borough Council.
- 5.8 Using data and assumptions gathered from the University of York, York St John’s University and the City of York Council’s own analysis (*Housing Requirements in York*, produced on its behalf by Arup in 2015) we can make a broad assessment of the housing needs of students in the City of York.
- 5.9 Table 9 presents the past four years of student headcount data for the University of York and York St John University. Over this period the total student headcount grew by 7.2% overall. However, whilst the University of York [UoY] grew its student population by 15.4%, York St John’s University [YSJ] lost 4.7% of its students.
- 5.10 Both universities experienced an expansion in full-time students but a contraction of part-time students. The University of York gained 2,300 full-time students (15.4%) but lost 315 part-time students (-16.4%), whilst York St John’s University gained 235 full-time students (4.3%) but lost more than half of its part-time students.

Table 9 Recent trends in University student headcounts in York 2014/15-2017/18

	2014/15	2015/16	2016/17	2017/18	% Change
<b>The University of York</b>	<b>16,835</b>	<b>17,150</b>	<b>17,895</b>	<b>18,820</b>	<b>11.8%</b>
Full-time	14,920	15,210	16,280	17,220	15.4%
Part-time	1,915	1,940	1,615	1,600	-16.4%
<b>York St John University</b>	<b>6,555</b>	<b>5,975</b>	<b>5,940</b>	<b>6,250</b>	<b>-4.7%</b>
Full-time	5,495	5,180	5,355	5,730	4.3%
Part-time	1,060	795	585	520	-50.9%
<b>Total Full Time</b>	<b>20,415</b>	<b>20,390</b>	<b>21,635</b>	<b>22,950</b>	<b>12.42%</b>
<b>Total Part Time</b>	<b>2,975</b>	<b>2,735</b>	<b>2,200</b>	<b>2,120</b>	<b>-28.74%</b>
<b>Total Students</b>	<b>23,390</b>	<b>23,125</b>	<b>23,835</b>	<b>25,070</b>	<b>7.18%</b>

Source: HESA HE student enrolments by HE provider 2014/15 to 2017/18

- 5.11 For the purposes of this analysis, only full-time students are considered to be part of the additional student population in York living in C2 housing, as part-time students are more likely to be residents already living in York or commuting into the City.
- 5.12 The City of York Council’s 2015 *Housing Requirements Study* assumed (in Appendix B)<sup>42</sup> that, following consultation with both Universities, 5% of all UoY students live at home or

<sup>42</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

commute into York, whilst 20% of all YSJ students do the same. The 20% figure for YSJ has recently been reiterated in the University’s 2026 strategy, where it is stated that the University aspires to grow to 10,000 students by 2026, with 8,000 of those being “on campus”<sup>43</sup>. This would be an increase of **3,750** students on the current figure of 6,250.

- 5.13 Applying these assumptions to the 2017/18 total full-time student figure of 22,950 generates a student baseline figure of **20,943** students requiring accommodation within the City (i.e. 95% of UoY’s 17,220 FT students, plus 80% of YSJU’s 5,730 FT students).

### Expected Growth in Student Numbers

- 5.14 In a representation submitted to the draft York Local Plan examination in March 2018<sup>44</sup>, the University of York’s planning agents (O’Neill Associates) set out potential growth scenarios for the university up to 2038. Of the six growth scenarios, Scenario 3, which assumed 1.25% student growth p.a. to 2038, and Scenario 4, which assumed 1.5% growth p.a. to 2038 were considered by O’Neill Associates to be “*the minimum prudent scenarios for planning purposes at this stage of the Local Plan*”. Scenario 5, which assumed 2% growth p.a., was also considered to be “*a realistic possibility given it is at a rate equal to half the growth the University has achieved over the last 10 years.*”
- 5.15 The growth scenarios modelled by O’Neill Associates were based on full-time-equivalent [FTE] students and was modelled forward from 2016/17 data. The University of York has since released FTE student data for 2017/18 and 2018/19. Given that growth in FTE students in the past two years has been 4.1% and 3.2% respectively, we have assumed the higher Scenario 5 growth rate of **2% p.a.** over the full Plan period to 2033 is justified for use in this analysis. This equates to a growth of **6,069** on the 2016/17 FT student figure of 16,280.
- 5.16 As set out above, the YSJU 2026 Strategy document (2019) sets out that University’s ambition to grow to 10,000 students by 2026, a growth of 3,750 students from 6,250 in 2017/18 over an eight-year period. Using the average proportion of full-time students at the University from the past four years of HESA data (totalling 88% of all students), this suggests it would be reasonable to work on the basis that 8,800 full-time students will be attending YSJU by 2026, an increase of **3,070 full-time students over eight years**, or 384 students per year until 2025/26.
- 5.17 After 2025/26 we have no data regarding YSJU’s growth plans, so for the purposes of this analysis we have fixed the full-time student number at 8,800 for the remainder of the plan period to 2033 (i.e. zero growth post 2026).
- 5.18 Based on the above assumptions, the expected growth in full-time students over the 16-year Local Plan period 2016/17 – 2032/33 equates to **6,069** for the UoY and **3,445** for York St John (this latter figure includes one years’ growth already documented in Table 9 above, of 375 students between 2016/17 and 2017/18). This totals **9,514** additional FT students based at the two Universities over the 16-year plan period 2016/17 – 2032/33.
- 5.19 Applying the previous assumptions relating to students living at home or commuting to this generates an additional **8,522** full-time students living in York (i.e. 95% of UoY’s 6,069 FT students and 80% of YSJ’s 3,445 FT students).

<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

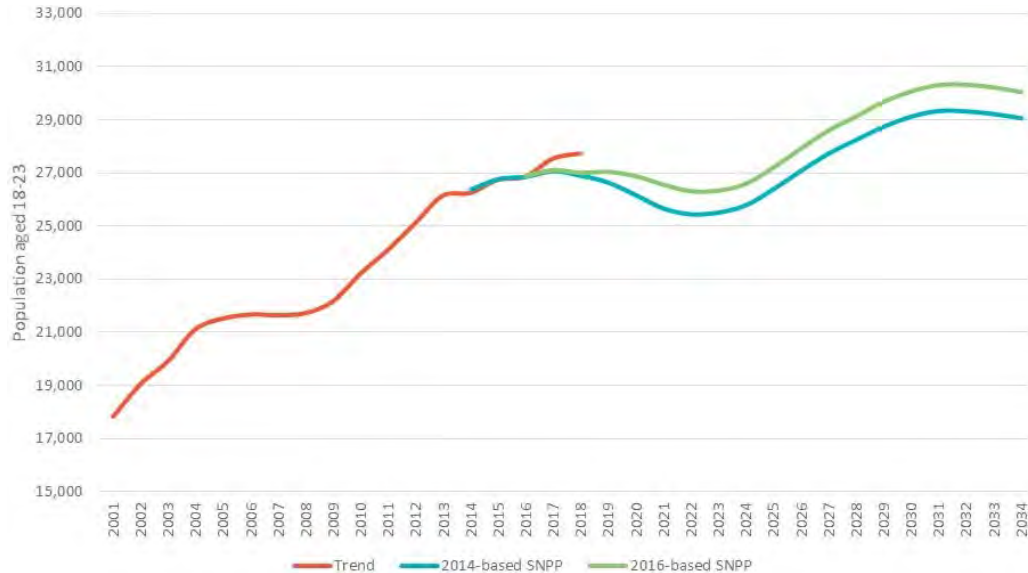
<sup>44</sup> O’Neill’s Associates Submission to York Local Plan (2018): *University of York – Growth Rationale for Campus east Extension to the South of the Lake*, page 5



## Student Growth within the Demographic Projections

- 5.20 It is reasonable to assume that the 18-23 age cohort will represent the core student age group, particularly for under graduates. This was also the approach GL Hearn followed in its Guildford SHMA Update. Figure 6 illustrates that using either the 2014-based SNPP or the 2016-based SNPP, there is limited growth within this age cohort, particularly over the short to medium term, with growth principally occurring from 2025 onwards. Indeed, from 2017 to 2022, the number of residents in this age group is expected to fall by 1,631 in the 2014-based SNPP, and by 798 residents in the 2016-based SNPP.
- 5.21 Over the 16-year plan period 2016/17 to 2032/33, the projected growth of this age cohort is 3,118 residents (+12%) according to the 2016-based SNPP, or 2,149 (8%) using the 2014-based equivalents. In contrast, the number of full-time students attending the two Universities in York is expected to rise by 9,514 over the same time period, of whom 8,522 are expected to live in the City, an increase of **36% on the 2016/17 figure of 32,357** attending the two York Universities. This represents a rate of growth significantly higher than that of the age cohort in the projections.

Figure 6 Past and Projected Population Growth in York for residents aged 18-23



Source: ONS Mid-Year Population Estimates 2019/2014-based SNPP/2016-based SNPP

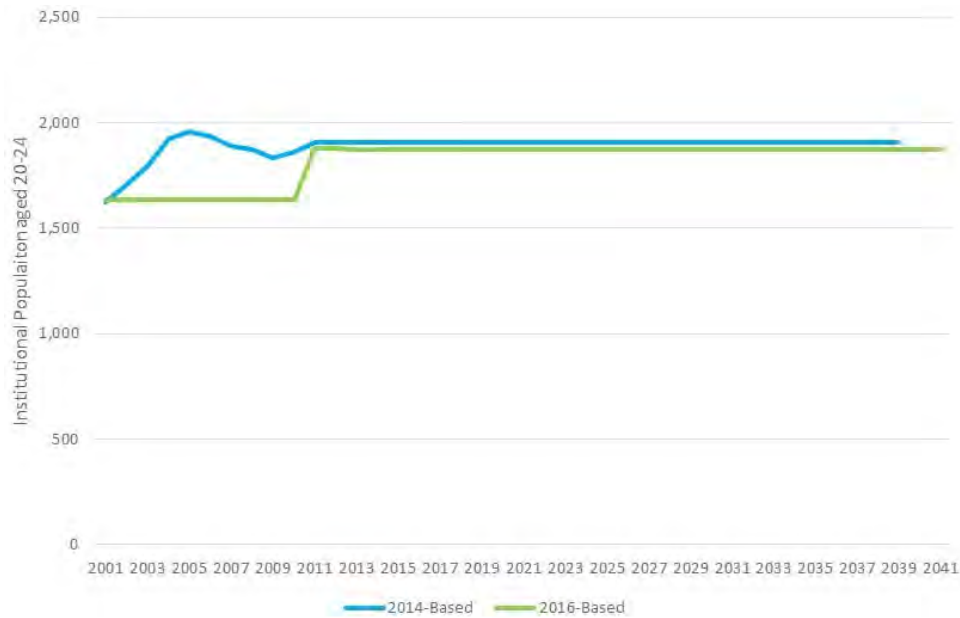
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal establishments in the City of York up to 2039/41. Communal establishments include institutional accommodation such as residential care homes, army barracks, correctional facilities and (of particular relevancy for younger age groups) purpose-built student accommodation (i.e. halls of residence). It is therefore highly likely that most of the population aged 20-24 living in communal establishments can be considered to be students living in purpose-built C2 student accommodation. The data indicates that post 2017, the number of residents aged 20-24 living in communal establishments is anticipated to stay constant, at 1,909 residents in the 2014-based SNPP,

<sup>45</sup> The ONS / CLG data is grouped together in 5-year age cohorts including 20-24 and not 18-23 year olds; however, it is reasonable to assume that the trends exhibited for this slightly older age group represents a reasonable proxy for student growth

and 1,879 in the 2016-based SNPP. There is therefore no change in the size of this cohort built into either set of projections over the plan period, and so growth in the numbers of students living in purpose-built accommodation clearly play no part in the ONS's anticipated population growth for York residents shown in Figure 6.

- 5.23 From this, it could also be reasonably inferred that the ONS projections have not factored in the strong growth in student numbers at the 2 Universities into their projections, whether they are likely to be living in C2 student accommodation or renting in the private market. Furthermore, the projections suggest a lack of growth in the short-term, whilst growth effects later in the plan period are likely to be largely accounted for by a cohort effect rather than an increase in student migration.

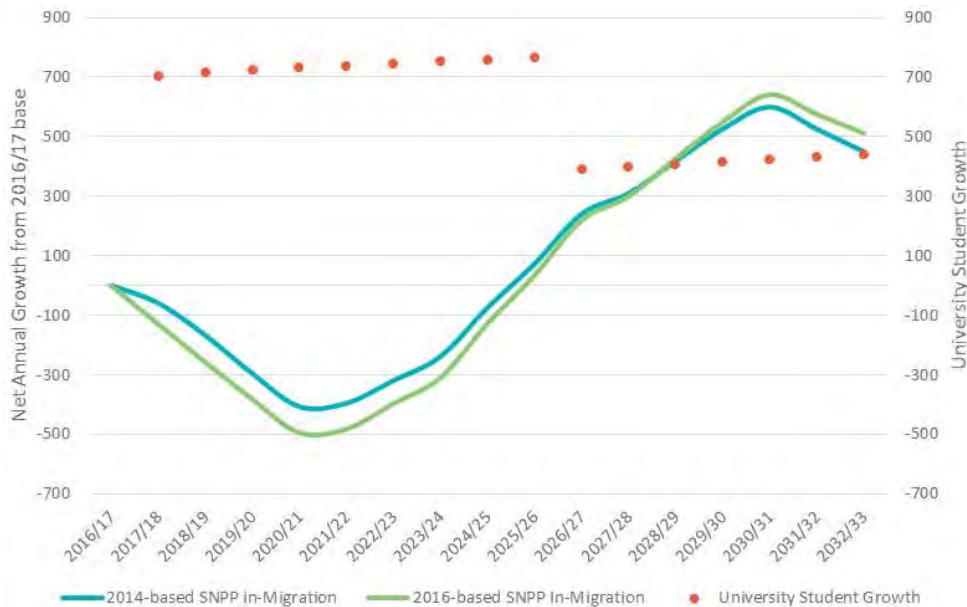
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



Source: CLG 2014-based SNHP/ ONS 2016-based SNHP

- 5.24 The levels of in-migration of 18-23 year olds into York shown in Figure 8 further support this conclusion. Both projections show a clear decline up to 2025/16 compared to 2017 levels, followed by gradual growth to 2031, whereupon the numbers of domestic in-migrants to the City of York start to decline once more. This is in stark contrast to the expected net increase in Full Time student numbers in the two main Universities, where the main growth is in the first few years of the Plan period, suggesting that they are not adequately reflected in the projections.

Figure 8 Internal and cross-border migration for ages 18-23 migration into York 2017-2041 vs. Anticipated Growth in University Students



Source: ONS 2014-based SNPP/2016-based SNPP / Lichfields Analysis

5.25 Based on this analysis it is reasonable to assume that the rise in the student population would result in additional housing need over and above the need as determined by the 2016-based SNPP in isolation.

### Additional Student Accommodation Needs

5.26 In GL Hearn’s 2017 Guildford analysis, 45% of new students were expected to be living in the private rental sector [PRS], based upon the University of West Surrey’s aspiration to house 50%-60% of its students within student accommodation.

5.27 Appendix B in The City of York Council’s 2015 *Housing Requirements Study*<sup>46</sup> includes an analysis of the proportion of both universities’ students that are living in the PRS between 2010/11 and 2017/18. Over this period the average proportion of students living in the PRS was 56.6% of the total. This figure includes the assumptions relating to students living at home or commuting, and so must be applied to the total additional number of FT students, not just those living in York.

5.28 Applying this assumption to the combined university full-time student growth figure of 9,514 generates an estimated **5,385** additional full-time students likely to be living in the wider housing stock in York over the 16-year plan period, or **337** additional students per year.

5.29 On the basis of an average of 4 students per household (an assumption that was also used by GL Hearn in 2017<sup>47</sup>), this equates to around **1,346** dwellings over the 15-year plan period; an average of **84 dpa** over the plan period 2016/17 - 2032/33.

<sup>46</sup> Arup (2015): Evidence on Housing Requirements in York: 2015 update, Appendix B

<sup>47</sup> GL Hearn (2017): West Surrey Strategic Housing market assessment: Guildford Addendum Report 2017

Table 10 Additional student population requiring PRS dwellings in York 2016/17-2032/33

Measure	Total
Additional FT students	9,514
Additional FT students living in York	8,522
Additional FT students living in PRS in York	5,385
<b>Additional dwellings needed</b>	<b>1,346</b>
<b>Additional dwellings needed p.a.</b>	<b>84</b>

Source: Lichfields analysis

## Conclusion

- 5.30 Based on this analysis, it cannot be assumed that the growth in the 18-23 age cohort in the latest population projections includes growth in student numbers, and therefore that there is adequate provision for new student housing within the OAHN. Following this, **it is our recommendation that an additional 84 dpa be factored into the City of York’s OAHN.**

## 6.0 Factoring in the Backlog

- 6.1 The Explanation to Policy SS1 of the Proposed Modifications to the City of York Local Plan states that “*Following consideration of the outcomes of this work, the Council aims to meet an objectively assessed housing need of 790 new dwellings per annum for the plan period to 2032/33, including any shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.*” [paragraph 3.3]
- 6.2 According to PM21a of that document, *the Update to Table 52: Housing Trajectory to 2033 to reflect the revised OAN of 790 dpa*, this shortfall to housing provision equates to 32 dwellings annually between 2017/18 to 2032/33, or 512 dwellings in total over the 16-year Plan period.
- 6.3 Based on the Council’s *Full Year Housing Monitoring Update for Monitoring Year 2018/19* Table 6, this appears to be based on a net dwelling gain of 3,432 dwellings between 2012/13 and 2016/17, against a requirement of 3,950 (790 x 5); therefore a 518 shortfall, or 32 annually.
- 6.4 The Companies have serious concerns regarding the accuracy of this calculation. It appears that the CoYC have included a very substantial amount of C2 student accommodation in these figures, thus reducing the amount of shortfall they include in the annual housing target.
- 6.5 The Housing Monitoring reports produced by the Council seek to legitimise this approach by referring to the PPG, which states that:
- “All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market...*
- To establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of students living in student only households, using the published census data. This should be applied to both communal establishments and to multi bedroom self-contained student flats. Studio flats in mixed developments designed for students, graduates or young professionals should be counted as individual completions. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that full functions as an independent dwelling”.*<sup>48</sup>
- 6.6 Setting to one side the fact that the household projections which GL Hearn has used to underpin its demographic modelling do not take full account of the needs of students, we are concerned that the Council’s approach is over-emphasising the contribution this source of accommodation is making to housing delivery.
- 6.7 For example, MHCLG publishes Table LT122 annually for every district in the country, which provides a robust and consistent indication of net additional dwellings. This is based on Housing Flows Reconciliation data that have been submitted by CoYC to MHCL annually.

---

<sup>48</sup> ID-3-042-20180913

Table 11 Rate of net housing delivery in York, 2012/13-2016/17

Year	MHCLG Net Housing Completions (LT122)	Housing Delivery Test	Council's Local Plan Estimate	
			Net Dwelling Gain	+/-
2012/13	88	n/a	482	+394
2013/14	69	n/a	345	+276
2014/15	284	n/a	507	+223
2015/16	691	691	1,121	+430
2016/17	378	378	977	+599
<b>Total</b>	<b>1,510</b>	-	<b>3,432</b>	<b>+1,922</b>

Sources: MHCLG LT122, Housing Delivery Test Results 2019, CoYC Full Year Housing Monitoring Update for Monitoring Year 2018/19 Table 6

\*Difference from HDT figure

- 6.8 To take an example for the year 2015/16, the Council has included an additional 579 units relating to two 'Off campus privately managed student accommodation sites'. The CoYC's Housing Monitoring Update for that year indicates that this includes 579 units on 2 developments, the Yorkshire Evening Press 76-86 Walmgate, for 361 units; and the Former Citroen Garage, 32 Lawrence Street.
- 6.9 Reference to the latter development (planning application reference 13/01916/FULM) indicates that not all of these units are self-contained under the MHCLG's definition:
- "The new managed student accommodation will create 58 student flats (5 and 6 person flats with communal kitchen/living/dining facilities) and 303 self-contained 'studio' flats along with a management suite (office, common rooms etc.), laundry and other ancillary facilities."*<sup>49</sup>
- 6.10 Therefore, as a best case, this site should be contributing a maximum of 315 units (58/5 + 303), not 361 units – a difference of 46 units.
- 6.11 Similarly, the other student development included for 2015/16 on the former Citroen Garage (15/012440/FULM), also includes shared and self-contained flats:
- "The rooms therefore take a variety of forms self-contained or with shared facilities according to circumstances, to respect the heritage constraints and make the most of the accommodation."*<sup>50</sup>
- 6.12 There are also other inconsistencies with the MHCLG's data; so, for example in the CoYC's 2016/17 Housing Land Monitoring Report Update, Table 3 indicates that 977 housing completions were delivered net, compared to just 378 recorded by MHCLG – a **difference of 599 units**. Yet only a proportion of this difference can be explained by the C2 student accommodation, as only 152 units are attributed to this source in Table 3, compared to 571 units from residential use class C3 approvals, plus 252 from relaxed Permitted Development Rights. It is unclear why the MHCLG's figures are so different to the Council's, given that they are both supposed to have been provided by CoYC Officers.
- 6.13 To be robust, it is considered that the MHCLG's figures should be used. As summarised in Table 12, if the Council's OAHN of 790 dpa is applied, the City of York has under-delivered a total of 2,440 dwellings over the past 5 years. Annualised over the 16 years of the Local Plan, this would require an additional 153 dpa. If Lichfields' higher OAHN of 1,215 dpa is applied, this would generate a huge shortfall of 4,565 dwellings, or 285 dpa over the remaining 16 years of the Local Plan.

<sup>49</sup> Design and Access Statement for Walmgate Student Castle Development, ref: 13/01916/FULM, paragraph 8.02

<sup>50</sup> Design and Access Statement for St Lawrence WMC, ref: 15/02440/FULM, paragraph 6.2.2

Table 12 Rate of net housing delivery in York against possible policy benchmarks, 2012/13-2016/17

Year	Net Housing Completions	Council's OAHN (790 dpa)		Lichfields' OAHN	
		'Need'	+/-	'Need'	+/-
2012/13	88	790	-702	1,215	-1,127
2013/14	69	790	-721	1,215	-1,146
2014/15	284	790	-506	1,215	-931
2015/16	691	790	-99	1,215	-524
2016/17	378	790	-412	1,215	-837
<b>Total</b>	<b>1,510</b>	<b>3,950</b>	<b>-2,440</b>	<b>6,075</b>	<b>-4,565</b>
<b>Annualised over 16 years</b>	<b>94 dpa</b>	<b>247 dpa</b>	<b>-153 dpa</b>	<b>380 dpa</b>	<b>-285 dpa</b>

Source: MHCLG LT122

7.0

## Conclusions on the City of York's Housing Need

7.1

The Council's approach to identifying an assessed need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is calculated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of 84 dpa on top of the 1,215 dpa set out above (i.e. 1,299 dpa).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an



additional 153 dpa should be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfield’s higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top.

7.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

7.3 This process is summarised in Table 13.

Table 13 Approach to OAN for the City of York 2017-2033

	Dwellings per annum (2017-2033)
Demographic Starting Point (2016-based SNHP)	458 dpa
Adjustments to Demographic-led Needs	921 dpa
Uplift for Market Signals?	<b>1,105 dpa (+20%)</b>
Employment Led Needs	842 dpa – 1,062 dpa
Affordable Housing Needs	1,910 dpa*
Uplift to demographic led needs for Affordable Housing? (rounded)	<b>1,215 dpa</b>
Uplift to address Student Housing Needs	<b>84 dpa</b>
Adjusted OAHN (Rounded)	<b>1,300 dpa</b>
Inherited Shortfall (2012-2017) annualised over the Plan period	<b>153 dpa – 285 dpa</b>
<b>Annual Target (inclusive of shortfall)</b>	<b>1,453 dpa – 1,585 dpa</b>

\*Based on an affordable housing net annual need of 573 dpa at a delivery rate of 30%

## 8.0 **Analysis of the Forward Supply of Housing**

### **Introduction**

- 8.1 Since the submission of the Local Plan in May 2018 the Council has released an updated Strategic Housing Land Availability Assessment (SHLAA) (May 2018). Unlike the previous version of the SHLAA (September 2017), it contains a detailed housing trajectory which sets out the anticipated delivery rates of draft allocations. The SHLAA also sets out the assumptions used in projecting the housing trajectory including lead-in times and build-out rates not previously available for review.
- 8.2 This section critiques the assumptions which underpin the housing land supply, also reiterating points made on other components of the Council's housing land supply which have been carried forward since the previous version of the SHLAA. It is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### **Delivery Assumptions**

#### **Lead-in Times**

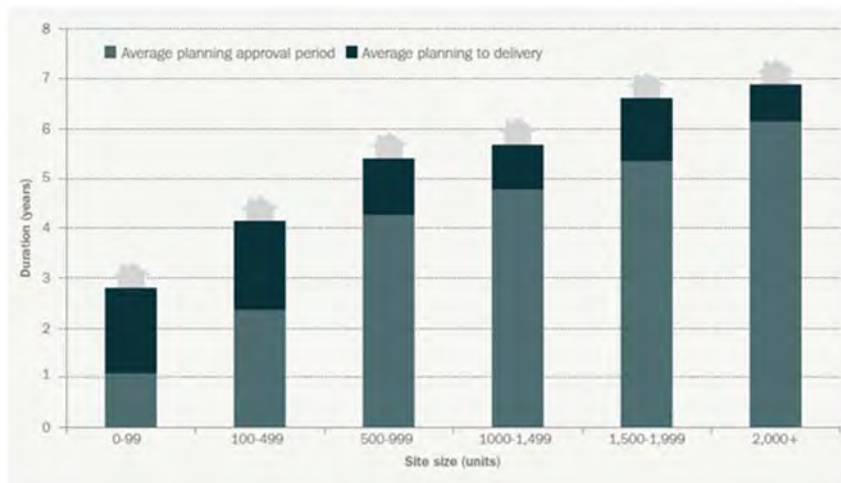
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).
- 8.4 The timescales for a site coming forward are very dependent on a number of factors such as a developer's commitment to the site and the cost, complexity and timing of infrastructure as an example. The standard lead-in times should only be applied to sites where developers are actively pursuing development on the site and preparing the necessary planning application. The standard lead in time should not be applied universally and a degree of pragmatism and realism should be applied. Sites where developers have shown limited commitment, for example, should be identified as being delivered later in the trajectory.
- 8.5 Another fundamental element in calculating appropriate lead-in times relates to the size and scale of a site. As a generality, smaller sites can commence delivery before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure which must be delivered in advance of the completion of housing units. In some cases, the lead-in time on brownfield sites can also be greater given the time required for decommissioning services, demolition, dealing with ground contamination etc.
- 8.6 The SHLAA (2018) sets out the lead-in times which have been applied by the Council in respect of their housing trajectory. The lead-in times are based upon evidence contained within Annex 5 of the SHLAA ('SHLAA Assumptions for Evidence Bases'). The Council states that smaller – medium sites are more likely to come forward within 12 months, larger and 'exceptionally' large sites are more likely to be 12-18 months at a minimum.

8.7 The Council undertook a Housing Implementation Survey in 2015 to help draw together information regarding lead-in times. Our review of these lead-in times suggest that the overall conclusions do not reflect the full extent of the process from submitting a planning application to first completions on site. The lead-in times appear to be ambitious and do not provide a robust set of assumption to base the housing trajectory on.

8.8 Lichfields has undertaken extensive research on lead-in times on a national level with the publication of ‘Start to Finish’<sup>51</sup>, which contains robust evidence on typical lead-in times and build-rates. These findings are quoted elsewhere within Lichfield research such as Stock and Flow<sup>52</sup> which the Council refers to within Annex 5 of the SHLAA. Whilst the Council has referenced this research it is unclear if the findings have been considered when formulating lead-in times. Whilst it is acknowledged by the Council that larger sites can have longer lead-in times it is unclear if any allowances have been made for large sites included within the housing trajectory.

8.9 It is considered that as a starting point the Council should consider the average lead-in times set out within ‘Start to Finish’ which are provided below:

Figure 9 Average Lead in Times



Source: Lichfields analysis, Figure 4 of ‘Start to Finish’

8.10 Lichfields has also provided commentary on lead-in times previously with the Housing Issues Technical Paper (March 2018), which can be found at Appendix 1. This builds upon the findings of Start to Finish to provide more localised commentary. Like Start to Finish an approach was taken to consider lead in times from the submission of the first planning application to the first completion on site. Table 14 provides a summary of these findings.

Table 14 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 year	1.5 years	2 years
Outline Planning Permission	1.5 years	2 years	2.5 years
Application Pending Determination	2.5 years	3 years	3.5 years
No Planning Application	3 years	3.5 years	4 years

Source: Lichfields

<sup>51</sup> Nathaniel Lichfield & Partners (November 2016): *Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*

<sup>52</sup> Nathaniel Lichfield & Partners (January 2017): *Stock and Flow: Planning Permissions and Housing Outputs*

- 8.11 Both *Start to Finish* and the assumptions set out within the *Housing Issues Technical Paper* demonstrate that the Council's approach to lead-in times is not robust. There are examples within the trajectory which we consider demonstrate that the Council's current assumptions are ambitious. This includes the proposed lead-in times for proposed allocations ST14 and ST15.
- 8.12 ST14 (Land west of Wigginton Road) has a proposed capacity of 1,348 dwellings, currently there is no application being determined by the Council. Assuming an outline application is submitted in 2019 and following Start to Finish, it would be expected that first completions would be in 2024 (5.5 years).
- 8.13 Similarly, ST15 (land west of Evington Lane) is a proposed new settlement with a capacity of 3,330 dwellings within the emerging plan. There would be significant upfront infrastructure requirements before any housing completions took place. Again, if an outline application is submitted in 2019, and following Start to Finish, it would be expected that first completions would be in 2026 (6.9 years).
- 8.14 It is considered that the position set out above should be adopted when considering lead in times. The Council's current approach does not provide a realistic or robust position when considering likely lead in times. The Council should provide clear justification if there is a departure to these timescales.

### **Delivery Rates**

- 8.15 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity.
- 8.16 Within the SHLAA (2018) the Council has taken the approach to apply a build out rate to site allocations of 35 dwellings per outlet, per annum. This is applied in multiples as the number of outlets are likely to increase. For larger schemes the Council envisage that there could be up to four outlets after the initial infrastructure phase has been completed.
- 8.17 It is considered that the Council's approach is a reasonable starting point, however, research undertaken by Lichfields demonstrates that build rate assumptions are more complex. Whilst it is acknowledged that larger sites can support more outlets this isn't always the case and will be influenced by the size, form and housing mix of the development. Overall market absorption rates mean the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.
- 8.18 Lichfields has provide commentary on delivery rates previously with the Housing Issues Technical Paper (March 2018). In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.
- 8.19 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.
- 8.20 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase

delivery exponentially, but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

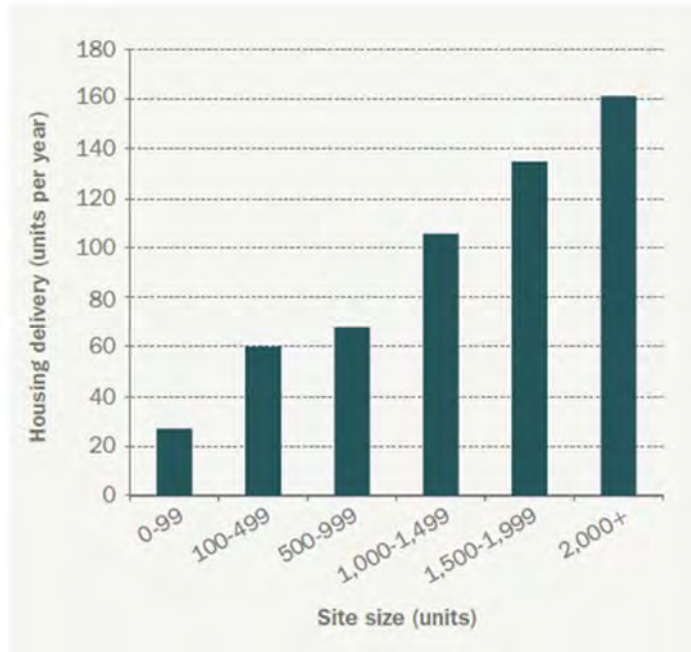
Table 15 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.21 Furthermore, *Start to Finish* analyses build rates based on national research. Whilst the findings shown in Figure 10 are average figures, it demonstrates that large sites do not necessarily deliver more homes on an exponential basis.

Figure 10 Housing Delivery Rates



Source: Lichfields analysis, Start to Finish

8.22 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.23 The SHLAA (2018) (page 22) sets out the density assumptions for each residential archetype. The assumptions are the same as those contained within the previous SHLAA and based upon the findings of the 2014 Housing Viability Study. Lichfields has commented on the density assumptions for each residential archetypes previously and reiterates these comments below.

- 8.24 It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.
- 8.25 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.
- 8.26 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the details in the 2018 SHLAA are at variance with this principle.

## Components of the Housing Land Supply

### Allocations

- 8.27 The Framework (2012) stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and in that context. The Framework advises that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against 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 (paragraph 47).
- 8.28 The definition of deliverability as set out within the NPPF states that 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 the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”* [Footnote 11]
- 8.29 The Planning Practice Guidance (PPG) sets out further guidance<sup>53</sup> in respect of what constitutes a deliverable site. It states:

<sup>53</sup> PPG Paragraph: 032 Reference ID: 3-032-20140306

*“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.*

*However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.*

*The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply”.*

- 8.30 When assessing a 5-year supply position, it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community’s need for housing.
- 8.31 The Council should adopt a more cautious approach when seeking to include strategic allocations within the five year supply. It is considered that a number of the proposed allocations do not have a realistic prospect of delivering housing within the next five years when applying more robust assumptions in terms of lead-in and build rates.

**Sites with Planning Permission**

- 8.32 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.33 As set out within the SHLAA (2018) the Council apply a 10% non-implementation rate to extant planning permissions and site allocations identified for housing development. The evidence which underpins the Council’s justification is set out within Annex 5 to the SHLAA. This has been carried forward into Table PM21d of the Proposed Modifications to the York Local Plan, albeit the Council has also included a separate table (PM21c) which does not include the discount). The addition of the non-implementation is welcomed and is in line with approaches taken elsewhere when reviewing housing delivery.

**Windfalls**

- 8.34 The Council’s position on windfall allowance is based upon the Windfall Allowance Technical Paper (2017) and remains the same as the previous version of the SHLAA. The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance within the Technical Paper.

- 8.35 The Framework<sup>54</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that they will provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.36 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate **outwith the first 5-year period**. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.37 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.38 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since 2012. This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.39 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.40 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.41 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.

---

<sup>54</sup> NPPF (2019), §70



- 8.42 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.
- 8.43 Therefore, in this instance we consider that it is not appropriate that the City of York includes a windfall allowance within the first 5 years of the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

### **Under Supply**

- 8.44 The PPG<sup>55</sup> states that the level of deficit or shortfall should be added to the plan requirements for the next five- year period where possible (Sedgefield approach). If LPAs are minded to deal with the shortfall over a longer period (Liverpool method) the Practice Guidance advises that Local Authorities work with neighbouring authorities under the duty to cooperate.
- 8.45 It is stated within the SHLAA (2018) that the Council has adopted the 'Liverpool' method when dealing with past under delivery. Whilst the Council state there are 'local circumstances' which warrant a longer-term approach, it is not clear where the justification is which wants the Liverpool method. It is considered that further information should be provided by the Council which justifies a departure from addressing the shortfall within the next five- year period.
- 8.46 PM21d of the Proposed Modifications sets out the Council's latest housing trajectory which utilises the Liverpool method. The Council states that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018), is flawed and is inflated through the inclusion of privately managed off-campus student accommodation. Furthermore, in line with both the 2014 and latest 2019 iterations of the PPG, Lichfields considers that the Council should deal with backlog in full against planned requirements within the first 5 years of the plan period (i.e. the 'Sedgefield' approach to backlog).
- 8.47 Table 2 of this report shows past delivery against the Council's possible policy benchmarks for the period 2004/05 – 2015/16. It demonstrates that the inherited shortfall is significantly higher than current accounted for by the Council. This will have an impact on the Council's five- year supply calculation, with the potential requirement for more sites to be identified to meet the undersupply and the housing requirement moving forward.

### **Application of the Buffer**

- 8.48 As shown on Figure 2 of this report, the Council has a record of persistent under-delivery over the past 10 years. Only once (in 2017/18) since 2006/07 has the Council actually delivered more than 691 dwellings in a single year. The Council also confirms that there is a history of under-delivery within the SHLAA (2018). In line with paragraph 47 of the NPPF (2012) the Council should apply a 20% buffer to provide a realistic prospect of achieving the planned supply.
- 8.49 In respect of applying the buffer, it should be applied to both the forward requirement and the under-supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any

<sup>55</sup> Paragraph: 035 Reference 3-035-20140306

under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.

### Calculating Housing Land Supply

- 8.50 Lichfields has concerns in respect of the way in which the Council has calculated its five-year housing land supply. Table 6 of the SHLAA (2018) and Table PM21c/d of the Proposed Modifications sets out the Council’s assessment of its position and has projected forward a five- year supply for the years 2018/19 to 2022/23. However, the calculation sets out a supply figure over a six- year period (2017/18 – 2022/23) as opposed to a five- year period (2018/19 – 2022/23).
- 8.51 It is also unclear how the Council has arrived at its proposed 6.38 years supply, including the additional 0.38 years as a result of a remaining oversupply. It is considered that the Council’s approach of calculating its 5YHLS does not accord with the 2014 PPG / 2012 NPPF approach to calculating housing supply. The Council must provide more detail on how the it has arrived at the stated five- year supply figure.
- 8.52 For comparison, we set out below our understanding of the Council’s housing land supply calculation for the five- year period 2017/18 – 2021/22 using data from Table PM21c and PM21d of the Proposed Modifications to the York Local Plan. This calculation is for illustrative purposes only and based on the Council’s completion figures without any amendments. We have utilised the Council’s OAHN assumption of 790 dwellings and applied the Sedgfield method to calculate inherited shortfall.

Table 16 Five year housing land supply calculation - based on figures within SHLAA (2018)

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	790
B	Cumulative target (2017/18 – 2021/22)	3,950
C	Inherited shortfall (2017/18 – 2021/22)	518
D	20% buffer	894
E	Five- year requirement (B+C+D)	5,362
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,346
G	<b>Supply of deliverable housing capacity</b>	<b>4.99 years</b>

Source: Lichfields analysis

- 8.53 Table 17 sets out the Council’s 5YHLS for the period 2017/18 – 2021/22, based on Lichfields’ conclusions on the Council’s housing need and inherited shortfall (2012 – 2017). The calculation utilises the Sedgfield method of addressing the full backlog, whilst a 20% buffer has been applied and the windfall allowance has been excluded as set out within this report. The calculation below uses the Council’s evidence base in terms of projected completions from the SHLAA (2018) / York Local Plan Proposed Modification updated Figure 6. Lichfields reserves the right to interrogate the Council’s supply in more detail prior to the EiP.

Table 17 Five year housing land supply calculation - Lichfields OAHN

Five year housing land supply calculation		Dwelling Number
A	Annual housing target across the Plan period	1,300
B	Cumulative target (2017/18 – 2021/22)	6,500

Five year housing land supply calculation		Dwelling Number
C	Inherited shortfall (using Lichfields OAHN)	3,068
D	20% buffer	1,914
<b>E</b>	<b>Five- year requirement (B+C+D)</b>	<b>11,482</b>
F	Total estimated completions (2017/18 – 2021/22) (Figure 6)	5,008
<b>G</b>	<b>Supply of deliverable housing capacity</b>	<b>2.18 years</b>

Source: Lichfields analysis

8.54 Table 17 clearly demonstrates that the Council cannot demonstrate a 5YHLS based upon Lichfields OAHN. Furthermore, based on the Council’s own housing trajectory (updated figure 6) they do not have an adequate cumulative housing supply across the plan period up to 2032/33 (16,685 dwellings) to meet the Lichfields OAHN figure of 1,300 dpa (20,800 dwellings + backlog). There would be a very significant shortfall of 4,115 dwellings even before any inherited backlog is added. This demonstrates that the Council must identify additional deliverable sites in its emerging Local Plan.

## Conclusion

8.55 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which sets out the assumptions used to calculate the Council’s housing land supply.

8.56 The Council states that the inherited shortfall from the period between 2012 – 2017 is 518 dwellings, based on a lower OAHN of 790 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.

8.57 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Plan will be achieved.

8.58 It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. In order help ensure a 5 YHLS, the Council should demonstrate that there is a realistic prospect that housing will be delivered on site within five years. Lichfields has concerns regarding the Council’s approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.

8.59 Lichfields reserves the right to update the above evidence as and when further information becomes available.

9.0

## Overall Conclusions and Recommendations

### Conclusions on the City of York's Housing Need

9.1

The Council's approach to identifying an assessed housing need of 790 dpa in the HNU is fundamentally flawed. There are a number of significant deficiencies in the HNU which means that it is not soundly based. The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:

- 1 **Demographic Baseline:** The 2016-based household projections indicate a net household growth of 458 dpa between 2017 and 2033 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly higher) 2017 and 2018 MYEs, and through the application of accelerated headship rates amongst younger age cohorts, this takes the demographic starting point to 706 dpa. However, an analysis of the MYE estimates has raised significant concerns regarding the robustness of the international migration statistics underpinning the 2016-based SNPP. Applying long-term trends to international migration levels into York, which are more in line with net migration into the City, this would increase the demographic starting point to **921 dpa**.
- 2 **Market Signals Adjustment:** GL Hearn's uplift is 15%. However, for the reasons set out above, Lichfields considers that a greater uplift of at least 20% would be more appropriate in this instance. When applied to the 921 dpa re-based demographic starting point, this would indicate a need for **1,105 dpa**.
- 3 **Employment growth alignment:** The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by the ELR Scenario 2 (which has informed the Local Plan) and past trends. As such, no upward adjustment is required to the demographic-based housing need figure of 1,105 dpa to ensure that the needs of the local economy can be met;
- 4 **Affordable Housing Need:** The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need well above 1,105 dpa. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields considers that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a figure of **1,215 dpa**.
- 5 **Student Housing Needs:** household projections explicitly exclude the housing needs of students living in communal establishments. Furthermore, Lichfields' critique of the projections clearly indicates that they do not adequately reflect the Universities' student growth targets. It is estimated that meeting these growth needs would equate to around 1,346 dwellings over the 16-year Plan period, at an average of **84 dpa** on top of the 1,215 dpa set out above (i.e. **1,299 dpa**).
- 6 **Rounded, this equates to an OAHN of 1,300 dpa between 2017 and 2033 for the City of York.** This is **22% higher** than the MHCLG standard methodology figure of 1,069 dpa.
- 7 **Shortfall of housing delivery 2012-2017:** The Council is also making provision

for past under-delivery between 2012 and 2017. Lichfields has serious concerns about how the CoYC have calculated past housing delivery. Based on GL Hearn's OAHN of 790 dpa, and applying the MHCLG delivery figures, this suggests that an additional 153 dpa could be added on to the OAHN over the course of the 2017-2033 Plan period to address the backlog in full. If Lichfields' higher OAHN of 1,300 dpa is applied, this would result in a figure of **285 dpa** to be factored on top of the OAHN.

- 9.2 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this figure (of 1,300 dpa plus the unmet need 2012-2017) would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

## Conclusions on the 5YHLS and Forward Supply of Housing

- 9.3 Lichfields has undertaken an analysis of the SHLAA (2018) and Proposed Modifications to the Local Plan which set out the assumptions used to calculate the Council's housing land supply.
- 9.4 The Council state that the inherited shortfall from the period between 2012 – 2017 (prior to plan period of Local Plan) is 518 dwellings. Lichfields has concerns that the way in which the Council has calculated historic housing completions, shown within table 5 of the SHLAA (2018) and Tables PM21c/d of the Proposed Modifications to the Local Plan, is flawed and is inflated through the inclusion of privately managed off-campus student accommodation.
- 9.5 We consider that some of the suggested delivery rates on proposed allocations are unrealistic and not based on robust assumptions. The evidence provided by the Council is not sufficient to demonstrate that the housing requirement over the first 5 years of the Local Plan will be achieved.
- 9.6 In line with the NPPF (2012) the Council should provide clear evidence that housing completions on sites will begin within five years. It is understood that there are a number of sites which are proposed to be allocated but have yet to have an application submitted. It is therefore up to the Council to demonstrate that there is a realistic prospect that housing will be delivered on site within five years.
- 9.7 Lichfields has concerns regarding the Council's approach to calculating its five- year housing land supply, including the way in which the Council has calculated historic housing completions.
- 9.8 Lichfields reserves the right to update the above evidence as and when further information becomes available.
- 9.9 Based on the OAHN Of 1,300 dpa identified by Lichfields, the assessment in this report clearly demonstrates that the Council cannot demonstrate a 5 YHLS.

## Recommendations

- 9.10 Taking into account the above matter it is considered that City of York Council should:
- 1 Revisit the evidence base which underpins the minimum housing requirement figure of 790 dwellings, taking on board Lichfields' analysis which sets out that the

Council's OAHN is in the region of 1,300 dpa plus the housing backlog from 2012-2017.

- 2 Identify additional housing sites to meet the significant shortfall in housing need (between 2012 – 2017) and the higher annual requirement identified as part of the Lichfields' analysis of the Council's housing evidence base.
- 3 Revisit the 5YHLS assumptions which the housing trajectory is based upon to ensure they are robust and sufficient housing is identified to provide five years' worth of housing against requirement, plus delivering sufficient homes to meet the housing requirement across the plan period.

9.11 It is clear from analysis of the Council's evidence base that the approach to identifying an OAHN is not compliant with the Framework. The Council are not planning to deliver a sufficient supply of housing to meet the districts OAHN as identified by Lichfields. Furthermore, there are doubts that the housing trajectory is based on robust assumptions and therefore the Council's ability to deliver a five-year housing land supply or meet the housing requirement across the plan period.

9.12 The Council should therefore revisit their housing requirement and also seek to identify additional land to meet the housing needs of the district. In order to ensure an overall strategy that is deliverable and sufficiently flexible to respond to change. This will ensure compliance with the Framework by significantly boosting the supply of housing.







**Bristol**

0117 403 1980  
bristol@lichfields.uk

**Cardiff**

029 2043 5880  
cardiff@lichfields.uk

**Edinburgh**

0131 285 0670  
edinburgh@lichfields.uk

**Leeds**

0113 397 1397  
leeds@lichfields.uk

**London**

020 7837 4477  
london@lichfields.uk

**Manchester**

0161 837 6130  
manchester@lichfields.uk

**Newcastle**

0191 261 5685  
newcastle@lichfields.uk

**Thames Valley**

0118 334 1920  
thamesvalley@lichfields.uk





**Birmingham**  
0121 713 1530  
birmingham@lichfields.uk

**Edinburgh**  
0131 285 0670  
edinburgh@lichfields.uk

**Manchester**  
0161 837 6130  
manchester@lichfields.uk

**Bristol**  
0117 403 1980  
bristol@lichfields.uk

**Leeds**  
0113 397 1397  
leeds@lichfields.uk

**Newcastle**  
0191 261 5685  
newcastle@lichfields.uk

**Cardiff**  
029 2043 5880  
cardiff@lichfields.uk

**London**  
020 7837 4477  
london@lichfields.uk

**Thames Valley**  
0118 334 1920  
thamesvalley@lichfields.uk

[Redacted]

**From:** [Redacted]  
**Sent:** 31 July 2019 17:09  
**To:** localplan@york.gov.uk  
**Subject:** FW: City of York Local Plan Proposed Modification Consultation Deadline

---

**From:** James Campbell [mailto:James.Campbell@hambleton.gov.uk]  
**Sent:** 31 July 2019 15:44  
**To:** [Redacted]  
**Subject:** RE: City of York Local Plan Proposed Modification Consultation Deadline

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear [Redacted]

Thank you for your email. I must apologise for not responding sooner, unfortunately I have not had much time for other matters while we made final preparations for the Hambleton Local Plan to be published, which happened yesterday.

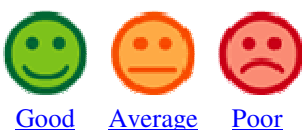
I can confirm that I have reviewed the York Green Belt methodology, the revised OAHN for York, the updated Habitats Regulation Assessment and the Proposed Modifications to the local plan and Sustainability Appraisal. I can also confirm that I have no issues to raise with any of these.

Kind regards  
James

**James Campbell**  
Planning Policy Manager  
Planning Policy  
[Redacted]  
Email: [James.Campbell@hambleton.gov.uk](mailto:James.Campbell@hambleton.gov.uk)  
Website: [www.hambleton.gov.uk](http://www.hambleton.gov.uk)



How do you rate your email response from Hambleton District Council?  
Feedback survey - click below to begin



Your calls may be recorded for training and quality purposes. The call recording policy is available at [www.hambleton.gov.uk](http://www.hambleton.gov.uk)

**From:** [REDACTED]  
**Sent:** 23 July 2019 12:00  
**To:** James Campbell  
**Subject:** City of York Local Plan Proposed Modification Consultation Deadline

Dear James,

I understand that one of my colleagues met with you recently in regards to the City of York Local Plan Proposed Modifications and new evidence Consultation.

They should have taken you through the York Green Belt methodology, the revised OAHN for York, our updated Habitats Regulation Assessment and the resulting Proposed Modifications to the plan and Sustainability Appraisal but further information can be viewed on our website: [https://www.york.gov.uk/info/20051/planning\\_policy/2370/new\\_local\\_plan\\_proposed\\_modifications\\_consultation](https://www.york.gov.uk/info/20051/planning_policy/2370/new_local_plan_proposed_modifications_consultation).

While we understand that you were unlikely to have any issues, we wondered if you would still like to submit a short response to that effect so that we can complete our Duty to Co-operate summaries?

We have extended the deadline to midnight today but would be happy to discuss should you need a further extension.

Kind Regards

[REDACTED]  
[REDACTED]  
[REDACTED]

**City of York Council** | Directorate of Economy and Place  
West Offices | Station Rise | York | YO1 6GA  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://www.facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)

\*\*\*\*\*  
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 <https://www.york.gov.uk/privacy>

---

The information contained in this email is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this email. Such unauthorised use may be unlawful. If you have received this email in error, please inform the sender immediately and delete it and all copies from your system. Any views or opinions expressed are solely those of the author and do not necessarily represent those of Hambleton District Council.

All e-mail traffic may be subject to recording and / or monitoring in accordance with relevant legislation.

Hambleton District Council, Civic Centre, Stone Cross, Northallerton, DL6 2UU.





**From:** Eamonn Keogh [REDACTED]  
**Sent:** 22 July 2019 19:43  
**To:** localplan@york.gov.uk  
**Subject:** Proposed Modifications - Representations on behalf of Wendy and Richard Robinson  
**Attachments:** Local\_Plan\_Proposed\_Mods\_Response\_Form\_2019 land In.pdf; 190719 Local Plan Repls land In SUBMIT.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs,

Please find attached a representation on the Draft Local Plan Proposed Modifications on behalf of Wendy and Richard Robinson.

If you have any queries please get back to me.

Kind regards

Eamonn



**O'Neill**  
ASSOCIATES  
Chartered Town Planning Consultants

Eamonn Keogh  
[REDACTED]  
www.oneill-associates.co.uk

Lancaster House  
James Nicolson Link  
Clifton Moor  
York YO304GR  
01904 692313

This email may contain confidential information. It is intended for the recipient only. If an addressing error has misdirected this email, please notify us - if you are not the intended recipient you must not use, disclose, distribute, copy, print or rely on its contents. O'Neill Associates do not accept any liability for viruses. O'Neill Planning Associates Limited Registration No: 4604201

# City of York Local Plan Proposed Modifications Consultation Response Form 10 June – 22 July 2019

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 Inspectors to consider them, we ask that you use this form because it structures your response in the way in which the Inspectors 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 Inspectors 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	Wendy	Eamonn
Last Name	Robinson	Keogh
Organisation (where relevant)		O'Neill Associates
Representing (if applicable)		
Address – line 1	██████████	Lancaster House
Address – line 2	██████████	James Nicolson Link
Address – line 3	██████	Clifton Moor
Address – line 4	████	York
Address – line 5		
Postcode	██████████	YO30 4GR
E-mail Address		██
Telephone Number		01904 692313

Representations must be received by Monday 22 July 2019, 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 Monday 22 July 2019, 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](mailto:localplan@york.gov.uk)

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

## What can I make comments on?

This consultation provides the opportunity for anyone to make a representation on the proposed modifications and new evidence, further to the Local Plan which was submitted to the Planning Inspectorate in May 2018. You can make comments on any of the proposed modifications, the Sustainability Appraisal Addendum, the updated Habitats Regulation Assessment, and other background documents which include a Housing Needs Assessment update and an Addendum to Topic Paper 1: The Approach to Defining York's Green Belt. The purpose of this consultation is for you to say whether you think the proposed modifications and/or new evidence make the Local Plan 'Legally Compliant' and 'Sound'. These terms are explained as you go through this 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 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](http://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, 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 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?

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. You can indicate if 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 Inspectors will use their 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 Consultation documents?

The Local Plan Proposed Modifications document, the Sustainability Appraisal/SEA Addendum and Updated Habitats Regulation Assessment (HRA) will be available for inspection at in all of York's libraries and City of York Council West Offices.

All supporting documents which underpin the City of York Local Plan Proposed Modifications are available to view online at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) and are also available for inspection at City of York Council West Offices and York Explore.

# Part B -Your Representation

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



## 3. To which Proposed Modification or new evidence document does your response relate?

Proposed Modification Reference:

PM2; PM3, PM4, PM5, PM 13; PM14; PM18;  
PM19; PM20a to 20d, PM21a to PM21d; PM22

Document:

Proposed Modifications Document; Topic Paper 1

Page Number:

8, 9, 10, 12, 17, 23, 24

## 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](http://www.york.gov.uk/localplan)

## 4. Based on the Proposed Modification or new evidence document indicated:

### 4.(1) Do you consider that the Local Plan is Legally compliant?

Yes

No

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

Yes

No

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

**We are not aware of any updated information that answers the points below that were made in our 2018 representations:**

With regard to the duty to co-operate it may be the case the Council has consulted with neighboring authorities, but some of those authorities have expressed concerns that have not been fully resolved. Annex B to Agenda item 11 on the report of the Local Plan to the Council's Executive on the 25<sup>th</sup> January reported:

**Hambleton Council:** "...It [the Draft Plan] does not safeguard land for development and recognises the build out time of the Strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed. If the City of York does not ensure that its longer-term development needs are met this will place pressure on area in neighbouring authorities"

**Leeds city region LEP:** "York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment".

**Ryedale Council:** Discussions ongoing

**Harrogate Council:** Discussion ongoing

**Selby District Council:** *“Having read the SHMA Addendum, it is noted that this figure does not take into account the level of employment growth proposed by the Local Plan.....Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York Boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues”.*

Selby Council requested additional information on Strategic site ST15 and the university site ST27 before providing any further comments on the potential impact these allocations may have on Selby.

What these comments demonstrate is that whilst the Council may have engaged in a process of dialogue with neighbouring authorities, it has not produced outcomes that have addressed some significant concerns of neighbouring authorities. Indeed, at this stage the views of some adjoining Authorities are not known and it is difficult to see how, in these circumstances, the Duty to Co-Operate 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.

## 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. Based on the Proposed Modification or new evidence document indicated:

### 5.(1) Do you consider that the Local Plan is Sound?

Yes  No

If yes, go to question 5.(3). If no, go to question 5.(2).

### 5.(2) Please tell us which tests of soundness are applicable to 5.(1): (tick all that apply)

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

### 5.(3) Please justify your answers to questions 5.(1) and 5.(2)

See attached representation document Ref: 1907.In.0001.lpreps.ek

**6. (1) Please set out any 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 and cover succinctly all the information, evidence and supporting information necessary to support/justify your comments and suggested modification, as **there will not normally be a subsequent opportunity to make further representations unless at the request of the Inspectors, based on the matters and issues they identify for examination.**

Proposed changes are included in the representation document included with this representation

**7. If your representation is seeking a change at question 6.(1);**

**7.(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 Inspectors 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:**

There are significant matters relating to the Housing requirement and proposed allocations that we wish to explore in more detail with the Inspector. We believe we can make a positive and constructive contribution to the discussion

**Please note:** the Inspectors 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 2018 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.<sup>1</sup>

## 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.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup> Should you wish to be removed from the database please contact the Forward Planning team at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on 01904 552255. Should your personal information have changed please contact us with the correct details so that we can ensure the database is accurate and up to date. It should be noted that 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.<sup>3</sup>

## Retention of Information

Once the Plan is formally adopted we will contact you to ascertain whether you wish to remain on the database so that we may contact you regarding planning policy matters including Supplementary Planning Documents and Neighbourhood Plans. If you don't respond to our emails/letters we will remove your details from the database

## Your rights

To find out about your rights under the Data Protection Act 2018, you can contact the Council's Data Protection Officer at [foi@york.gov.uk](mailto:foi@york.gov.uk) or go to the website for 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 [foi@york.gov.uk](mailto:foi@york.gov.uk) or on 01904 554145.

Signature

Date

22 July 2019



CITY OF YORK COUNCIL LOCAL PLAN

PROPOSED MODIFICATIONS JUNE 2019

LAND WEST OF LANDING LANE, HAXBY

REPRESENTATIONS IN  
SUPPORT OF AN ALLOCATION  
FOR DEVELOPMENT

July 2019



Chartered Town Planning Consultants



## CONTENTS

- 1.0 INTRODUCTION
- 2.0 OBJECTION TO PROPOSED MODIFICATIONS PM3, PM4, PM5, PM20a to 20d, PM21a to 21d AND PM 22HE SITE
- 3.0 GREEN BELT - RESPONSE TO THE COUNCILS EVIDENCE BASE
- 4.0 CONCLUSIONS

## APPENDICES

- 1. Outstanding commitments | April 2018
- 2. Housing Allocations Trajectory
- 3. Report to the 29<sup>th</sup> January LPWG

1907.In.0001.lpreps.ek  
25 July 2019

## 1.0 INTRODUCTION

- 1.1 This statement is provided as a representation in response to the Proposed Modifications to the Draft Local Plan June 2019 (**the Draft Plan**) on behalf of Wendy Robinson and Richard Robinson in respect of land west of Landing Lane, Haxby, York (**the site**).
- 1.2 The detailed justification for the allocation of the site for a range of potential uses including residential (Use Class C3) or care home (Use Class C2) is set out in our representations made on the Publication Draft Plan in April 2018. The site also has potential to provide car parking for the proposed Haxby Rail Station shown on the Draft Plan proposals map on land adjacent to the site.
- 1.3 In drafting our representations on the proposed modifications, we are mindful that the Draft Plan is being examined under the transitional arrangements and the relevant National Planning Policy is the NPPF March 2012.
- 1.4 Table I below sets out our response to the proposed modifications and indicates, where appropriate, additional commentary to our response can be found.

**Table I - Summary of our response on the Proposed Modifications**

Proposed Modification	Response	Comment
<b>PM2</b> Removal of deleted Policies from the Plan	We agree with the proposed modification	Updated evidence prepared by the Council supports the proposed modification
<b>PM3</b> Explanation of City of York Housing Needs	We object to the proposed modification	Our objection is elaborated in section 2 of this representation
<b>PM4</b> Policy SS1: Delivering Sustainable Growth for York	We object to the proposed modification	Our objection is elaborated in section 2 of this representation

<b>PM5 -</b> Policy SS1: Delivering Sustainable Growth for York	We object to the proposed modification	Our objection is elaborated in section 2 of this representation
<b>PM13 -</b> Policy SS19: Queen Elizabeth Barracks, Strensall	We agree with the proposed modification	Updated evidence prepared by the Council supports the proposed modification
<b>PM14 -</b> Policy SS19: Queen Elizabeth Barracks, Strensall	We agree with the proposed modification	Updated evidence prepared by the Council supports the proposed modification
<b>PM18 -</b> Policy H1: Housing Allocations(H59)	We agree with the proposed modification	Updated evidence prepared by the Council supports the proposed modification
<b>PM19 -</b> Policy H1: Housing Allocations (ST35)	We agree with the proposed modification	Updated evidence prepared by the Council supports the proposed modification
<b>PM20a to PM20d -</b> Policy H1: Housing Allocations	We object to the proposed modification	The allocations are inadequate to meet the housing needs of the City. Our objection is elaborated in section 2 and 3 of this representation
<b>PM21a to PM21d -</b> Policy H1: Housing Allocations	We object to the proposed modification	The allocations are inadequate to meet the housing needs of the City. Our objection is elaborated in section 2 and 3 of this representation
<b>PM22 -</b> Policy H1: Housing Allocations Explanation	We object to the proposed modification	The allocations are inadequate to meet the housing needs of the City. Our objection is elaborated in section 2 and 3 of this representation

## 2.0 OBJECTION TO PROPOSED MODIFICATIONS PM3, PM4, PM5, PM20a to 20d, PM21a to 21d AND PM 22

### The Plan Period

2.1 The Submission Draft Plan (May 2018) proposes a 16-year plan period from April 2017 to March 2033. For the purpose of these representations and particularly for the purpose of calculating the housing requirement, we assume that the plan period will remain as 16 years but with a start date of April 2019.

### The Housing Requirement

2.2 We addressed the issue of housing requirement in our 2018 representations. This section will update our position on the housing requirement having regard to:

- the proposed modification reduction in the housing requirement to 790 dwellings per annum; and
- figures for two additional years of housing completions that have become available since our previous representations.

2.3 In response to the proposed modifications these representations will:

- Put forward an alternative housing requirement;
- Identify a more realistic housing land requirement

2.4 The evolution of the current proposed housing requirement figure of 790 dwellings per annum can be traced back the to the 10<sup>th</sup> July 2017 Local Plan Working Group (LPWG). The officers report to the LPWG identified an annual housing requirement of 953 dwellings composed of a demographic baseline of 867 dwellings and an upward adjustment for 'market signals' of 10%. The LPWG report stated that the Plan period would run from 2012 to 2033.

2.5 On the basis of the LPWG report the housing requirement for the Plan period 2012 to 2033 was therefore 20,013 (21 × 953). The housing requirement need calculation for the period 2033 to 2038 would be 4,765 (5 × 953). In calculating the land required to

meet the housing requirement for the LPWG report, the Council had regard to completions to date and unimplemented permissions. The Council also assumed a windfall completion rate of 169 dph from year 4 of the plan 2020/21. Having regard to completions, commitments and windfalls, the Council's estimate of the remaining housing requirement for the Plan Period is set out in table 1 below:

**Table 2 Council's Estimate of Housing Requirement as presented to Local Plan Working Group on 10<sup>th</sup> July 2017**

Plan period 1st April 2012 to 31 <sup>st</sup> 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* (3,578)
Windfalls (from Year 4) @ 169 pa**	2,197
Requirement Remaining	10,626 (10,806)

Source: Local Plan Working Group 10 July 2017

\*We believe this to be a misprint and should be 3,578

\*\* For the period 2020/21 to 2032/33

- 2.6 Members did not agree with the assessment of the housing requirement presented by officers and instead set the housing requirement at 867 dwellings per annum and that was the figure used for consultation in the Pre-Publication Draft Local Plan in September 2017.

#### Local Plan Working Group January 23<sup>rd</sup> 2018

- 2.7 On the 23 January 2018, the LPWG considered the representations made on the Pre-Publication draft plan. Members were informed that using the draft methodology for assessing housing requirement that the Government had consulted on in late 2017, the housing requirement for the City was estimated to be 1,070 dwellings. Members were advised that although this figure was an estimate produced by the draft methodology it nevertheless indicated the direction of travel anticipated for national planning policy.

## Publication Regulation 19 Consultation Draft Local Plan February 2018

- 2.8 The Publication Draft Plan proposed a 16-year plan period with a start date of 1<sup>st</sup> 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 (2017/18) was essentially year zero in the calculation. Instead the Council include an allowance for backlog (or under-provision) for the period 2012 to 2017.
- 2.9 The housing requirement in the Draft Plan was 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
- 2.10 Taking account of these changes, the housing requirement as proposed in the Draft Plan was:

**Table 3** Publication Draft Regulation 19 Consultation Plan  
Housing Requirement (At Time of Publication)

Plan period 1st April 2017 to 31 <sup>st</sup> March 2033	
Total Need 2017 -2032/33 (based on 923 dwellings per annum 867 + 56))	14,768
Less unimplemented Permissions @ 1st April 2017	3,578
Less windfalls (from Year 4) @ 169 pa	2,197
Requirement to be provided through allocations	8,993

- 2.11 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 of 2033 to 2038 which effectively increases the housing requirement to be provided through allocation for the period 2017 – 2038 to 13,328 ((8993 +(867x5)).



- 2.12 Following the submission of the Draft Plan and in response to questions from Local Plan Inspectors, the Council commissioned another update of the OAN – Housing Needs Update January 2019 (HNU). This update produced an OAN of 790 dwellings per annum based on 2016 Sub National Population Projections and 2016 based Household Projections. This is a significant reduction in OAN compared with previous estimates.
- 2.13 The Council's letter to the Inspectors dated 29 January 2019 stated that the updated OAN confirmed to the Council that the 867 dwellings per annum proposed in the submitted Plan can be shown to robustly meet requirements. There was no suggestion that the housing requirement was to be reduced to 790 dwellings per annum.
- 2.14 Table 4 below illustrates the implication for the housing requirement of the Plan period of applying the updated OAN.

**Table 4            Housing Requirement using OAN of 790 dwellings  
Per annum as proposed by the Modifications**

Plan period 1st April 2017 to 31 <sup>st</sup> March 2033	
Total Need 2017 -2032/33 (based on 790 dwellings per annum	12,640
plus 32 dwellings per annum to meet backlog	512
<b>Total Requirement</b>	<b>13,152</b>
Unimplemented Permissions @ 1st April 2018 less 10% for non-implementation (3,345 x 0.9)	3,010
Windfalls (from Year 4) @ 169 pa	2,197
<b>Requirement to be provided through allocations ((13,153) -3,010 + 2,197)</b>	<b>7,946</b>

- 2.15 We consider this (Council) assessment of the requirement remaining and the housing allocations set out in the Draft Plan to be inadequate for the following reasons:

- (i) The use of 2016 population and household projections is contrary to Government Guidance
  - (ii) The housing need calculation is too low;
  - (iii) The calculation of completions since 2012 is too high (i.e. the Councils estimate of backlog is too low)
  - (iv) Outstanding commitments include student housing that should be excluded
  - (v) Windfalls should not be include in the Local Plan Calculation
- (i) **The 2016 Household Projections.**

2.16 The January 2019 HNU advises that the OAN for the district is 790 dwellings per annum. This is a figure derived using the 2016 based SNPP, the 2016 based Household Projections and the latest mid-year estimates. We disagree with this figure for several reasons.

2.17 The Council's proposed modification to the housing requirement from 867 to 790 adds further unnecessary confusion to the housing figure debate. The modification is contradictory to the advice given by the Council in its letter of 29<sup>th</sup> January to the Inspectors which stated that the updated SHMA work has been undertaken to:

*“seek to confirm that the 867 dwellings per annum proposed in the submitted Plan can be shown to robustly meet requirements”.*

2.18 Fundamentally, the way the OAN has been calculated is contrary to National Planning Policy. This is confirmed by the Government in the updated Planning Practice Guidance (revised in 20<sup>th</sup> February 2019) where Paragraph 005 Ref Id. 2a-005-20190220 states that:

*“The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes”.*

2.19 Accordingly, whether using the “old” or “new” standardised methodology, it is clear that the Government have rejected the 2016 projections and consequently their use in the calculation of an LPA’s annual housing requirement. From a practical point of view, given the unequivocal stance of the updated Planning Practice Guidance, the Government is not going to revisit and update the old guidance to make clear that the 2016 projections have been rejected.

2.20 This is particularly the case of plans being prepared under the “transitional arrangements” whereby Local Plans submitted ahead of January 2019 will be assessed on the basis of the old methodology and importantly the evidence base it relied upon at that time. The purpose of the transitional arrangements is to avoid exactly the situation the Council have created by revisiting the OAN.

2.21 The shortcomings of the use of the 2016 population and household projections are acknowledged in the HNU:

*2.20 The main change is the period from which household formation rates trends have been drawn. Previously these were based on trends going back to 1971 but in the most recent projections trends have only been taken from 2001.*

*2.21 It is argued that by focussing on shorter term trends ONS have effectively locked in deteriorations in affordability and subsequently household formation rates particularly within younger age groups in that time*

2.22 In addition, the HNU highlights the pressure on house prices in the City:

*4.1 As shown in the figure below, the median house price in York sits at £230,000, near parity with England’s median value of £235,995. The City is also more expensive than the North Yorkshire and Yorkshire and Humber equivalents of £210,000 and £157,500 respectively.*

*4.2 Perhaps even more interesting to note is that lower quartile house prices in York exceed that of England by £30,000 despite having a similar overall median house price. Relatively higher values within a lower quartile housing range suggests that those **with lower incomes (such as first-time buyers) feel greater housing pressure and are less likely to be able to afford a property.** (Our emphasis)*

2.23 On the issues of affordability, the HNU is even more damning. It states:

*4.17 At the median level, York has the highest affordability ratio, and thus the least affordable housing, relative to surrounding North Yorkshire, Yorkshire and Humber, and England. In addition, the affordability ratio in York has also increased the most in the past five years relative to the other geographies – indicating a significant worsening in affordability..... (our emphasis)*

*4.19 The affordability statistics and the market signals reveal that as a whole, York is becoming increasingly more unaffordable and that a market signals adjustment in the City is necessitated.*

2.24 The HNU reaffirms the net affordable housing need at 573 dwellings per annum

2.25 The Council's reliance on the 2016 population and household projections is not only contrary to Government guidance, but also flies in the face of the evidence demonstrating the very high demand for housing in the face of diminishing supply. The evidence points overwhelmingly to strong and entrenched market signals issues across York evidenced by worsening affordability. Fundamentally the HNU promotes a low housing requirement figure that contradicts the Government's objective of significantly boosting the supply of housing particularly in areas of high housing need such as York.

**(ii) Housing Requirement**

2.26 For the purpose of calculating the housing requirement we continue to use the Government's figure of 1,070 dwellings per annum used in our 2018 representations.

**(iii) Calculation of completions - Backlog**

2.27 The updated backlog table is set out below. Student completion have been excluded for the reasons set out in our 2018 representations.

2.28 To calculate the backlog, our assessment uses the figure of 953. 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.

Table 5 Housing completion backlog for the period 2012-2019

Year	Net Dwellings Added (Council Figures)	Less student units	Net C3 Dwelling units	2017 SHMA recommended figure	Backlog/ Surplus	Housing delivery test indicator
2012/13	482	0	482	953	-471	50.6%
2013/14	345	0	345	953	-608	36.2%
2014/15	507	0	507	953	-446	53.2%
2015/16	1121	579	542	953	-411	56.9%
2016/17	977	152	825	953	-128	86.6%
2017/18	1296	637	659	953	-294	69.2%
2018/19	449	40	409	953	-544	42.9%
<b>Total</b>	<b>5,177</b>	<b>1,408</b>	<b>3,769</b>	<b>6,671</b>	<b>-2,902</b>	

(iv) Commitments

2.29 We have obtained a list of the planning permissions that make up the Council's estimate of un-implemented planning permissions at 1<sup>st</sup> April 2018 (Appendix 1). The figure of 3,345 includes 95 student units which, for the reasons stated above should not be included in the housing provision figures. This reduces the commitments figure to 3,250. 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 2,925 dwellings for outstanding commitments.

(iv) Windfalls

2.30 For the reasons set out in our 2018 representations windfalls should not be included in the calculation of the housing requirement

2.31 Taking all the above factors into account, our estimate of the housing requirement compared with the Councils estimate as set out in paragraph 3.5 above is:

**Table 6 Estimate of Housing Requirement 2017-2033**

Plan period 1st April 2019 to 31 <sup>st</sup> March 2035	Publication Draft Plan adjusted to 2019 start year	Proposed Modifications adjusted to 2019 start year	Our Estimate
Total Need 2019-2035 (16 Years)	13,872 (based on 867 per annum)	12,640 (Based on 790 per annum)	17,120 (based on 1,070 per annum)
Backlog	896 (56 x 16)	512 (32 x 16)	2,902
<b>Gross Requirement</b>	<b>14,768</b>	<b>13,152</b>	<b>20,022</b>
Unimplemented Permissions	3,578 (As at 1/4/17)	3,010** (As at 1/4/18)	2925*** (As at 1/4/18)
Windfalls (from Year 4) @ 169pa	2,197	2197	0
<b>Net Requirement</b>	<b>8,993</b>	<b>7,945</b>	<b>17,097</b>

\* Excluding student accommodation

\*\* Includes 10% non-implementation discount.

\*\*\* Includes 10% non-implementation discount and excludes student accommodation

2.32 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.

2.33 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 790, the requirement for the 5-year period beyond 2033 would be 3,950 dwellings. Using the Government's figure of 1,070 the requirement would be 5,350

2.34 We have taken the table of proposed allocations from table 5.1 of the Draft Plan as proposed to be modified. From that we have applied what we believe to be reasonable assumptions about the potential delivery trajectory from each site based on the information provided in the table and other sources (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 2.60 above.

2.35 The allocations in table 5.1 of the Draft Plan, as amended, amount to 14,440 dwellings for a 21-year period. Our analysis of the allocations indicates the following rates of delivery.

**Table 7      Anticipated rates of housing delivery from Proposed Allocations**

Timescale	Units	Units
Years 1-5	3,054	
Years 6-10	4,562	
Years 11 to 16	3,868	
<b>Sub-total 16-year plan period</b>		<b>11,484</b>
Years 17 to 21		2,448
<b>Total 21-year period</b>		<b>13,932*</b>

\* Does not add to 14,985 as some site delivery extends beyond 2038

2.36 This simple analysis demonstrates that for the 16-year Plan period the housing provision is 5,613 dwellings short of our estimate of the housing requirement of 17,097 dwellings ( $17,097 - 11,484 = 5,613$ ). For the 5-year period following the Plan period, the shortfall is 1,887 using the Councils figures ( $(867 \times 5) - 2,448$ ) or 2,902 short using our figures ( $(1,070 \times 5) - 2,448$ ).

### Five Year Supply

2.37 Our analysis above demonstrates that the housing land requirement for the 16-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...”*.

2.38 Our assessment of the 5-year supply is set out in Table 8 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 790 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 2012 to 2019. 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:

*The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5-year period (the Sedgefield approach).*

**Paragraph: 044 Reference ID: 3-044-20180913**

- III. The Council has failed the housing delivery test for 6 of the last 7 years when housing delivery has fallen below 85% of the 2017 SHMA requirement (See Table 5 above). In these circumstances, National Planning Policy recommends that a 20% buffer should be added to the housing requirement.
- IV. We take our adjusted calculation of unimplemented permissions of 2,925 (Paragraph 2.57 above).

2.39 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 1.48 years based on the 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 790 and their assumption on backlog, commitments and windfall is 3.34 years.



2.40 In the second calculation we have included our estimate of supply arising from the proposed allocations from Table 7 above:

- Our estimate of supply from allocated sites in the first 5 years of the Plan is 3,045 dwellings. When this is added to the assumptions about the supply from existing commitments and windfalls, the five years supply using the Council figures is 6.39 years and using our figure for commitments, 3.01 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 2012 and for the period before that.

**Table 8: Assessment of 5-year land supply**

		Assessment using Councils Housing requirement of 790		Assessment using Government Housing requirement of 1,070	
A	Requirement	(5×790)	3,950	(5×1070)	5,350
B	Plus Shortfall 2012-2017	(7×32)	224		2,902
C	Sub total		4,174		8,252
D	20% buffer	(C × .2)	834.8	(C × .2)	1,650
E	Total 5-year Requirement	C+D	5,009	C+D	9,902
F	Annual requirement	(E ÷ 5)	1,002	(E ÷ 5)	1,980
G	Supply (Commitments)		3,010		2,925
H	Windfall		338		0
I	5-year supply	(G+H) ÷ F	3.34		1.48
J	Allocations Years 1 to 5		3,054		3,045
K	Potential supply	G+H+J	6,402		5,970
L	Potential 5-year supply	(K ÷ F)	6.39		3.01

- 2.41 The calculation above demonstrates the high level of latent and unmet demand in York and the precarious nature of the housing supply in the City. 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.
- 2.42 Alternatively, the requirement / supply balance could be achieved by increasing the supply for the existing allocated 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 and our assumptions already assume a realistic rate of delivery from each site. That rate of delivery is unlikely to increase without a fundamental adjustment to the business model of housebuilders and developers.
- 2.43 Furthermore, adoption of the plan is at least 2 years away, if not more. In the meantime, the only credible source of housing land supply is likely to come sites such as the site West of Landing Lane that can deliver houses quickly.

### 3.0 GREEN BELT - RESPONSE TO THE COUNCILS EVIDENCE BASE

3.1 In their letter of 25<sup>th</sup> July 2018 to the Council the Inspectors commented:

*As we understand it, there has at no time been an adopted development plan for York with an adopted policies map identifying the Green Belt, or at least not its boundaries. The Local Plan now sets out to rectify this. It proposes to designate land as Green Belt and to delineate Green Belt boundaries.*

3.2 The Inspectors letter posed the following questions to the Council:

- i. *For the purpose of paragraph 82 of the NPPF, is the Local Plan proposing to establish any new Green Belt?*
- ii. *If so, what are the exceptional circumstances for so doing, and where is the evidence required by the five bullet points set out at paragraph 82 of the NPPF?*
- iii. *If not, does the Local Plan propose to remove any land from an established Green Belt? If it does, is it necessary to demonstrate that exceptional circumstances exist to warrant that approach? Or is it the case that the Local Plan establishes the Green Belt boundaries for the first time, such that the exclusion of land from the Green Belt – such as at the 'garden villages', for example – is a matter of establishing Green Belt boundaries rather than altering them, in the terms of paragraph 83 of the NPPF?*

*Notwithstanding all of the above, it is not clear to us how the Council has approached the task of delineating the Green Belt boundaries shown on the Policies Map submitted. Unless we have missed something, no substantive evidence has been provided setting out the methodology used and the decisions made through the process. We ask that the Council now provides this.*

3.3 Our response to the Inspectors questions, having regard to the addendum produced by the Council, is set out below following the order of the questions in paragraph 3.2 above:

- (i) We believe the Local Plan is not trying to establish new Green Belt. Nor should it be seeking to establish new Green Belt. The role of the Local Plan is clearly set out in saved regional planning policies and has been accepted and endorsed by Inspectors on appeal. The purpose of the Local plan is to define the inner and outer boundaries.

- (ii) Given our answer in (i), the Council does not have to demonstrate any exceptional circumstances for establishing new Green Belt
- (iii) We believe this question encapsulates the key issue for the Local plan in respect of the Green Belt. Regional Policy has established the general extent of the Green Belt. We agree with the second part of the Inspectors question, that in establishing the Green Belt boundaries for the first time, it follows that the exclusion of land from the Green Belt – such as at the 'garden villages', for example – is fundamentally a matter of establishing Green Belt boundaries rather than altering them, in the terms of paragraph 83 of the NPPF.

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.

- 3.4 The Council has therefore misunderstood and wrongly applied NPPF policy. This misunderstanding is captured in paragraph 2.13 of the Addendum which states:

*This addendum also explains why exceptional circumstances exist to justify alterations to the general extent of the Green Belt, in order to bring forward strategic sites to meet development needs.*

- 3.5 The erroneous approach taken by the Council to defining the Green Belt boundaries has serious consequences in its attitude to meeting the needs for sustainable development over the plan period because it has resulted in an overly restrictive approach to identifying land for housing and other development needs on the mistaken assumption the those development needs had to constitute “exceptional circumstances”. This has, in turn, resulted in an erroneous approach to the issue of safeguarded land

### ***Safeguarded Land***

- 3.6 Paragraph 85 of the NPPF advises that when defining Green Belt boundaries for the first time, local planning authorities should identify areas of 'safeguarded land' between the urban area and the Green Belt, to meet longer-term development needs beyond the

plan period and make clear that the safeguarded land is not allocated for development at the present time. The failure of the Council to address this requirement is a fundamental failing of the Local Plan and goes to the heart of the Soundness of the Plan.

- 3.7 The Council has to demonstrate that the Green Belt boundaries will not have to be altered at the end of the plan period. The Draft Plan has not allocated adequate land to meet housing or employment needs with the plan period and has failed to exclude land to meet longer-term development needs stretching **well beyond** the plan period as recommended by paragraph 85 of the NPPF.
- 3.8 It can remedy this failing by including in areas of safeguarded to meet development needs beyond the plan period.
- 3.9 Exactly what constitutes "...well beyond..." the plan period was considered by officers in a report to the Local Plan Working Group on 29<sup>th</sup> January 2015. Having received Counsels advice, officers recommended:

*23. It is recommended that Members of the Local Plan Working Group recommend Cabinet to:*

*Agree option 1 in this report to include safeguarded land designations in the Plan to ensure that the Green Belt will endure for a for a minimum of ten years beyond the end of the Plan period.*

*Reason: So that an NPPF compliant Local Plan can be progressed.*

- 3.10 The report to the 29<sup>th</sup> January LPWG is included at Appendix 3
- 3.11 Two previous Local Plan Inspectors in 2000 and 2012 both dismissed the draft Development Plan due to a lack of evidence confirming that Green Belt boundaries would endure beyond the Plan period. Questions about the permanence of the Green Belt boundary beyond the plan period have also been raised by Selby District Council.
- 3.12 The omission of this key component of the Local Plan spatial strategy is a serious weakness and may well result in the Plan being found unsound, particularly as the Plan period is only up to 2033 and from the point of anticipated adoption in 2020/21 it will only be a 12-year plan with land identified for development need for an further 5 years.

This would give a Green Belt Boundary of 17 years as against a 25-year boundary that would be provided by a 15-year plan with safeguarded land for potential development needs for 10 years beyond.

#### 4.0 SUMMARY AND SUGGESTED CHANGES TO THE PLAN

- 4.1 The site west of Landing Lane is in a highly sustainable location for housing and / or a care home and / or car parking the land owner can confirm is available for development in the first 5 years of the plan period.
- 4.2 There are no overriding technical constraints that would prevent development of the site. The site is not constrained by any nature conservation or other planning designations. An access meeting the Councils technical requirement can be provided to the site. In view of the significant shortfall in the 5-year housing supply there is an immediate need to allocate sites that are deliverable with the first five years of the Plan.
- 4.3 The site West of Landing Lane should be allocated to address the shortfall in housing supply. Alternatively, or in combination with a housing scheme, the site could also accommodate a care home and retirement village complex to meet the immediate and pressing need for elderly person accommodation in the city.
- 4.4 The site could also provide car parking for the proposed rail station at Haxby. At present car parking and access is proposed only to the west side of the proposed station with a single point of access that is close to a primary school. The site West of Landing Lane provides the opportunity for a second point of access to the Station that would reduce pressure on the existing proposed single point of access which is close to a primary school

#### **Suggested changes to the Plan**

- 4.5 To make the Plan Sound:
- The housing requirement figure for the Plan Period should be increased to at least 1,100 dwellings per annum
  - The site West of Landing Lane outlined red on the plan at Appendix I should be allocated to address the shortfall in housing supply.

- Safeguarded land should be identified to meet housing requirements beyond the end of the plan period



# Appendix I

## Outstanding Commitments April 2018

Ward	Parish	SITE NAME	Easting	Northing	Core Strategy Location Zone	Applic. Number	Date permission Granted	Status of Site at 31/03/2018	Expiry Date of Consent	Total Built	Total Capacity	Total Remaining	Net Total Remaining	Type of Housing	Number of Bedrooms	New/Conv/COU	Loss of units	GF/BF	Site size (ha)
Rural W	Upper Pop	Grange Farm Hodgson Lane Upper Poppleton	455098	453725	Rural	04/00186/FUL	20/06/2005	Under Construction	N/A	0	6	6	6	6 No town houses	2 x 2 bed, 4 x 3 bed	COU	No	GF	0.216
Dring & Wthp		Proposed New Dwelling St Edwards Close	458892	449626	Urban	17/01963/FUL	09/11/2004	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GF	0.550
Mick		All Saints Church North Street	460054	451755	City Centre	05/00048/FUL	20/03/2009	Under Construction	N/A	0	3	3	3	2 No town houses, 1 No flat	1 x 1 bed flat, 2 x 2 bed town houses	New	No	BF	0.161
Hunt & Ne	Huntington	59 The Old Village Huntington	461707	456309	Sub-Urban	05/01581/FUL	21/04/2006	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GF	0.026
Heslington	Heslington	Enclosure Farm Main Street Heslington	462858	450298	Sub-Urban	07/01046/FUL	13/08/2007	Under Construction	N/A	1	3	2	2	1 No detached house, 1 No detached Bungalow	1 x 6 bed det house, 1 x 2 bed det bung	COU	No	BF	0.223
Mick		Moat Hotel Nunnery Lane	459990	451279	Urban	08/01049/FUL	15/07/2008	Under Construction	N/A	3	4	1	1	1 No flats	1 x 2 bed	COU	No	BF	0.069
Strensall	Earswick	Store Adj to 45 The Village Earswick	461673	457200	Small Village	08/02677/FUL	24/03/2009	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	BF	0.239
Westfld		48 Wetherby Road	456732	451446	Sub-Urban	09/01338/FUL	29/10/2009	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.069
Fisher		4 Derwent Road	460950	449874	Urban	10/00267/FUL	14/05/2010	Under Construction	N/A	1	2	1	1	1 No Semi-detached houses	1 x 3 bed	New	Yes (demolish -1)	BF/GDN	0.050
Strensall	Earswick	4 Willow Grove Earswick	462125	457288	Small Village	10/00297/FUL	10/01/2011	Under Construction	N/A	0	2	2	1	2 No detached bungalows	1 x 3, 1 x 4 bed	New	Yes (demolish -1)	BF/GDN	0.085
Strensall	Stockton o	Stockton Lodge Sandy Lane Stockton on Forest	466396	456849	Small Village	10/00617/FUL	11/03/2013	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.035
Strensall	Stren & To	The Grange Towthorpe Road Haxby	462368	458645	Rural	10/02764/FUL	02/02/2011	Under Construction	N/A	0	1	1	1	1 No town house	1 x 3 bed	COU	No	BF	0.080
Accomb		145 Beckfield Lane	456893	452297	Sub-Urban	11/00454/FUL	27/05/2011	Under Construction	N/A	0	5	5	4	5 No Flats	5 x 1 bed	Conv	Yes -1	BF	0.079
HewW	HewW	Rowes Farm Bungalow Stockton Lane	463564	454215	Rural	11/02928/FUL	09/08/2012	Under Construction	N/A	0	2	2	2	2 No town houses	2 x 2 bed	COU	No	GF	0.100
Hunt & Ne	Huntington	Beechwood Beechwood Hopgrove	463789	455565	Rural	11/03113/FUL	26/04/2012	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 5 bed	COU	No	GF	0.093
Strensall	Stockton o	Methodist Chapel The Village Stockton on Forest	465557	455953	Small Village	12/00241/FUL	23/04/2012	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 7 bed	New	No	BF	0.076
Strensall	Stockton o	Chapel Farm 111 The Village Stockton on Forest	465801	456231	Small Village	12/01216/FUL	02/07/2012	Under Construction	N/A	0	1	1	1	1 No town house	1 x 3 bed	COU	No	GF	0.055
Mick		JW Frame (Plumbers) Ltd 9a Smales Street	460068	451439	City Centre	13/00271/FUL	19/04/2013	Under Construction	N/A	0	1	1	1	1 No town house	1 x 2 bed	COU	No	BF	0.006
Hew		86 Heworth Green	461382	452646	Urban	13/00957/FUL	09/07/2013	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.030
Denwt	Dunnington	25 Garden Flats Lane Dunnington	467025	452826	Village	16/00337/REM	10/10/2016	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 4 bed	New	No	GDN	0.134
Guilh		Mack & Lawler Builders Ltd 2a Low Ousegate	460245	451681	City Centre	16/02710/ORC	06/03/2017	Not yet started	06/03/2022	0	8	8	8	8 No flats	8 x 2 bed	COU	No	BF	0.022
Strensall	Stockton o	Stockton Lodge Sandy Lane Stockton on Forest	466396	456849	Small Village	13/02626/FUL	17/10/2013	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 5 bed	New	No	GDN	0.039
Accomb		1A Danebury Crescent	457092	451686	Sub-Urban	13/02685/FUL	26/11/2013	Under Construction	N/A	0	2	2	2	2 No detached bungalows	2 x 2 bed	New	No	GDN	0.111
Strensall	Stockton o	Church Farm 84 The Village Stockton on Forest	465681	456066	Small Village	13/02755/FUL	28/03/2014	Under Construction	N/A	1	2	1	1	1 No detached houses	1 x 3 bed	New	No	GF	0.320
Hew		2a Mill Lane	461249	452623	Urban	13/03153/FUL	18/11/2013	Under Construction	N/A	0	3	3	3	3 No flats	1 x 1 & 2 x 2 bed	New	No	BF	0.024
Bishopthor	Bishopthor	Manor Farm Bishopthorpe Road	460029	449213	Rural	13/03403/FUL	05/02/2014	Under Construction	N/A	0	1	1	1	1 No town house	1 x 4 bed	COU	No	GF	0.010
Guilh		Bronze Dragon 51 Huntington Road	460908	452879	Urban	13/03573/FUL	17/01/2014	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 1 bed	New	No	BF	0.015
Mick		English Martyrs Church Hall Dalton Terrace	459313	451127	City Centre	13/03595/FUL	15/05/2014	Under Construction	N/A	0	4	4	4	4 No flats	1 x 1 & 3 x 3 bed	New	No	BF	0.027
Clifton		Bert Keech Bowling Club Sycamore Place	459653	452395	Urban	13/03727/FUL	07/01/2016	Not yet started	07/01/2019	0	5	5	5	4 No town houses, 1 No detached house	4 x 5 bed town houses, 1 x 6 bed detached house	New	No	GF	0.222
HewW	HewW	QED Books 1 Straylands Grove	461832	453509	Urban	14/00098/FUL	12/03/2014	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.070
Rural W	Copmanth	105 Temple Lane Copmanthorpe	457748	446020	Rural	14/00099/FUL	Won on appeal 22/10/2014	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	Conv	No	BF	0.170
Strensall	Stren & To	Middleton House 2 Redmayne Square Strensall	463784	461237	Large Village	17/00308/FUL	05/04/2017	Not yet started	05/04/2020	0	1	1	1	1 No detached house	1 x 5 bed	New	No	GDN	0.090
Accomb		1 Wetherby Road	456990	451497	Sub-Urban	14/00511/REM	10/06/2014	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.060
Fulford	Fulford	Raddon House 4 Fenwicks Lane	460846	449312	Sub-Urban	14/00613/FUL	Won on Appeal 26/11/14	Under Construction	N/A	0	1	1	0	1 No detached house	1 x 5 bed	New	yes (demolish -1)	BF	0.940
Rural W	Upper Pop	37 Station Road Upper Poppleton	455892	453757	Large Village	14/00929/FUL	26/08/2014	Under Construction	N/A	0	1	1	0	1 No detached house	1 x 4 bed	New	Yes (demolish -1)	BF	0.100
Bishopthor	Copmanth	Mar-Stan Temple Lane Copmanthorpe	458081	445880	Rural	17/00248/FUL	19/04/2017	Not yet started	19/04/2020	0	1	1	0	1 No detached bungalow	1 x 3 bed	New	yes (demolish -1)	BF	0.170
Skelt/Rawd	Skelton	Del Monte Skelton Park Trading Estate Skelton	456799	455860	Village	14/01478/OUTM	09/03/2016	Not yet started	09/03/2019	0	60	60	60	Not yet confirmed	Not yet confirmed	New	No	BF	2.290
Westfld		G1 Newbury Avenue	457830	450303	Urban	14/01517/GRG3	08/10/2014	Not yet started	08/10/2017	0	9	9	9	9 No flats	1 x 1, 8 x 2 bed	New	No	BF	0.282

Derwt	Holby	Piker Thorn Farm Bad Bargain Lane	465016	454232	Rural	14/01761/FUL	16/09/2014	Under Construction	N/A	0	1	1	0	1 no detached bungalow	1 x 2 bed	New	Yes (demolish -1)	GDN	0.026
Fisher		1-12 Kensal Rise	460937	450731	Urban	14/01857/FUL	09/01/2015	Not yet started	09/01/2018	0	6	6	6	6 No flats	2 x 1, 4 x 2 bed	Conv	No	BF	0.150
Hax & Wig	Haxby	The Memorial Hall 16 The Village Haxby	460834	458229	Large Village	14/01982/FUL	09/01/2015	Under Construction	N/A	0	3	3	3	3 No town houses	3 x 2 bed	New	No	BF	0.050
Raw & Cliff	Rawcliffe	North Lodge Clifton Park Avenue	458481	453848	Sub-Urban	16/01173/FULM	02/12/2016	Under Construction	N/A	0	14	14	14	14 No flats	2 x 1, 12 x 2 bed	New	No	BF	0.127
Guilhi		1 Paver Lane	460893	451554	City Centre	17/01637/FUL	15/09/2017	Under Construction	N/A	0	2	2	2	2 No town houses	1 x 1, 1 x 2 bed	COU	No	BF	0.020
Dring & Wthp		306 Tadcaster Road	458910	450128	Urban	14/02074/FUL	15/09/2016	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 2 bed	Conv	No	BF	0.040
Wheldrake	Wheldrake	Wheldrake Hall Farm 6 Church Lane Wheldrake	468350	444879	Rural	17/00636/ABC	15/05/2017	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	COU	No	GF	0.040
Bishopthorpe	Bishopthorpe	Site of Ferry Cottage 6 Ferry lane Bishopthorpe	459846	447665	Rural	17/02304/FUL	06/02/2018	Not yet started	06/02/2021	0	1	1	0	1 No detached house	1 x 3 bed	New	yes (demolish -1)	BF	0.214
Rural W	Nether Poppleton	Barn South of Greystones Church Lane Nether Poppleton	456327	454999	Large Village	14/02531/FUL	08/01/2015	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	Conv	No	BF	0.380
Mick		Villa Italia 69 Micklegate	459918	451604	City Centre	14/02546/FUL	13/11/2015	Under Construction	N/A	0	4	4	4	3 No flats, 1 No detached house	2 x 1, 1 x 2 bed flats, 1 x 2 bed detached house	COU/New	No	BF	0.020
Bishopthorpe	Bishopthorpe	Manor Farm Bishopthorpe Road	460029	449213	Rural	14/02859/ABC3	05/02/2015	Under Construction	N/A	0	1	1	1	1 No town house	1 x 3 bed	COU	No	GF	0.010
Strensall	Earswick	OS Field 2424 Wisker Lane Earswick	463262	457225	Rural	15/00060/ABC3	04/03/2015	Not yet started	04/03/2020	0	3	3	3	3 No town houses	3 x 2 bed	COU	No	GF	0.100
Holgate		Gateway 2 Holgate Park Drive	458515	451715	City Centre Ext 1	15/00150/ORC	17/03/2015	Not yet started	17/03/2020	0	0	0	0	TBA	TBA	COU	No	BF	0.272
Westfield		Co-op 47 York Road Acomb	457658	451434	Urban	15/00238/FUL	02/07/2015	Under Construction	N/A	0	1	1	1	1 No flat	1 x 1 bed	COU	No	BF	0.013
Heworth		First Floor Flat 126 Haxby Road	460604	453218	Urban	15/00254/FUL	07/04/2015	Under Construction	N/A	0	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.015
Strensall	Strensall	Middleton House 2 Redmayne Square Strensall	463779	461250	Large Village	15/00362/FUL	29/05/2015	Not yet started	29/05/2018	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.040
Holgate		Direct Workwear 158 Poppleton Road	458152	452144	Urban	15/00385/FUL	23/04/2015	Not yet started	23/04/2018	0	1	1	1	1 No flat	1 x 1 bed	COU	No	BF	0.006
Hax & Wig	Wigginton	OS Field 0005 Sutton Road Wigginton	459033	460295	Rural	15/00449/FUL	14/05/2015	Under Construction	N/A	0	1	1	0	1 No detached bungalow	1 x 3 bed	New	Yes (demolish -1)	BF	0.070
Holgate		Orchard House 8 Hamilton Drive East	458913	451166	Urban	15/00561/FUL	28/05/2015	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 2 bed	New	No	GDN	0.087
Wheldrake	Elvington	The Barn Dauby Lane Elvington	469492	448599	Rural	15/00638/ABC3	19/05/2015	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	COU	No	GF	0.010
Fisher		Friars Rest Guest House 81 Fulford Road	460840	450812	Urban	15/00677/FUL	17/06/2015	Not yet started	17/06/2018	0	1	1	1	1 No town house	1 x 5+ bed	COU	No	BF	0.020
Skell/Raw	Rawcliffe	11A Rosecroft Way	458395	453912	Sub-Urban	15/00708/FUL	16/09/2015	Not yet started	16/09/2018	0	1	1	1	1 No town house	1 x 3 bed	New	No	GDN	0.069
Dring & Wthp		257 Thanel Road	457888	450042	Urban	15/00709/FUL	29/05/2015	Not yet started	29/05/2018	0	1	1	1	1 No detached Bungalow	1 x 3 bed	New	No	GDN	0.016
Rural W	Askham Bryan	107 Main Street Askham Bryan	455114	448357	Small Village	15/00889/FUL	24/06/2015	Under Construction	N/A	0	1	1	0	1 No detached house	1 x 4 bed	New	Yes (demolish -1)	BF	0.100
Wheldrake	Naburn	Pear Tree Cottage	459857	445562	Small Village	15/01037/FUL	22/10/2015	Under Construction	N/A	0	1	1	0	1 No detached house	1 x 4 bed	New	Yes -1	BF	0.077
Mick		7 Charlton Street	460204	450903	Urban	15/01083/FUL	28/07/2015	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 1 bed	New	No	GDN	0.010
Strensall	Earswick	6 Willow Grove Earswick	462140	457288	Small Village	15/01152/FUL	10/12/2015	Not yet started	10/12/2018	0	2	2	1	2 No detached bungalows	2 x 3 bed	New	Yes	GDN	0.126
Guilhi		68 Bootham	459810	452422	City Centre	15/01157/FUL	16/10/2015	Not yet started	16/10/2018	0	1	1	1	1 No detached house	1 x 3 bed	New	No	BF	0.040
Mick		4 Scarcroft Lane	459825	451211	Urban	17/01722/FUL	22/09/2017	Not yet started	22/09/2020	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.012
Heworth		York House 62 Heworth Green	461328	452681	Urban	15/01196/FUL	10/08/2015	Not yet started	10/08/2018	0	3	3	2	3 No flats	1 x 2, 2 x 3 bed	COU/Conv	Yes -1	BF	0.076
Acomb		Site to R/O 1-3 Backfield Lane	458912	451585	Sub-Urban	16/02269/FULM	18/10/2017 Won on appeal	Under Construction	N/A	0	11	11	11	No semi-detached bungalows, 1 No detached bungalow	town houses, 2 x 3 bed semi-detached bungalows, 1 x 3 bed detached bungalow	New	No	GDN	0.270
Heworth		Former Londons 31a Hawthorne Grove	461290	452513	Urban	17/00088/FULM	31/07/2017	Under Construction	N/A	0	10	10	10	10 No flats	8 x 1, 2 x 2 bed	COU	No	BF	0.070
Wheldrake	Elvington	Oak Trees Elvington Lane Elvington	468469	448239	Rural	17/01376/REM	16/08/2017	Not yet started	16/08/2019	0	1	1	1	1 No detached bungalow	1 x 4 bed	New	No	BF	0.780
Hunt & Nel	New Earswick	Land to North and West of 41 & 43 Park Avenue New Earswick	460636	456038	Sub-Urban	15/01390/FUL	11/02/2016	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GF	0.115
Hax & Wig	Haxby	Vacant Land South of 39 Sandringham Close Haxby	460281	457055	Large Village	17/00614/FUL	16/06/2017	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GF	0.043
Hax & Wig	Wigginton	Wigginton Grange Farm Corban Lane Wigginton	458978	458765	Rural	15/01441/FUL	07/09/2015	Under Construction	N/A	0	1	1	0	1 No detached house	1 x 6 bed	New	Yes (demolish -1)	BF	0.013
Strensall	Stockton on Forest	Church Farm 84 The Village Stockton on Forest	465681	456066	Small Village	15/01446/FUL	25/02/2016	Under Construction	N/A	0	3	3	3	3 No detached houses	1 x 3, 2 x 4 bed	New	No	GF	0.170
Guilhi		6 Peckitt Street	460362	451464	City Centre	15/01447/FUL	14/09/2015	Not yet started	14/09/2018	0	1	1	1	1 No town house	1 x 4 bed	COU	No	BF	0.010
Guilhi		Barry Crux 20 Castlegate	460414	451605	City Centre	15/01522/FUL	22/01/2016	Not yet started	20/01/2019	0	2	2	2	2 No flats	1 x 1, 1 x 2 bed	COU	No	BF	0.023
Westfield		Beau & Joli Ltd 1st & 2nd Floors 43 York Road Acomb	457670	451437	Urban	15/01578/RFPFR	10/09/2015	Not yet started	10/09/2020	0	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.018

Hax & Wig	Haxby	14 The Avenue Haxby	461016	457701	Large Village	15/01598/FUL	06/11/2015	Not yet started	06/11/2018	0	1	1	1	1 No detached house	1 x 2 bed	New	No	GDN	0.026	
Guilhi		Site to Rear of 22a Huntington Road	460940	452668	Urban	15/01752/FUL	02/10/2015	Not yet started	02/10/2018	0	2	2	2	2 No semi-detached houses	2 x 2 bed	New	No	BF	0.020	
Rural W	Rufforth &	Land to East of Orchard Vale Wetherby Road Rufforth	452908	451529	Small Village	15/01808/FUL	11/12/2015	Not yet started	11/12/2018	0	1	1	1	1 No detached house	1 x 5 bed	New	No	GF	0.085	
Copmanthorpe	Copmanthorpe	Station Cottages Station Road Copmanthorpe	456668	446507	Village	15/01886/FUL	18/05/2016	Not yet started	18/05/2019	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.050	
Strensall	Stren & To	42 Middlecroft Drive Strensall	462878	460386	Large Village	15/01895/FUL	08/03/2016	Not yet started	08/03/2019	0	1	1	1	1 No semi-detached house	1 x 2 bed	New	No	GDN	0.012	
Guilhi		Fire Station 18 Clifford Street	460360	451493	City Centre	15/02155/FULM	02/09/2016	Under Construction	N/A	0	14	14	14	7 No town houses, 7 No flats	5 x 2, 2 x 3 bed flats, 7 x 4 bed town houses	New	No	BF	0.140	
Mick		Car Parking Area Holgate Road	459499	451253	City Centre	15/02295/FUL	01/03/2016	Not yet started	01/03/2019	0	6	6	6	6 No flats	6 x 1 bed	New	No	BF	0.032	
Fulford & Heslington	Heslington	24 Main Street Heslington	462856	450204	Sub-Urban	15/02532/FUL	23/05/2016	Under Construction	N/A	0	1	1	-1	1 No town house	1 x 6 bed	Conv	Yes -1	BF	0.057	
Clifton		St Marys Hotel 16-17 Longfield Terrace	459633	452211	Urban	15/02544/FUL	05/01/2016	Not yet started	05/01/2019	0	2	2	2	2 No town houses	1 x 3, 1 x 4 bed	COU	No	BF	0.025	
Mick		5 Cherry Hill Lane	460279	451139	Urban	15/02576/FUL	23/03/2016	Not yet started	23/03/2019	0	2	2	1	2 No semi-detached bungalows	2 x 1 bed	Conv	Yes -1	BF	0.019	
Hunt & Neighbourhood	Huntington	2 Meadow Way Huntington	461903	455735	Sub-Urban	15/02617/FUL	16/02/2016	Not yet started	16/02/2019	0	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	GDN	0.025	
Heworth Without		206 Stockton Lane	462421	453266	Sub-Urban	15/02624/FUL	11/03/2016	Not yet started	11/03/2019	0	4	4	4	3 No detached houses, 1 No detached bungalow	all 4 bed properties	New	No	GDN	0.190	
Osbaldkw	Osbaldkw	15 Murton Way	463657	451931	Sub-Urban	15/02650/FUL	20/05/2016	Not yet started	20/05/2019	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.070	
Fisher		Melbourne Hotel 6 Cemetery Road	460935	450963	Urban	15/02739/FUL	01/04/2016	Under Construction	N/A	0	6	6	6	4 No flats, 2 No town houses	1 x 1 & 3 x 2 bed flats, 2 x 3 bed town houses	COU/New	No	BF	0.036	
Guilhi		Maccdonalds 19-22 Fossgate	460567	451766	City Centre	15/02760/FUL	05/02/2016	Under Construction	N/A	0	5	5	5	1 No flat, 4 No town houses	1 x 1 bed flat, 1 x 2 & 3 x 3 bed town houses	COU	No	BF	0.116	
Guilhi		Colin Hicks Motors Garage & Yard to R/O 33 Bootham	460061	452367	City Centre	17/01546/FUL	23/01/2018	Not yet started	23/01/2021	0	14	14	14	14 No flats	13 x 1, 1 x 2 bed	New	No	BF	0.050	
Osbaldkw & Dennington	Dennington	8 Petercroft Lane Dennington	467161	452737	Village	15/02813/FUL	06/05/2016	Not yet started	06/05/2019	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.031	
Acomb		4 Jorvik Close	457082	452286	Sub-Urban	15/02825/FUL	16/06/2016	Under Construction	N/A	0	1	1	1	1 No town house	1 x 3 bed	New	No	GDN	0.017	
Strensall	Earswick	Fossbank Boarding Kennels Strensall Road	461850	457772	Rural	16/02792/OUT	07/02/2017	Not yet started	07/02/2020	0	4	4	4	4 no detached houses	2 x 3, 2 x 5 bed	New	No	BF	0.320	
Heworth		Wall to Wall Ltd 71 East Parade	461494	452574	Urban	15/02878/FUL	02/03/2016	Not yet started	02/03/2019	0	1	1	1	1 No detached bungalow	1 x 2 bed	COU	No	BF	0.016	
Raw & Cliff	Rawcliffe	Site to Side of 2 Holyrood Drive fronting onto Manor Lane	457981	455023	Sub-Urban	16/02230/FUL	20/17 Won on a	Under Construction	N/A	0	4	4	4	4 No semi-detached houses	4 x 3 bed	New	No	GF	0.084	
Mick		Hudson House Toft Green	459759	451619	City Centre	17/00576/FULM	23/08/2017	Under Construction	N/A	0	127	127	127	127 No Flats	49 x 1, 73 x 3, 5 x 3 bed	New	No	BF	0.550	
Mick		23 Nunnery Lane	459930	451281	Urban	16/00123/FUL	23/03/2016	Under Construction	N/A	0	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.009	
Mick		14 Priory Street	459883	451464	City Centre	16/00261/FUL	17/05/2016	Under Construction	N/A	0	2	2	1	2 no flats	1 x 2, 1 x 3 bed	Conv	Yes -1	BF	0.011	
Guilhi		Marygate Orthodontic Practice 64 Marygate	459784	452144	City Centre	16/00500/FUL	03/05/2016	Not yet started	03/05/2019	0	1	1	1	1 No town house	1 x 4 bed	COU	No	BF	0.016	
Strensall	Stockton on	Carlton Cottage Old Carlton Farm Common Lane Warthill	467176	456592	Rural	16/02604/FUL	04/01/2017	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 2 bed	Conv	No	BF	0.070	
Guilhi		36 Clarence Street	460295	452670	Urban	16/00799/FUL	16/06/2016	Under Construction	N/A	0	4	4	4	4 No flats	4 x 1 bed	New	No	GDN	0.011	
Mick		Newington Hotel 147 Mount Vale	459252	450772	Urban	16/00833/FUL	14/06/2016	Under Construction	N/A	0	7	7	7	7 No town houses	2 x 2, 1 x 3, 2 x 4, 2 x 5 bed	COU/New	No	BF	0.204	
Dining & Whyp		Land Between 8 & 12 White House Gardens	459039	450518	Urban	16/00870/FUL	08/07/2016	Not yet started	08/07/2019	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.045	
Osbaldkw	Kexby	Woodhouse Farm Dauby Lane Kexby	468905	449631	Rural	16/02558/FUL	16/01/2017	Under Construction	N/A	0	1	1	1	1 No semi-detached bungalow	1 x 3 bed	Conv	No	BF	0.086	
Hull Rd		47 Osbaldkw lane	462683	451621	Urban	16/00988/FUL	29/07/2016	Not yet started	29/07/2019	0	1	1	1	1 No town house	1 x 2 bed	New	No	GDN	0.015	
Mick		2 Culance Walk	459982	451232	Urban	16/01011/FUL	19/09/2016	Under Construction	19/06/2016	19/09/2019	0	4	4	2	4 No flats	4 x 1 bed	Conv	Yes -2	BF	0.020
Westfield		Mustgetgear Ltd 43 Front Street Acomb	457306	451280	Sub-Urban	16/01014/FUL	21/06/2016	Not yet started	21/06/2019	0	2	2	2	2 No flats	2 x 1 bed	New	No	BF	0.016	
Guilhi		Stonebow House The Stonebow	460548	451853	City Centre	16/01003/FUL	10/10/2016	Under Construction	N/A	0	5	5	5	5 No flats	1 x 1, 4 x 3 bed	COU	No	BF	0.173	
Guilhi		Stonebow House The Stonebow	460548	451853	City Centre	16/01018/ORC	17/06/2016	Under Construction	N/A	0	15	15	15	15 No flats (indicative)	5 x 1, 7 x 2, 3 x 3 bed (indicative)	COU	No	BF	0.173	
Heworth W/HewW		306 Stockton Lane	462930	453578	Sub-Urban	16/01154/FUL	26/09/2016	Not yet started	N/A	0	1	1	1	1 no detached bungalow	1 x 2 bed	New	No	GDN	0.025	
Guilhi		Crook Lodge 26 St Marys	459732	452301	City Centre	16/01177/FUL	30/06/2016	Not yet started	30/06/2019	0	1	1	1	1 No town house	1 x 7 bed	COU	No	BF	0.028	
Copmanthorpe	Copmanthorpe	134 Temple Lane Copmanthorpe	457935	445895	Rural	16/01185/FUL	08/07/2016	Under Construction	N/A	0	2	2	2	2 No semi-detached houses	2 x 1 bed	Conv	No	BF	0.100	
Fisher		Flat 1 8 Wenlock Terrace	460788	450439	Urban	16/01188/FUL	05/07/2016	Not yet started	05/07/2019	0	9	9	4	9 No flats	9 x 1 bed	Conv	Yes -5	BF	0.020	
Strensall	Stren & To	The Firs Lords Moor Lane Strensall	463846	460870	Large Village	16/01239/REM	20/07/2016	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.117	
Guilhi		Herbert Todd & Son Percys Lane	460925	451611	City Centre	16/01263/FULM	26/08/2016	Under Construction	N/A	0	38	38	38	26 No Flats 12 No Town Houses	20 x 1, 6 x 3 bed flats, 4 x 5, 8 x 6 bed town houses	New	No	BF	0.160	

Rural W	Rufforth &	Rufforth Aerodrome Bradley Lane Rufforth	453699	450614	Rural	16/01303/REM	02/08/2016	Not yet started	20/05/2019	0	1	1	1	1	1 No detached house	1 x 4 bed *not yet confirmed	New	No	GF	0.010
Acomb		23 The Green Acomb	457158	451396	Sub-Urban	16/01306/FUL	03/08/2016	Under Construction	N/A	0	1	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.050
Wheldrake	Deighton	Ackroyds Restaurant Meats Deighton	462444	445659	Rural	16/01318/FUL	12/08/2016	Not yet started	12/08/2019	0	1	1	1	1	1 No detached house	1 x 5 bed	COU	No	BF	0.150
Wheldrake	Wheldrake	Garth Cottage 8 Church Lane Wheldrake	468373	444973	Small Village	16/01353/FUL	01/09/2016	Under Construction	N/A	0	1	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.019
Guilhl		Unidec Systems Ltd Manor Chambers 26a marygate	459900	452257	City Centre	16/01428/ORC	23/09/2016	Not yet started	23/09/2021	0	3	3	3	3	3 No flats	3 x 2 bed	COU	No	BF	0.037
Heworth		140 Fourth Avenue	462132	452243	Urban	16/01459/FUL	17/08/2016	Not yet started	17/08/2019	0	1	1	1	1	1 no town house	1 x 3 bed	New	No	GDN	0.027
Guilhl		Garage Court Agar Street	460799	452375	City Centre	16/01469/FUL	10/08/2016	Under Construction	N/A	0	3	3	3	3	3 No town houses	3 x 2 bed	New	No	BF	0.074
Westfild		Acomb Jewellers 10 Acomb Court Front Street	457516	451411	Sub-Urban	16/01497/FUL	24/08/2016	Not yet started	24/08/2019	0	1	1	1	1	1 No flat	1 x 1 bed	COU	No	BF	0.003
HewW	HewW	440 Malton Road	463554	454909	Rural	16/01622/FUL	21/09/2016	Not yet started	21/09/2019	0	1	1	0	0	1 No detached House	1 x 4 bed	New	Yes (demolish -1)	BF	0.115
Heworth		People Energies Ltd 106 Heworth Green	461517	452748	Urban	16/01625/ORC	16/09/2016	Not yet started	16/09/2021	0	1	1	1	1	1 No semi-detached house	1 x 4 bed	COU	No	BF	0.068
Dring & Wthp		2 Farmands Road	457795	449720	Sub-Urban	16/01719/FUL	13/09/2016	Under Construction	N/A	0	1	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.024
Dring & Wthp		13 Highmoor Road	457742	449878	Sub-Urban	16/01265/FUL	02/11/2016	Under Construction	N/A	0	1	1	1	1	1 No Detached house	1 x 3 bed	New	No	GDN	0.020
Copmanthorpe	Copmanthorpe	Land to R/O 9-11 Tadcaster Road Copmanthorpe	456904	447499	Village	16/01673/FUL	04/11/2016	Under Construction	N/A	0	4	4	4	4	4 no detached houses	2 x 4, 2 x 5 bed	New	No	GDN	0.370
Mick		211 Bishopthorpe Road	460041	450149	Sub-Urban	15/00820/FUL	15/11/2016	Under Construction	N/A	0	1	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.017
Westfild		36 Danesfort Avenue	457551	450662	Sub-Urban	16/01496/FUL	15/11/2016	Under Construction	N/A	0	1	1	1	1	1 No town house	1 x 2 bed	New	No	GDN	0.014
Bishopthorpe	Bishopthorpe	3 Beech Avenue Bishopthorpe	459213	447343	Village	17/00817/FUL	01/06/2017	Not yet started	01/06/2020	0	2	2	2	2	2 No semi-detached houses	2 x 2 bed	New	Yes (demolish -1)	GDN	0.043
Rural W	Upper Pop	Crossfields Main Street Upper Poppleton	455611	454584	Large Village	16/01181/FUL	02/06/2017	Under Construction	N/A	0	3	3	2	2	3 No detached houses	2 x 5, 1 x 6 bed	New	Yes (demolish -1)	GDN	0.154
Clifton		12 Water End	459197	452993	Urban	15/00405/FUL	02/12/2016	Not yet started	02/12/2019	0	1	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	GDN	0.060
Guilhl		26-30 Swingate	460384	451954	City Centre	16/01532/FUL	07/10/2016	Not yet started	07/10/2019	0	8	8	8	8	8 No flats	3 x 1, 5 x 2 bed	COU	No	BF	0.058
Holgate		128 Acomb Road	458099	451433	Urban	16/00680/FUL	04/11/2016	Under Construction	N/A	0	10	10	10	10	10 No flats	6 x 1, 4 x 2 bed	COU/S	No	BF	0.042
Guilhl		51 Huntington Road	460923	452849	Urban	16/01835/FUL	04/11/2016	Not yet started	04/11/2019	0	1	1	1	1	1 No town house	1 x 3 bed	New	No	BF	0.018
Rural W	Askham Br	Brackenhill Askham Bryan Lane Askham Bryan	456117	449308	Rural	18/00061/FUL	28/03/2018	Not yet started	28/03/2021	0	1	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	BF	0.140
Guilhl		Ryedale House 58-60 Piccadilly	460639	451481	City Centre	18/00103/ORC	15/03/2018	Not yet started	15/03/2023	0	79	79	79	79	79 No flats	12 x 1, 51 x 2, 16 x 3 bed	COU	No	BF	0.240
Strensall	Stockton on	Sandburn Farm Malton Road Stockton on Forest	466473	459174	Rural	16/02305/ABC3	15/12/2016	Not yet started	16/12/2021	0	2	2	2	2	2 No detached houses	1 x 3, 1 x 5 bed	COU	No	GF	0.140
Rural W	Hessay	Giebe farm Hessay to Moor Bridge Hessay	451559	453294	Rural	16/02202/FUL	28/11/2016	Not yet started	28/11/2019	0	2	2	2	2	2 No semi-detached houses	2 x 3 bed	New	No	GF	0.120
Rural W	Upper Pop	Dutton Farm Boroughbridge Road	453611	453981	Rural	17/00501/FUL	2017 Won on a	Not yet started	20/11/2020	0	1	1	1	1	1 No detached house	1 x 5 bed	New	No	GF	0.900
Osbaldwick	Dunnington	The Barns Manor Farm Elvington Lane Dunnington	465308	451422	Rural	17/01478/FUL	16/08/2017	Under Construction	N/A	1	3	2	2	2	2 No town houses	2 x 4 bed	COU	No	GF	0.150
Hunt & New Earswick	New Earswick	Land to South of 41 Park Avenue New Earswick	460655	456028	Sub-Urban	17/00200/FUL	25/07/2017	Not yet started	25/07/2020	0	1	1	1	1	1 No detached house	1 x 3 bed	New	No	GF	0.049
Guilhl		Santader 19 Market Street	460340	451795	City Centre	16/01940/FUL	01/12/2016	Not yet started	01/12/2019	0	1	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.013
Guilhl		Rowntree Wharf Navigation Road	460835	451729	City Centre	17/01888/FUL	06/12/2016	Under Construction	N/A	28	39	11	11	11	11 No flats	11 x 1 bed	COU	No	BF	0.475
Guilhl		Rowntree Wharf Navigation Road	460835	451729	City Centre	17/01905/FULM	04/12/2017	Under Construction	N/A	0	14	14	14	14	14 No flats	14 x 1 bed	COU	No	BF	
Guilhl		Granville House 21 Granville Terrace	461386	451468	City Centre Ext2	16/02152/FUL	01/12/2016	Under Construction	N/A	0	3	3	3	3	3 No flats	2 x 1, 1 x 2 bed flats	Conv	No	BF	0.015
Guilhl		The Art Shack 4-6 Gillgate	460126	452280	City Centre	15/02517/FUL	08/12/2016	Not yet started	08/12/2019	0	4	4	3	3	4 No flats	2 x 1, 2 x 2 bed	COU/Conv	Yes -1	BF	0.037
Hax & Wig	Haxby	107 York Road Haxby	460841	457472	Large Village	16/01374/FUL	06/01/2017	Under Construction	N/A	0	1	1	0	0	1 No detached house	1 x 3 bed	New	Yes (demolish -1)	BF	0.100
Fulford & H	Fulford	Fishergate County Garage 14 Heslington Lane	460996	449432	Sub-Urban	16/02665/FUL	16/01/2017	Under Construction	N/A	0	1	1	1	1	1 No town house	1 x 4 bed	COU	No	BF	0.022
Wheldrake	Deighton	Springwell Main Street Deighton	462665	444348	Small Village	16/02831/FUL	03/03/2017	Under Construction	N/A	0	1	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.075
Strensall	Earswick	Land Between 121 and 125 Strensall Road	462005	457068	Small Village	15/02950/FUL	06/03/2017	Not yet started	06/03/2020	0	1	1	1	1	1 No detached house	1 x 4 bed	New	No	GDN	0.028
Hunt & New Earswick	New Earswick	39 Park Avenue New Earswick	460678	456048	Sub-Urban	16/01871/FUL	07/03/2017	Under Construction	N/A	0	1	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	GDN	0.032
Bishopthorpe	Bishopthorpe	84 Montague Road Bishopthorpe	459437	447291	Village	16/02861/FUL	08/03/2017	Not yet started	08/03/2020	0	1	1	1	1	1 No detached bungalow	1 x 4 bed	New	No	GDN	0.030
HewW		Garden to R/O 79-85 Stockton Lane	462161	453428	Urban	16/02923/FUL	11/08/2017	Not yet started	11/08/2020	0	9	9	9	9	7 No detached houses, 2 No detached bungalows	2 x 2 bed detached bungalows, 2 x 3, 3 x 3 & 2 x 5 bed detached houses	New	No	GDN	0.590
Raw & Cliff	Clifton Wtd	Proposed Development Site at Clifton Technology Centre	459049	454891	Sub-Urban	16/01533/FUL	18/01/2017	Under Construction	N/A	0	3	3	3	3	3 No town houses	3 x 2 bed	New	No	BF	0.037

Guilhi		Coal Yard 11 Mansfield Street	460990	452131	City Centre Ext 2	17/02702/FULM	15/03/2018	Not yet started	15/03/2021	0	23	23	23	23 No Flats (Clusters)	7 x 1, 3 x 5, 13 x 6 bed	New	No	BF	0.156
Mick		Oliver House Bishophill Junior	459974	451417	City Centre	15/02645/FULM	25/11/2016	Under Construction	N/A	0	34	34	34	34 No flats	5 x 1, 29 x 2 bed	New	No	BF	0.196
Guilhi		G&G Fisheries 64 Clarence Street	460317	452711	Urban	16/01960/FUL	27/01/2017	Under Construction	N/A	0	3	3	2	3 No flats	3 x 1 bed	Conv/New	Yes-1	BF	0.019
Raw & Clift W		The Diocese of York Diocese House Aviator Court	458850	455060	Sub-Urban	17/00083/ORC	17/03/2017	Under Construction	N/A	8	25	17	17	17 No flats	7 x 1, 10 x 2 bed	COU	No	BF	0.350
Hunt & Ne	Huntington	Guilford Construction Ltd 10 Roland Court Huntington	461314	455121	Sub-Urban	16/02747/ORC	28/04/2017	Not yet started	24/04/2022	0	2	2	2	2 No flats	1 x 1, 1 x 2 bed * not confirmed	COU	No	BF	0.007
Raw & Clift Clifton W		British Red Cross 5-6 Marsden Park	459182	454846	Sub-Urban	17/01075/ORC	07/07/2017	Under Construction	N/A	0	4	4	4	4 No flats	TBA	COU	No	BF	0.032
Mick		95-97 Micklegate	459832	451541	City Centre	17/02625/FUL	12/02/2018	Under Construction	N/A	0	6	6	5	6 No flats	2 x 1, 4 x 2 bed	Conv/New	Yes -1	BF	0.023
Hunt & Ne	Huntington	Sunny Lands North Lane Huntington	464324	456410	Rural	16/01561/FUL	03/04/2017	Not yet started	03/04/2020	0	1	1	0	1 No detached house	1 x 4 bed	New	Yes (demolish -1)	BF	0.189
Fulford & H	Heslington	Pool Bridge Farm Wheldrake Lane Cockey Hill	464121	446360	Rural	17/00411/OUT	19/05/2017	Not yet started	19/05/2020	0	1	1	1	1 No detached house	1 x 2 bed	COU	No	GF	0.055
Hunt & Ne	Huntington	25 New Lane Huntington	461804	455516	Sub-Urban	15/02677/FUL	27/06/2017	Not yet started	27/06/2020	0	5	5	5	5 No detached houses	2 x 3 bed, 3 x 4 bed	COU/New	No	GF	0.280
Osbaldwick	Dunnington	Lodge Farm Hull Road Dunnington	468309	451491	Rural	17/01088/FUL	04/07/2017	Not yet started	04/07/2020	0	3	3	3	2 No detached houses, 1 No detached bungalow	2 x 4 bed detached houses, 1 x 2 bed detached bungalow	COU	No	GF	0.481
Clifton		St Raphael Guest House 44 Queen Anne's Road	459724	452497	Urban	17/00331/FUL	04/04/2017	Not yet started	04/04/2020	0	1	1	1	1 No town house	1 x 5+ bed	COU	No	BF	0.013
Copmanthorpe	Copmanthorpe	27 Horseman Lane Copmanthorpe	456403	447226	Village	17/00055/FUL	06/04/2017	Under Construction	N/A	0	1	1	0	1 no detached house	1 x 4 bed	New	Yes (demolish -1)	BF	0.083
Rural W	Askham Bryan	110 Main Street Askham Bryan	454943	448369	Small Village	17/00718/FUL	25/05/2017	Not yet started	25/05/2020	0	1	1	0	1 No detached house	1 x 5 bed	New	Yes (demolish -1)	BF	0.205
Guilhi		Pizza Hut Ltd 10 Pavement	460479	451774	City Centre	17/00835/FUL	09/06/2017	Not yet started	09/06/2020	0	8	8	8	8 No flats	8 x 1 bed	COU	No	BF	0.029
Raw & Clift Clifton W		Buildmark House George caley Drive	459205	454817	Sub-Urban	17/00732/FUL	09/06/2017	Not yet started	09/06/2020	0	8	8	8	8 No flats	4 x 1, 4 x 2 bed	New	No	BF	0.113
Clifton		24 Fley Terrace	460122	453206	Urban	17/00909/FUL	13/06/2017	Under Construction	N/A	0	2	2	1	2 No flats	1 x 1, 1 x 2 bed	Conv	Yes -1	BF	0.008
Dring & Wthp		Aldersyde House Aldersyde	458345	449101	Sub-Urban	16/02511/FUL	14/06/2017	Not yet started	14/06/2020	0	2	2	2	2 No town houses	2 x 2 bed	Conv	Yes -1	BF	0.062
Guilhi		Hill Giftware Ltd 46 Goodramgate	460462	452098	City Centre	17/00321/FUL	19/06/2017	Not yet started	19/06/2020	0	1	1	1	1 No flat	1 x 3 bed	COU	No	BF	0.008
Fisher		134 Lawrence Street	461610	451316	City Centre Ext 2	17/01045/FUL	20/06/2017	Not yet started	20/06/2020	0	2	2	2	2 No flats	2 x 2 bed	Conv	No	BF	0.027
Dring & Wthp		5 Mayfield Grove	458745	449814	Urban	16/00725/FUL	11/07/2017	Not yet started	11/07/2020	0	3	3	2	2 No semi-detached houses, 1 No detached bungalow	2 x 3 bed semi-detached houses and 1 x 2 bed detached bungalow	New	Yes (demolish -1)	GDN	0.061
Westfld		61a Gale Lane	457284	450825	Sub-Urban	17/00555/FUL	31/08/2017	Not yet started	31/08/2020	0	7	7	6	5 No flats, 2 No semi-detached bungalows	5 x 1 bed flats, 2 x 2 bed semi-detached bungalows	New	Yes (demolish -1)	GDN	0.094
Dring & Wthp		11 Highmoor Road	457759	449850	Sub-Urban	17/01435/FUL	18/08/2017	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 2 bed	New	No	GDN	0.019
Strensall	Stockton on Forest	Laurel House The Village Stockton on Forest	465629	455898	Small Village	17/00726/FUL	29/09/2017	Not yet started	29/09/2020	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.111
Hax & Wg	Haxby	87 Greenshaw Drive Haxby	460547	457924	Large Village	17/01697/FUL	06/10/2017	Under Construction	N/A	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.021
Guilhi		Hilary House St Saviours Place	460665	451993	City Centre	16/00701/FUL	22/06/2017	Not yet started	22/06/2020	0	1	1	1	1 No flat	1 x 3 bed	Conv	No	BF	0.110
Mick		198 Mount Vale	459193	450768	Urban	17/00716/FUL	30/06/2017	Not yet started	30/06/2020	0	1	1	1	1 No flat	1 x 1 bed	Conv	No	BF	0.010
Fulford & H	Fulford	Cemetery Lodge Fordlands Road	461279	448653	Rural	17/00861/FUL	25/07/2017	Not yet started	25/07/2020	0	1	1	0	1 No flat	1 x 1 bed	COU/Conv	No	BF	0.050
Guilhi		G&G Fisheries 64 Clarence Street	460335	452740	Urban	17/01237/FUL	26/07/2017	Under Construction	N/A	0	2	2	2	2 No flats	2 x 1 bed	New	No	BF	0.010
Wheldrake	Elvington	Home Lea Elvington Lane Elvington	467908	448792	Rural	17/00712/FUL	18/08/2017	Under Construction	N/A	0	1	1	1	1 No detached bungalow	1 x 2 bed	COU	No	BF	0.075
Clifton		Bedingham & Co 1b Newborough Street	459965	452903	Urban	17/01600/FUL	25/08/2017	Not yet started	25/08/2020	0	2	2	2	2 No flats	2 x 1 bed	COU	No	BF	0.014
Strensall	Stockton on Forest	Garage at 30 The Limes Stockton on Forest	465422	455752	Small Village	17/01418/FUL	25/08/2017	Not yet started	25/08/2020	0	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	BF	0.030
Strensall	Stockton on Forest	Hermitage Farm House Malton Road Stockton on Forest	465208	457733	Rural	17/01016/FUL	31/08/2017	Not yet started	31/08/2020	0	1	1	0	1 No detached house	1 x 4 bed	New	Yes (demolish -1)	BF	0.150
Guilhi		12 Castlegate	460398	451619	City Centre	17/01562/FUL	04/09/2017	Under Construction	N/A	0	3	3	-6	3 No town houses	2 x 3, 1 x 5 bed	Conv	Yes - 9	BF	0.024
Fulford & H	Fulford	Former Saxon House 71-73 Fulford Road	460813	450842	Urban	15/02888/FUL	14/09/2017	Under Construction	N/A	0	10	10	10	10 No flats	5 x 1, 4 x 2, 1 x 3 bed	COU	No	BF	0.053
Bishopthorpe	Bishopthorpe	Cavendish Jewellers Ltd Garth Cottage Sim Balk Lane	459095	447979	Rural	17/01182/FUL	11/08/2017	Not yet started	11/08/2020	0	1	1	1	1 No detached house	1 x 3 bed	COU	No	BF	0.070
Guilhi		First Floor Flat 24 Gillygate	460160	452324	City Centre	17/01451/FUL	20/09/2017	Not yet started	20/09/2020	0	3	3	2	3 No flats	1 x 1, 2 x 2 bed	Conv	Yes -1	BF	0.027
Clifton		2 Ratcliffe Street	459977	453314	Urban	17/01787/FUL	26/09/2017	Not yet started	26/09/2020	0	1	1	1	1 No detached bungalow	1 x 1 bed	New	No	BF	0.006
Westfld		Wards Newsagents 45 York Road Acomb	457664	451436	Urban	17/01608/FUL	29/09/2017	Under Construction	N/A	1	3	2	2	2 No flats	2 x 1 bed	Conv	Yes -1	BF	0.012
Guilhi		Monkgate Guest House 65 Monkgate	460786	452476	City Centre	17/01596/FUL	03/10/2017	Not yet started	03/10/2020	0	1	1	1	1 no town house	1 x 6 bed	COU	No	BF	0.010
Fisher		Alma House 15 Alma Terrace	460764	450524	Urban	17/01763/FUL	31/10/2017	Not yet started	31/10/2020	0	7	7	6	7 No flats	1 x 1, 6 x 2 bed	COU/Conv	Yes -1	BF	0.041

Guilhi		The Fleeting Arms 54 Gillygate	460219	452399	City Centre	17/00580/FULM	06/10/2017	Under Construction	N/A	0	18	18	17	18 No flats (studio units)	18 x 1 bed	COU/Conv	Yes -1	BF	0.072
Westfld		83 Green Lane Acomb	457646	451081	Urban	17/00884/FUL	06/10/2017	Not yet started	06/10/2020	0	4	4	3	1 No detached house, 2 No semi-detached houses, 1 No detached bungalow	1 x 2 bed detached bungalow, 1 x 2 bed detached bungalow	New	Yes (demolish -1)	GDN	0.098
Westfld		24 Kir Crescent	457372	451034	Sub-Urban	17/01440/FUL	10/10/2017	Not yet started	10/10/2020	0	1	1	1	1 No town house	1 x 2 bed	New	No	GDN	0.017
Holgate		9 Holly Bank Grove	458703	450739	Urban	17/01912/FUL	06/11/2017	Not yet started	06/11/2020	0	1	1	1	1 No town house	1 x 3 bed	New	No	GDN	0.020
Hunt & Ne	Huntington	Arabesque House Monks Cross Drive Huntington	462443	455162	Sub-Urban	17/01369/ORC	31/07/2017	Not yet started	31/07/2022	0	56	56	56	56 No flats	54 x 1, 2 x 2 bed	COU	No	BF	0.183
Guilhi		Smiths Gore 48 Bootham	459955	452355	City Centre	17/01541/ORC	17/08/2017	Not yet started	17/08/2022	0	11	11	11	11 No flats	11 x 2 bed	COU	No	BF	0.118
Raw & Cliff	Clifton W	Environment Agency Coverdale House Aviator Court	458892	454985	Sub-Urban	18/00172/ORC	02/10/2017	Not yet started	02/10/2020	0	34	34	34	34 No flats	34 x 1 bed	COU	No	BF	0.484
Raw & Cliff	Clifton W	Home Housing Association Ltd 131 Brailford Crescent	459435	453903	Urban	17/02119/FUL	08/11/2017	Not yet started	08/11/2020	0	2	2	2	2 No flats	2 x 1 bed	COU	No	BF	0.026
Mick		The Falcon Tap 94 Micklegate	459842	451594	City Centre	17/01468/FULM	13/11/2017	Not yet started	13/11/2020	0	11	11	10	11 No flats	10 x 1, 1 x 3 bed	Conv/New	Yes -1	BF	0.041
Guilhi		Rear of 25 Bootham	460080	452317	City Centre	17/01445/FUL	15/11/2017	Not yet started	15/11/2020	0	8	8	8	8 No flats	5 x 1, 3 x 2 bed	New	No	BF	0.043
Rural W	Skelton	Woodstock Lodge Corban Lane Wigginton	456123	459074	Rural	17/01702/FUL	17/11/2017	Not yet started	17/11/2020	0	1	1	0	1 No detached house	1 x 6 bed	Conv	Yes -1	BF	0.500
Mick		4 Bridge Street	460163	451623	City Centre	17/01816/FUL	24/11/2017	Not yet started	24/11/2020	0	1	1	1	1 No Flat	1 x 2 bed	COU	No	BF	0.008
Mick		Holmea Guest House 6 Southlands Road	460032	450734	Urban	17/01257/FUL	28/11/2017	Not yet started	28/11/2020	0	1	1	1	1 No town house	1 x 5 bed	COU	No	BF	0.009
Guilhi		Bank of Scotland 6 Nessgate	460328	451657	City Centre	17/02451/ORC	11/12/2017	Not yet started	11/12/2022	0	16	16	16	16 No flats	16 x 1 bed	COU	No	BF	0.041
Guilhi		23 Piccadilly	460662	451543	City Centre	17/02624/ORC	28/12/2017	Not yet started	28/12/2022	0	24	24	24	24 No flats	9 x 1, 15 x 2 bed	COU	No	BF	0.107
Guilhi		Yh Training Services Ltd York House 15 Clifford Street	460370	451583	City Centre	17/02925/ORC	05/02/2018	Not yet started	05/02/2023	0	4	4	4	4 no flats	4 x 2 bed	COU	No	BF	0.026
Raw & Cliff	Clifton W	Land to West of Block D Aviator Court	458918	455075	Sub-Urban	17/03067/FUL	05/03/2018	Not yet started	05/08/2021	0	6	6	6	6 No flats	4 x 1, 2 x 2 bed	New	No	BF	0.133
Osbaldwick	Osbaldwick	Land to South of 78 Osbaldwick Lane	462993	451696	Sub-Urban	17/01800/FUL	17/11/2017	Not yet started	17/11/2020	0	1	1	1	1 No detached bungalow	1 x 3 bed	New	No	GDN	0.040
Heworth	Without	7 Woodlands Grove	462134	453241	Urban	17/01890/FUL	17/11/2017	Not yet started	17/11/2020	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.020
Hunt & Ne	Huntington	1 Meadow Way Huntington	461869	455736	Sub-Urban	17/02397/FUL	30/11/2017	Not yet started	30/11/2020	0	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	GDN	0.019
Westfld		21 Stirrup Close	456774	449898	Sub-Urban	17/01453/FUL	01/12/2017	Not yet started	01/12/2020	0	1	1	1	1 No town house	1 x 3 bed	New	No	GDN	0.012
Rural W	Upper Pop	49 Station Road Upper Poppleton	455940	453665	Large Village	17/02143/FUL	30/11/2017	Under Construction	N/A	0	1	1	0	1 No detached bungalow	1 x 3 bed	New	Yes -1	GDN	0.095
Guilhi		Proposed Hotel 46-50 Piccadilly (Residential Part of Sch)	460615	451538	City Centre	17/00429/FULM	18/12/2017	Not yet started	18/12/2020	0	8	8	8	8 No flats	8 x 2 bed	New	No	BF	0.067
Fulford & H	Heslington	Little Hall Main Street Heslington	462764	450243	Sub-Urban	17/01867/FUL	20/12/2017	Not yet started	20/12/2020	0	1	1	1	1 No town house	1 x 3 bed	Conv	No	BF	0.184
Mick		Swinton Insurance 1 Bishopthorpe Road	460171	451066	Urban	17/02575/FUL	20/12/2017	Not yet started	20/12/2020	0	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.073
Westfld		71 Green Lane Acomb	457650	451025	Urban	17/02293/FUL	08/12/2017	Under Construction	N/A	0	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.096
Clifton		Doctors Surgery 32 Clifton	459619	452725	Urban	17/02290/FUL	10/01/2018	Not yet started	10/01/2021	0	2	2	2	2 No town houses	2 x 1 bed	COU	No	BF	0.012
Guilhi		Fiesta Latina 14 Clifford Street	460335	451555	City Centre	17/02224/FUL	12/01/2018	Not yet started	12/01/2021	0	10	10	10	10 No flats	4 x 1, 6 x 2 bed	COU	No	BF	0.037
Clifton		Archbishop Holgate Boathouse Sycamore Terrace	459504	452136	Urban	17/02717/FUL	12/01/2018	Not yet started	12/01/2021	0	1	1	1	1 No detached house	1 x 4 bed	New	No	BF	0.060
Mick		20 Priory Street	459897	451451	City Centre	17/01238/FUL	15/01/2018	Not yet started	15/01/2021	0	2	2	1	2 No flats	2 x 1 bed	New	Yes (demolish -1)	BF	0.010
Heworth		Heworth Court Hotel 76 Heworth Green	461405	452725	Urban	17/02492/FUL	01/02/2018	Not yet started	01/02/2021	0	2	2	2	2 No town houses	2 x 4 bed	COU	No	BF	0.122
Clifton		338 Burton Stone Lane	460122	453949	Urban	17/02798/FUL	02/02/2018	Not yet started	02/02/2021	0	1	1	1	1 No detached bungalow	1 x 2 bed	New	No	GDN	0.021
Osbaldwick	Dunnington	The Ridings 95 York Street Dunnington	466499	452324	Village	16/02663/FUL	8/2/18 Won on Appeal	Not yet started	08/02/2021	0	1	1	1	1 no detached bungalow	1 x 2 bed	New	No	GDN	0.037
Strensall	Stockton on	Whitcroft Sandy Lane Stockton on Forest	466056	456506	Small Village	17/02292/FUL	12/02/2018	Not yet started	12/02/2021	0	1	1	1	1 No detached house	1 x 3 bed	New	No	GDN	0.055
Dring & Wthp		26 Tadcaster Road Dringhouses	458759	449783	Urban	15/02726/FULM	09/03/2018	Not yet started	09/03/2021	0	11	11	11	3 No detached houses, 2 No detached bungalows, 6 No town houses	2 x 4, 1 x 5 bed detached houses, 2 x 3 bed detached bungalows, 6 x 3 bed town houses	New	No	GDN	0.520
Copmanthorpe	Copmanthorpe	Land to R/O 15 Tadcaster Road Copmanthorpe	458867	447475	Village	17/03069/FUL	15/03/2018	Not yet started	15/03/2021	0	1	1	1	1 No detached house	1 x 5 bed	New	No	GDN	0.120
Guilhi		Abbeyfield Veterinary Centre 49 Clarence Street	460271	452713	Urban	17/02739/FUL	06/02/2018	Not yet started	06/02/2021	0	2	2	2	2 no flats (student cluster units)	2 x 10 bed (cluster units)	COU	No	BF	0.040
Rural W	Askham RA	Askham Fields Farm York Road Askham Richard	453306	447595	Rural	17/02997/FUL	08/02/2018	Not yet started	08/02/2021	0	2	2	0	1 No detached house & 1 No flat	1 x 4 bed detached house, 1 x bed flat	New	Yes (demolish -2)	BF	0.280
Guilhi		93 Union Terrace	460289	452802	City Centre	17/00722/FUL	12/02/2018	Not yet started	12/02/2021	0	2	2	1	2 No flats	2 No flats	Conv	Yes (-1)	BF	0.017
Guilhi		Grove House 40-48 Penneys Grove Street	460593	452567	Urban	17/01129/FULM	13/02/2018	Not yet started	13/02/2021	0	32	32	32	32 No Flats	28 x 1, 1 x 2, 3 x 3 bed	COU	No	BF	0.250
Holgate		107 Carr Lane	457619	451885	Sub-Urban	17/02973/FUL	14/02/2018	Not yet started	14/02/2021	0	5	5	4	5 No flats	4 x 1, 1 x 2 bed	Conv	Yes (-1)	BF	0.028

Osbaldwick	Holtby	Sycamore Cottage Main Street Holtby	467385	454304	Small Village	17/02966/FUL	15/02/2018	Not yet started	15/02/2021	0	1	1	1	1	1 no detached bungalow	1 x 2 bed	Conv	No	BF	0.170
Guilth		The Jorvik Hotel 52 Marygate	459821	452189	City Centre	17/02250/FUL	23/02/2018	Not yet started	23/02/2021	0	2	2	2	2	2 No town houses	2 x 5+ bed	New	No	BF	0.077
Fisher		1B Wolsley Street	461167	451125	City Centre Ext 2	17/03024/FUL	27/02/2018	Not yet started	27/02/2021	0	1	1	1	1	1 No flat	1 x 2 bed	COU	No	BF	0.008
Westfld		HSBC 19 York Road Acomb	457768	451456	Urban	17/02912/RFPFR	15/03/2018	Not yet started	15/03/2023	0	1	1	0	0	1 No town house	1 x 4 bed	COU/Conv	Yes (-1)	BF	0.034
Heworth		81 Fifth Avenue	461423	452107	Urban	18/00058/FUL	12/03/2018	Not yet started	12/03/2021	0	2	2	1	2	2 No town houses	2 x 2 bed	Conv	Yes (-1)	BF	0.029
Guilth		147 Lawrence Street	461673	451359	City Centre Ext 2	17/03063/FUL	26/03/2018	Not yet started	26/03/2021	0	4	4	3	4	4 No flats	1 x 1, 3 x 2 bed	Conv	Yes (-1)	BF	0.017
Fulford & H Fulford		Adams House Hotel 5 main Street Fulford	460922	449602	Urban	16/02737/FUL	08/03/2017	Not yet started	08/03/2020	0	1	1	1	1	1 No detached house	1 x 5+ bed	COU	No	BF	0.065

1187 1124

Skelt/Raw & CliftW	Clifton Without	The Grain Stores Water Lane	459367	454429	Urban/sub-urban	15/00121/REM	12/05/2015	Under Construction	N/A	122	215	93	93	44	44 No detached houses, 10 No semi-detached houses, 39 No Town Houses	4 bed semi-detached houses, 5 x 2, 27 x 3, 4 x 4, 3 x 5 bed town houses	New	No	BF	6.000
Mick		Former Terrys Factory Bishopthorpe Road Phase II	459961	449909	Urban	14/01716/FUL	24/02/2015	Under Construction	N/A	41	230	189	189	150	150 No flats, 7 No detached houses, 32 No town houses	2 x 3, 5 x 4 bed detached houses, 5 x 2, 27 x 3, 16 x 1, 134 x 2 bed flats	New	No	BF	
Mick		Former Terrys Factory Bishopthorpe Road Phase III	459961	449909	Urban	15/00456/FUL	22/07/2015	Under Construction	N/A	161	163	2	2	2	2 No flats	2 x 2 bed	COU	No	BF	
Fulfrd		Germany Beck Site East of Fordlands Road	461663	449121	Sub-Urban	12/00384/REMN	09/05/2013	Under Construction	N/A	0	655	655	655	houses, 25 No detached bungalows, 197 Town houses, 76 No flats	houses, 25 No detached bungalows, 197 Town houses, 25 x 2 bed detached bungalows, 150	New	No	GF	16.600	
Osbaldwick	Osbaldwick	(Phase 3 & 4) Land to West of Metcalfe Lane Osbaldwic	462913	452260	Sub-Urban	12/01878/REMN	13/03/2013	Under Construction	N/A	189	299	110	110	houses, 2 No detached bungalows, 2 No semi-detached bungalows, 65 No town houses, 24 No flats	x 4 bed semi-detached houses, 6 x 2 bed semi detached bungalows, 40 x 3 & 9 x 4 bed	New	No	GF		
Osbaldwick	Osbaldwick	(Phase 4 - amended) Land to West of Metcalfe Lane Os	462913	452260	Sub-Urban	16/00342/FULM	18/11/2016	Under Construction	N/A	0	36	36	36	4 No detached houses, 10 No semi-detached houses, 22 No town houses	bed semi-detached houses, 18 x 3, 4 x 4 bed town houses	New	No	GF		
Guilth		Hungate Development Site (Blocks D, F, & H)	460784	451839	City Centre	15/01709/OUTM	18/07/2006	Not yet started	N/A	0	466	466	466	662 No flats (Block D = 188 Flats, Block F = 101 flats, Block H = 179 flats)	both reserved matters(Block D: 97 x 1, 81 x 2, 8 x 3 bed and Block F: 52 x 1, 35 x 2 and 14 x	New	No	BF	4.100	
Guilth		Hungate Development Site (Block G)	460784	451839	City Centre	17/03032/REMN	19/02/2018	Not yet started	20/12/2020	0	196	196	196	196 Flats	129 x 1, 67 x 2 bed	New	No	BF		
Fishergate		St Josephs Convent of Poor Clare Collentines Lawrence	461372	451321	City Centre Ext 2	14/02404/FULM	09/03/2015	Under Construction	N/A	526	542	16	15	16	16 No flats	15 x 1, 1 x 3, bed clusters	New/COU	Yes -1	BF	2.560
Fulford & H Fulford		Royal Masonic Benevolent Institute Connaught Court St	460688	449521	Sub-Urban	13/03481/FULM	13/06/2016	Not yet started	13/06/2019	0	14	14	14	14	14 No detached houses	2 x 4, 8 x 5, 4 x 6 bed	New	No	GF	1.100
Fishergate		York Barbican Paragon Street	460848	451211	City Centre Ext 2	13/02135/FULM	24/08/2017	Not yet started	24/08/2020	0	187	187	187	187	187 No flats	57 x 1, 130 x 2 bed	New	No	BF	0.960
Guilth		The Cocoa Works Haxby Road	460535	453542	Urban	17/00284/FULM	14/09/2017	Not yet started	14/09/2020	0	258	258	258	258	258 Flats	37 x 1, 205 x 2, 16 x 3 bed	COU	No	BF	2.350

3409 3345

	Housing Allocation Site
	Greenfield Site
	Garden Infill Site
	ORC - Office Residential Conversion
	Student Accommodation
	Retirement Living Accommodation



## Appendix 2

### Housing Allocations 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	271			
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	88			
H31	Eastfield Lane Dunnington	2.51	76	Short to Medium Term (Years 1 -10)	30.28	76			
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	104			
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			
<del>H59</del>	<del>Queen Elizabeth Barracks – Howard Road, Strensall</del>			<del>Short to Medium term (Years 1 -10)</del>					
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	1700	Lifetime of the Plan and Post Plan period (Years 1-21)	48.57	0	500	600	600
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)	24.51	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		
<del>ST35**</del>	<del>Queen Elizabeth Barracks, Strensall</del>	<del>28.80</del>		<del>Medium to Long Term (Years 6-15)</del>	<del>0.00</del>				
ST36**	Imphal Barracks, Fulford Road	18.00	769	Post Plan period (Years 16-21)	42.72				600
		525.51	14440			3054	4562	3868	2448

## Appendix 3

Local Plan Working Group 29 January 2015

29<sup>th</sup> January 2015

## **Local Plan Working Group**

Report of the Director for City and Environmental Services

### **City of York Local Plan – Safeguarded Land**

#### **Purpose of the Report**

1. This report provides further information on the role of safeguarded land and the reasons for the draft Local Plan including such a designation for some sites. It makes reference to a legal opinion sought from John Hobson QC on how the Local Plan should address this matter. Both the instructions to Counsel and the legal opinion on the matter of the opinion are included as Annex A and Annex B to this report.

#### **The Approach to Safeguarded Land**

2. The preferred options consultation draft of the Local Plan and the subsequent publication draft that was considered by Cabinet on the 25<sup>th</sup> September 2014 included a policy and allocations of safeguarded land. This land is intended as a reserve for consideration for development at the time of a subsequent Plan review. Its purpose is to help ensure that the Green Belt as defined in the Local Plan endures beyond the Plan period.
3. There has been considerable debate about both the need for such land to be designated and the term safeguarded land. In view of this debate the Council has sought external legal advice on the merits of including safeguarded land in the Local Plan and the implications of not including such a designation. Before examining the implications of the legal advice, the report recaps on the national policy and how it has been interpreted to date in the preparation of the Plan.

## National Policy and Saved RSS policy

4. The National Planning Policy Framework (NPPF) sets out the national policy position on determining the boundaries of the Green Belt and the role of safeguarded land as a tool to help ensure that Green Belt boundaries endure beyond the Plan period.
5. The NPPF sets out policy on setting Green Belt boundaries in paragraphs 83 to 85. This policy repeats in summary form the previous policy that was set out in Planning Policy Guidance Note 2 published in the mid 1990s.
6. The Local Plan that is currently in preparation will set for the first time the detailed boundaries of the green belt with the City of York Unitary Authority area. As such, the start point for setting the boundaries is the national policy and the saved policy from the now revoked Regional Spatial Strategy. That saved policy sets out the main purpose of a green belt surrounding York, which is to: *Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.*
7. Returning to the application of the NPPF in particular the approach to defining the green belt boundaries where paragraph 83 says authorities *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.* In helping to achieve this degree of permanence paragraph 85 provides further policy on determining boundaries including: *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.*

## The Approach taken in the Local Plan

8. The preferred options draft Local Plan and the subsequent publication draft discussed at Local Plan working Group in September 2014 sought to apply the national and saved regional policies in setting out the extent of the Green Belt and identifying a reserve of *safeguarded land* to ensure that the Green Belt boundary is capable of enduring beyond the Plan period. To do this the Plan included policy to identify safeguarded

land and protect it from development until such time as a plan review identified the need for the land to be allocated for development.

9. This approach in the Plan was challenged in representations made to the preferred options draft. These representations stated that there is no requirement to identify safeguarded land and that the term safeguarded land is misleading as the land may be developed in the future.

### **Counsel's Opinion on the Matter of Safeguarded Land**

10. In view of the challenges made to the Plan the Council has sought a legal opinion from Leading Counsel John Hobson QC of Landmark Chambers. The instructions to Counsel from the Council's solicitor and the subsequent opinion from Counsel are appended to this report at Annex A and B. Paragraph 8 of the instructions (Annex A) sets out a series of questions in respect of how long the Green Belt should endure and the role of safeguarded land. It is the answers to these questions that form the main body of the opinion from Counsel.
11. The opinion from Counsel is very clear on the need for the Green Belt to endure beyond the Plan period and that land not needed for development during the Plan period should be protected as safeguarded land. Any other course of actions places the Plan at risk of being found unsound at examination. Paragraph 16 of the advice states that

*"In my opinion if no safeguarded land is identified in the emerging Local Plan this would give rise to a serious risk of the Plan being found unsound. There would be a failure to identify how the longer term needs of the areas could be met, and in particular a failure to indicate how those longer term needs of the area could be met, and in particular a failure to indicate how those longer term needs could be met without encroaching into the Green Belt and eroding its boundaries"*

12. In respect of the period of time beyond the Plan period for which the Green Belt should be expected to endure, Counsel advises that this is a matter for planning judgement. He goes on to say that a ten year period beyond the life of the Plan, as used in the Publication Draft Local Plan, would be appropriate.

## Options

13. Option 1. Continue to include safeguarded land designations in the Plan to ensure that the Green Belt will endure for a minimum of ten years beyond the end of the Plan period as advised by Counsel.
14. Option 2. Consider an alternative approach to that included as option 1 to this report. This could be to either not include safeguarded land or to consider a reduced time period for safeguarded land designations. .

## Analysis of Options

15. Option 1, which is to include safeguarded land designations in the Plan, will ensure that the Green Belt will endure for a minimum of ten years beyond the end of the Plan period. This is consistent with the advice received by Counsel included as Annex B to this report.
16. Option 2, is for Members to instruct officers to consider an alternative approach to option 1, either through including no safeguarded land designations in the Plan or to include designations for a reduced time period. Officers consider that to not include safeguarded land designations in the Plan would mean that the Green Belt boundary would be very unlikely to endure beyond the plan period. This is contrary to Counsel advice and to national policy. It is considered that there is a strong likelihood of such an approach being found unsound at examination.
17. In terms of the consideration of a reduced time frame for safeguarded land designations Officers consider that York is in a unique position and that there is no precedent or basis on which to make a judgement on an alternative time period. It is considered that to do this would increase the risk of the Plan being found unsound at examination due to a reduced level of permanence. This would be contrary to the Counsel advice which concludes that a period of ten years beyond the end of the plan would be an appropriate timeframe.

## Council Plan

19. The information in this report accords with the following priorities from the Council Plan
- Create jobs and grow the economy
  - Get York moving
  - Build strong communities
  - Protect the environment

## Implications

20. The following implications have been assessed.
- **Financial (1)** – Work on the Local Plan is funded through the Local Plan Reserve. A review of the Local Plan reserve is being undertaken to see whether all commitments can be funded. Over the last four years, significant sums have been expended on achieving a robust evidence base, carrying out consultations, sustainability and other appraisals, policy development and financial analyses. Whilst this work remains of great value, the longer it takes to progress the Local Plan, the more will have to be redone at additional cost.
  - **Financial (2)** - managing the planning process in the absence of a Plan will lead to significant costs to the council in managing appeals and examinations
  - **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.
  - **Community Impact Assessment** A Community Impact Assessment (CIA) has been carried out for the local plan to date and highlights the positive impact on the following groups: age, disability and race.
  - **Legal (1)** – The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and



Country Planning (Local Development) (England) Regulations 2012.

The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:

- **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
  - **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; and
  - **Consistent with national policy:** enable the deliver of sustainable development in accordance with the policies in the Framework.
- 
- **Legal (2)** The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act). Planning Inspectorate guidance states that “general accordance” amounts to compliance.
  - **Legal (3)** The Council also has a legal “Duty to Co-operate” in preparing the Plan. (S33A 2004 Act).
- 
- **Crime and Disorder** – The Plan addresses where applicable.
  - **Information Technology (IT)** – The Plan promotes where applicable.
  - **Property** – The Plan includes land within Council ownership.
  - **Other** – None

## **Risk Management**

21. The main risks in producing a Local Plan for the City of York are as follows.
- The risk that the Council is unable to steer, promote or restrict development across its administrative area
  - The potential damage to the Council's image and reputation if a development plan is not adopted in an appropriate timeframe.
  - Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.
  - Risk associated with hindering the delivery of key projects for the Council and key stakeholders.
  - Financial risk associated with the Council's ability to utilize planning gain and deliver strategic infrastructure.
22. Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

## **Recommendations**

23. It is recommended that Members of the Local Plan Working Group recommend Cabinet to:

Agree option 1 in this report to include safeguarded land designations in the Plan to ensure that the Green Belt will endure for a for a minimum of ten years beyond the end of the Plan period.

Reason: So that an NPPF compliant Local Plan can be progressed.

**Contact Details**

**Report Authors:**

Martin Grainger  
Head of Planning and  
Environmental  
Management  
Tel: 01904 551317

Rachel Macefield  
Forward Planning Team  
Leader  
Tel: 01904 551356

**Chief Officer Responsible for the  
Report:**

Sarah Tanburn  
Interim Director of City & Environmental  
Services  
Tel: 01904 551330

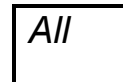
**Report  
Approved**



**Date** 21/1/2015

**Specialist Implications Officer(s)** N/A

**Wards Affected:** *List wards or tick box to indicate all*



**For further information please contact the author of the report**

Annex A: Instructions to Counsel

Annex B: Advice from John Hobson QC, Landmark Chambers.

## Annex A

**IN THE MATTER OF THE PREPARATION OF THE YORK LOCAL PLAN**

---

**INSTRUCTIONS TO LEADING COUNSEL  
TO ADVISE IN WRITING**

---

**Mr John Hobson QC**  
Landmark Chambers

Legal Services  
The Council of the City of York  
West Offices  
Station Rise  
York YO1 6GA

Ref: LCS1.2391  
Tel: 01904 551040

6 January 2015

Counsel has herewith the following copy documents:-

- (A) A history of Green Belt policy in York
- (B) Government's statement on saved policy of RRS (to follow)
- (C) Saved Policy of RSS and Key Diagram showing General Extent of York Green Belt

Counsel is instructed by the Assistant Director of Governance and ICT for the Council of the City of York, which is a unitary authority.

### **Background to the Green Belt status in the York Administrative Area**

1. The Council is in the process of preparing its Local Plan. The preferred options consultation stage was undertaken in summer 2013 and the Council's cabinet considered a publication draft of the Plan on 25<sup>th</sup> September 2014. However since then the political composition of the Council has changed to one of no overall control. This has led to a 'pause' in the Plan making process to allow further consideration of the evidence base on the scale of development and the portfolio of development sites. The Council is seeking Counsel's advice on how it should, through its Local Plan seek to determine the extent of the York Green Belt and set for the first time the detailed boundaries of the green belt that lie within the York UA in a manner which accords with national planning policy.
2. The principle of a green belt surrounding York whose primary purpose is to protect the historic setting and character of the City has been long established. There have been a number of unsuccessful attempts to define the detailed boundaries in a statutory Plan going back to the early 1990's. A history of Green Belt policy in York prepared by the Council's Planning Policy team is attached as Document A.

3. At present the principle of the green belt around York is set out in the Government's statement saving certain policies from the now otherwise revoked RSS for Yorkshire and the Humber. The Government considered the retention of the general extent of the green belt around York to be of such importance that it was the only part of the RSS that survived revocation.. The general extent of the York green belt was defined in the RSS; its precise detailed boundaries within the York UA have never been identified. It is the role of the emerging Local Plan to define precisely what land is in the green belt.
4. The general extent of the York green belt covers the whole district beyond the built up area of the city and excluding any other settlements which are inset in the green belt. The outer edge of the green belt is either at the District boundary or in the adjoining Districts' and has or is being addresses in their Local Plans. As a consequence, there are no areas of countryside within the York UA Local Plan area that are outwith the general extent of the green belt.

**The application of paragraphs 82 to 92 to the proposed York green belt policy and the role of safeguarded land.**

5. Paragraphs 79 to 92 of NPPF set out the Government's policy on green belt. Paragraphs 82 to 86 deal with defining the extent of the green belt, setting boundaries and the role of safeguarded land.
6. Paragraph 85 states inter alia that when defining the green belt boundary the local authority should satisfy itself that the green belt boundaries will not need to be altered at the end of the Local Plan period and that the greenbelt should not include land which it is unnecessary to keep permanently open. This paragraph also states; 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.

7. The background information shows that the circumstances of the York green belt are rather unusual and that the attempts to set a boundary have been protracted. Consequently there is a great deal of public interest focussed on scrutinising the technical work that comprises the evidence base to the emerging local plan that underpins the decisions about the York green belt.
  
8. Consequently Counsel is requested to advise in writing on the following matters in respect of determining the extent and boundaries of the York green belt and ensuring that the green belt endures beyond the plan period (as set out in paragraph 83 of NPPF):-
  - (i) How long beyond the Plan period should a green belt be expected to endure once it is defined in a statutory Plan?
  - (ii) In setting a green belt boundary, what are the options for the allocations to be given to land not required for development in the Plan period? What working definitions could be applied to such land?
  - (iii) How should the Council interpret the application of the 'where necessary' test in respect of identifying safeguarded land as set out in paragraph 85 of NPPF. Are the local circumstances in York amongst the circumstances envisaged in the drafting of this 'test'?
  - (iv) The most recent published draft local plan includes safeguarded land which should provide for the city's development needs for around 10 years beyond the life of the Plan. However the Council has been challenged in representations to the Plan which claim it is not necessary to identify safeguarded land (notwithstanding paragraph 85 of the NPPF).
    - (a) If the Plan addresses the objectively assessed need for housing and other development needs for the whole plan period (including an appropriate oversupply in housing land to provide flexibility) and does not identify any safeguarded land, what are the risks of the Plan being found unsound (assuming that in all other respects the Plan is sound)?
    - (b) What arguments could the Council deploy to justify not identifying any safeguarded land and has such a stance been successfully



deployed in a Plan elsewhere in the country since the introduction of the NPPF?

9. Counsel is requested to note that because of the degree of interest locally in this matter the Council intends to publish both these Instructions and the Advice that is provided pursuant to these Instructions. Counsel is requested to let his Instructing Solicitor know if he has any objection to the publication of his written Advice.

## **Appendix 1: History of Green Belt Policy in York**

### **1.0 Pre 1980**

- 1.1 Prior to local government reorganisation in 1974, the area around York was divided between four authorities – the East, North and West Riding County councils and York City Council. In response to a request by Government in the late 1950s, each of the County council's proposed a Green Belt for its part of the York area.
- 1.2 Over the years, the boundaries of these Green Belts were amended in response to development and other pressures.
- 1.3 In 1975, the Secretary of State decided to establish a 'sketch' Green Belt around York until such a time comprehensive proposals could be established.

### **2.0 The North Yorkshire Structure Plan**

- 2.1 The North Yorkshire County Structure Plan was first approved by the Secretary of State in November 1980. It contained a policy (E8) which confirmed the principle of a Green Belt encircling York, defining it as 'a belt whose outer edge is about 6 miles from York City Centre'.

### **3.0 The Greater York Study**

- 3.1 When approving the North Yorkshire Country Structure Plan in 1980, the Secretary of State decided not to endorse a specific policy framework for the Greater York area. Instead the Authorities covering Greater York defined as the area within 6 miles of the City Centre were invited to consider jointly the development needs of the area. The Authorities were North Yorkshire County council and Ryedale, Selby, Harrogate and Hambleton District Councils.
- 3.2 The exercise was completed in September 1982 with the publication of the informal policy document 'Policies for Housing and Industrial Land in the Greater York Area'.

- 3.3 The Study needed to be revisited in 1987 when the Secretary of State approved the first alteration to the Structure Plan. This provided, for the first time, housing and employment requirements for the Greater York Area as well as figures for the individual districts around York.
- 3.4 The five Greater York Authorities started preparation of a new study for the distribution of housing and employment land around Greater York. This was published in February 1990 and was entitled the 'Greater York Study: A Strategy to 2006'. It was subsequently the subject of public consultation.

#### **4.0 The York Green Belt Local Plan and Southern Ryedale Local Plan**

- 4.1 Following publication of the Greater York Study, North Yorkshire County Council took the lead and began the preparation of a local plan that would define the Green Belt around Greater York. Prior to this, some of the district authorities including Ryedale, had started preparation of comprehensive local plans for parts of the Greater York area but these had not progressed to deposit stage because of difficulties arising from the lack of an adequate strategic context.
- 4.2 The Draft York Green Belt Local Plan was published in February 1991 and the plan was placed on deposit in October 1994. It carried forward the overall strategy of the Greater York Study. This plan showed the appeal site to be excluded from the Green Belt.
- 4.3 At the same time, Ryedale District Council started preparation of a comprehensive local plan for its part of the Greater York area. The Draft Southern Ryedale Local Plan was published in January 1991 and the deposit draft in September 1991. This plan showed the appeal site to be excluded from the Green Belt.
- 4.4 A joint local plan inquiry was set up into the two local plans. The Inspector (Mr. John Sheppard) opened the inquiry on 15 September 1992 and it closed on 28 April 1993. The inspector reported in January 1994, endorsing the principle of the Green Belt and the general extent of its boundaries.

## **5.0 The North Yorkshire Structure Plan Alteration**

- 5.1 As part of the suite of plans being produced to put into effect the 1990 Greater York Study, North Yorkshire Country Council published a third alteration to the Structure Plan in March 1992. As well as containing new housing and employment requirements it put forward a new policy for a new settlement or settlements for Greater York of about 800 to 1000 dwellings to be located beyond the Green Belt. The policy was not, however, specific about the location.
- 5.2 The third alteration was placed on deposit in July 1992 and an examination in public took place in November 1993. The panel endorsed the principle of the new settlement but recommended that the policy should establish its general location. The panel recommended that 'part of Ryedale which is well related to the A64 corridor'.

## **6.0 Procedures up to 1996**

- 6.1 The recommendation by the panel for the local of the new settlement generated considerable political controversy, particularly in Ryedale. The County Council pressed ahead with the publication of proposed modifications to the Structure Plan Third Alteration in September 1992. In doing so it put forward two potential locations for the new settlement, one in accordance with the panel's recommendation and the other in Selby District. However both Ryedale and Selby Council's indicated that they were opposed to a new settlement in their areas (after previously supporting the principle of the settlement). As a result the County Council decided to abandon the new settlement and to delete Policy H2 from the third alteration. At the same time, the County Council recognised that the retaining the same level of housing provision for Greater York in Policy H1 would require, in the absence of a new settlement, 'further consideration' to be given to the location of development and that such consideration should fall to the new City of York Authority which was due to be established in April 1996. The County Council published further proposed modifications to this effect in April 1995. The Structure Plan Third Alteration was finally adopted, without the new settlement in October 1995.

6.2 North Yorkshire County Council and Ryedale District Council published simultaneously proposed modifications to the York Green Belt Local Plan and the Southern Ryedale Local Plan in September 1994. However, in the light of the subsequent decision to abandon the new settlement through the Structure Plan, the two authorities decided they could not proceed to adopt the two local plans as the proposed greenbelt boundaries would not be able to accommodate the full extent of development envisaged by the third alteration Structure Plan. The matter was therefore left to the new City of York Authority.

## **7.0 Other Local Plans**

7.1 Some of the other authorities around York began to progress local plans.

7.2 The former York City Council published a consultation draft of City of York Local Plan in February 1994. It showed a Green Belt for the small parts of the old city which were open land, primarily but not exclusively the green wedges and strays. The Local Plan was placed on deposit in September 1995.

7.3 Selby District Council published a consultation draft of its district wide local plan in June 1995. This contained Green Belt boundaries for the area within Greater York.

7.4 Hambleton District Council published a consultation draft of its district wide local plan in April 1993 which included Green Belt boundaries for its part of the Greater York area. The local plan was placed on deposit in March 1995.

7.5 None of these plans progressed to the next stage, so far as land within the Greater York area is concerned, before local government reorganisation took place in April 1996.

## **8.0 The City of York Local Plan**

8.1 The City of York Local Plan was placed on deposit in May 1998. It identified the appeal site as within the settlement boundaries for York and outside of the Green Belt. A very tight Green Belt was put forward on the basis that the Green Belt would

not be permanent and there would be a need for an early review in light of new information on development requirements after 2006. The deposit draft Green Belt was based upon the recommendations of the York Green Belt Local Plan Inspector. The Council, however, made alterations to the recommended Green Belt (generally additions rather than exclusions) where it considered appropriate.

- 8.2 The Council subsequently published two sets of proposed changes, one in March 1998 and one in August 1999. Neither set of changes had significance for the general extent of the Green Belt.
- 8.3 The local plan inquiry opened in November 1999. At its opening, the Council asked the Inspector for a provisional finding on whether he considered the Green Belt was in accordance with national policy. After hearing evidence from objectors and the Authority, the Inspector indicated that the proposed Green Belt did not have the permanence required by Planning Policy Guidance 2: Green Belts and as such needed strategic amendments. After receiving the Inspector's provisional finding, the Council decided to adjourn the local plan inquiry and to establish a more permanent Green Belt.
- 8.4 The Council published its third set of changes in February 2003. This proposed significant areas of safeguarded land, particularly on the western site of the city. The third set of changes was subsequently subject to consultation.
- 8.5 After a change in the political control of the Council, the Authority approved the local plan fourth set of changes for development control purposes. This withdrew most of the safeguarded land proposals made by the third set of changes. The safeguarded land designated at Strensall remained. The Development control Local Plan (2005) shows the appeal site as land reserved for possible future development post 2011, to be brought forward with a review of the plan.
- 8.6 The Council decided not to proceed with the fourth set of changes and did not undertake any public consultation on them. It does however use these changes as the basis for development management decisions.

## **9.0 The City of York Local Development Framework**

- 9.1 Following changes to the planning system through the Planning and Compulsory Purchase Act (2004) the Council began preparing a Local Development Framework to replace the City of York Local Plan Incorporating the 4th Set of Changes. The formal designation of the Green Belt was then left to the Council's Local Development Framework through an Allocations Development Plan Document which would sit alongside a Core Strategy. Alongside progress on preparing a Core Strategy, consultation on an Issues and Options Allocations DPD was undertaken in March 2008. This document shows the appeal site to be outside of the Green Belt and within the draft settlement limit for Strensall.
- 9.2 A City of York Core Strategy was submitted to the Secretary of State in February 2012, just before the new National Planning Policy Framework was issued. In May 2012 Members approved a community stadium and retail scheme at Monks Cross. The Inspector wrote to the Council indicating that following the decision on the Community Stadium a radical review of the Core Strategy would be required. The Inspector was concerned that such likely changes would result in a substantially different set of strategic policies and direction for York from those submitted. Accordingly, the Council wrote to the Inspector to inform him of the decision to reluctantly recommend to Council the withdrawal of the document. This course of action was approved by Council in July 2012.

## **10.0 Saved Policies of The North Yorkshire Structure Plan**

- 10.1 The 2004 Planning Act enabled structure plan policies to be saved for three years from September 2004 or from when they were adopted, whichever is later. This meant the policies from the North Yorkshire Structure Plan Third Alteration (1995) were saved until September 2007. There was also scope to save certain policies to ensure there were policy voids.
- 10.2 The Yorkshire and Humber Regional Assembly decided that it was necessary to save Policy E8 from the Structure Plan beyond the three year period and the Secretary of State agreed this. Policy E8 remained saved until the RSS was adopted

in 2008. All other policies in the North Yorkshire Structure Plan expired in September 2007.

## **11.0 The Yorkshire and Humber Plan Regional Spatial Strategy**

- 11.1 The Yorkshire and Humber Plan: Regional Spatial Strategy to 2026 (the RSS) was adopted in 2008 and at that time became a part of the development plan for each local authority in the Yorkshire and Humber Region. Policy YH9C refers only to the inner boundary of the Green Belt around York, but RSS Policy Y1C1 deals with both the inner and outer boundaries. It states that plans should, in the case of the City of York LDF 'define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with Policy YH9C'. Figure 6.2 of the RSS is a diagrammatic representation, without scale or detail, of the York sub-area. It includes shading around York which the key describes as 'general extent of Green Belt', but which cannot be accurately related to any local features.
- 11.2 The Localism Act (2011) allowed the Government to fulfil a longstanding promise to revoke RSS's. The environmental assessment process for the RSS abolition highlighted that York does not currently have a local plan in place and indicated that revocation of the York Green Belt policies before an adopted local plan was in place could lead to a significant negative effect upon the special character and setting of York. As such, the Government concluded that the York Green Belt policies that are part of the regional strategy should be retained. The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013 was laid in Parliament on the 29<sup>th</sup> January 2013, which took effect on 22<sup>nd</sup> February 2013. This means that for York, the development plan will continue to include the RSS Green Belt policies and RSS key diagram insofar as it illustrates the RSS York Green Belt policies and the general extent of the Green Belt around the City of York as it relates to these policies. All other RSS policies have been revoked and do not form part of York's development plan.



## **12.0 Emerging Local Plan**

- 12.1 In October 2012 City of York Council Members instructed officers to commence the appropriate steps to produce a local plan that is fully compliant with the National Planning Policy Framework and other relevant statutes.
- 12.2 Using existing evidence base work and consultation undertaken as part of the Local Development Framework process as a starting point a Local Plan Preferred Options document was consulted on in June 2013. This plan shows the appeal site to be outside of the Green Belt and within the draft settlement limits for Strensall. The appeal site is identified as a proposed housing allocation (site reference H27).
- 12.3 The emerging Local Plan is currently at publication draft stage but has not yet been subject to public consultation. The publication draft local plan contains the package of sites required to meet the objectively assessed housing need in the district and includes the appeal site in that package of sites.

## Ministerial statement on revocation of RSS – extract from Hansard

### Revocation of the Yorkshire and Humber Regional Strategy

**The Secretary of State for Communities and Local Government (Mr Eric Pickles):** I have today laid in Parliament an order to revoke the last Administration's regional strategy for Yorkshire and Humber. This follows an assessment as outlined in the written ministerial statement of 25 July 2012, *Official Report*, House of Lords, columns WS66-68.

The revocation of the regional strategy for Yorkshire and Humber and its flawed top-down targets heralds another important step for localism. It delivers a decentralised planning system where local councils and local people can own the planning agenda for their communities and so shape and deliver development where they live. Such engagement is the key to creating a planning system that works with, not against, local communities.

The City of York does not currently have a local plan in place with defined green belt boundaries. The environmental assessment process indicated that revocation of the York green belt policies before an adopted local plan was in place could lead to a significant negative effect upon the special character and setting of York. Following careful consideration of the consultation responses received, we have concluded that the best solution would be to retain the York green belt policies. This approach expresses the importance that the coalition Government place upon the green belt and our recognition of its invaluable role in protecting our treasured environmental and cultural heritage.

Once the order takes effect, development plans across the former Government office region, with the exception of York, will comprise the relevant local plan, and where they exist, neighbourhood plans. In York, the development plan will continue to include the regional strategy's green belt policies.

The reasons for the decision to retain the York green belt policies, and to revoke all other parts of the regional strategy, are set out in a post-adoption statement, which has been placed in the Library of the House and is available online at: [www.gov.uk/government/consultations/strategic-environmental-assessment-about-revoking-the-yorkshire-and-the-humber-regional-strategy-environmental-report](http://www.gov.uk/government/consultations/strategic-environmental-assessment-about-revoking-the-yorkshire-and-the-humber-regional-strategy-environmental-report)

The order is laid under the negative resolution procedure and will take effect on 22 February. Further announcements on the other regional strategies will be made in due course.

**EXPLANATORY MEMORANDUM TO  
THE REGIONAL STRATEGY FOR YORKSHIRE & HUMBER (PARTIAL  
REVOCATION) ORDER 2013**

**2013 No. 117**

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instruments**

- 2.1 This Order revokes the Regional Strategy for Yorkshire and Humber, **except for policies which relate to the Green Belt around the City of York.**

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 None.

4. **Legislative Context**

- 4.1 The Localism Act 2011 provides for the removal of the regional planning tier in a two-stage process. The first stage, to remove Part 5 of the Local Democracy, Economic Development and Construction Act 2009, which contains the regional planning framework, including Leaders' Boards, took effect when the Localism Act received Royal Assent on 15 November 2011. This prevents further strategies being created. The Act also provides the Secretary of State with an enabling power to revoke or partially revoke by order the existing regional strategies outside London, constituting the second stage of the process.
- 4.2 This instrument relates to the second stage of the process in respect of the Yorkshire and Humber region by partially revoking the Regional Strategy for Yorkshire and Humber, which comprises the Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (published in May 2008) and the Regional Economic Strategy for Yorkshire & Humber 2006-2015 (published in 2006). It is made under the powers in section 109 of the Localism Act 2011.

5. **Territorial Extent and Application**

- 5.1 This instrument applies to England only.

## 6. European Convention on Human Rights

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

- What is being done and why

7.1 The Coalition Government commenced a planning reform programme, which included measures to decentralise the planning system so that powers are passed down to local councils and the local communities that they represent. The Coalition Agreement makes clear the Government's wish to promote decentralisation and democratic engagement and to end the era of top-down government by giving new powers to local councils, communities, neighbourhoods and individuals.

7.2 The removal of the regional planning tier is an integral part of decentralisation and was a clear commitment in the Coalition Agreement, which stated that:

*“We will rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils”.*

7.3 Currently, regional strategies provide the statutory regional framework for development and investment across a region, including setting targets for housing delivery that apply to constituent local councils. Since their creation by the Planning and Compulsory Purchase Act 2004, regional strategies, sitting alongside local plans prepared by local councils and any saved county structure plan policies, form the statutory development plan for an area. This means that they set the framework for local plan-making and local councils in the region must ensure that their local plan is in general conformity with the regional strategy at the time their local plan is submitted for examination. It is also important because planning applications should be determined in accordance with the development plan (which includes the regional strategy for the local planning authority's region) unless material considerations indicate otherwise.

7.4 The abolition of the Regional Strategy for Yorkshire and Humber would enable a locally led planning system comprising local and neighbourhood plans and giving local councils responsibility for strategic planning in the region. To support a locally-led approach to strategic planning, section 33A of the Planning & Compulsory Purchase Act 2004 (inserted by section 110 of the Localism Act 2011) introduces a statutory duty to co-operate. The duty requires local

councils and other public bodies to work together constructively, actively and on an ongoing basis when planning for cross-boundary matters in their local and marine plans.

- 7.5 The abolition of regional strategies makes the local plan the keystone of the planning system. In the absence of regional strategies, the statutory development plan comprises any saved county structure plan or local plan policies and adopted development plan documents. The statutory development plan may in future include any adopted neighbourhood plans that are prepared under the powers inserted into Part III of the Town and Country Planning Act 1990 by the Localism Act 2011.
- 7.6 This Order fulfils part of the Coalition Agreement commitment for this region by revoking the Regional Strategy for Yorkshire and Humber, except for policies which relate to the Green Belt around the City of York.

## **8. Consultation outcome**

- 8.1 Regional strategies are plans for the purpose of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, known as the Strategic Environmental Assessment (SEA) Directive. In accordance with the Directive, the Secretary of State carried out two consultations on the environmental impacts of the revocation of the Regional Strategy for Yorkshire and Humber. The consultations ran from 20 October 2011 until 20 January 2012 and again from 28 September 2012 until 26 November 2012. The second consultation considered reasonable alternatives to revocation, including partial revocation.
- 8.2 The statutory consultees on this proposal included English Heritage, Environment Agency and Natural England and their equivalent bodies in the Devolved Administrations. The environmental reports were published for consultation on the Department's website and the Department also emailed organisations including local authorities, parish councils, non-governmental organisations and professional bodies which have expressed an interest in the proposal to revoke regional strategies, to inform them that the environmental reports were out for consultation.
- 8.3 The Secretary of State received 48 combined responses specifically on the proposed revocation of the Regional Strategy for Yorkshire and Humber in response to the two consultations which took place on:

20 October 2011 until 20 January 2012

28 September 2012 until 26 November 2012

- 9 from statutory consultation bodies
- 7 from local planning authorities and public agencies
- 3 parish councils
- 9 from NGOs and local pressure groups
- 5 industry representative bodies
- 9 developers and planning consultants
- 6 individuals and MPs

8.4 Of these 48 responses, 19% were statutory consultation bodies (the three English statutory consultation bodies and their equivalent bodies in the Devolved Administrations), 15% from local planning authorities and public agencies, 6% from parish councils, 19% from non-governmental organisations and local pressure groups, 10% from industry representative bodies, 19% from developers and planning consultants and 13% from individuals and MPs.

8.5 The responses to the two environmental reports on the environmental impact of the proposed revocation of the Regional Strategy for Yorkshire and Humber identified the following issues to be of strategic significance:

- Imbalance between water demand and supply
- Flooding, coastal erosion and climate change, CO<sub>2</sub> emissions and renewable energy
- Historical reductions in biodiversity and natural and semi-natural habitats
- Erosion of historic assets including landscapes
- Air quality, especially on main transport routes
- Pressures on landscape character
- Waste and mineral management
- Scale and distribution of housing development
- Issues associated with planning around the boundaries of the Yorkshire and Humber's two National Parks
- Strategic planning for the accommodation needs of Travelling Show people and Gypsy and Travellers communities
- Need to revoke regional strategies rapidly so to deliver the localism agenda
- The importance of policies in the Yorkshire and Humber Plan Regional Spatial Strategy to 2026 relating to the Green Belt around the City of York

8.6 The Secretary of State has taken into account the assessment of the environmental considerations in the Environmental Report and opinions expressed in response to consultation on the report. Taking account of these considerations, the Secretary of State has decided to retain the following parts of the Yorkshire and Humber Plan Regional Spatial Strategy to 2026:

- policy YH9: Green belts - title and first sentence of part C;

- policy Y1: York sub area policy - title, opening line and paragraphs 1 and 2 of part C; and
- the Key Diagram, insofar as it illustrates the retained policies and the general extent of the Green Belt around the City of York.

At present there is no adopted local plan for the City of York which gives effect to these policies. In the short to medium term, revocation of these policies would effectively remove the statutory basis for the York Green Belt, its general extent and purpose to prevent harm to the historic character of the City. The longer the period between revocation and the adoption of local plans which give effect to the Green Belt policies set out above, the greater the opportunity for the cumulative effects of development on the Green Belt to have a significant negative effect on the special character and setting of York. A number of consultees expressed similar concerns.

- 8.7 With the above exception, the assessment found that there are no policies in the Regional Strategy for Yorkshire and Humber, where the act of revocation will cause a significant negative effect whilst retaining the same policy will maintain significant environmental benefit. The Secretary of State has therefore decided to partially revoke the Regional Strategy for Yorkshire and Humber, retaining the Green Belt policies set out above.
- 8.8 A Post Adoption Statement summarising how environmental considerations have been integrated into the plan to partially revoke, including the reasons for partial revocation, in light of other reasonable alternatives, and information on monitoring has been prepared. Details of the consultation and representations received, and the Department's response to them are also set out in the Post Adoption Statement which will be available on the Department's website shortly:

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>.

## **9. Guidance**

- 9.1 The legislation relates to the partial revocation of the Regional Strategy for Yorkshire and Humber and does not make new provision for which guidance is necessary. The abolition of regional strategies forms part of a new, localised approach to strategic planning, which is set out in the National Planning Policy Framework.

## **10. Impact**

- 10.1 The Government believes that the impact of this policy will fall upon local councils. The abolition of the Regional Strategy for Yorkshire

and Humber (with the exception of the York Green Belt policies set out above) places the responsibility for strategic planning upon local councils. As such, the impact of the legislation is likely to be felt by local planning authorities and other public bodies prescribed under regulations<sup>1</sup>. The role of businesses, charities and voluntary bodies in the plan-making process is unaltered by this legislation.

- 10.2 As discussed, the impact on the public sector is likely to be felt by local planning authorities and other public bodies prescribed under the regulations as subject to the duty to co-operate. Local councils in the region are now responsible for planning for cross-boundary, strategic matters in local plans through the duty to co-operate. This means that they will need to take leadership by actively co-operating with other authorities when planning for strategic matters. While this gives local councils new responsibilities, these responsibilities respond to new freedoms for councils. The new responsibilities for local councils should in practice reflect work that they already undertake to work with other councils and public bodies when preparing their local plans. Similarly, other public bodies prescribed under the duty to co-operate will also be required to engage with local planning authorities in the plan-making process and again, this reflects work they already undertake. While there may be costs incurred by these bodies it is considered that this will be offset by a shift in the balance of engagement activity towards the start of the plan preparation/review process rather than at the end.
- 10.3 The Department has further assessed the impacts of the revocation of the Regional Strategy for Yorkshire and Humber and reasonable alternatives to revocation, including partial revocation, through the Strategic Environmental Assessment process. A Post Adoption Statement, covering that process, will be published on the Departmental website shortly.
- 10.4 In accordance with section 149 of the Equality Act 2010, the equality impacts of the partial revocation of the Regional Strategy for Yorkshire and Humber have also been examined by an Equality Statement assessing the potential impacts of abolition on groups with protected characteristics, as defined under the Equality Act 2010, in particular Gypsies and Travellers. Due to the mitigation within the planning system, provided by planning policy and legislation alongside the local plan preparation and examination process, the Equality Statement concludes that there would be no adverse impacts on those with protected characteristics.

---

<sup>1</sup> Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012/767, as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012/2613.



**11. Regulating small business**

11.1 The legislation does not apply to small business.

**12. Monitoring & review**

12.1 The Post Adoption Statement on the environmental assessment process conducted on the Regional Strategy for Yorkshire and the Humber sets out onward monitoring procedures for:

- i. significant effects identified in the assessment that may give rise to irreversible damage, and where appropriate, relevant mitigating measures that can be taken; and
- ii. uncertain effects where monitoring would enable preventative or mitigating measures to be undertaken.

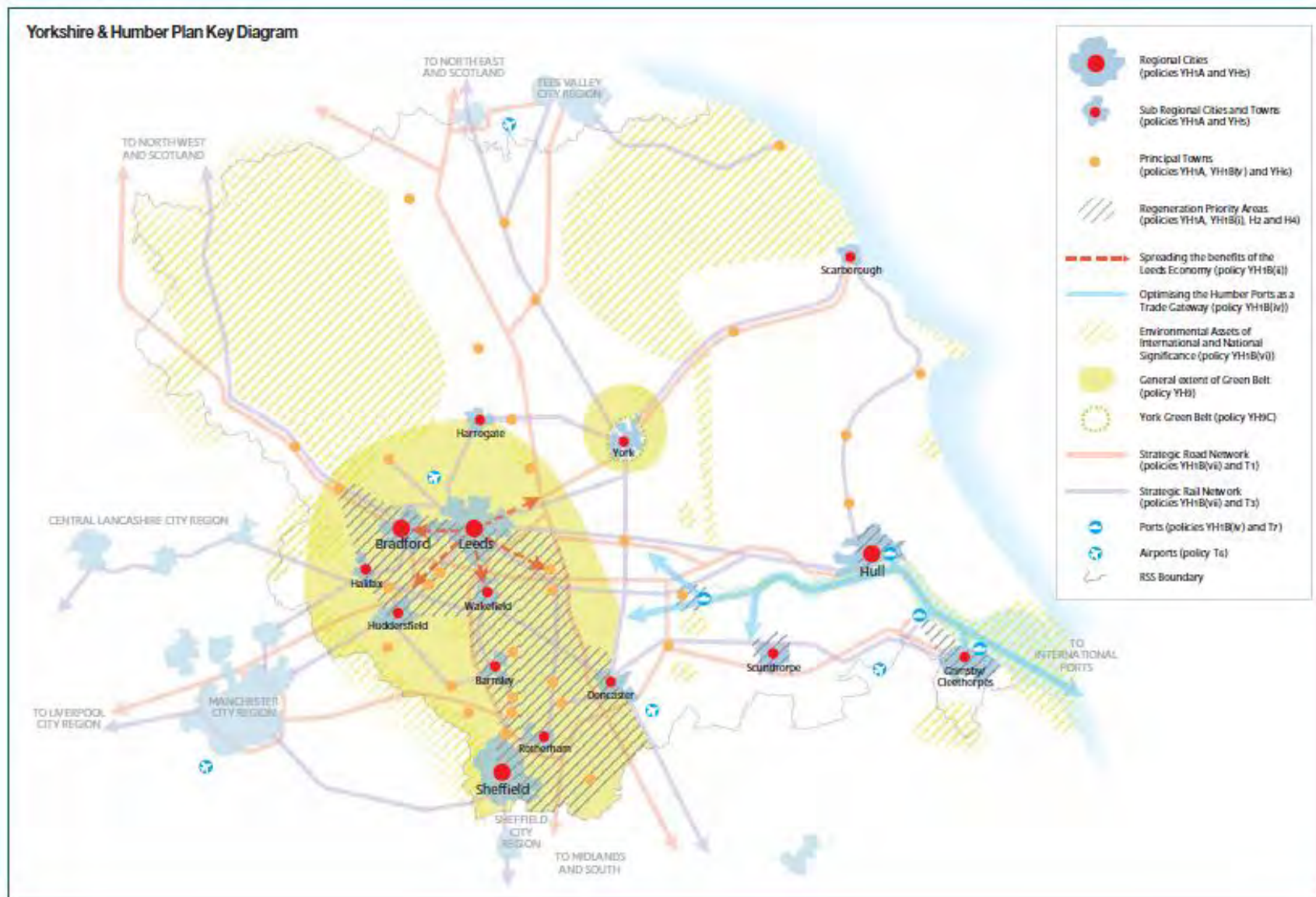
12.2 Further details on the monitoring proposed is set out in section 6 of the Post Adoption Statement, which will be available on the Departmental website shortly.

12.3. Data will be available from the Planning Inspectorate on the submission, examination and adoption of development plan documents. This will enable any review of the success of a localised approach to strategic planning, including the effectiveness of the duty to co-operate, to take place.

**13. Contact**

13.1 Sharmila Meadows at the Department for Communities & Local Government. Tel: 0303 4441673 or email: [Sharmila.Meadows@communities.gsi.gov.uk](mailto:Sharmila.Meadows@communities.gsi.gov.uk) can answer any queries regarding the instrument.

## Appendix 2: Yorkshire and Humber Plan Regional Spatial Strategy Key Diagram





## Annex B

**THE COUNCIL OF THE CITY OF YORK**

**IN THE MATTER OF THE PREPARATION OF  
THE YORK LOCAL PLAN**

---

**ADVICE**

---

1. I am asked to advise the Council as to the approach which should be adopted in relation to the determination of the Green Belt boundary in the preparation of the York Local Plan.
2. The background to this advice can be stated briefly. The principle of a Green Belt around the City of York has been long established. Its general extent was identified in the Regional Strategy for Yorkshire and Humber (RSS). The RSS included the following York Green Belt policies:

**POLICY YH9: Green belts**

C 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.

**POLICY Y1: York sub area policy**

Plans, strategies, investment decisions and programmes for the York sub area should:  
C Environment

1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.
2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

The RSS Key Diagram illustrated the RSS York Green Belt policies and the general extent of the Green Belt around the City of York.

3. When the RSS was revoked in February 2013 the Green Belt policies and Key Diagram were expressly excluded from the revocation. They continue in force and, as the Ministerial statement on the revocation explains: “in York, the development plan will continue to include the regional strategy’s green belt policies”.
4. Although the general extent of the Green Belt has thus been identified, the detailed boundaries remain undefined. Attempts have been made to achieve definition of the boundaries in various studies and plans since at least the early 1980s, but none have reached a successful conclusion. It is now part of the function of the emerging Local Plan to set the detailed boundaries for the first time. In doing so it is important to ensure that the approach adopted by the Council accords with relevant national policy.
5. National policy in this respect is to be found in the National Planning Policy Framework (NPPF) published in March 2012.
6. Paragraph 79 of the NPPF emphasises the importance of Green Belts and provides that

“The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 80 sets out five purposes which the Green Belt serves:

- 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.

The importance of permanence is further emphasised in paragraph 83, which provides:

“Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities 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.”

7. In the light of this policy advice I am asked to consider how long beyond the Plan period should a Green Belt endure once it is defined in a statutory plan. In my opinion there is no finite period for a Plan to endure. The land which is designated as Green Belt should be expected to remain open and undeveloped indefinitely.
8. In deciding which land should be designated and what the boundaries should be, the Council should consider the extent to which the land identified serves one or more of the five Green Belt purposes set out in paragraph 80. The 4<sup>th</sup> bullet point is likely to be of particular relevance to York, namely the preservation of the setting and special character of the historic City.
9. In accordance with paragraph 84 of the NPPF authorities are also required, when drawing up Green Belt boundaries to take account of the need to promote sustainable patterns of development. This requires consideration of the development needs of the area, which should be objectively assessed. As paragraph 85 makes clear this involves consideration of the development needs which are to be met during the Plan period, and also the longer term development needs, “stretching well beyond the Plan

period”. Quite how far beyond is a matter of planning judgment, but in my opinion a 10 year horizon beyond the life of the Plan as mentioned in my Instructions would be appropriate.

10. Once the need for development, both within the Plan period and beyond, is ascertained, a further judgment is required as to the extent to which the objectively assessed needs should be met. In deciding this further question it is legitimate to consider the effect of meeting the needs in full in relation to the impact that would have on the Green Belt and whether it would still be capable of fulfilling its purpose. As Ouseley J held in *South Northamptonshire Council v Secretary of State for Communities and Local Government* [2014] EWHC 573 (Admin) at paragraph 31:

“The question is not whether the Green Belt constrains the assessment, but whether the Green Belt constrains meeting the needs assessed. Once the Local Plan is adopted, it is the constrained needs in the Plan which are to be met”.

11. With regard to those needs which are to be met in the Plan period allocations should be made and the land required for development should be excluded from the Green Belt.
12. Looking beyond the Plan period there are three potential options in respect of land which is required to meet the longer term development needs of the area: it can be left unallocated; it can remain in the Green Belt; or it can be designated as safeguarded land in accordance with NPPF paragraph 85. Of these three potential options in my opinion the first two are entirely inappropriate. If the land is simply left unallocated it may be difficult to resist proposals for development which is not in accordance with the ascertained needs. If it is left within the Green Belt in the emerging Plan that would be contrary to the overriding requirement of permanence, because it known



that the land will be required to be released to meet future development needs, if not in this Plan's period then at least in the next.

13. The proper course, in my view, is to identify land as safeguarded land to meet the future requirement for development. As the notes in the Planning Encyclopaedia to the now superseded PPG 2 explain, safeguarded land is required in order to strike the balance between preservation of the Green Belt and the need for further expansion. Consequently if land is required to meet the longer term needs it should be excluded from the Green Belt and protected from pressure for development contrary to the longer term needs by including it as safeguarded land. However it is important that any such land will be genuinely available and capable of development when it is needed: *Prowting Projects Ltd v Wychavon DC & Secretary of State for the Environment, Transport and the Regions* (CO/798/98). In the context of land included as safeguarded for employment use, paragraph 22 of the NPPF should be borne in mind, which cautions against long term protection of sites for employment use where there is no reasonable prospect of the site being used for that purpose; see also *DB Schenker Rail (UK) Ltd and another v Leeds City Council* [2013] EWHC 2865 (Admin).

14. The "where necessary" test adumbrated in the third bullet point of NPPF paragraph 85 therefore applies where longer term needs for development have been identified. So those needs can in due course be met, land should be safeguarded for the purpose of that development and, by identifying such land, the Green Belt can be protected from encroachment thus ensuring its boundaries remain permanent.

15. From the information provided with my Instructions it appears to me that the situation in York is within the circumstances contemplated by this test.
16. In my opinion if no safeguarded land is identified in the emerging Local Plan this would give rise to a serious risk of the Plan being found unsound. There would be a failure to identify how the longer term needs of the area could be met, and in particular a failure to indicate how those longer term needs could be met without encroaching into the Green Belt and eroding its boundaries.
17. The only argument which it seems to me the Council could deploy to avoid this danger is to be able to demonstrate that there is sufficient land outside the Green Belt boundary which will be suitable for meeting the need for further development, and which is likely to be available when those needs arise. The important point is to be able to demonstrate that the Green Belt boundary will not be affected. I assume many authorities have adopted Local Plans without including safeguarded land. It would have been appropriate for them to do so in accordance with their local circumstances. However I am unaware of a situation comparable to the circumstances in York.
18. I do not consider there is any additional general advice I can usefully add at this stage. However my Instructing Solicitor should not hesitate to get in touch if I can be of any further assistance.

**JOHN HOBSON QC**

**Landmark Chambers  
180 Fleet Street  
London EC4A 2HG**

**16<sup>th</sup> January 2015**

---

Meeting	Local Plan Working
Date	29 January 2015
Present	Councillors Merrett (Chair), Ayre, Barnes, D'Agorne, Funnell, Healey, Horton, Orrell (Substitute), Simpson-Laing, Steward (Vice-Chair) and Warters
Apologies	Councillors Reid

---

## 17. **Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda.

Councillor D'Agorne declared a personal non prejudicial interest as a member of York Environment Forum.

Councillor Healey declared a personal non prejudicial interest as a member of York Environment Forum.

Councillor Merrett declared personal non prejudicial interest as a member of York Environment Forum.

## 18. **Minutes**

Resolved: That the minutes of the Local Plan Working Group held on 17 December 2014 be approved and signed by the Chair as a correct record, subject to the following amendment:

Councillor Warters requested that his comment that 78% of overall growth in York's population during the period 2013 to 2037 is a result of net international migration be included in the minutes.

## 19. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

There had been five registrations to speak on the agenda items as follows:

Mr Parish had registered to speak on behalf of Strensall Parish Council. He advised that he was in attendance to answer any questions and to thank Officers for their hard work on the Strensall and Towthorpe Village Design Statement documents. The Parish Council had raised the money to have the document published and the document attached to the agenda was a draft and a visually higher quality final document would be produced in due course. The Chair thanked Mr. Parish and those working on other design statements for their involvement.

Philip Crowe spoke on behalf of York Environment Forum in relation to safeguarded sites. He advised that community groups do not wish to see development on safeguarded sites and suggested that developers must include sufficient infrastructure within the allocations to deal with the adjoining safeguarded sites as need to ensure that the safeguarded sites are sustainable . He suggested that the Council may wish to consider Option 3 to revisit the proposed allocations and to impose higher densities and replace a number of safeguarded sites. He closed his submission by posing a question to Members asking does York want growth at any price?

Alan Charlesworth spoke to raise concerns, that in his view, a decision on safeguarded land was being made on incomplete information. He referred to the legal opinion sought in July 2014 by community groups and the fact that the opinion of that Counsel had been reiterated to Members in an open letter. He considered that Mr Hobson QC had advised on a narrow set of assumptions, with no assessment of need and had not been supplied with the specifics of safeguarding. He suggested that the Earswick site had been singled out for distinct treatment as the only safeguarded sites where concerns over access and sustainability had been raised, that it could be brought forward in years 1-15 of the Plan and was therefore a 'back-door' allocation. It was his contention that all safeguarded sites should be removed from draft Local Plan.

Tony Fisher spoke to advise that he was pleased that the Council was taking the time to re-draft and reconsider the Local Plan. He referred to community groups own consultations and recommended further sensitivity testing for housing need and the opinion on backlog and shortfall. He advised that groups were awaiting the new Communities and Local Government figures before making a challenge to the housing need figures. He called into question the robustness of the plan and asked the council to suspend drafting to allow for further work to be carried out. He advised that he was representing residents through the York Alliance who are willing to work with the council to ensure a proper draft.

Julian Sturdy MP had registered to speak on firstly the Village Design Statements. He commended the volunteers that had worked on the VDS in Strensall and Towthorpe and in Wheldrake but also for the work on the Neighbourhood Plans that are also coming forward. He referred to the safeguarded land issue and the impact safeguarded land has on rural communities. He considered that the wording is confusing and it should be named 'reserved land' but that this was an issues for Government to resolve. He referred to discussions in Parliament and that Ministers have reiterated that there is nothing in government planning policy that would require planning past 15 years. He felt that there was no willingness in York to protect the rural setting. He asked Members to re-think the issue of safeguarded land.

**20. Wheldrake Village Design Statement/Supplementary Planning Document**

Members considered a report which presented a summary of the responses received following a consultation on Wheldrake Village Design Statement (VDS). A number of amendments were proposed as a result of the consultation. Subject to Members' views, it was intended that the amended document became draft Supplementary Planning Document (SPD) to the emerging Local Plan. The document would thus be a material planning consideration when considering applications for

development within the designated Village Design Statement area.

Officers outlined both of the reports for the Wheldrake and the Strensall and Towthorpe VDS and advised that both draft VDS went to consultation in summer 2014. Responses to the consultation were outlined in annex B of the report. As a result of the consultation a number of amendments had now been made and the final VDS were being presented to Members.

Officers asked Members to note that the whist the textual element of the documents was complete and being presented for Members consideration, the visual design of the documents would be completed at a later stage. Officers also wished to record thanks to the groups who had worked in conjunction with the Council to produce the documents.

Members noted the work ongoing in the city on VDS but also on Neighbourhood Plan documents and welcomed such work. Some Members queried the weight which can be afforded to these documents when they are used at Planning Committees. Officers confirmed the plans are material planning considerations and should be considered accordingly.

The Chair also thanked the groups involved in producing the document.

Recommended: That, in accordance with Option 1, Cabinet be recommended to:

- (i) Approve Wheldrake Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.
- (ii) Delegate to the Director of City of Environmental Services in consultation with the Cabinet Member, the making of any incidental changes to the Village Design Statement as a result of the recommendations of Cabinet.
- (iii) Delegate to the Village Design Statement group and officer the final graphic design.

- Reasons:
- (i) Wheldrake Village Design Statement follows in the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.
  - (ii) So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.
  - (iii) To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.

**21. Strensall with Towthorpe Village Design Statement/Supplementary Planning Document**

Members considered a report which presented a summary of the responses received following a consultation on Strensall with Towthorpe Village Design Statement (VDS). A number of amendments were proposed as a result of the consultation. Subject to Members' views, it was intended that the amended document became draft Supplementary Planning Document (SPD) to the emerging Local Plan. The document would thus be a material planning consideration when considering applications for development within the designated Village Design Statement area.

Recommended: That, in accordance with Option 1, Cabinet be recommended to:

- (i) Approve Strensall with Towthorpe Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.
- (ii) Delegate to the Director of City and Environmental Services in consultation with the Cabinet Member the making of any incidental changes to the Village Design

Statement as a result of the recommendations of Cabinet.

- (iii) Delegate to the Village Design Statement group and officer the final graphic design.

- Reasons:
- (i) Strensall with Towthorpe Village Design Statement follows in the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.
  - (ii) So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.
  - (iii) To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.

## **22. Changes to Affordable Housing National Planning Guidance**

Members considered a report that provided an update on new National Planning Policy Guidance that related to affordable housing.

Officers outlined the report to advise that councils can no longer seek financial contributions on small rural sites. We have managed to secure contributions on smaller sites between 2 and 10 dwellings but will no longer be able to. The changes will be taken through to Local Plan policy and be applied.

Members questioned a number of points:

- Page 209 of the agenda annex 14 – A member queried how the commuted payment been calculated. Officers explained it is the difference between the average York property price and the fixed RSL price.



- Whether it is the Council that sets the percentage target. It was confirmed that it is.

A member commented that Leaders of District and county councils in North Yorkshire are in disagreement with the changes as it means there will be no affordable houses in rural settings which will have an impact for families and services such as schools in rural areas.

Resolved: That the changes to the new national planning policy guidance and the consequent reduction in the supply of affordable housing and Section 106 contributions be noted.

Reason: To keep the Local Plan Working Group informed of new guidance.

### **23. City of York Local Plan - Safeguarded Land**

Members considered a report which provided further information on the role of safeguarded land and the reasons for the draft Local Plan including such a designation for some sites. It made reference to a legal opinion sought from John Hobson QC on how the Local Plan should address this matter. Both the instructions to Counsel and the legal opinion on the matter were included as Annex A and Annex B to the report.

The Director of City and Environmental Services spoke to inform Members of some of the key points as follows:

- The aim of the report was to set out the principle of safeguarding land. The report did not look at specifics of land supply or comment on specific sites.
- Ministerial views are not the same as policy. The Department for Communities and Local Government (DCLG) have advised the Council to go by written guidance and case law. As York is unique due to its Green Belt status, it is not the case that the Council can simply look at policy hence seeking a Counsels advice.
- Members were reminded that the Monitoring Officers' advice or those individuals instructed by him, is the only

legal advice which should be considered by Members.  
Other legal opinions are not a legal opinion to the Council.

- The question put to the Counsel was about the matter of policy and not about specific sites.

In response to some of the comments made by the public speakers, the Head of Planning and Environmental Management spoke to emphasise that further reports on housing need would be coming back to the Local Plan Working Group once new figures were available from the DCLG. Reports would also be brought concerning land supply for consideration and debate. In relation to safeguarded land Officers wanted to test the permanence issue of Green Belt with a QC to take a view and to consider the role of safeguarded land in achieving that permanence. If there is a need for permanence how do we go about setting green belt boundaries. QC provided advice as outlined in the report.

Members referred to the legal advice sought by local interest groups and whether it was appropriate for Members to ignore alternative views. Officers advised that whilst Members were entitled to consider alternative views or request Officers to look at other views, the advice as given earlier in the meeting remained the same in that the only legal advice to Members is that of the monitoring officer or of those instructed by him.

Members then questioned a number of points as follows:

- Whether the evidence supplied to the Counsel on which he based his views was correct. Officers confirmed it was correct.
- Confirmation that other Local Authorities without a Local Plan in place are seeing high numbers of planning applications coming forward. Officers confirmed they are aware that this is happening elsewhere in country.
- The question of Windfall sites and if they should be taken into account and the basis on which the Council have to consider them or not consider them. Officers confirmed that issues of housing supply including the consideration of windfalls will be covered in a future report to the LPWG.

Following further lengthy discussion a Member suggested deferral to enable Officers to further consider the submissions by the community group. Other Members argued that the advice being provided within the report should be accepted by

Members and any further delay to the Local Plan is unacceptable.

It was moved and seconded to defer a decision on the principle of safeguarded land. When put to the vote this motion was lost.

It was then moved and seconded to approve option one. When put to the vote this motion was carried.

Recommended: That Cabinet be recommended to agree Option 1 to the report to include safeguarded land designations in the Plan to ensure that the Green Belt will endure for a minimum of ten years beyond the end of the Plan period.

Reason: So that a National Planning Policy Framework (NPPF) compliant Local Plan can be progressed.

Cllr D, Merrett Chair  
[The Meeting Started At 5.00 pm And Finished At 7.25 pm].

