



Local Plan Proposed Modifications Consultation  
June 2019:

Volume 2 of 4 - Responses PM SID 218 to 389



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**From:** Perez, Luis [REDACTED]  
**Sent:** 22 July 2019 12:43  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Proposed Modification Consultation Response July 2019 (JLL/Industrial Property Investment Fund)  
**Attachments:** Response Form.pdf; Representations to York Local Plan Modifications 22.07.19 Final.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear Sir/Madam,

On behalf of Industrial Property Investment Fund (IPIF) please find attached our formal representation to the City of York Local Plan Proposed Modifications consultation document, with specific regard to the following modifications:

- Modification Reference Number PM4 – Policy SS1: Delivering Sustainable Growth for York
- Modification Reference Number PM5 – Policy SS1: Delivering Sustainable Growth for York
- Modification Reference Number PM26 – Policy G12: Biodiversity and Access to Nature

If you require further information, please do not hesitate to contact me.

Kind regards,

Luis

**Luis??Perez**  
 Graduate Surveyor  
 JLL  
 One Piccadilly Gardens??| Manchester??M1 1RG

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
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# 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		Naomi
Last Name		Kellett
Organisation (where relevant)	Industrial Property Investment Fund C/O Agent	JLL
Representing (if applicable)		
Address – line 1		██████████
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		██████
E-mail Address		████████████████████

Telephone Number		[REDACTED]
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# 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; PM5; PM26
Document:	City of York Local Plan Proposed Modifications (June 2019)
Page Number:	10; 28

## 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)

JLL considers the Council has followed the appropriate procedures in meeting legal compliance and its Duty to Cooperate.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

Refer to attached report by JLL 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.**

Refer to attached report by JLL 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:**

To present up to date evidence as set out in the attached report.

**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

19<sup>th</sup> July 2019



*The Industrial Property Investment Fund (IPIF)*

*Representations to City of York Local Plan Proposed  
Modifications (June 2019)*

*To the City of York Council*

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# 1 Introduction

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- 1.1 The City of York Local Plan Proposed Modifications were published for consultation in June 2019. The consultation only looks at the specific proposed modifications of the plan. Background evidence which has fed into the modifications include the 'City of York Housing Needs Assessment Update' (January 2019) and 'Strategic Housing Land Availability Assessment Figure 6'.
- 1.2 JLL on behalf of Industrial Property Investment Funds (IPIF), submit this representation to the City of York Local Plan Proposed Modifications consultation document, with specific regard to the following modifications:
- Modification Reference Number PM4 – Policy SS1: Delivering Sustainable Growth for York
  - Modification Reference Number PM5 – Policy SS1: Delivering Sustainable Growth for York
  - Modification Reference Number PM26 – Policy G12 Biodiversity and Access to Nature

## 2 Response to Proposed Modifications – Policy SS1

### *Modification Reference Number PM4 – Policy SS1: Delivering Sustainable Growth for York*

### *Modification Reference Number PM5 – Policy SS1: Delivering Sustainable Growth for York*

2.1 Within Modification Reference Number PM4 and PM5, there is a proposal to deliver a minimum annual provision of 867 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38.

The reason for the change is ‘to align with the updated housing requirement evidenced through the City of York – Housing Needs Update January 2019 published by GL Hearn’.

2.2 Within the Housing Needs Assessment Update (HNA) (January 2019), a number of documents have tested the economic growth potential of the City of York using Oxford Economic (OE) and the Regional Econometric Model which is produced by Experian. The Employment Land Review (ELR) Update included Scenario 2 which was a locally led adjustment to the OE baseline to reflect local circumstances. The ELR Update concluded that Scenario 2 was the most appropriate to take forward within the Local Plan (HNA 2019 (3.3)).

2.3 The HNA concluded that the total forecast jobs growth for Scenario 2 is +11,050 jobs over the remaining 17 years of the plan period (2014-31) reducing the economic growth potential in the City of York to 650 jobs per annum. Using a series of assumptions including economic activity rates from the Office of Budget Responsibility (OBR) an economic led need for housing of up to 790 dpa was calculated.

2.4 From the figure calculated in the HNA, it is clear and also highlighted within paragraph 3.21, that the figure of 790 dpa provides a borderline number of dwellings needed. It is considered that the Council, has adopted the wrong approach to housing by estimating housing commitments.

2.5 Historically, it is clear, that York City Council (YCC) has consistently failed to provide the minimum level of housing required. Within the York SHMA (2016) there was a baseline requirement figure of 867 dwellings per annum. An update of the SHMA (May 2017), advocated a 10% uplift in the OAN (Objectively Assessed Need) in response to market signals and affordable housing needs, which takes it up to 953 dpa.

Year	Net Housing Additions	Student Units	Net C3 Dwelling Units	SHMA recommended figure (2017)	SHMA recommended figure (2016)	Backlog/Surplus	
2012/2013	482	0	482	953	867	-471 (SHMA 2017)	-385 (SHMA 2016)
2013/2014	345	0	345	953	867	-608 (SHMA 2017)	-522 (SHMA 2016)
2014/2015	507	0	507	953	867	-446 (SHMA 2017)	-360 (SHMA 2016)
2015/2016	1121	579	542	953	867	168 (SHMA 2017)	254 (SHMA 2016)

Year	Net Housing Additions	Student Units	Net C3 Dwelling Units	SHMA recommended figure (2017)	SHMA recommended figure (2016)	Backlog/Surplus	
2016/2017	977	152	825	953	867	24 (SHMA 2017)	110 (SHMA 2016)
2017/2018	1296	637	659	953	867	343 (SHMA 2017)	429 (SHMA 2016)
2018/2019	449	40	409	953	867	-504 (SHMA 2017)	-418 (SHMA 2016)
<b>Total</b>	<b>5178</b>	<b>1408</b>	<b>3769</b>	<b>6671</b>	<b>6069</b>	<b>-336</b>	<b>-86</b>

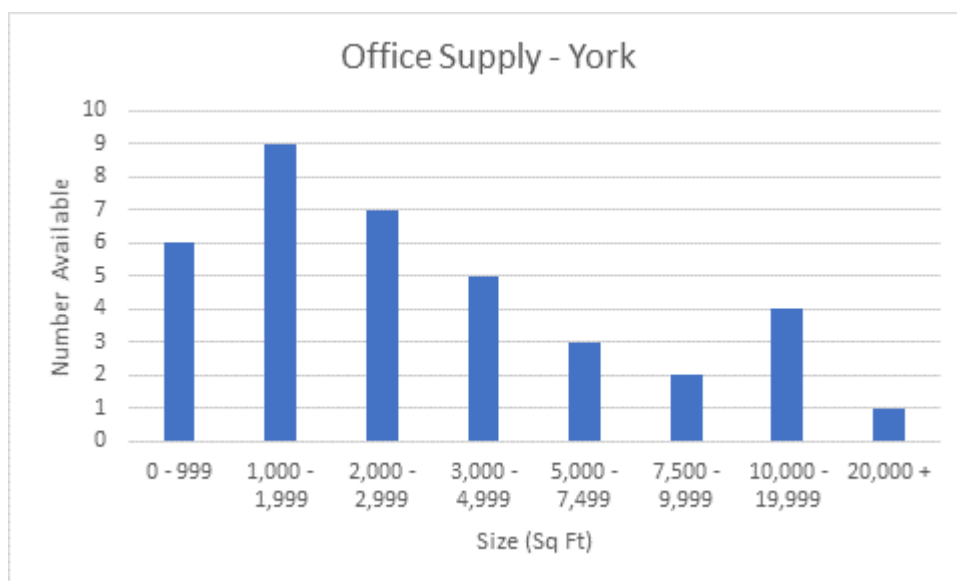
Table 1 – Housing completion 2012-2019

- 2.6 Table 1 (figures from York City Council AMR 2018/2019) highlights the trend of annual housing figures not being met using both the previous figures of 867 dwellings per annum (SHMA 2016) and 953 dwellings per annum (SHMA Addendum 2017). The data from the Council shows that since 2012 the backlog amounts to 86 dwellings (SHMA 2016) or 336 dwellings (SHMA 2017). It is noted that within the years where the housing requirement has been met (i.e. 2015/2016, 2016/2017, 2017/2018), a large part of this total has been due to the delivery of student house units. In this regard, it is assumed that student accommodation will naturally tail off and will reach a saturation point, therefore going forward it is assumed that student accommodation will not contribute to the general housing requirements at the same rate it has in the past.
- 2.7 As previously highlighted, the Housing Need Assessment (2019) reduces the dwellings per annum to 790. In this regard the HNA (2019) study highlights that *‘any level of delivery below this will result in a combination of restricted economic growth, unsustainable commuting patterns, or reduced household formation rates’* (paragraph 3.21). It appears from this commentary that the Council are providing the minimum housing requirements, whilst providing no flexibility. This is concerning, specifically as evidence is indicating a further upward pressure on the requirement for housing. The NPPF, within paragraph 73, states that the supply of specific deliverable sites should in addition include a buffer of:
- a) 5% to ensure choice and competition in the market for land; or
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planning supply.
- 2.8 It is clear, when looking at guidance within paragraph 73 of the NPPF (2019), that due to under delivery of housing during the previous three years that a 20% buffer should be applied to the 790 dpa calculated as part of the Proposed Modifications (June 2019). If this is the case, the housing requirement should be increased, with additional land allocations made to meet the housing need in the city.
- 2.9 In turn, further employment allocations should be made to allow for the associated economic benefits associated with an increase in housing allocations. Whilst employment allocations do not form part of this public

consultation, the consequences of the modifications made in regard to housing supply have a knock on effect in regard to employment land and should be addressed by the Council. To demonstrate this, it is forecast that there will be demand for 33.7 ha (173,393 sq m) of employment land between 2012 – 2037 (ELR July 2016 (5.4.1)). This equates to a demand of **1.35 ha** of employment land per annum. This demand has been calculated using forecast job growth within York.

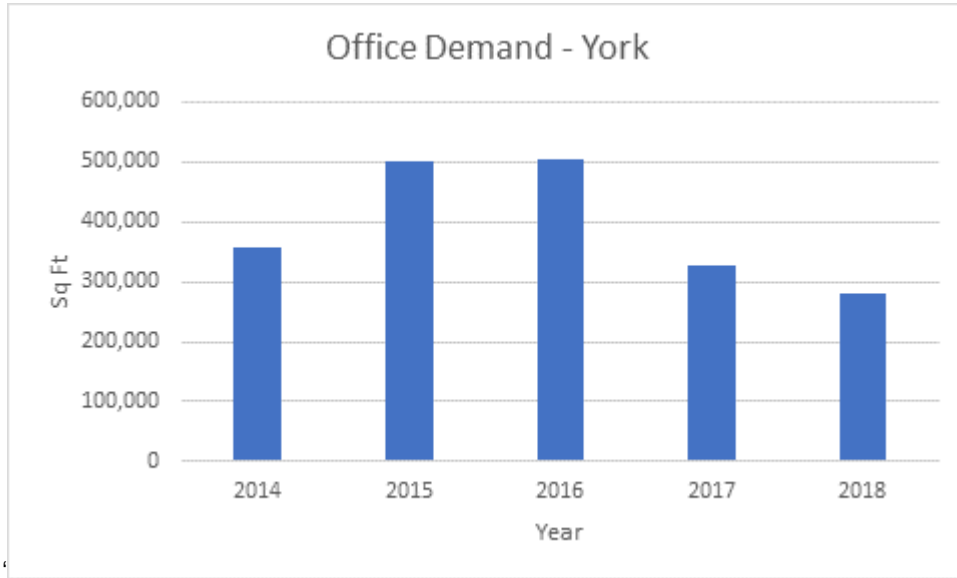
- 2.10 Between 2012 – 2016 the net gain of employment land was 3.5 ha (ELR July 2016 (5.4.13)), which equates to **0.7 ha** per annum.
- 2.11 Using this data, this results in a deficit of 0.65 ha per annum of employment land, which equates to roughly half way to satisfying demand.
- 2.12 As set out above it is not possible for YCC to deliver its employment land objectives without some direct correlation with housing land supply i.e. if the housing numbers of 790 dpa are not met, then it is highly likely that the Council will be unable to deliver on its employment land targets.
- 2.13 It is proven through the Employment Land Review (2016) that YCC are currently delivering half of the employment land required. This is a serious matter as it either demonstrates that the ELR is wrong, or that there are issues with delivering existing site allocations, due to various constraints, rather than market appetite. As such, more sites need to be allocated to provide sufficient land for employment development.
- 2.14 JLL has explored current demand and supply using Co-Star within existing employment sites and also land promoted across York to further understand the current position. The data is collated within a three mile (4.8 km) radius of York (map presented at Appendix 1) therefore extends primarily to the York ring road including A64 and A1237. This does not account for supply and take up in outlier areas. However, the majority of growth within the local plan is directed to the main York urban area therefore the catchment is considered suitable for this exercise.
- 2.15 The below graphs demonstrate that based on current take up rates that existing accommodation for office use (B1) and industrial use (B2 and B8) will be taken up within five months from now ie by December 2019.

Graph 1- Available Office Space at July 2019



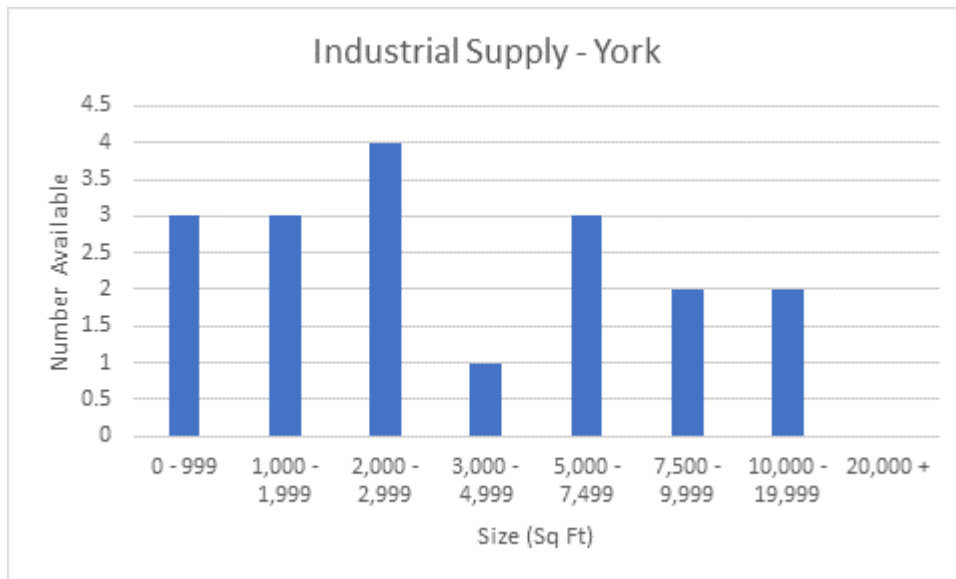
2.16 Graph 1 shows a total of 37 units are available at July 2019. They range from six units under 1,000 sq ft (93 sq m) to one unit over 20,000 sq ft (1,858 sq m). In total the graph shows that there is 166,627 sq ft (17,001 sq m) of available office space based on CoStar, July 2019.

Graph 2: Demand for Office Space at July 2019



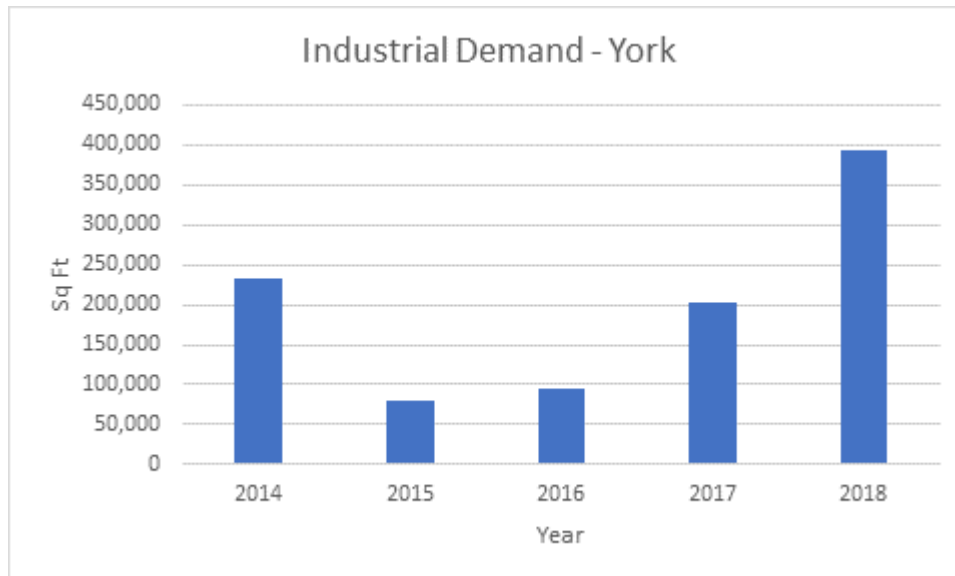
2.17 Graph 2 shows over the past 5 years, office take-up totalled 1,970,280 sq ft (183,043 sq m). This equates to 394,056 sq ft (36,608 sq m) per annum. Demand peaked at 2016 with 503,147 sq ft (46,746 sq m); falling in 2017 to (327,495 sq ft / 30,425 sq m) and 2018 (281,158 sq ft / 26,120 sq m). Based on the average take up, if this was to continue, the current supply within York would be taken up in just over 5 months.

Graph 3: Available industrial space at July 2019



2.18 Graph 3 shows a total of 15 units are available at July 2019. They range from three units under 1,000 sq ft (93 sq m) to no units over 20,000 sq ft (1,858 sq m). In total the graph shows that there is 89,222 sq ft (8,289 sq m) of available industrial space based on CoStar 2019.

Graph 4: Demand for Industrial Space at July 2019



- 2.19 Graph 4 shows over the past 5 years, industrial space take-up totalled 1,003,076 sq ft (93,188 sq m). This equates to 200,615 sq ft (18,638 sq m) per annum. Demand has increased significantly from 2015 with a low of 80,242 sq ft (7,455 sq m); to a high in 2018 (392,347 sq ft/ 36,450 sq m). Based on the average take up, if this was to continue, the current supply within York would be taken up in just over 5 months. Furthermore, the average take up is more than double existing supply.
- 2.20 Overall, the results show that demand is high for office and industrial space based on available supply. Take up rates of the past five years show that supply will be exhausted in five months ie December 2019.
- 2.21 These results are important as they show that there is currently limited supply and it is important that allocated land is available and deliverable within the emerging local plan.
- 2.22 Whilst it is acknowledged that the purpose of the consultation is to look at the specific proposed modifications of the plan, it should also be appreciated that YCC has made a step change in its housing numbers which in turn has consequences to various other issues, including employment land. As such individual sites need to be reconsidered.
- 2.23 In this regard the Poppleton Glassworks, referenced ‘SE55-05YK’ within the City of York Plan Publication Draft 2018, should be reconsidered for employment use. Within the Development Control Local Plan the site is allocated as an employment site. However, following a suite of ecological surveys being undertaken between 2008 and 2010 as part of the ‘City of York Biodiversity Audit 2010’, the site was designated a SINC in 2011. A vegetation SINC survey (copy included within Appendix 2: Vegetation Survey and Evaluation of the SINC - undertaken by SLR) for the landowner (IPIF) of Poppleton Glassworks (Document ref: EX/OTH/1) was submitted by JLL and accepted by the Inspector as late evidence. The SLR SINC Survey confirmed that the site fails to meet the basic level set to qualify as a SINC. Further late evidence was submitted, which provided clarification on the Vegetation Survey and Evaluation in response to Ms Rolls’ (City of York Council’s ecologist) critique of the vegetation SINC survey undertaken by SLR. Within the updated report, SLR maintained that the Site does not meet the criteria therefore does not qualify as a SINC.



- 2.24 SLR also sets out that the landowner, IPIF, would be prepared to provide mitigation such as a financial compensation if a future planning application is submitted which would deliver off site habitat creation at a location to be agreed with the Council (Appendix 2).
- 2.25 As such and on the basis that the site no longer qualifies as a SINC site, the site should be considered as an employment site which will help deliver employment land targets.
- 2.26 Taking the above into consideration, it is concluded that the modifications made to Policy SS1 are not 'sound'. The basis of the policy is to deliver 'sustainable growth' for York. When taking into consideration the revised housing numbers and the ramifications of the revised figure on employment growth it is clear that the Policy does not achieve sustainable growth for York. The strong demand for employment space within the CoStar results further emphasises the need to ensure sufficient employment land is delivered and aligns with the housing growth for the plan period. As such the Proposed Modifications are not consistent with national policy provided within the NPPF (2019), which states that plans should be **effective** in delivering over the plan period and **deliver sustainable development** (paragraph 35).

### 3 Response to Proposed Modifications – Policy G12

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#### *Modification Reference PM26 – Policy G12 Biodiversity and Access to Nature*

- 3.1 Amendments by the Council have been proposed to Policy G12 ‘Biodiversity and Access to Nature’, including part iv of Policy G12 which states,
- ‘iv. avoid loss or significant harm to Sites of Importance for Nature Conservation (SINCs) **and Local Nature Reserves (LNRs)**, whether directly or indirectly. Where it can be demonstrated that there is a need for the development in that location and the benefits outweighs the loss of harm the impacts must be adequately mitigated against, or compensated for as a last resort;*
- 3.2 In this respect, attention is drawn to the recent representation submitted during Regulation 19 (Ref 218) by JLL on behalf of Industrial Property Investment Funds (IPIF) in relation to the site classified as ‘SE55-05YK’ ‘Poppleton Glassworks’. Within this representation it was considered that the plan is unsound as the document fails to justify the designation of site SE55-05YK as a ‘Site of Importance to Nature Conservation’ (SINC). A vegetation SINC survey for the Poppleton Glassworks (Document ref: EX/OTH/1) was submitted by JLL and accepted as late evidence by the Inspectors. The document confirms that the site, *‘when viewed against the SINC qualifying criteria ‘Gr4’ set for this site...fails to meet the basic level set to qualify as a SINC. This is down to the **site lacking sufficient qualifying grassland species as listed in the criteria**’*(Appendix 2 – Botanical SINC survey).
- 3.3 Further late evidence was submitted by JLL, 20 December 2018, to the Inspectors who advised (via the programme officer) that this evidence be submitted at the MIQs stage. JLL respects that decision. However, as part of this latest consultation, JLL considers matters have moved on given that (there is a knock on effect regarding the revised housing numbers as set out in Policy SS1 (which is expanded upon by JLL as part of this consultation stage)) and Policy G12 which relates to SINCs and forms part of this consultation. JLL therefore respectfully requests and considers that the *‘further late evidence’* should be submitted at this current consultation stage. The *‘further late evidence’* is therefore submitted in Appendix 3 of this representation.
- 3.4 The further late evidence provides clarification on the Vegetation Survey and Evaluation of the SINC in response to Ms Rolls’ (City of York Council’s ecologist) critique of the botanical SINC survey undertaken by SLR. Within this response, SLR maintains that the Site does not meet the criteria therefore does not qualify as a SINC.
- 3.5 SLR also sets out that the landowner, IPIF, would be prepared to provide appropriate mitigation eg, a financial compensation, if a future planning application is submitted which would deliver off site habitat creation at a location to be agreed with the Council (Appendix 2) in line with the mitigation element of policy G12.
- 3.6 Within the NPPF (2019), it highlights that the local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence (paragraph 31) demonstrating how the plan has addressed economic, social and environmental objectives (paragraph 32). The NPPF (2019) continues to state that *‘policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should be updated as necessary’* (paragraph 33). In taking the NPPF into consideration, it is therefore emphasised that Policy G12 should provide greater flexibility in its wording to allow SINC sites to be de-designated if relevant evidence is provided. Moreover, the Poppleton Glassworks site does not qualify as a SINC and should be removed as such from the Local Plan.
- 3.7 It is therefore concluded that the modification to Policy G12 in its current form is unsound as the designation of the SINC at Poppleton Glassworks is not justified, with no consideration by the Council of the up to date evidence submitted by JLL and is not consistent with national policy.

## 4 Conclusion

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- 4.1 It is concluded that the plan in its current form is unsound in regard to modifications to Policy SS1 and G12, for reasons provided above.
- 4.2 As highlighted, a representation was submitted during Regulation 19 (Ref 218) by JLL on behalf of IPIF in relation to the site classified as 'SE55-05YK' 'Poppleton Glassworks'. As part of this representation a vegetation SINC survey for the Poppleton Glassworks (Document ref: EX/OTH/1) was submitted and accepted as late evidence by the Inspector (Appendix 2). Further late evidence was submitted (Appendix 3), which provided clarification on the Vegetation Survey and Evaluation in response to Ms Rolls' (City of York Council's ecologist) critique of the botanical SINC survey undertaken by SLR. Within the updated report, SLR concluded and reaffirmed that the Site does not meet the criteria therefore does not qualify as a SINC.
- 4.3 SLR also sets out that the landowner, IPIF, would be prepared to provide a financial compensation if a future planning application is submitted which would deliver off site habitat creation at a location to be agreed with the Council (Appendix 2 and 3).
- 4.4 In line with the Local Plan Examination Programme Officer's advice, this evidence will again be submitted as an appendix with the rest of the representation during the Matters, Issues and Questions stage. However, due to the concerns raised by JLL in regard to Policies SS1 (housing and economic growth) and G12 (impact on SINCs), it is considered that additional employment land should also be allocated and the SINC designation be removed at the 'SE55-05YK' Poppleton Glassworks site.

Appendix 1  
CoStar Catchment Plan

## Appendix 1

### CoStar Catchment Area (3 miles (4.8km) from central York)



Appendix 2

JLL Representations on behalf of IPIF (Late Evidence) Poppleton Glassworks Reference EX/OTH/1

# POPPLETON GLASSWORKS SINC

## NETHER POPPLETON

### **Vegetation Survey and Evaluation**

Prepared for: The Industrial Property Investment  
Fund

SLR Ref: 405.08558.00001  
Version No: 1  
June 2018



## BASIS OF REPORT

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## 1.0 Introduction

### 1.1 Background

SLR Consulting Ltd (SLR) was commissioned by JLL on behalf of The Industrial Property Investment Fund (IPIF) in May 2018 to carry out a vegetation survey of land located off Great North Way, Nether Poppleton, York, North Yorkshire (central OS grid reference SE57075383).

The site was earlier surveyed according to Phase 1 Habitat Survey methodology in December 2017 by Rachel Hacking Ecology. The December 2017 report identified the possibility that the grassland does not currently meet the criteria for section as a Site of Importance for Nature Conservation (SINC). One of the recommendations of the resulting report was for the undertaking of a detailed vegetation assessment at an appropriate time of the year.

The Upper Poppleton and Nether Poppleton Neighbourhood Plan (2016-2036) identifies the site in the plan as being a SINC and the site was also recorded as having such status in the City of York Sites of Importance for Nature Conservation Review 2017. No survey or review of its status has however been undertaken for either document and the sites status as a SINC is based upon its designation back in 2010.

### 1.2 Site Description

The site is located within a newly developed part of Nether Poppleton located on the south-east side of the A1237 York circular road. It lies within the area known as York Business Park. To the north-west of the site is located a newly developed care home; to the south-east a commercial premises; to the south-west there is a newly developed housing estate. On the opposite side of Great North Way, to the north-east, there is a newly developed car dealership. The construction of York Business Park commenced from 1997. An aerial photograph of that time shows the site to be part of a large triangular-shaped construction site ([http://www.yorkpress.co.uk/features/history/11569476.OLD\\_YORK\\_PHOTOS\\_8\\_from\\_Poppleton\\_1962-1999/](http://www.yorkpress.co.uk/features/history/11569476.OLD_YORK_PHOTOS_8_from_Poppleton_1962-1999/)).

The site was designated a Site of Importance for Nature Conservation (SINC): Poppleton Glassworks SINC in 2010. No citation has been made available for this site but it is known that its designation has been made on the basis of the presence of relatively species-rich neutral grassland. The City of York Sites of Importance for Nature Conservation Review 2017 identified the site as being designated under the Gr4 criteria which will be discussed in later sections.

The present Red Line Boundary supplied by JLL appears to be contiguous with the current SINC designation although at one time it was larger and then reduced as a result of the development of the neighbouring care home.

At present the main part of the site contains open, rank un-managed grassland and on the margins of this there are areas of scrub (comprising native and non-native species), tall herb/ruderals, bank and ditch habitats.

### 1.3 Scope of this Report

This report presents the findings of a vegetation survey. The report seeks to:

- establish the characteristics of the main vegetation types within the site in relation to the NVC; and
- determine if the site still meets the criteria for its original SINC designation (based on the quality of the grassland it contains) as outlined in *Sites of Importance for Nature Conservation in North Yorkshire outside the Yorkshire Dales and North York Moors National Parks boundaries* – *Guidelines for Site Selection (V3.0)*<sup>1</sup>

<sup>1</sup> North Yorkshire SINC Panel (August 2002: updated 2009 & 2017).

## 2.0 Criteria for designation of SINC in North Yorkshire

### 2.1 Guidelines for Site Selection

A Site of Importance for Nature Conservation (SINC) is a non-statutory designation used to identify a site considered to have high value for wildlife. Though they have no legal protection they are a consideration in the local planning system. For a site to be designated as a SINC it must meet the criteria set out in the Sites of Importance for Nature Conservation in North Yorkshire: Guidelines for Site Selection V3.0 December 2017 and as part of this process it is assessed by the North Yorkshire SINC Panel which is made up of a range of local experts.

The Habitat Selection Guidelines for grasslands gives details of the selection criteria to be used in designating SINC for their grassland interest (Table 5 of the Guidelines):

CRITERION	ATTRIBUTE
Size	Area of site or length of verge. Given that the appropriate vegetation communities or characteristic species are present throughout the site area.
Representativeness	Presence of typical/characteristic species that represent good examples of the habitat type within the county, the relevant Natural Area or locality. This will be as defined by NVC community types where data is available. Presence of habitats or species that are characteristic, distinctive or unique to the county, Natural Area or locality.
Diversity	Number of grassland plant species recorded as a total and presence of characteristic grassland species.
Rarity	Presence of nationally rare or declining plant species. Presence of regionally important species. Presence of locally rare or declining plant species. Presence of vegetation communities that are rare or of restricted distribution.
Naturalness	Presence, cover & variety of semi-natural grassland communities and species that correspond to long established grassland habitat.
Position in an ecological unit	Location or proximity of site in relation to other recognised sites of interest either as similar habitat or habitat mosaic. The site is part of a recognised wildlife corridor.

Species lists have been produced from these selection criteria for neutral, calcareous and acid-type grasslands. The species appearing on these lists (included in Tables 6, 7 and 8) are those that are regionally important, locally rare, scarce or declining or locally distinctive. A scoring system has been applied to all the species with some scoring one or two points, depending on their status. This is one of the key criteria for use in selecting sites for SINC designation. Furthermore it is stated that:

*'The selection of a grassland SINC using the species lists in the tables should ensure the species recorded exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site. If the species recorded from the lists are present, but in low numbers or restricted to small patches within the sward or to the edges of the site then the site should not normally be eligible for SINC selection'*.

Poppleton Glassworks SINC was designated on the basis of the criteria in Gr4 which states:-

*‘Areas of semi-natural neutral grassland of at least 0.25ha, or at least 50m in length if the site is a road verge, which lie within the Vale of York and Mowbray, Vale of Pickering, the Humberhead Levels, Tees Lowlands and the North York Moors and Hills Natural Areas or calcareous grasslands of at least 0.1ha in size, or at least 50m in length if the site is a road verge within the North York Moors and Hills or Lancashire Plain & Valleys Natural Areas scoring 8 or more from the neutral or calcareous grassland species lists in Tables 6 and 7 respectively’.*

## 3.0 Methodology

### 3.1 Vegetation Survey

The vegetation survey was undertaken by a Senior Field Ecologist with SLR Consulting Ltd on 31<sup>st</sup> May 2018.

Vegetation communities, primarily the grasslands, were identified on the basis of their composition and structure and categorised in relation to those that feature in the National Vegetation Classification (NVC)<sup>2</sup>. These communities were plotted on to a field map (Drawing 1). Some of the non-grassland communities were mapped according to Phase 1 Habitat categories (such as scrub and tall herb).

Vegetation communities located to the north-west outside the Red Line Boundary (RLB) of the site were also included in the survey and mapping exercise for additional context (as these occupy an un-developed area contiguous with the RLB).

Where it was not possible or difficult to ascribe communities to recognised NVC types their main characteristics were described and interpreted against NVC types.

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<sup>2</sup> Rodwell, J. S. (ed.), 1992, *British Plant Communities, Volume 3, Grassland and montane communities*, Cambridge University Press.

## 4.0 Results

The results of the desk and field survey are reported below and describe the baseline conditions at the site and within the surrounding area.

### 4.1 Grassland within the SINC (RLB)

A total of five different types of grassland were identified within the RLB (see Drawing 1 where these are labelled A-D along with amenity-managed grassland adjacent to Great North Way). Additional types were identified outside of the RLB in the area immediately to the north-west of the site (E-H in Drawing 1).

#### **MG1 (false oat-grass grassland) variant (A)**

This type was determined to occupy most of the grassland habitat on the site. It is characterised by a variable mix of grass species. Smooth meadow-grass (*Poa pratensis*) was found to be one of the most prominent of the grass species components and with red fescue (*Festuca rubra*) quite widespread. More locally distributed (but widespread) was false oat-grass (*Arrhenatherum elatius*) and Yorkshire fog (*Holcus lanatus*) along with smaller amounts of creeping bent (*Agrostis stolonifera*) and occasional to locally frequent cock's-foot (*Dactylis glomerata*). Forbs were also widely distributed achieving some locally abundant coverage in many areas, particularly where the sward was open, but not attaining great diversity.



**Plate 1:** View (to north-west) of the main area of MG1 variant grassland that comprises much of the grassland habitat on site.

The main forb species exhibited much variability in occurrence and comprised ribwort plantain (*Plantago lanceolata*), creeping thistle (*Cirsium arvense*), creeping buttercup (*Ranunculus repens*), creeping cinquefoil (*Potentilla reptans*), dandelion (*Taraxacum officinale* agg.), common mouse-ear (*Cerastium fontanum*), hairy tare (*Vicia hirsuta*), common vetch (*Vicia sativa*), bush vetch (*Vicia sepium*), common bird's-foot trefoil (*Lotus corniculatus*), white clover (*Trifolium repens*), red clover (*Trifolium pratense*), meadow buttercup (*Ranunculus*

*acris*), lesser trefoil (*Trifolium dubium*) and common knapweed (*Centaurea nigra*) along with locally frequent to abundant glaucous sedge (*Carex flacca*) in locations with elevated soil moisture.

Of more local distribution were germander speedwell (*Veronica chamaedrys*), beaked hawk's-beard (*Crepis vesicaria*), yarrow (*Achillea millefolium*) and meadow vetchling (*Lathyrus pratensis*). Much of the sward was beginning to accumulate a thick layer of litter, this resulting from lack of management over the recent few years, and is considered likely to be contributing to increasing nutrient enrichment on the site (Plate 2). This can result in the sward losing species that are sensitive to increased nutrient levels leading to a reduction in the diversity of the sward.



**Plate 2:** View of a small part of the MG1-type grassland that occupies most of the site showing the notable accumulation of litter within the sward.

#### **MG11 (red fescue-creeping bent-silverweed grassland) variants (B)**

There were two main areas where silverweed (*Potentilla anserina*) was a prominent component in the grassland habitats of the site. These were both located at the south-east end of the site, less well-drained than the rest of the site, and where soil moisture levels are higher. Plate 3 shows a rather rank stand which also includes some brown sedge (*Carex disticha*) as well as a range of grasses including creeping bent, tufted hair-grass (*Deschampsia cespitosa*), smooth meadow-grass and Yorkshire fog. Other herbs included creeping buttercup and common nettle (*Urtica dioica*). The second stand comprised a more open sward (Plate 4) which was also locally sedge-rich with a similar grass and herb component but also including some cock's-foot and false oat-grass. The main herbaceous associates were meadow buttercup, dandelion, common vetch, hairy tare, creeping thistle, creeping buttercup and meadow buttercup.



**Plate 3:** A view of one of the two stands of silverweed-rich grassland sward with brown sedge



**Plate 4:** A view (to east) of the other main area of silverweed-rich grassland comprising a more open and less rank sward to that shown in Plate 3.



### **Tufted hair-grass rich MG9 (Yorkshire fog-tufted hair-grass grassland) type grassland (C)**

This was small area was located at the south-east end of the SINC occurring with other communities characteristic of raised levels of soil moisture (Plate 5). Tufted hair-grass was the main component forming a rather coarse and tussocky sward with occasional false oat-grass, cock's-foot, Yorkshire fog and smooth meadow-grass. Herbaceous species were notably few but included frequent creeping buttercup.



**Plate 5:** A view (to the north-west) of the tufted hair-grass rich grassland which occupies much of the foreground of this image.

### **MG1 variant grassland (common knapweed-rich false oat-grass grassland) (D)**

This was a relatively small area where common knapweed formed some prominent cover in the sward and was considered to resemble one of the sub-communities within the false-oat grassland (MG1) type but containing a wider range of leading grass associates such as red fescue, smooth meadow-grass, false oat-grass, cock's-foot, and tufted hair-grass (Plate 6).



**Plate 6:** View (to north-east) of common knapweed-rich MG1-type grassland

## 4.2 Grassland outside the RLB

### MG1 Variant Grassland (A<sup>1</sup>)

This was a somewhat rank flower-rich community located on a small stretch of bank with a range of coarse grasses and herbaceous species, the latter characteristic of neutral soils including ox-eye daisy (*Leucanthemum vulgare*), red clover and common bird's-foot trefoil but also accompanied by a range of ruderals such as curled dock (*Rumex crispus*), creeping thistle and common nettle (Plate 7).



**Plate 7:** View (to north-west) of the somewhat semi-rank MG1-type grassland located on a small stretch of bank

### Flower-rich mesotrophic grassland of uncertain affinity (E)

This area comprised of a variable mixed sward of smooth meadow-grass, red fescue, false oat-grass, cock's-foot and Yorkshire fog among which were a wide range of herbaceous species including some typical of neutral grassland such as common bird's-foot trefoil and ox-eye daisy (Plate 8). Some areas were found to be somewhat rank and here ruderals such as curled dock, broad-leaved dock (*Rumex obtusifolius*) and beaked hawk's-beard were locally frequent. Other species forming notable cover included creeping cinquefoil, hairy tare, red clover, common vetch, common mouse-ear, meadow buttercup, ribwort plantain and perforate St John's-wort (*Hypericum perforatum*).



**Plate 8:** A view (to the south) of a diverse herbaceous and flower-rich mesotrophic grassland of uncertain affinity.

### Early succession habitat with calcareous indicator species (F)

This area supported a plant community with a complex mosaic of low-growing plants characteristic of past disturbance (Plate 9). This was the most species diverse community of all the vegetation types to be found outside of the SINC boundary (a very small part of this appears to fall within the SINC). The mosaic included some typically calcareous including kidney vetch (*Anthyllis vulneraria*) and fairy flax (*Linum catharticum*). Yellow-wort (*Blackstonia perforata*) was also present but was a rare component of the cover. Other species forming prominent cover were mouse-ear hawkweed (*Pilosella officinarum*), common bird's-foot trefoil, daisy (*Bellis perennis*), black medick (*Medicago lupulina*), ribwort plantain, wall speedwell (*Veronica arvensis*), ox-eye daisy, yarrow, red clover and glaucous sedge.



**Plate 9:** View of the area of early successional habitat which supports a very flower-rich community of perennial and annual low growing plants such as mouse-ear hawkweed.

### **Flower-rich neutral grassland (G)**

This was a relatively thin strip of grassland that has developed from previous disturbance and has characteristics of open neutral swards including ox-eye daisy and common bird's-foot trefoil along with hairy tare, common vetch and beaked hawk's-beard (Plate 10). The sward features a mix of grass species which comprise mainly red fescue, Yorkshire fog, smooth meadow-grass and some creeping bent.



**Plate 10:** View (to south-east) of a strip of flower-rich habitat supporting locally frequent common bird's-foot trefoil and ox-eye daisy which can be seen in this image in the foreground.

#### **Perennial/annual-rich early succession grassland habitat (H)**

This was located at the boundary with recent development (Plate 11) and comprised a moss and herb-rich mosaic with abundant thyme-leaved sandwort (*Arenaria serpyllifolia*) and biting stonecrop (*Sedum acre*). These open areas were under colonisation from neighbouring grass-dominant swards.



**Plate 11:** View (to north-east) of area of early successional grassland dominated by a small range of herbs such as locally frequent to abundant biting stonecrop and

#### **Amenity-managed grassland**

This was a metre and a half wide strip located just within the north-east boundary of the SINC (Plate 12) and at the time of visit had been mown short. However, in addition to the usual complement of species typical of these types of managed grassland communities (usually falling within the MG7 group of communities under the NVC) there was also locally frequent common bird's-foot trefoil, common cat's-ear (*Hypochaeris radicata*), common vetch, beaked hawk's-beard, black medick and dove's-foot crane's-bill (*Geranium molle*).



**Plate 11:** View (to south-east) of the strip of amenity grassland which falls within the boundary of the Poppleton Glassworks SINC.

## 5.0 Discussion and conclusions

### 5.1 Status of Poppleton Glassworks SINC

The survey provided evidence of the presence of seven of the eight qualifying species (required for SINC designation) within the RLB (as listed in Table 6 of the Guidelines). These seven species are listed in the Table below (sedge species count as one) along with an assessment of their frequency within the site.

**Table 5-1**  
**Status of qualifying SINC species on the site**

Species	English name	Frequency on site
<i>Agrimonia eupatoria</i>	agrimony	Rare
<i>Carex flacca</i>	glaucous sedge	Locally frequent to abundant
<i>Carex disticha</i>	brown sedge	Locally frequent to abundant at south-east end of site
<i>Centaurea nigra</i>	common knapweed	Locally frequent
<i>Festuca pratensis</i>	meadow fescue	Very occasional
<i>Lathyrus pratensis</i>	meadow vetchling	Locally frequent in two areas
<i>Leucanthemum vulgare</i>	ox-eye daisy	Locally frequent in one area along the north-east margin of the site and scattered within a small area of the MG1 variant grassland
<i>Lotus corniculatus</i>	common bird's-foot trefoil	Fairly widespread within the site, usually locally frequent where it occurs.

In addition to the required presence of at least eight qualifying species from Table 6, the Guidelines (Section 2.1.5, 'General application to all grasslands guidelines') also state that these:-

*'...should exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site. If the species recorded from the lists are present, but in low numbers or restricted to small patches within the sward or to the edges of the site then the site should not normally be eligible for SINC selection'.*

### 5.2 Conclusions

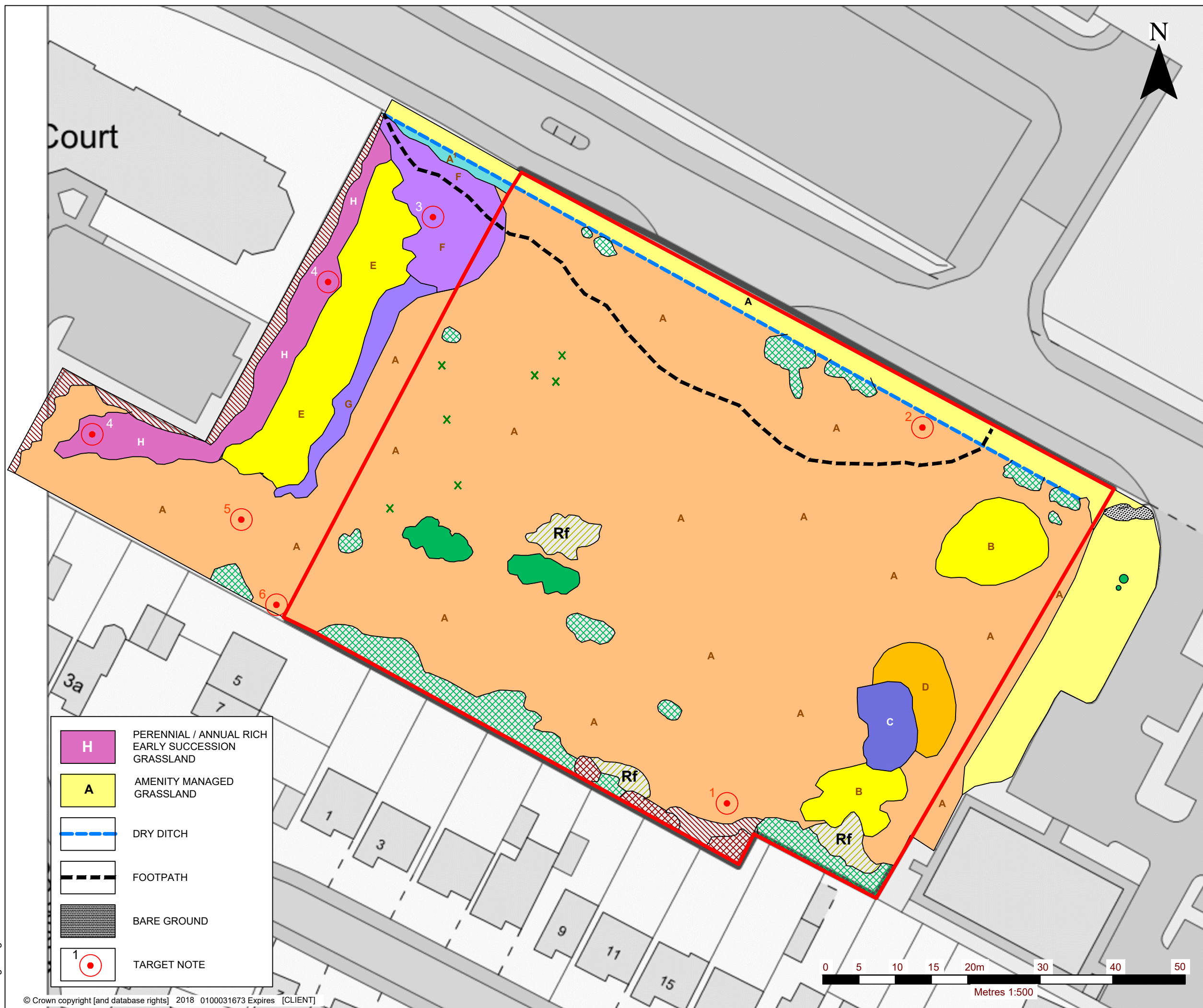
It is considered that the survey undertaken by an experienced botanist is of an appropriate level of detail and effort to record the species and vegetation types at this site in order to assess the value of this grassland.

The communities present show a composition and structure typical of an area that has been significantly disturbed (photographic evidence of this is referred to in section 1.2 of this report) and has been without management. A lack of management in such grassland communities normally results in a loss of diversity and degradation of their value to wildlife.

When viewed against the SINC qualifying criteria 'Gr4' set for this site, based upon our survey in 2018 the site fails to meet the basic level set to qualify as a SINC. This is down to the site lacking sufficient qualifying grassland species as listed in the criteria. Also, the status of some of the seven species on the site does not suggest that they exhibit a reasonable distribution.



# DRAWING 1



LEGEND	
	SITE BOUNDARY
	WOODLAND (YOUNG TREES - SALIX AND POPULUS)
	SCATTERED SCRUB
	CONTINUOUS SCRUB
	TALL HERB (WITH COARSE GRASSES)
	Rf BRAMBLE SCRUB
	INTRODUCED SCRUB
	A MG1 VARIANT GRASSLAND
	A <sup>1</sup> MG1 VARIANT GRASSLAND
	B MG11 VARIANT GRASSLAND
	C TUFTED HAIR-GRASS-RICH MG9 TYPE GRASSLAND
	D MG1 VARIANT GRASSLAND (COMMON KNAPWEED - RICH)
	E FLOWER RICH MESOTROPHIC GRASSLAND OF UNCERTAIN AFFINITY
	F EARLY SUCCESSION HABITAT WITH CALCAREOUS INDICATOR SPECIES
	G FLOWER-RICH NEUTRAL GRASSLAND

	H PERENNIAL / ANNUAL RICH EARLY SUCCESSION GRASSLAND
	A AMENITY MANAGED GRASSLAND
	DRY DITCH
	FOOTPATH
	BARE GROUND
	1 TARGET NOTE

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**POPPLETON GLASS WORKS**  
**POPPLETON GLASSWORKS SINC**  
**SINC VEGETATION SURVEY MAY 2018**




**DRAWING 1**

Scale 1:500 (A3)	Date JUNE 2018
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Drawing1.dwg

## TARGET NOTES TO DRAWING 1

Target Note No	Photo	Description
1		Location of the only plant of Agrimonia ( <i>Agrimonia eupatoria</i> )
2		Stand of common spike-rush ( <i>Eleocharis palustris</i> ) located within dry ditch along the north-east boundary of the site.
3		Location of low-growing ephemerals, annuals and perennials and some bare ground. With locally abundant common bird's-foot trefoil this area appears to have potential to support dingy skipper.

4		<p>Location of low growing annuals and perennials on early successional habitat but appears to have been subject to the application of some herbicide as indicated by the extent of dead vegetation in this image.</p>
5		<p>One of the four spikes of orchid with attached seed capsules (possibly of common spotted orchids) noted within the MG1 type grassland located outside of the SINC boundary.</p>
6		<p>Location of garden cuttings possibly originating from neighbouring residential properties</p>

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Appendix 3

JLL Representations on behalf of IPIF (Further Late Evidence) Poppleton Glassworks, 20 December 2018

# POPPLETON GLASSWORKS SINC NETHER POPPLETON

**Further Clarifications on Vegetation Survey &  
Evaluation (June 2018)**

Prepared for: The Industrial Property Investment Fund

SLR Ref: 404-08558-00001  
Version No: 1  
December 2018



## BASIS OF REPORT

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## DOCUMENT REFERENCES

### APPENDICES

Appendix 01: York City Council Memo '10 Great North Way – Planning Appeal (16/02285/FULM'

## 1.0 Introduction

### 1.1 Background

SLR Consulting Ltd (SLR) was commissioned by JLL on behalf of The Industrial Property Investment Fund (IPIF) in May 2018 to carry out a vegetation survey of land located off Great North Way, Nether Poppleton, York, North Yorkshire (central OS grid reference SE57075383). The findings of that survey were then presented in a report titled *Poppleton Glassworks SINC, Nether Poppleton – Vegetation Survey and Evaluation* dated June 2018.

That report was then presented as baseline evidence by JLL at the City of York new local plan examination.

Following this, comments have been received from the Ecology and Countryside Officer from City of York Council, Nadine Rolls, about this report and several queries have been raised.

JLL have requested that clarity be provided on these matters and this is set out in the following report.

### 1.2 Comments from the City of York Council Ecologist

The comments received were in the form of an Internal Memo from Nadine Rolls, the Ecology and Countryside Officer for the City of York Council to Alison Stockdale, the Development Management Officer. The memo is dated 2 July 2018 and it is titled '10 Great North Way – Planning Appeal (16/02285/FULM). This internal memo was released to the IPIF agents, JLL, on 20<sup>th</sup> September 2018.

The issues raised in the memo where further clarity is required are summarised as follows:

- The SLR report does not set out the full experience, qualifications and professional body memberships of the ecologists who undertook the survey and prepared the report.
- The SLR report refers to the *Rachel Hacking Ecology Report* (Dec 2017) and this has not been submitted as part of the planning appeal that the memo refers to.
- The *Naturally Wild* Report (October 2016) accepted the designation of the site as a SINC.
- The SLR survey uses the incorrect site boundary.
- The interpretation of the SINC guidelines varies between the SLR report and that of the council ecologist.
- The county ecologist sets out that the deliverability of compensation for development is in doubt.

A copy of the Memo is provided in Appendix 01 of this report.

## 2.0 Response to comments

### 2.1 Qualifications and experience of SLR ecologists

The memo from the Ecology and Countryside Officer points out that the SLR states in the June 2018 report that a Senior Field Ecologist undertook the survey but that no detail on experience or qualifications was provided.

The SLR survey of the site in June 2018 was undertaken by an experienced permanent member of the SLR ecology team. Jim Flanagan is a Senior Field Ecologist, based in Yorkshire and has worked extensively in the county as well as nationally. Mr Flanagan is a competent and very experienced botanical and vegetation surveyor with over 20 years of experience in undertaking such work, 15 years of which have been within ecological consultancies. Mr Flanagan is also a skilled and experienced ornithologist and entomologist and he has held workshops and training for the Field Studies Council, Wildlife Trusts, Sorby Natural History Society, the British Entomological Society and Natural History Society on his areas of expertise. Mr Flanagan has a HNC in Countryside Management and he is an Associate member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

The SLR report was reviewed and finalised by Mike Webb a Technical Director and the head of ecology at SLR. Mr Webb graduated with a BSc in Biological Science having undertaken his research thesis into the vegetation dynamics of a protected calcareous grassland site in North Yorkshire whilst working as a warden for the Nature Conservancy Council (English Nature and then Natural England's predecessor). Mr Webb then went on to work as a botanical and vegetation surveyor for English Nature, Scottish Natural Heritage and the Institute of Terrestrial Ecology before commencing a career in ecological consultancy 25 years ago. Whilst working Mr Webb undertook the research into vegetation dynamics, management and restoration to gain an MPhil from the University of Liverpool. Mr Webb is a full member CIEEM and he is also a Chartered Environmentalist and Chartered Biologist.

It is considered that the ecologists responsible for the field work and reporting set out in SLRs June 2018 report are appropriately qualified and experienced for the task and both are members of and follow the code of conduct of the ecology professions governing body, the Chartered Institute of Ecology and Environmental Management.

### 2.2 Reference to the Rachel Hacking Report (Dec 2017)

When preparing its June 2018 report SLR was provided with a report prepared by Rachel Hacking Ecology. This was not submitted as part of the 10 Great North Way Planning Appeal. For clarity the Rachel Hacking's report has been submitted to accompany this report.

### 2.3 Naturally Wild Report (October 2016)

The Ecology and Countryside Officer sets out that the Preliminary Ecological Appraisal by Naturally Wild (October, 2016) "*accepted the designation of the site as a SINC; although this report did not include a species list from the survey.*".

Like the SLR report from June 2018 the Naturally Wild report identified the fact that the site falls within an area that has been designated as a SINC. This is a point of fact rather than a judgement that has been made through detailed survey (the Naturally Wild Report was a Preliminary Ecological Appraisal rather than a detailed vegetation assessment as set out in the SLR report in June 2018).

The Naturally Wild report does however set out that the site comprises 30% bare ground consisting of construction rubble and that invasive species such as bramble and broadleaved tree species are becoming established. Without management of this scrub establishment the grassland community that remains shall

become degraded and ultimately lost to this natural process of succession. The Naturally Wild report goes on to confirm that the site is not managed.

## 2.4 The boundaries of SLR Survey in 2018

The Ecology and Countryside Officer sets out the following with respect to survey boundaries *“the 2018 vegetation survey does not use the correct SINC boundary, instead using the development site as the boundary.”*.

The SLR survey in June 2018 was undertaken across the whole of the remaining area of the SINC and as per the current SINC boundary as set out by the County Ecologist in Figure 2 provided in the Memo. On Drawing 1 of the SLR report it is clear that the habitats have been surveyed and mapped throughout the whole of the remaining SINC site. The development site boundary is shown on the drawing for context rather than as a defined area of survey. The text in the SLR report sets out clearly in section 3.1 that vegetation outside the development red line boundary was surveyed and mapped as part of this exercise. The descriptive text then goes on to specifically describe all habitats within the survey covering the whole of the remaining SINC. When undertaking the evaluation of the site against the SINC selection criteria species from the whole of this study area, the remaining area of SINC, were taken into account.

## 2.5 Difference in the interpretation of the SINC guidelines

A Site of Importance for Nature Conservation (SINC) is a non-statutory designation used to identify a site considered to have high value for wildlife. Though they have no legal protection they are a consideration in the local planning system. For a site to be designated as a SINC it must meet the criteria set out in the *Sites of Importance for Nature Conservation in North Yorkshire: Guidelines for Site Selection V3.0 December 2017* and as part of this process it is assessed by the North Yorkshire SINC Panel which is made up of a range of local experts.

Species lists have been produced from these selection criteria for neutral, calcareous and acid-type grasslands. The species appearing on these lists (included in Tables 6, 7 and 8) are those that are regionally important, locally rare, scarce or declining or locally distinctive. A scoring system has been applied to all the species with some scoring one or two points, depending on their status. Using this system a site must meet the minimum score of 8 to meet the criteria for SINC selection. This is one of the key criteria for use in selecting sites for SINC designation. Furthermore it is stated that:

*‘The selection of a grassland SINC using the species lists in the tables should ensure the species recorded exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site. If the species recorded from the lists are present, but in low numbers or restricted to small patches within the sward or to the edges of the site then the site should not normally be eligible for SINC selection’.*

There is some ambiguity and potential for differing interpretation of the guidelines as to how sedge species are counted in this process and the council ecologist has set out that the tables in the SLR July 2018 report should count the two sedge species recorded as individuals rather than as an aggregate.

The species count as per the council ecologists’ requirement is therefore as follows, however the table below provides much greater detail on each of the qualifying species distributions within the site which is also an important aspect to determining if a site meets the published SINC criteria.

**Table 1**  
**Status of qualifying SINC species on the site**

Species	English name	Frequency on site	Does it exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site
<i>Agrimonia eupatoria</i>	agrimony	Rare. Only one single plant found.	No
<i>Carex flacca</i>	glaucous sedge	Locally frequent to abundant	Yes
<i>Carex disticha</i>	brown sedge	Locally frequent to abundant at south-east end of site	Yes
<i>Centaurea nigra</i>	common knapweed	Locally frequent	Yes
<i>Festuca pratensis</i>	meadow fescue	Very occasional. Four or five individual plants (tussocks) located within a small area approx. 30m x 15m.	No
<i>Lathyrus pratensis</i>	meadow vetchling	Locally frequent in two areas. Two locations on site estimated as being no more than 12m x 12m at northern end of site and in the south a block of vegetation with this species. In the south several plants were found in an area less than 10m <sup>2</sup> .	No
<i>Leucanthemum vulgare</i>	ox-eye daisy	Locally frequent in one area along the north-east margin of the site (15m by 1.5-2m) and scattered within a small area of the MG1 variant grassland also at the northern end (an area less than 10m <sup>2</sup> ).	No
<i>Lotus corniculatus</i>	common bird's-foot trefoil	Fairly widespread within the site, usually locally frequent where it occurs.	Yes

Though the SLR survey in June 2018 recorded a total 8 qualifying SINC species from Table 7 in the SINC selection guidelines, these do need to occur with a reasonable distribution throughout the sward in all or a significant proportion of the site to be counted in the scoring system. When this latter point is looked at in more detail it is clear that the site only has 4 species meeting this minimum requirement and the site as it currently stands does not meet the SINC selection criteria on this basis.

It is notable that when the Poppleton Glassworks site was first ratified as a SINC in 2010 based upon a survey in 2008 it covered a total area of 3.6ha and the species count was based on this much larger site at that time. The site has since been reduced through lawful permitted developments to a size of 0.89ha. It is not clear if the much reduced Poppleton Glassworks SINC was subject to a further update survey and re-evaluation of its qualifying features in the recent review of sites across the district<sup>1</sup> undertaken by the City of York Council.

The vegetation communities within the SINC are likely to originate from past agricultural management of the area. The wider landscape around the site has been subject to development for several decades and this has resulted in the fragmentation and isolation of retained areas of grassland making them unviable management units for traditional agricultural uses, as such it is not feasible to manage them in the way that originally created their interests. Without such management in place the grasslands will become matted and tussocky and susceptible to invasion by scrub species, ultimately resulting in a loss of diversity and further erosion in the sites value over time. It has already been observed that such changes have started to occur at the site by recent surveys.

## 2.6 Deliverability of compensation for development

For a previous planning application on the site (ref-16/02285/FULM) the City of York Council agreed in principle that the impacts upon the SINC through development in this location could be compensated for through offsite habitat creation. This is set out in the committee report (9<sup>th</sup> November 2018) for that planning application as follows:

*“In relation to the SINC it has been agreed that a scheme for the creation of an off-site wildflower grassland would be acceptable to compensate for the adverse impact to biodiversity from the loss of 0.7ha of the SINC. This will be created at Rawcliffe Country Park which is in reasonable proximity to the site and, as it is managed by the Council, long term management of the site can be controlled. This would be secured via planning condition and a S106 agreement for the financial contribution towards management. The S106 agreement will include submission of an Ecological Design Strategy and, following approval, implementation of that Strategy to create an area of off-site compensatory grassland. A sum of £12,500 (index linked) will be paid to the Council for long term management of the site once the requirements of the Strategy have been completed. These contributions are considered to be:*

*(a) necessary to make the development acceptable in planning terms;*  
*(b) directly related to the development; and*  
*(c) fairly and reasonably related in scale and kind to the development,*  
*and therefore comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).”*

The council ecologist, in the July 2018 Memo has commented that the off-site compensation agreed for loss of the SINC as detailed above is no longer deliverable at the Rawcliffe Country Park due to other works being undertaken by the Environment Agency at that location. Though this may be true, there is no scientific reason as to why Rawcliffe Country Park provides the only opportunity for such compensation measures to be provided.

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<sup>1</sup> City of York – Sites of Importance for Nature Conservation Review 2017

The practice of identifying and delivering such biodiversity offsets is now common place across the UK following the DEFRA Biodiversity Offsetting pilot study which ran from 2012-2014 and a number of local planning authorities in England use this as a primary tool to ensure there is no net loss of biodiversity as a result of development.

The principle of biodiversity offsetting and compensation for losses is not restricted to mitigating the impacts upon designated sites. With a full understanding of a sites baseline condition and with adequate planning and investment into habitat creation or restoration and long term management it is feasible to design a compensation package that delivers no net loss of biodiversity as defined by the DEFRA metric.

Given that the principles of this have already been accepted by the City of York council it is down to any developer of this site to propose and provide a bespoke compensation solution to reduce development impacts down to acceptable levels.

## 3.0 Conclusions

SLR was commissioned on behalf of The Industrial Property Investment Fund in May 2018 to carry out a vegetation survey of land located off Great North Way, Nether Poppleton. The findings were then presented in a report titled *Poppleton Glassworks SINC, Nether Poppleton – Vegetation Survey and Evaluation* dated June 2018.

That report was then provided as baseline evidence by JLL at the City of York new local plan examination.

Following this, comments were received on the SLR report in form of an Internal Memo from Nadine Rolls, the Ecology and Countryside Officer for the City of York Council to Alison Stockdale, the Development Management Officer. The memo is dated 2 July 2018 and it is titled '10 Great North Way – Planning Appeal (16/02285/FULM). Though this site has been subject to a planning appeal the report produced by SLR in June 2018 was not connected to the Appeal.

The issues raised in the memo where further clarity is required are summarised as follows:

- The SLR report does not set out the full experience, qualifications and professional body memberships of the ecologists who undertook the survey and prepared the report.
- The SLR report refers to the *Rachel Hacking Ecology Report* (Dec 2017) and this has not been submitted as part of the planning appeal that the memo refers to.
- The *Naturally Wild* Report (October 2016) accepted the designation of the site as a SINC.
- The SLR survey uses the incorrect site boundary.
- The interpretation of the SINC guidelines varies between the SLR report and that of the council ecologist.
- The county ecologist sets out that the deliverability of compensation for development is in doubt.

In this report SLR has set out responses and provided clarity to address the points raised and most critically a re-appraisal of the sites value against the SINC section criteria has been made to include consideration of the abundance and distribution of qualifying species across the site.

It is notable that when the Poppleton Glassworks site was first ratified as a SINC in 2010 it covered a total area of 3.6ha and the species count was based on this much larger site at that time. The site has since been reduced through lawful permitted developments to a size of 0.89ha. It is not clear if the much reduced Poppleton Glassworks SINC was subject to a further update survey and re-evaluation of its qualifying features in the recent review of sites across the district<sup>2</sup> undertaken by the City of York Council. SLRs detailed survey and appraisal in 2018 concluded that the reduced area a SINC does not meet the minimum requirements for SINC status when assessed against the current and updated (2017) selection criteria.

The vegetation communities within the SINC are likely to originate from past agricultural management of the area. The wider landscape around the site has been subject to development for several decades and this has resulted in the fragmentation and isolation of retained areas of grassland making them unviable management units for traditional agricultural uses, as such it is not feasible to manage them in the way that originally created their interests. Without such management in place the grasslands will become matted and tussocky and susceptible to invasion by scrub species, ultimately resulting in a loss of diversity and further erosion in the sites value over time. It has already been observed that such changes have started to occur at the site by recent surveys.

---

<sup>2</sup> City of York – Sites of Importance for Nature Conservation Review 2017



For a previous planning application on the site (ref-16/02285/FULM) the City of York Council agreed in principle that the impacts upon the SINC through development in this location could be compensated for through offsite habitat creation. With a full understanding of a sites baseline condition and with adequate planning and investment into habitat creation or restoration and long term management it is feasible to design a compensation package that delivers no net loss of biodiversity as defined by the DEFRA metric.

Given that the principles of this have already been accepted by the City of York council it is down to any developer of this site to propose and provide a bespoke compensation solution to reduce development impacts down to acceptable levels. The most appropriate time for this is when a detailed development proposal is submitted.

In conclusion it is SLRs view that the site no longer meets the criteria for selection as a SINC and that loss of habitats could be compensated for through biodiversity offsetting.

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## APPENDIX 01

York City Council Memo '10 Great North Way – Planning Appeal (16/02285/FULM'

## Design, Conservation & Sustainable Development

---

**Re:** 10 Great North Way – Planning Appeal (16/02285/FULM)

**Ref:** APP/C2741/W/18/3201338

**Date:** 2<sup>nd</sup> July 2018

**File:** 10 Great North Way Appeal APP-C2741-W-18-3201338  
290618 NR

**To:** Alison Stockdale, Development Management Officer

**From:** Nadine Rolls, Ecology and Countryside Officer **Ext :** 1662

**Cc:**

---

New information has been submitted to and accepted by the inspectorate relating to the designation of the site as a Site of Importance for Nature Conservation; reference report titled *Poppleton Glassworks SINC, Nether Poppleton, Vegetation Survey and Evaluation*, by SLR (ref: 405.08558.00001) dated June 2018.

This new 2018 report states that a vegetation survey has been undertaken by a senior field ecologist. Although no details of their experience, qualifications and/or membership of professional bodies has been provided the methodology used is appropriate, as is the time of year (May 2018) that the survey was carried out.

The 2018 report cites another survey undertaken by *Rachel Hacking Ecology* in December 2017; this was not submitted with planning application 16/02285/FULM nor as part of this planning appeal.

The report that was submitted with the planning application was by another consultancy Naturally Wild who surveyed the site in August 2016 and accepted the designation of the site as a SINC; although this report did not include a species list from the survey, it did not recommend more detailed analysis of the vegetation (report ref: *Preliminary Ecological Appraisal, Naturally Wild, October 2016*).

There are two main issues to highlight; firstly the 2018 vegetation survey does not use the correct SINC boundary, instead using the development site as the boundary. Figures 1 and 2 below show the original SINC boundary as designated in 2010, and the reduced boundary (resulting from the development of neighbouring areas) as ratified by the North Yorkshire & York SINC Panel in January 2018.

The SINC was designated in 2010 under guideline Gr4 of the *Sites of Importance for Nature Conservation in North Yorkshire, Guidelines for Site Selection*. This states that grasslands will be eligible for selection as a SINC if they meet the following;

*'Areas of semi-natural neutral grassland of at least 0.25ha, or at least 50m in length if the site is a road verge, which lie within the Vale of York and Mowbray... or calcareous grasslands of at least 0.1ha in size... scoring 8 or more from the neutral or calcareous grassland species lists in Tables 6 and 7 respectively.'*

The species recorded in the area outside of the development site boundary (but within the SINC boundary) in the 2018 vegetation survey would score 8 from the calcareous grassland list in Table 7. The report notes that there appears to have been herbicide application in this area.

The second issue to highlight is the guidelines have been mis-interpreted in respect of the species scoring from Table 6, where any sedge (*Carex* spp.) scores 1, not that all sedges combined count as 1. On this basis the species recorded from the wider site in the 2018 survey would in fact score 8 on Table 6, meeting the SINC Guidelines.

On the basis of the above it is my opinion that the site still meets the criteria for designation as a SINC, although I concur with the 2018 report that lack of positive management by the site owners is impacting on the species diversity and distribution in the sward.

For a definitive review of the status of a SINC based on new information, a presentation would need to be made to the North Yorkshire and York SINC Panel. The *Sites of Importance for Nature Conservation in North Yorkshire: Guidelines for Site Selection V3.0 December 2017* are available at <http://www.neyedc.org.uk/data/>

It should also be noted that since the off-site compensation for loss of the SINC at Rawcliffe Country Park was agreed as acceptable the Environment Agency (EA) have announced plans to extend a flood bank barrier into this area. This forms part of a larger scheme of work to upgrade flood defences in Clifton Ings. At present detailed information is not publicly available but it is likely to impact on the deliverability of the SINC compensation works, or at the very least the timescale for delivering them. The EA intends to submit planning applications for the entire flood scheme in December 2018 and start works in Spring 2019, taking circa two years to complete.

**Nadine Rolls**  
**City of York countryside and ecology officer.**

Figure 1: Original SINC boundary as designated in 2010, prior to development of adjacent plots.

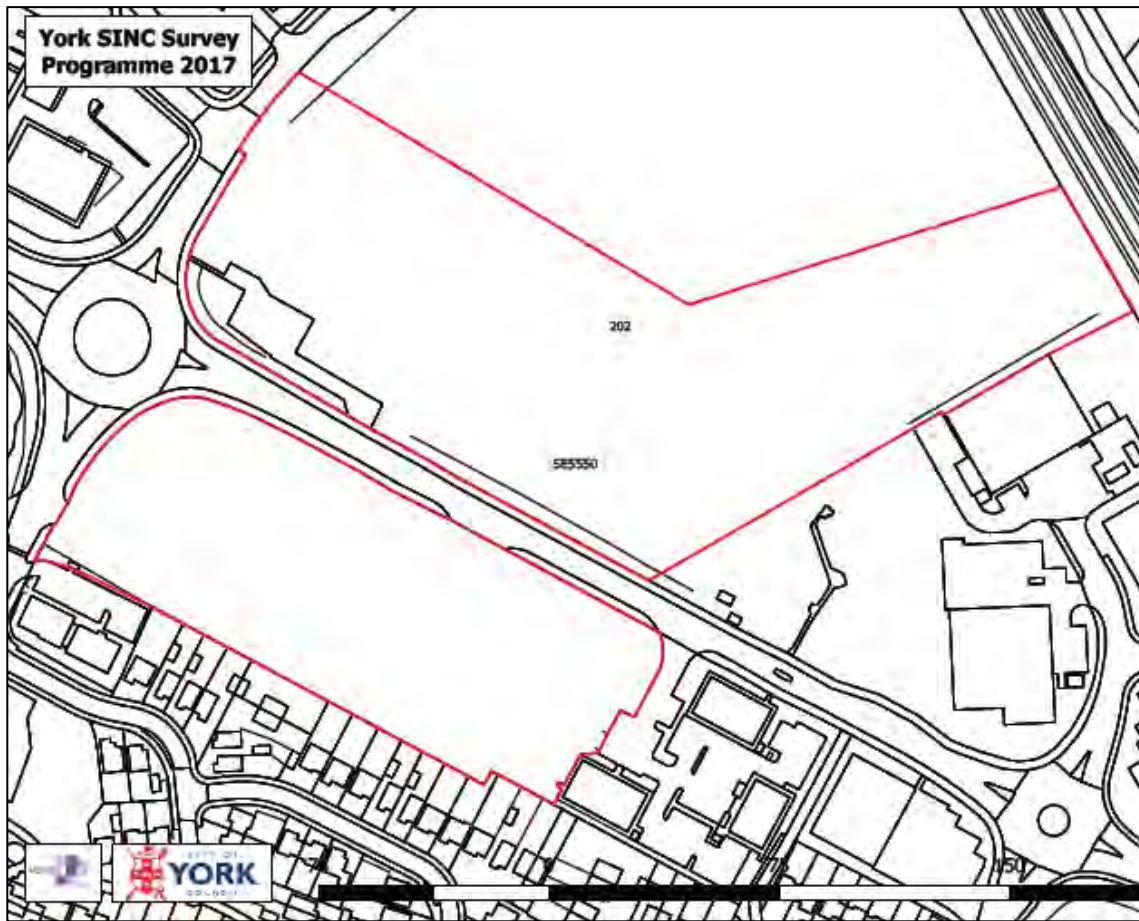
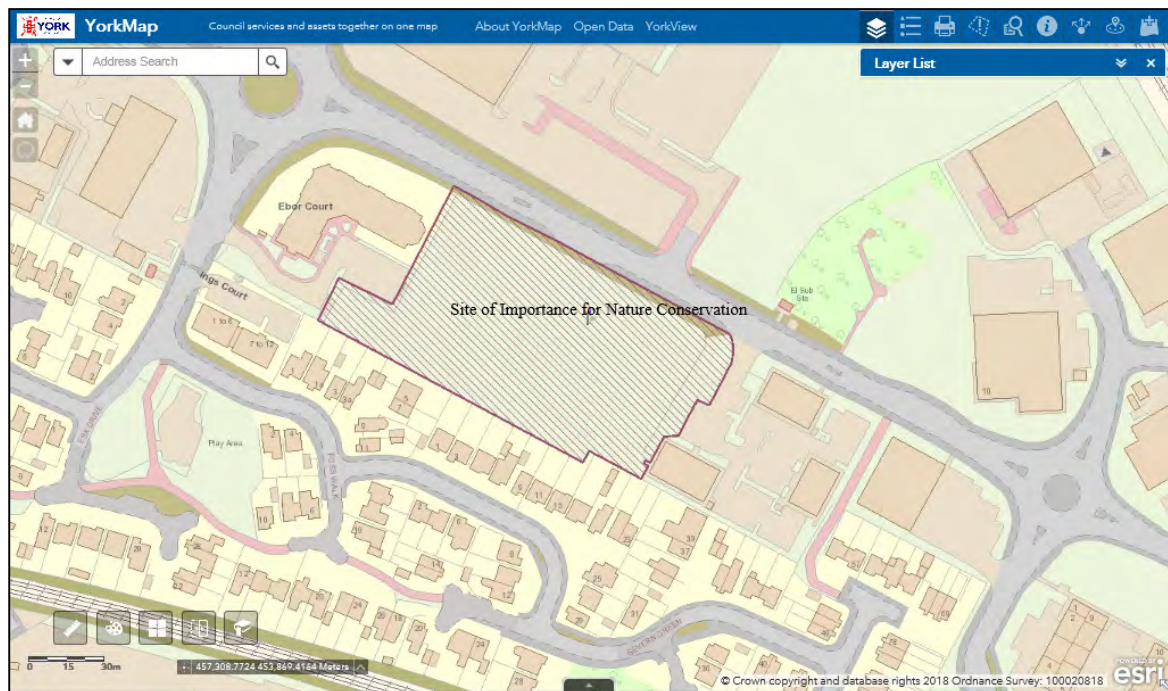


Figure 2: Reduced SINC boundary as ratified by the North Yorkshire & York SINC Panel in January 2018.



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**Naomi Kellett**  
Associate Director



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**From:** Philip Holmes [REDACTED]  
**Sent:** 22 July 2019 22:28  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan Proposed Modifications - Representations in respect of land to the west of Moor Lane, Copmanthorpe  
**Attachments:** Moor Lane Reps July 2019.pdf; Moor Lane Reps July 2019 - Response Form.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 find attached representations submitted on behalf of Mr M Ibbotson in respect of his land to the west of Moor Lane, Copmanthorpe.

I trust this is in order, but if you have any issues with receipt of the submitted documents please contact me.

Kind regards

Philip Holmes



Philip Holmes

[www.oneill-associates.co.uk](http://www.oneill-associates.co.uk)

Lancaster House  
James Nicolson Link  
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York YO30 4GR  
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# City of York Local Plan Proposed Modifications Consultation Response Form

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		Philip
Last Name		Holmes
Organisation (where relevant)		O'Neill Associates
Representing (if applicable)	Mr M Ibbotson	
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 6GR
E-mail Address		████████████████████
Telephone Number		01904 692313

# 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, PM4, PM5, PM20a, PM20d, PM21a, PM21d and PM22;  
EX/CYC/18; EX/CYC/18d; EX/CYC/20

Document:

City of York Local Plan Proposed Modifications &  
TP1 Addendum and Annexes

Page Number:

Various

## 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 comment

## 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 representation

**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 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:**

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

CITY OF YORK LOCAL PLAN  
PROPOSED MODIFICATIONS JUNE 2019

REPRESENTATIONS IN RESPECT OF LAND TO THE WEST OF  
MOOR LANE, COPMANTHORPE



SUBMITTED BY O'NEILL ASSOCIATES

JULY 2019



## EXECUTIVE SUMMARY

This statement is provided as a representation on behalf of Mr Ibbotson in respect of the proposed allocation of land at Moor Lane, Copmanthorpe for housing in the City of York Council Local Plan.

The proposed site measures 15.34ha and is located to the west of Moor Lane at the southwest edge of the developed limits of Copmanthorpe village (ref. Location Plan, Appendix 2). The site is currently in agricultural use.

The site was designated as safeguarded land in the 2014 Publication Draft Local Plan, and with adjoining land to the north it formed part of a 22ha site identified as site SF5. Site SF5 adjoined four sites at the western edge of Copmanthorpe that were allocated for housing in the 2014 Publication Draft Plan, comprising strategic housing sites ST12 and ST13 and general housing sites H40 and H29. These sites were identified by the Council as having an estimated yield of 646 homes. A further site within the settlement (H43) was identified as having potential for 8 homes.

The Publication Draft Local Plan (February 2018) had significantly less land proposed for housing than was allocated in the 2014 Draft Plan, with a considerably reduced housing target and number of site allocations. In Copmanthorpe, the total number of houses proposed over the plan period has been cut from 654 to 246 homes. Of the sites proposed for allocation in 2014 to the west of the settlement only H29 has been retained, and an additional strategic site (ST31) to the north east is identified as delivering 158 homes. The Plan does not incorporate designation of safeguarded land.

Representations supporting the allocation of the Moor Lane site for housing have been submitted as part of consultation on the various stages of the emerging Local Plan. The representation submitted in March 2018 on the 2018 Publication Draft Local Plan provided analysis demonstrating how the Council's overall assessment of its housing requirement was significantly flawed, and casting considerable doubt over whether the proposed housing allocations could deliver the number of dwellings identified.

This representation updates the above analysis in accordance with the Proposed Modifications to the Draft Local Plan, in which the Council include a further reduction of its housing requirement figure from 867 to 790 dwellings per annum, and present additional evidence to justify its approach to defining York's Green Belt.

Our analysis reinforces the representations made in 2018 and holds that;

- The proposed reduction in the housing requirement figure is not justified

- The Draft Local Plan Housing Allocations are inadequate to meet housing need
- The Council has wrongly interpreted national planning policy and guidance in its approach to defining Green Belt boundaries
- The proposed Green Belt boundaries are not defensible as insufficient land is excluded from Green Belt to meet development needs

The representations retain the conclusion that the Plan does not make adequate provision for housing land supply for the 16-year Plan period or the subsequent 5-year period. The proposed Green Belt boundaries will therefore not endure beyond the Plan period and the Plan is therefore not compliant with the NPPF.

Our view is that a substantial amount of additional housing land will need to be allocated if the Council is to meet housing requirements and confirm a permanent Green Belt for York.

In this context, we maintain there is cause for consideration of the land at Moor Lane for allocation as housing in the Local Plan in accordance with our previous representations which confirm;

- The site continues to represent a viable and deliverable housing site and would provide a significant level of housing, estimated at 350 units, to make a valuable contribution to York's housing need
- The site has a willing landowner committed to making it available in the short- to medium-term, contributing to the delivery of housing within the first 5 years of the Plan
- Options are available for the site to be delivered on its own or in conjunction with adjacent sites put forward to allocation to form a logical and sustainable extension to Copmanthorpe's settlement limits with potential to deliver enhanced services and facilities for the village
- Development of the site would not have an adverse impact in relation to the setting and special historic character of York and that, together with adjacent land to the west of the village, this represents a more suitable extension of Copmanthorpe than strategic site ST15.

**CITY OF YORK COUNCIL LOCAL PLAN  
PROPOSED MODIFICATIONS JUNE 2019**

**REPRESENTATIONS ON BEHALF OF MR M IBBOTSON IN SUPPORT OF  
ALLOCATION OF LAND AT MOOR LANE, COPMANTHORPE  
FOR RESIDENTIAL DEVELOPMENT**

**Contents**

1. Introduction
2. Objection to the Proposed Modifications to the Draft Local Plan
3. Planning Context to the Proposed Modifications
4. Local Political Context
5. Assessment of Housing Need
6. Analysis of Proposed Housing Allocations
7. Representations on Green Belt Evidence Base
8. Conclusions

**Appendices**

1. Proposed Modifications Consultation Response Form
2. Location Plan
3. City of York Council List of Unimplemented Planning Permissions (as at 1 April 2018)
4. Analysis of Proposed Allocations and Expected Rates of Delivery

ymc1907v1.lpreps.ph  
July 2019

## 1.0 INTRODUCTION

- 1.1 This submission is provided in support of the proposed allocation of land at Moor Lane, Copmanthorpe for housing in response to the Proposed Modifications to the Draft Local Plan put forward by City of York Council.
- 1.2 The proposed site measures 15.34ha and is located to the west of Moor Lane at the southwest edge of the developed limits of Copmanthorpe village (ref. Location Plan, Appendix 2). The site is currently in agricultural use.
- 1.3 The site was formerly allocated as safeguarded land in the 2014 Publication Draft Local Plan, although previous representations for the Local Plan identified it as a suitable and deliverable housing site with an anticipated capacity of 350 dwellings.
- 1.4 Detailed justification for the allocation of the site is provided in previous representations made during consultation on the various stages of the emerging Local Plan, including on the Publication Draft in March 2018. Our case remains unchanged other than where updated by these representations.
- 1.5 In drafting the representations on the Proposed Modifications, we are mindful that the Draft Plan is being examined under the transitional arrangements under which the relevant national planning policy is contained in the National Planning Policy Framework (NPPF) of March 2012.

## 2.0 OBJECTION TO THE PROPOSED MODIFICATIONS TO THE DRAFT LOCAL PLAN

- 2.1 The February 2018 Publication Draft Local Plan identified a housing need of 14,768 homes over the 16 year Plan period, based on a requirement of 867 homes per annum plus an allowance for under provision for 2012-2017. The net requirement for homes over this period, after taking into account unimplemented consents and windfall development, was stated by the Council to be 8,993 homes.
- 2.2 Our representations to the 2018 Publication Draft Local Plan outlined how the Council's assessment to calculate housing need was fundamentally flawed, and that the Local Plan should be addressing a net housing requirement for 16,452 rather than 8,993 homes within the Plan period.
- 2.3 The current consultation exercise was required by Inspectors after they had requested the Council to provide further evidence to support the submitted 2018 Local Plan. On the new evidence, Inspectors stated in their letter to Council, dated 7 May, that;

*“much of the new evidence is fundamental to the soundness of the Local Plan, particularly the Council’s overall approach to the Green Belt and the assessed OAHN figure”*

- 2.4 The Inspectors’ letter went on to require that the public consultation should provide ‘the opportunity for anyone to make a representation on any of the following’:
- *the proposed revised OAHN figure, the supporting evidence and any subsequent proposed modifications to the submitted Local Plan suggested by the Council.*
  - *the updated HRA, the supporting evidence and any subsequent proposed modifications to the submitted Local Plan suggested by the Council*
  - *the proposed changes to the Green Belt boundary, the associated evidence and any other proposed modifications to the submitted Local Plan suggested by the Council.*
- 2.5 This submission provides representation in relation to the revised objectively assessed housing need (OAHN) figure, and updates our analysis on housing need and allocations in line with the Council’s stated annual requirement of 790 dwellings, reduced from 867 in the submitted Draft Plan. It also makes representation on the Council’s evidence to justify its approach to defining York’s Green Belt. This is presented across the following sections;
- **Section 3** outlining the national planning policy context for the Proposed Modifications
  - **Section 4** – summarising the local political context that decided the final content of the Publication Local Plan and subsequent Proposed Modifications
  - **Section 5** – providing a critical assessment of the Council’s approach to housing need and updating our alternative housing requirement
  - **Section 6** – providing an analysis of the proposed housing allocations included in the Draft Plan
  - **Section 7** – making representation on the Council’s approach to defining York’s Green Belt
- 2.6 The following consultation documents are considered to be particularly relevant to these representations:
- *City of York Local Plan – Proposed Modifications - June 2019*
  - *City of York Local Plan – Topic Paper 1 (TPI) – Approach to defining York’s Green Belt - Addendum March 2019 (EX/CYC/18) [with Annexes]*
- 2.7 Our assessment continues to demonstrate that the Draft Plan is over-reliant on a small number of strategic housing sites to meet the housing need, and will likely lead to a shortfall in the assumed housing delivery, particularly in the early years of the Plan. We maintain that further sites will need to be allocated to address York’s housing need and deliver a sound Local Plan. In this context, it is considered that the site at Moor Lane should be considered for inclusion in the emerging plan.

- 2.8 In terms of the current consultation, this means we retain objections to the Proposed Modifications as outlined in Table I below.

**Table I: Objections to the Proposed Modifications**

Modification Ref.	Modification Title
PM3	Explanation of City of York Housing Needs
PM4	Policy SSI – Delivering Sustainable Growth for York - Policy
PM5	Policy SSI – Delivering Sustainable Growth for York – Explanation
PM20a to PM20d	Policy HI – Housing Allocations
PM21a to PM21d	Policy HI – Housing Allocations
PM22	Policy HI – Housing Allocations – Explanation

### The Plan Period

- 2.9 It is important to note ahead of the following sections that there is an immediate and key issue on the issue of the Council's Plan period. The Submission Draft Plan proposes a 16-year Plan period starting at 1 April 2017 and extending to 31 March 2033. Beyond 2033, the Plan has made provision for development needs for an additional 5 year period to ensure a "permanent" Green Belt Boundary.
- 2.10 However, over two years have now elapsed since the start of the Plan period of April 2017. It is anticipated by the authors that the Local Plan is likely to be examined during 2019 and 2020. The Plan may well not be adopted until 2021, giving an 11- or 12-year Plan period. Should the Inspectors require further work from the Council, for example related to housing targets, then the Plan period could be less, possibly 10 years. The 5 additional years for 'permanence' would give a total Plan period of 16 or 17 years, possibly only 15 years.
- 2.11 We consider that the Plan period should be moved forward to ensure that the development needs for the City can be properly accommodated, and to provide a Green Belt that will endure beyond the Plan period. These representations therefore assume a Plan start date of April 2019 for the purposes of assessing the housing requirement.

### 3.0 PLANNING POLICY CONTEXT FOR THE PROPOSED MODIFICATIONS

- 3.1 The primary policy context for considering the proposed modifications is the National Planning Policy Framework and associated National Planning Practice Guidance. The Draft Plan is being examined under the transitional arrangements set out in paragraph 214 of Annex 1 of the revised 2019 NPPF, and as such the relevant national planning policy is contained in the NPPF of March 2012.

3.2 The NPPF published in March 2012 replaced all previous Planning Policy Guidance notes and some circulars. The Framework sets out the Government's clear intention to facilitate economic growth through sustainable development. In the Ministerial Foreword to the Framework, the Minister for State says:

*"The purpose of planning is to help achieve sustainable development.*

*Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations.*

*Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices..."*

3.3 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF at paragraph 14 explains that for plan making taking this means:

- *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*

3.4 On the issue of housing, the NPPF is clear about the need for a significant increase in housebuilding to address existing backlog and meet future needs. Local authorities are encouraged to "...**boost significantly**..." the supply of housing. Paragraph 47 of the NPPF states:

*To boost significantly the supply of housing, local planning authorities should:*

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land*

#### 4.0 LOCAL POLITICAL CONTEXT

##### Local Plan Working Group, 10 July 2017

- 4.1 Updated housing requirement figures were reported to the Local Plan Working Group (LPWG) on 10 July 2017, which represented the Council's position in relation to York's annual housing need.
- 4.2 The Officer report to LPWG Members identified an annual housing requirement of 953 dwellings per annum based on evidence provided by the Council's own consultants G L Hearn in the Strategic Housing Market Assessment - Addendum Update May 2017 (the SHMA Update). The 953 figure was composed of a demographic baseline of 867 dwellings, and an adjustment for 'market signals' of 10%.
- 4.3 The LPWG report stated the Plan period should run from 2012 to 2033. However, it also acknowledged that as York is setting detailed Green Belt Boundaries for the first time, it was also necessary to consider the 5 year period beyond 2033, up to 2038, in order to provide for an enduring Green Belt. On the basis of the LPWG report, the housing requirement for the Plan period 2012 to 2033 would therefore be 20,013 (21 x 953) dwellings. The housing requirement need calculation for the period 2033 to 2038 would be 4,765 (5 x 953) dwellings.
- 4.4 In calculating the amount of land needed to meet the housing requirement for the LPWG report, the Council had regard to completions to date and unimplemented planning permissions. It also assumed a windfall completion rate of 169 from Year 4 of the Plan.
- 4.5 Taking these factors in the account, the Council's estimate of the remaining housing requirement for the Plan Period presented to the July 2017 LPWG is as follows:

**Table 2: Council's estimate of housing requirement as presented to LPWG, 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 <i>* We believe this figure is a misprint, and should be 3,578.</i>	3,758*
Windfalls (from Year 4) @ 169 pa	2,197
Requirement Remaining	10,806



- 4.6 At the LPWG meeting, Members did not agree with the assessment of the housing requirement as presented by Officers and informed by the GL Hearn report. Members instead set the housing requirement at the demographic baseline of 867 dwellings per annum. This was the figure used in the Pre-Publication Draft Local Plan which went out for consultation in September 2017.

**Local Plan Working Group, 23 January 2018**

- 4.7 The LPWG on 23 January 2018 considered the representations made on the Pre-Publication draft plan. The Officer's report presented a number of options for the housing requirement based on the degree of risk associated with each option. The report reminded Members they had previously been advised that the Council's independent consultants had estimated the annual housing requirement to be figure of 867, rising to 953 to allow for a 10% market signals uplift. Members had accepted the 867 baseline figure for consultation in the Pre-Consultation Draft Plan, but not the figure of 953.
- 4.8 Members were also informed that if they were to apply the draft methodology for assessing housing requirement that the Government had consulted on in late 2017, then the housing requirement for the City was estimated to be 1,070 dwellings. They 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.
- 4.9 Members were advised of their statutory duty to ensure the Submission Draft Plan meets the test of "soundness". Officer advice was that the direction of travel in national policy indicated that if the site proposals previously consulted on were increased this would be a more robust position. Members were clearly advised that an increase in the supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process.
- 4.10 Members were also advised of the options for increasing the housing supply that were set out in four tables in the LPWG report. Those options ranged from inclusion of MOD sites (Table 1); the enlargement of allocated strategic sites (Table 2); the inclusion of previously rejected sites that, following further assessment work, Officer's felt should be reconsidered (Table 3); and new sites emerging in response to the consultation on the Pre-Publication draft plan.
- 4.11 Members rejected any proposal to increase the housing requirement set out in the Draft Plan, and approved only the inclusion of the MoD sites in Table 1 of the LPWG report.

**Council Executive, 25 January 2018**

- 4.12 The recommendations of the LPWG were reported to the Council Executive on 25 January 2018. Representatives of the promoters of the three largest Strategic Housing sites addressed the Executive:- Site ST7, Land East of Metcalf Lane (845 units); Site ST14, Land West of Wigginton Road (1,348 units); and Site ST15, Land West of Elvington Lane (3,339 units). The representatives informed Members that their sites, as proposed in the Publication Draft Local Plan, were not viable or deliverable without additional land and some increase in the number of dwellings proposed for each. They requested that changes be made to the Draft Publication Local Plan before it went to consultation, but these requests were subsequently ignored by members.

**Local Plan Publication Draft, February 2018**

- 4.13 The Publication Draft Plan proposes a 16-year plan period with a start date of 1<sup>st</sup> April 2017. This deviates from the Officer’s report to LPWG Members, which had assumed a Plan start date of 2012, and changes the basis of the housing requirement calculation. Completions are no longer included in this calculation since the start date of the Plan is essentially Year 0 in the calculation. Instead, the Council include an allowance for backlog (under provision) for the period 2012 to 2017, which is set at 56 units per annum. With the annual base requirement of 867 dwellings, this gives a total annual requirement of 923 dwellings per annum.
- 4.14 Taking account of these changes, the housing requirement as proposed in the Submissions Draft Plan is set out in Table 3:

**Table 3: Housing Requirement - 2018 Local Plan Publication Draft**

Plan period 1 <sup>st</sup> April 2017 to 31 <sup>st</sup> March 2033	
Total Need 2017 - 2032/33 (based on 867 + 56 = 923 dwellings per annum)	14,768
Unimplemented Permissions @ 1st April 2017	3,578
Windfalls (from 2020/2021) @ 169 pa	2,197
Requirement to be provided through allocations	8,993

- 4.15 In addition, to ensure what the Draft Plan considers to be enduring Green Belt boundaries, additional land was allocated to meet the annual base requirement of 867 dwellings per annum for the 5-year period between 2033 and 2038. This effectively meant that the overall housing requirement to be provided through allocations was assessed by the Council to be 13,328 homes (8,993 + (867 × 5)).

#### Draft Local Plan – Submission to Secretary of State for Examination

- 4.16 The Publication Draft Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on 25 May 2018 for independent examination.
- 4.17 Following submission, the Inspectors wrote to the Council on 24 July 2018 with their initial observations on the supporting documents and evidence for the Plan. The letter commented that;
- 'On the face of it, and without prejudice to any conclusions we might reach following more detailed exploration through the examination, the SHMA Update appears to be a reasonably robust piece of evidence which follows both the NPPF and the national Planning Practice Guidance. The plan, however, aims to provide sufficient land for 867 dpa'*
- 4.18 The Inspectors' letter then went on to query why the Council had settled on a figure of 867 dwellings per annum, without including the 10% uplift as per the evidence provided by G L Hearn in the SHMA Update.
- '...the Council accepts the figure of 867 dpa, but does not accept the conclusions of the SHMA Update concerning the uplift or the consequent OAN figure of 953 dpa. The reasons given for the latter appear to relate to the challenge of the 'step-change' in housing delivery needed. We also note that it says the Council considers GL Hearn's conclusions to be "... 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 constraints".*
- Precisely what it is about the SHMA Update that the Council considers "speculative and arbitrary" is not apparent to us. We are also unsure why you consider the SHMA Update to be "too heavily reliant on recent short-term unrepresentative trends". We therefore ask you to elaborate on these shortcomings in your evidence.*
- Difficulty in housing delivery and the existence of environmental constraints have no place in identifying the OAN. If such matters are to influence the plan's housing requirement, which you will appreciate is a different thing to the OAN, the case for this must be made and fully justified. At present, unless we have missed something, it is not. Overall, as things presently stand, we have significant concerns about the Council's stance regarding the OAH.*
- 4.19 In response to these queries the Council commissioned another update of the OAHN, produced by G L Hearn in January 2019 as the 'City of York – Housing Needs Update'. This Update arrived at a housing requirement of 790 dwellings per annum based on the 2016 Sub National Population Projections and 2016 based Household Projections, constituting a significant reduction compared with previous estimates.

4.20 In submitting the Update to the Inspectors for consideration, the Council’s letter of 29 January 2019 stated that;

*The enclosed SHMA Update report advises that York’s OAN is 790 dwellings per annum. This is based on a detailed review of the latest published evidence including the national population and household projections and the latest mid year estimate. The review has been undertaken based on applying the requirements of the National Planning Practice Guidance in relation to the assessment of housing need, under the 2012 NPPF. This confirms to the Council that the 867 dwellings per annum proposed in the submitted Plan can be shown to robustly meet requirements.*

4.1 However, since the January 2019 letter the Council has elected to adopt the lower figure of 790 to be taken forward as the annual housing requirement target in the Local Plan. It has also used a lower figure of just 32 dwellings per annum to account for backlog.

4.2 Taking account of these changes, the housing requirement as outlined in the Proposed Modifications to the Local Plan (June 2019) are set out in Table 4:

**Table 4: Housing Requirement - 2019 Proposed Modifications to the Local Plan**

Plan period 1 <sup>st</sup> April 2017 to 31 <sup>st</sup> March 2033	
Total Need 2017 - 2032/33 (based on 790 + 32 = 822 dwellings per annum)	13,152
Unimplemented Permissions @ 1st April 2018 less 10% for non-implementation (3,345 x 0.9)	3,010
Windfalls (from 2020/2021) @ 169 pa	2,197
Requirement to be provided through allocations	7,945

4.3 In addition to the housing land requirement for the Plan period set out in Table 4, the Council must also allocate land for the period 2033 to 2038 to ensure what it considers to be enduring Green Belt boundaries. Using the Council’s annual figure of 790 units as per the Proposed Modifications, the requirement for the 5-year period beyond 2033 would be 3,950 dwellings. This means that the overall housing requirement to be provided through allocations as assessed by the Council is 11,895 units (7,945 + (790 x 5)).

## 5.0 ASSESSMENT OF HOUSING NEED

5.1 We consider that the Council's assessment of the housing requirement and the 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 requirement is too low
- (iii) The calculation of completions since 2012 is too high (i.e. the Council's estimate of backlog is too low)
- (iv) Outstanding commitments include student housing that should be excluded
- (v) The assumptions on windfalls are questionable and should not be treated as a component of the Plan

### (i) *The 2016 Household Projections*

5.2 The January 2019 Housing Needs Update assesses the OAHN for the district to be 790 dwellings per annum. This is a figure derived using the ONS' 2016-based Sub-National Population Projections, the 2016-based Household Projections, and the latest mid-year estimates. We disagree with this figure for several reasons.

5.3 The Council's Proposed Modification to the housing requirement from 867 to 790 is contradictory to the advice given by the Council in its letter of 29 January 2019 to the Inspectors, which stated that the Housing Needs Update work was undertaken to:

*"seek to confirm that the 867 dwellings per annum proposed in the submitted Plan can be shown to robustly meet requirements".*

5.4 Fundamentally, the way the OAHN has been calculated is contrary to National Planning Policy. This is confirmed by the Government in the updated Planning Practice Guidance (as revised on 20 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".*

5.5 Accordingly, whether using the 'old' or 'new' standardised methodology, it is clear that the Government has 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 the old guidance to make clear that the 2016 projections have been rejected. 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.

- 5.6 The shortcomings of the use of the 2016 population and household projections are acknowledged in the Housing Needs Update, which states at paragraphs 2.20 and 2.21 that:

*“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.*

*“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.”*

- 5.7 In addition, the Housing Needs Update highlights the pressure on house prices in the City, with paragraphs 4.1 and 4.2 stating that;

*“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.”*

*“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.”*

- 5.8 On the issues of affordability, the Housing Needs Update is even more damning. Paragraphs 4.17 and 4.19 state;

*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...**”*

*“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. “*

- 5.9 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, as evidenced by worsening affordability.

5.10 Fundamentally, use of 2016 projections promotes and compounds 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 Need*

5.11 In our representations on the Preferred Sites Consultation September 2016, we included an Assessment of Housing Need prepared By Nathaniel Lichfield and Partners (NLP). That Assessment established the scale of need for housing in the City of York based upon a range of housing, economic and demographic factors and trends using NLP's HEaDROOM framework.

5.12 The Assessment found that that the objectively assessed housing need for the City of York was in the range of 1,125 to 1,255 dwelling per annum. The approach allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to deliver affordable housing and support economic growth. Using this range would have ensured compliance with Paragraph 47 of the NPPF by significantly boosting the supply of housing. It would also have reflected Paragraph 19 of the NPPF, which seeks to ensure the planning system does everything it can to support sustainable development.

5.13 Subsequent to the NLP Assessment, other independent housing need assessments have been produced which support its findings. A review of local plan housing targets prepared by Regeneris Consulting (October 2017) in support of an outline planning application for up to 516 houses in Acomb (ref: 18/02687/OUTM) concluded that the demographic starting point should be 890 dwellings per annum and, with adjustment for economic growth and market signals, the final OAHN was in the region of 1,150 dwellings per annum.

5.14 In September 2017, the Government consulted on a standard methodology for assessing housing need that every Local Planning Authority would have to use when preparing a Local Plan. The methodology uses the projections of household growth as the demographic baseline for every local authority area. To this is added an adjustment to take account of market signals in house prices. Along with the Consultation Paper the Government included a calculation of the housing requirement for each local authority in the country. The calculation for York was a housing requirement of 1,070 dwellings per annum. The consultation paper explained that this should be treated as the starting point for assessing the housing requirement.

5.15 Taking a robust and conservative approach, the Government's figure of 1,070 dwellings per annum is used in our assessment of the housing requirement for the Local Plan period.

*(iii) Calculation of Completions – Backlog*

5.16 The Council has underestimated the scale of the backlog and the Council's annual allowance of 32 dwellings, amounting to just 512 units over the 16-year Plan period, is too low.

5.17 To calculate the backlog, our assessment uses the figure of 953 – the annual housing requirement recommended by the Council's independent consultants, G L Hearn for the period from 2012 in the 2017 SHMA Update. We then subtract completions in each year from 2012/13 to 2018/19 to obtain the backlog. It also takes the following factors into account:

- The Local Plan must demonstrate it can provide deliverable sites for the 5-year tranches within the plan period. Government guidance advises that the calculation of the 5-year supply must take account of any shortfall from previous years. How far back the shortfall should be included is a matter of judgement. There is a point at which unformed households from previous years have been permanently displaced and therefore the need to accommodate them has passed. For the purpose of this calculation, and for some degree of convenience, the period from 2012 will be used as the basis of calculating the backlog. (However, using the RSS requirement of 850 dwellings per annum for the period 2008 to 2012 the backlog for that period was 1,607 dwellings, which is essentially 'written off').
- In order to calculate the backlog accurately, it is necessary to analyse the housing completion data contained within the Council's Annual Housing Monitoring Updates. These would suggest that, after many years of under provision, the total net dwelling gains between 2015/16 and 2017/18 provided a surplus against the Council's assessment of housing need. However, these figures must be treated with caution as they include purpose built student accommodation units which have a distorting effect on the data. For instance, the Council's total dwelling gains figures of 1,121 for 2015/16 and 1,296 for 2017/2018 respectively included 579 and 637 student units. To provide a more realistic and robust analysis, our assessment of the completion backlog excludes student units.

5.18 It should be noted that the Council has included student units in their completion and commitments figures based on the definition of dwelling units used in the DCLG General Definition of Housing Terms. However, this is a misreading of the definition which excludes communal establishments from being counted in the **overall housing**



**supply statistics**, but adds that all student accommodation whether it consists of communal halls of residence or self-contained dwellings, on or off campus, can be included towards the **housing provision** in local development plans. Government guidance (which is more recent than the DCLG dwelling definition) is that student accommodation units can be included within the housing supply, but only “...based on the amount of accommodation it releases in the housing market.” (Planning Practice Guidance Reference ID: 3-042-20180913).

5.19 The Council has not produced any evidence to demonstrate how market housing supply has been increased by students transferring from traditional private sector shared housing. Indeed, the available evidence presented in the City of York Council Strategic Housing Market Assessment June 2016 is that new purpose-built student accommodation has not displaced students from market or family housing. Paragraph 10.67 of the SHMA states:

*“We have undertaken some qualitative research on the student housing market. This revealed there was an increase in capacity as new purpose-built accommodation has been built on and off campus. However, it was discovered that this did not reduce demand for traditional private sector shared housing.”*

5.20 In addition, the Council has not demonstrated that students form part of the objectively assessed housing need nor demonstrated that new student housing accommodation would contribute towards meeting the housing requirement. Furthermore, case law has established that in these circumstances purpose built student accommodation cannot count towards the housing supply (*Exeter City Council v Secretary of State for Communities and Local Government, Waddeton Park Limited, The R B Nelder Trust. Case No: CO/5738/2104*).

5.21 Taking account of the above, our calculation of the housing completion backlog for 2012 to 2019 is set out in Table 5:

Table 5: Housing completion backlog for the period 2012-2019

Year	Actual completions	Less student units	Net C3 dwelling units	2016 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	1,121	579	542	953	-411	59.9%
2016/17	977	152	825	953	-128	86.6%
2017/18	1,296	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>3,796</b>	<b>6,671</b>	<b>-2,902</b>	

**(iv) Commitments**

5.22 We have obtained a list of the 3,345 unimplemented planning permissions (as at 1 April 2018) that the Council has used to inform its housing requirement figure as included in the 2019 Proposed Modifications (ref. Table 4). The list, included as Appendix 3, shows that 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 commitment 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.

**(v) Windfalls**

5.23 The Council's assessment of housing provision includes an allowance for 169 windfalls per annum from Year 4 of the Plan (2020/2021), totalling 2,197 units. Guidance in Paragraph 48 of the NPPF is that windfalls can be included in the calculation of five-year supply, i.e. not as a source of housing supply across the Plan period. This is because the supply of windfalls is variable and including it across the plan period does not provide the certainty of delivery compared with actual allocations. In addition, once the plan is adopted and housing allocations confirmed, the pressure to deliver housing through windfalls should decrease. Other Authorities, most recently Scarborough Borough Council, have adopted this approach whereby a windfall allowance is identified across the plan period but treated as a flexibility allowance to the allocations and not included in the housing provision. The Inspector for the Scarborough Local Plan Examination in Public endorsed this approach and the plan has now been adopted.

**Conclusion on Housing Requirement**

5.24 Taking all the above factors into account, our estimate of the housing requirement for the 16-year plan period, compared with the Council's estimate (but adjusted to a 2019 start year), is set out in Table 6:

**Table 6: Comparison estimates of housing requirement, 2019-2035**

Plan period 1 <sup>st</sup> April 2019 to 31 <sup>st</sup> March 2035	CYC 2018 Publication Draft Plan (adjusted to 2019 start year)	CYC 2019 Proposed Modifications (adjusted to 2019 start year)	Our Estimate
Total Need 2019- 2033 (16 Years)	13,872 (based on 867 dpa)	12,640 (based on 790 dpa)	17,120 (based on 1,070 dpa)
Backlog	896 (56 dpa x 16)	512 (32 dpa x 16)	2,902* (Table 5)
<b>Gross Requirement</b>	<b>14,768</b>	<b>13,152</b>	<b>20,022</b>
Unimplemented Permissions	3,578 (as at 1 April 2017)	3,010** (as at 1 April 2018)	2,925*** (para 5.22)
Windfalls (from 202/21) @ 169pa	2,197	2,197	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

- 5.25 It is evident from this analysis that the Council's estimate of the housing requirement for the plan period of 2017-2033 is significantly flawed, with a shortfall of over 9,000 units between the Council's requirement as set out in the Proposed Modifications and our critically assessed housing requirement of 17,097 units.
- 5.26 In addition to meeting the housing land requirement during the Plan period, the Council must also look beyond this period to establish an enduring Green Belt boundary. The Council has sought to address this by allocating housing land for the period 2033 to 2038. Using the Council's annual figure of 790 units as per the Proposed Modifications, the requirement for the 5-year period beyond 2033 would be 3,950 dwellings. However, using the Government's figure of 1,070 units per annum provides a requirement as 5,350 dwellings. As such, this would provide an overall housing requirement of 22,447 to be provided through allocations, and not 11,895 as set out in Paragraph 4.23 above.
- 5.27 Given this to be the case, it is likely that significant additional allocations will be required to address the shortfall between the Council's professed housing need and the actual housing requirement for York.

## 6.0 ANALYSIS OF PROPOSED HOUSING ALLOCATIONS

### Meeting Housing Demand and Delivery Targets

- 6.1 The Draft Local Plan places a heavy reliance on the allocated strategic sites to deliver the required number of dwellings over the plan period. Draft Policy H1 relates to housing allocations and includes at Table 5.1 a list of the proposed strategic and general housing allocations, which the Council's Proposed Modifications PM18 and PM19 seek to amend by deleting the Strensall Barracks sites H59 and ST35. Incorporating these Proposed Modifications, the proposed housing allocations are identified as having potential to deliver 14,440 houses, although not all would come forward during the plan period.
- 6.2 Following removal of Strensall Barracks, a total of 15 strategic sites are assessed as contributing 12,988 houses, with standard housing allocations assessed as yielding just 1,452 units. The strategic sites therefore make up around 90% of the identified total housing yield from the allocated sites. However, there is no certainty over the rate of delivery that can be achieved on some of these sites.
- 6.3 As an example, Strategic Site ST1 (British Sugar) has been allocated for 1,200 homes, which the Draft Plan states will all be delivered within the lifetime of the plan. However, this site remains undeveloped having lain vacant and derelict since 2006, and it is understood development could only commence following a 3-year scheme of remediation. Outline planning consent (15/00524/OUTM) to develop the site for up to 1,100 homes was granted in September 2018 following a Public Inquiry. There have yet not been any Reserved Matters submissions, and it will take some time to resolve the planning issues and obtain detailed planning permission for the site. This will extend the already lengthy lead-in time for the development of the site, which likely remain largely undeveloped for many years, with the first completions not likely until at least 2023.
- 6.4 The difficulty in bringing forward Strategic Site ST5 (York Central) is also well documented. The Emerging Plan envisages 1,700 new houses being built on this site within the 1 to 21 year period, and at a projected density which ranges between 95-125 homes per hectare. However, as with the British Sugar site, there is considerable doubt over York Central's viability and deliverability. An outline application (18/01884/OUTM) for a mixed-use development including up to 2,500 homes was approved at Planning Committee in March, but the S106 Agreement has not yet been completed and again it will take some time for Reserved Matters to be approved. There will also be a significant lead-in time to address remediation and access issues before development can commence.

- 6.5 There is also a question over how the supply of new homes at York Central will be matched with (the existing) housing demand. The 2016 SHMA for York reveals that the highest level of demand for market housing in the city is for 2 and 3-bedroom family homes whereas the outline planning application approved by Planning Committee in May 2019 suggests that 70% of the dwellings on York Central will be apartments. There is also significant unmet demand for bungalows amongst retirees seeking to downsize.
- 6.6 According to local letting agents surveyed for the SHMA, the crucial gap in supply is for good quality family homes. There is no perceived shortage of flats or apartments. Based on projections of additional households between the years of 2017 and 2032, the SHMA also indicates that greatest need for market dwellings is for 3-bedroom homes, at 39.2% of additional dwellings. This is followed by two-bedroom homes (37.7%) and 4-bedroom homes (16.5%). The need for 1-bedroom dwellings is comparatively low at 6.6%.
- 6.7 Whereas the Plan appears to be reliant on the higher densities provided by apartment living to make a significant contribution to the overall supply of housing, the evidence presented in the SHMA suggests that this is not where the main area of demand lies.
- 6.8 To deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the advice contained within paragraph 50 of the NPPF is that local planning authorities should:
- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand
- 6.9 In its current form, it is not clear how the allocated sites and their associated yields will address this requirement. In addition, the Council powers to secure the proposed densities are weak. Given just these two examples, it is clear there must be significant concern that overreliance on housing delivery from the strategic sites will undermine the potential for the Local Plan.
- 6.10 Extending analysis to the rate of deliverability of all the proposed housing allocations also raises doubts over whether sufficient housing land and sites is incorporated in the Draft Plan.

6.11 Taking the sites proposed for allocation as identified in Table 5.1 of the Publication Draft Local Plan, we have applied what we believe to be realistic assumptions about their potential rate of delivery based on the information provided in the table and other sources. 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 6.2 above. Our assessment of the allocations, which is included at Appendix 4, indicates the following rates of delivery:

Table 7: Anticipated rates of housing delivery from proposed allocations

Timescale	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 14,440 as delivery for Site ST15 and ST36 extends beyond 2038

6.12 This simple analysis demonstrates that the proposed allocations would only be capable of yielding around 11,500 units within the 16 year plan period, representing an under-delivery of over 5,600 units from our assessed housing requirement of 17,097 dwellings (Table 6). For the 5-year period following the Plan period, the shortfall would be 2,902 dwellings from our assessed requirement of 5,350 dwellings. Again, these housing delivery issues serve to reinforce the point that further sites must be allocated to deliver a sound Local Plan for York.

#### Five Year Land Supply

6.13 Our analysis 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'. Our assessment of the 5-year supply position is set out in Table 8, below.

Table 8: Our assessment of 5-year land supply

		Assessment using Council's Housing requirement of 790		Assessment using Government Housing requirement of 1,070	
A	Requirement	(5 × 790)	3,950	(5 × 1,070)	5,350

B	Plus Shortfall 2012-2019	$(7 \times 32)$	224		2,902
C	Sub-Total		4,174		8,252
D	20% buffer	$(C \times .2)$	835	$(C \times .2)$	1,650
E	Total 5-year Requirement	$C + D$	5,009	$C+D$	9,902
F	Annual requirement	$(E \div 5)$	1,002	$(E \div 5)$	1,980
G	Supply (Commitments)		3,010		2,925
H	Windfall		338		0
I	5-year supply	$(G+H) \div F$	3.34 years		1.48 years
J	Allocations Years 1 to 5		3,054		3,054
K	Potential supply	$G + H + J$	6,402		5,979
L	Potential 5-year supply	$(K \div F)$	6.39 years		3.02 years

6.14 Our assessment is generally in line with 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 plan period (the Sedgefield approach).*

(NPPG, Paragraph 035, Reference ID 3-035-20140306)

- 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 2016 SHMA requirement (ref.

Table 5 above). In these circumstances, the NPPF (Paragraph 47) recommends that a 20% buffer should be added to the housing requirement.

- iv. We take our and the Council's respective figures for unimplemented permissions / housing commitments / windfall allowances

6.15 Taking these steps into account, we provide two variants of the 5-year supply position. In the first, our assessment assumes the supply consists of just the existing commitments. This gives a 5-year supply of:

- 1.48 years based on the Government's estimate of an annual housing requirement need of 1,070 dwellings per annum and our assumptions on backlog and commitments.
- 3.34 years based on the Council's assessed housing requirement of 790 and their assumption on backlog, commitments and windfalls

6.16 In the second variant, we have included our estimate of supply arising from the proposed allocations. In this scenario, our estimate of supply from allocated sites in the first 5 years of the Plan is 3,054 dwellings. When this is added to the assumptions about the supply from existing commitments the supply position is:

- 3.02 years based on our figures
- 6.39 years based on the Council's figures

6.17 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.

6.18 The calculation above demonstrates the high level of latent and unmet demand in York, and the precarious nature of the housing supply. 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.

6.19 Alternatively, the requirement/supply balance could be achieved by increasing the supply on 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. There is only so much delivery the market can take or accept from each site. Increasing the amount of housing on the large strategic sites is likely to mean that



more housing is delivered later in, or even after, the Plan period and not in the early years of the plan. That rate of delivery is unlikely to increase without a fundamental adjustment to the business model of housebuilders and developers. **Providing additional allocations that include sites such as the Moor Lane site that can deliver houses in the first 5 years of the plan period will greatly assist in addressing that shortfall.**

6.20 Such an approach would be compliant with National Planning Guidance which advises:

*“To ensure that there is a realistic prospect of achieving the planned level of housing supply, the strategic policy-making authority should bring forward additional sites from later in the plan period, over and above the level indicated by the strategic policy requirement, and any shortfall, or where applicable the local housing need figure. These sites will provide additional flexibility and more certainty that authorities will be able to demonstrate a sufficient supply of deliverable sites against the housing requirement.”*

Paragraph: 037 Reference ID: 3-037-20180913

## 7.0 REPRESENTATIONS ON GREEN BELT EVIDENCE BASE

### Planning Policy Context

7.1 Before proceeding to address the updated Green Belt evidence base, we set out what we consider to be the main policy guidance for assessing the evidence base.

7.2 Under the heading Protecting Green Belt Land, the NPPF reaffirms the longstanding aim of Green Belt policy which is to:

*“Prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

7.3 The NPPF states the purposes of including land in the Green Belt which are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.4 Paragraphs 83 to 85 are particularly relevant to the York Daft Local Plan. Paragraph 83 states:

*“Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. 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”.*

7.5 Paragraph 84 emphasises that:

*When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.*

7.6 Paragraph 85 expands on the issue of green belt permanence referenced in paragraph 83. It adds that when defining boundaries, local planning authorities should (inter alia):

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;....*
- *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;....*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period;...*

7.7 The advice in paragraphs 83 to 85 of the 2012 NPPF is broadly retained in paragraphs 138 to 139 of the 2019 NPPF.

### **Regional Policy**

7.8 The saved policies YH9 and Y1 of the RSS relating to Green Belt remain extant and therefore carry weight. They state:

#### 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.”*

### **Response to the Council's Evidence Base**

7.9 In their letter of 24 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.*

7.10 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.*

7.11 In response to these questions, the Council has produced an extensive Addendum to Topic Paper 1 ('TPI Addendum') to provide further evidence explaining its approach to defining York's Green Belt Boundaries. For reasons outlined in previous representations, we believe the Council has addressed the Green Belt issues on an erroneous assumption that is highlighted by the questions the Inspectors have posed. This erroneous approach is evident in Section 2 of the TPI Addendum where the Council seek to set out the scope of the addendum.

7.12 Our response to the Inspectors' questions, having regard to the Addendum, is set out below following the order of the questions in paragraph 7.10 above, as follows;

- i. We believe that 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 for the Moor Lane site, for example – is fundamentally a matter of establishing Green Belt boundaries rather than altering them, in the terms of paragraph 83 of the NPPF.

It will help in understanding this process to be aware that there is a key omission in saved Regional Policy YH9C. The full wording of Policy YH9C in the 2008 Approved Regional Guidance for Yorkshire and the Humber was:

*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. **The boundaries must take account of the levels of growth set out in this RSS and must also endure beyond the Plan period.***

The sentence in bold, for whatever reason, never made it into the save policy – possibly because it refers to “levels of growth” that were not saved. However, the intention is clear, and the inescapable logic of the current process is that in defining the detailed Green Belt boundaries, the Council must exclude land required to meet the growth of the City.

As the preparation of the Local Plan has been drawn out of the past 20 years, some considerable confusion surrounds the status of the Green Belt. Much of the commentary relating to the Green Belt from both the Council and other respondents on the Local Plan consultations, speak from a position that assumes the Green Belt boundaries are fixed in an adopted plan. The further assumption is that any suggestion that sites should be allocated for development will result in land being **taken out** of the Green Belt (in which case the second sentence of paragraph 83 of the NPPF would apply: i.e. Green Belt boundaries should only be altered in exceptional circumstances).

This is, however, an erroneous assumption because the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. In this case, paragraph 85 of the NPPF is the key advice to be considered. In defining/establishing boundaries the Council must meet the identified requirement for sustainable development, i.e. it must allocate land to meet identified needs for housing, employment, leisure and other needs. This is precisely what the missing sentence of Policy YH9C was referring to.

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.

7.13 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.*

7.14 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. 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”. It has also, in turn, resulted in an incorrect approach being taken on the issue of safeguarded land.

#### **Safeguarded Land**

7.15 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.

7.16 The failure of the Council to address this requirement is a fundamental flaw of the Local Plan and goes to the heart of the soundness of the Plan.

7.17 As stated, the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. 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.

7.18 Critically, the Council must demonstrate to the Inspectors that the Green Belt boundaries will not have to be altered at the end of the plan period. As we have demonstrated in this evidence, the Plan has not allocated adequate land to meet housing 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.

- 7.19 It can do this by including in areas of safeguarded to meet development needs beyond the Plan period. The 2013 Preferred Options Draft Local Plan sensibly included a reasonable amount of safeguarded land to ensure the proposed Green Belt Boundaries would remain permanent beyond the Plan period. Unfortunately, this sensibility appears to have been abandoned.
- 7.20 Exactly what constitutes “well beyond” the Plan period was put forward for consideration at the Local Plan Working Group meeting on 29 January 2015. Officers had instructed John Hobson QC to advise in writing on the approach that should be adopted in relation to the determination of the Green Belt boundary in the preparation of the York Local Plan. In particular, Mr Hobson was asked to consider how long beyond the Plan period a Green Belt should endure once it is defined in a statutory plan.
- 7.21 In the advice dated 16 January 2015, Counsel stated:  
*“9 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.”*
- 7.22 Counsel’s advice concluded with:  
*“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.”*
- 7.23 This advice was reported to the January 2015 LPWG by Officers with the recommendation that Members agree 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”. The reason for the recommendation was stated as “So that an NPPF compliant Local Plan can be progressed.”

- 7.24 Members at the January 2015 LPWG meeting voted in favour of the recommendation to include safeguarded land in the emerging Plan. However, the 'emerging position' for the Local Plan as reported in the Preferred Sites consultation document of July 2016 was that safeguarded land was no longer to be designated.
- 7.25 The omission of such a key component of the Local Plan spatial strategy is a serious weakness and may well result in the Plan being found unsound. Particularly so as the Plan period is only up to 2033 and from the point of anticipated adoption in 2020/21 will only be a 12-year plan, with land identified for development needs for a further 5 years. This would give a Green Belt boundary of 17 years, as opposed to a 25-year boundary that would be provided by a 15-year plan with land safeguarded for potential development needs for the 10 years beyond.

#### **Assessment of the Moor Lane site against the purposes of Green Belt and the Council's Methodology**

- 7.26 In order to determine whether it is appropriate to allocate the site to meet the development needs of the City and exclude the site from the Green Belt, it is assessed against the 5 purposes of the Green Belt:

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

- 7.27 The allocation of the site would assist in meeting an identified requirement for sustainable development, and enable the Council to define Green Belt boundaries that will endure beyond the Plan period. It will therefore help check the unrestricted sprawl of the larger urban area.

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

- 7.28 The site does not perform an important role in preventing neighbouring town merging into one another.

##### **3. To assist in safeguarding the countryside from encroachment**

- 7.29 The allocation of the site would assist in meeting an identified requirement for sustainable development, and enable the Council to define Green Belt boundaries that will endure beyond the Plan period. It will therefore help safeguard the countryside from encroachment.

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

- 7.30 It is considered that development of the site at Moor Lane would have no adverse impacts in relation to the need to preserve the setting and special historic character of York. The site would form a logical extension to Copmanthorpe village, in accordance with the Council's spatial strategy of prioritising development within and/or as an

extension to urban areas in order to minimise harm to York's historic character (paragraph 5.36 of Topic Paper TPI). No objections or negative comments on the proposed allocation of housing sites to the west of Copmanthorpe were received from Historic England as part of its consultation response to the Preferred Options document in July 2013.

- 7.31 In contrast, Historic England has outlined its strong objection in principle to any land comprising Site ST31 to the north east of the village being allocated for development in the Local Plan. It considers that development of the land would harm a number of elements which contribute to the special character and setting of the City, and has commented that;
- the site forms part of a swathe of open countryside south of the ring road
  - development of the site would have a harmful impact on the relationship of Copmanthorpe with the City of York, in which the village is currently identifiable as a freestanding settlement
  - development of the site would further reduce the gap between York's urban area and Copmanthorpe which, with the cumulative impact of the Park and Ride site at Askham Bar, would be reduced to less than 1km

- 7.32 Historic England holds that it is not possible to mitigate against this identified harm to the special character and setting of the City, and as such recommends that the site be deleted entirely from the proposed allocations. As such, the land at Moor Lane and adjacent sites to the west of Copmanthorpe would offer comparatively better land for allocation than ST31 in context of the purposes of the Green Belt and the need to protect the historic character and setting of York.

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

- 7.33 There are few areas of York in need of regeneration. Most, if not all, of the few remaining brownfield sites have planning applications pending or redevelopment proposals outstanding. In view of the scale of additional house allocation required to meet the objectively assessed housing needs of the City, significant additional housing allocations are required. In this context, the development of the site will not impact on the viability of remaining brownfield sites in the City.

## **8.0 CONCLUSIONS**

- 8.1 This submission is made following consideration of the consultation documents for the Council's Proposed Modifications to the Local Plan. It considers that;
- the Council's calculation of housing need is significantly flawed and, as a result, the requirement for the Plan period in the Draft Plan falls nearly 7,500 units short of the more realistically assessed figure of 16,452 units.



- the Council is relying on a small number of strategic housing sites to deliver the necessary housing provision, but long lead-in times for development of these sites will likely result in a shortfall of delivery, particularly in the early years of the Plan.
- The Plan will not secure Green Belt boundaries that will endure beyond the plan period.
- The Plan fails to achieve the clear imperative for the Council to “significantly boost the supply of housing.” as required by the NPPF.

8.2 The representations serve to illustrate the fundamental need for the Council to allocate additional land for residential development if the Local Plan is to meet an increased housing requirement, deliver more realistic housing yields from allocated housing sites and establish a permanent Green Belt boundary. The requirement for additional flexibility is amplified by the absence of any safeguarded land within the Draft Plan, and it is vital that these issues are addressed.

8.3 It is expected that examination of the housing requirements and housing yields for the proposed allocations will establish that additional sites must be allocated by the Council. Given the lack of viable brownfield sites in York, consideration of additional sites will necessarily have to include greenfield sites outside existing settlement limits, such as the proposed site and those formerly allocated on the western edge of Copmanthorpe. In this context, it is maintained that the site at Moor Lane should be considered for allocation as housing in the Local Plan.

8.4 The site continues to represent a suitable, available and viable housing site that would provide a significant level of housing, at approximately 350 units, to make a valuable contribution to York’s housing need. It has no abnormal development costs or infrastructure constraints, has a willing landowner able to make the site available in the short- to medium-term, and would contribute to delivery of housing within the first 5 years of the plan. The site would form a logical extension to Copmanthorpe village, and could be developed separately or as part of an integrated development in conjunction with other adjacent sites, presenting opportunities for new facilities and services serving the village. It would also redress the emerging Plan’s lack of new housing sites in the southwest of the City, helping to ensure choice and competition in the market for land. It is further held that any issues relating to containment and definition of its boundaries could be addressed, and that there are no insurmountable access or other technical issues which would preclude delivery of a high quality, sustainable residential development with a suitable mix of affordable and market housing.

- 8.5 The Council has in previous stages of Local Plan preparation identified the area to the west of the Copmanthorpe as the most logical area for extension of the village. The land is not an area of importance to the City's character and setting, and has no significant effects on views of York or from York. Historic England has not objected to the proposed allocation of sites to the west of Copmanthorpe, as it has for proposed strategic site ST31. Development of the site would therefore represent a more suitable extension of Copmanthorpe than ST15, in context of planning policy relating to the purposes of the Green Belt and the Council's own evidence base on the need to protect the historic character and setting of York.
- 8.6 The above analysis demonstrates that the current approach creates a significant risk that there will be a shortfall in the total number of houses to be provided across the various allocations. To avoid this scenario, the Local Plan should allocate additional land for residential development and identify safeguarded land. This will provide greater flexibility in the way that individual sites are brought forward so that they can respond to housing needs, demand and the surrounding context.
- 8.7 Crucially, without additional housing land allocations the Green Belt boundaries cannot be confirmed, as the Council would not be able to demonstrate that its boundaries will endure beyond the plan period, thus failing one of the fundamental objectives for Green Belt Policy as set out in the NPPF. On the previous occasions that Planning Inspectors have considered the Council's Draft Development Plan for the city in 2000 and 2010, each Inspector has concluded that the Green Belt could not be confirmed due to inadequate development land being identified. This is also the case with the current plan.

ymlc1907v1.lpreps.ph  
July 2019

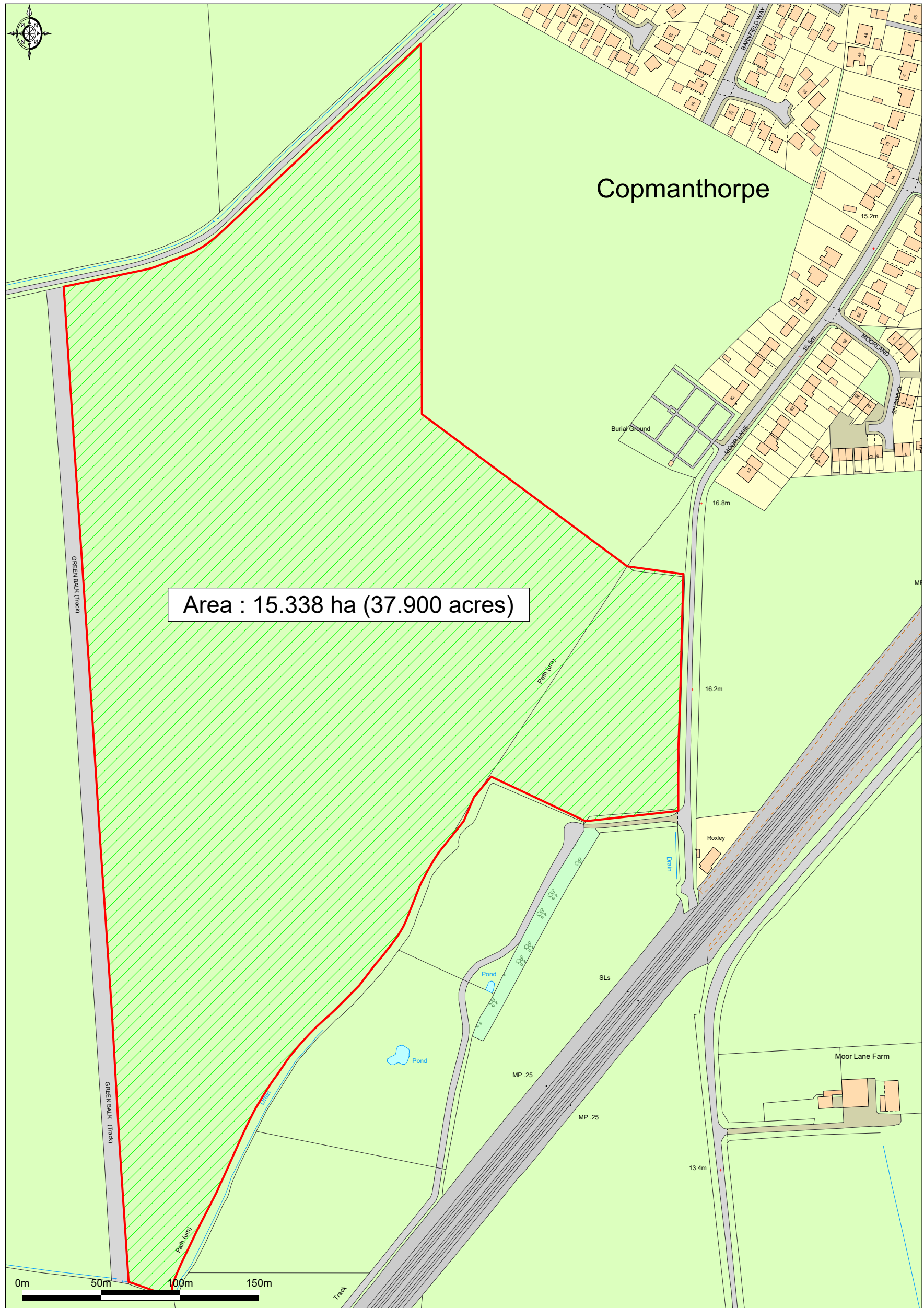
# APPENDIX I

## Proposed Modifications Consultation Response Form

# APPENDIX 2

## Location Plan

Location Plan - Land to the west of Moor Lane, Copmanthorpe



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## APPENDIX 3

### City of York Council List of Unimplemented Planning Permissions (as at 1 April 2018)











Guilhl		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
Guilhl		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 & Nel	Huntington	Guildford 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 & Nel	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 Crockey 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 & Nel	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
Osbaldwic	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
Copmanth	Copmanth	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 B	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
Guilhl		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 cayley 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 Filey 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
Guilhl		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 detachec bungalow	2 x 3 bed semi-detached houses and 1 x 2 be detached bungalow	New	Yes (demolish -1)	GDN/	0.061
Westfid		81a 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





Fishergate		St Josephs Convent of Poor Clare Collentines Lawrenc	461372	451321	City Centre Ext 2	14/02404/FULM	09/03/2015	Under Construction	N/A	526	542	16	15	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 S	460688	449521	Sub-Urban	13/03481/FULM	13/06/2016	Not yet started	13/06/2019	0	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 No flats	57 x 1, 130 x 2 bed	New	No	BF	0.960
Guilhl		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 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 4

### Analysis of Proposed Allocations and Expected Rates of Delivery

Ref	Site	Site Area	Yield	Timing	Density	Years 1 to 5	Years 6-10	Years 11-16	Years 17-21
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	14,440			3,054	4,562	3,868	2,448

Years 1-16 11,484  
Years 1 to 21 13,932



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 22:57  
**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: 123012
- Date submitted: 22/07/2019
- Time submitted: 22:56:50

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 SALLY FIRTH

**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:** PROPOSED MODIFICATIONS

**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:**

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 3 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.

---

**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):**

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 3 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.

---

**Your comments - necessary changes**

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

Do not remove Elvington from the Green Belt and do consult Elvington Parish council for the villagers' views.

**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:**

---

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 02 August 2019 14:51  
**To:** [REDACTED]  
**Subject:** FW: Submission to York Council relating to Elvington

Hi [REDACTED]

Can you add this email thread to the documentation please?

[REDACTED]

Many thanks,

[REDACTED]

---

**From:** sally.firth00 [REDACTED]  
**Sent:** 02 August 2019 14:04  
**To:** [REDACTED]  
**Subject:** Re: Submission to York Council relating to Elvington

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.

Hello [REDACTED]  
Thank you for your email. I found the process very complicated but yes, my comments relate to the proposed area at the end of Beckside in Elvington and to the airfield in Elvington. I hope that helps.  
Kind regards,  
Sally Firth

Sent from my Samsung Galaxy smartphone.

----- Original message -----

**From:** [REDACTED]  
**Date:** 02/08/2019 13:50 (GMT+00:00)  
**To:** [REDACTED]  
**Subject:** Submission to York Council relating to Elvington

Good afternoon Sally,

Thank you for your submission in response to the proposed modifications to the draft Local Plan.

I'm in the process of collating and summarising comments from submitters and need help on one matter please.

In your submission to York Council you mentioned that you'd like not to have Elvington removed from the Green Belt.

Does this pertain to the proposed modification to the Local Plan relating to Elvington Industrial Estate and/or the residential development extending to the south of Becksid please?

Kind regards,

[Redacted]

[Redacted]

[Redacted]

Forward Planning  
City of York Council

[Redacted]

[Redacted]

\*\*\*\*\*

Help protect the environment! - please don't print this email unless you really need to.

\*\*\*\*\*

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**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 17 July 2019 16:23  
**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: 122665
- Date submitted: 17/07/2019
- Time submitted: 16:22:53

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>	Joanne
<i>Surname:</i>	Wedgwood
<i>Address: building name/number:</i>	█
<i>Address: Street name:</i>	██████████
<i>Address: Area:</i>	██████████
<i>Address: town/city:</i>	██████
<i>Address: postcode:</i>	██████████

**Question****Response**

*Email address:*

[REDACTED]

*Telephone number:*

[REDACTED]

*Proposed modification reference (PM1 to PM46):*

PM40

*Document:*

Local Plan Topic Paper 1 (TP1) Annex 4 & 5

*Page number:*

Local Plan Topic Paper 1 (TP1) Annex 4 & 5

*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:*

CYC has never taken account of the numerous responses provided by myself and by other villagers. CYC has never consulted local villagers or the parish council about what we want for the village. CYC takes no notice of what people who live in Elvington say.

*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*

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

Whilst I have no objection to some development, I do feel the methodology behind the plan is lacking, as residents of Elvington have never been consulted as to what the village needs, we have only ever been asked to comment on CYC's proposals. As such, for Elvington, this is not a "local plan" as it does not meet "local" requirements, it simply imposes development upon us without anyone from CYC ever having visited the village to listen to what development the villagers would like.

Any residential development in Elvington must provide a better mix of properties within the village. There is a real shortage of larger family homes, and of starter homes.

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

[REDACTED]. Elvington desperately needs more houses with at least 4 (or more) bedrooms, and office space for those who work from home part or all of the time.

In relation to each individual site, my comments are as follows:

H39, Extension to Beckside

I oppose this proposal. A previous Planning Inspector confirmed that H39 serves Green Belt Purposes. Beckside is already disproportionately large and densely populated compared to the rest of the village and should not be further extended, as this will only add to the imbalance between that area & other areas of the village.

The additional traffic from 32 houses would have a serious adverse effect on the existing residents of that estate. The

## Question

## Response

proposed density is not in keeping with the existing Beckside development, so there will be a clear mis-match between old & new development.

In my opinion, as stated in response to the last consultation, it would be far better to link up the two halves of the village, which are divided by open fields between the school and doctor's surgery on one side of the road, and the field in front of the water works on the other side.

In my opinion, development in site H26 to bridge that gap would join up the village without negatively affecting the existing residents. Indeed, a development there could make the village a safer place, as drivers would be less likely to speed alongside a row of houses, whereas many speed now because the area is so visibly devoid of houses. H26 would allow for a larger number of houses than H39, would allow for more of the big executive houses that the village definitely needs. Development of H26 would make the top end of Elvington Lane, Elvington Park, Jubilee Court & the Conifers more integrated into the rest of the village, rather than being separated from them by open fields.

### SP1. The Stables – Travelling Show Person Site

The previous Planning Inspector's ruling clearly stated that the permission was only temporary whilst CYC found a more suitable site and that they must vacate the site by June 2016, which has since been extended.

NPP requires "fair and equal treatment for travellers" – not preferential treatment. No member of the settled community would have been given planning permission/residency rights to occupy the green field site. This site has already been rejected more than once for residential development, and it is not long since CYC rejected a proposal to site some yurts behind the village. Just because CYC has failed to find a more suitable site to meet the family's needs, this does not mean that the site itself has become suitable so all the previous reasons why planning permission was originally refused more than once still stand. Therefore, the site should be removed from the plan.

### E9. Elvington Industrial Estate

I support this site being included in the Local Plan, although it is in fact a grassy paddock, not a brownfield site. I support anything which brings additional jobs to the local economy, but at the same time, there needs to be some form of traffic management plan to limit the number of HGVs travelling through the centre of the village.

### ST 26. Industrial Airfield Estate

I support this extension too, on the basis of additional jobs for

## Question

## Response

local people, but only on the proviso that a detailed archaeological and ecological assessment is carried out prior to development. Units should be small, high value businesses in compliance with the existing restriction to B1 and B8 use, and in line with CYC's economic strategy.

However, it should be a requirement that a 7.5 tonne weight limit is imposed on the main road through the village, and that any traffic from E9 and ST26 must have to travel up to the A1079 roundabout at Grimston Bar, rather than travelling through the village. There are already too many HGV's travelling through the village and posing a risk to pedestrians, particularly those walking to and from school. ST26 must not bring any further increase to the level of HGV traffic in the centre of the village.

### ST 15. Whinthorpe 2/The Airfield

I totally support the proposal for one large development, rather than detracting from all the existing villages in CYC's area by forcing on them a disproportionate and unsustainable amount of development.

However, for a development of thousands of houses, it is absolutely critical that the location must be correct first.

In my opinion, the original location of Whinthorpe, closer to Grimston Bar, was much better than the new location half way down the airstrip, for numerous reasons. The A64 would continue to separate the new town from Heslington, so there is nothing for residents of Heslington to object to in it being located closer to the A64. I am sure it could be screened from view anyway, both for the benefit of the residents of the new town, and for those in Heslington.

The Air Museum is the site of the Allied Forces Memorial, and is an increasingly important tourist attraction with over 100,000 visitors per year. The location of the museum beside the airfield is an inherent part of the character of the site, and to swamp it close to such a large development would totally undermine that. The heritage of that whole site should be preserved.

Originally a grass airfield, RAF Elvington was completely rebuilt with three hardened runways in 1942, as a sub-station of RAF Pocklington. It has one of the longest runways in Britain. Grouped with RAF Melbourne, the three airfields became known as '42 Base', within 4 Group. No. 77 Squadron suffered heavy losses during its time at Elvington with over 500 aircrew killed, missing or taken prisoner and almost 80 Halifaxes lost as it played a major part in the Battle of the Ruhr and the bombing of Berlin.

In May 1944 No 77 Squadron posted to the newly opened

## Question

## Response

nearby RAF Full Sutton and was replaced at Elvington by two French squadrons, numbers 346 "Guyenne" and 347 "Tunisie" who both played a leading part in the bombing of Germany. Elvington was the only airfield in the United Kingdom used by the remainder of the Free French Forces, they also flew Handley Page Halifax heavy bombers until they moved to Bordeaux in October 1945 where they became the basis for the new air force of liberated France. In September 1957 a memorial was unveiled in Elvington village dedicated to the two French squadrons. While they were at RAF Elvington nearly half of the squadrons' members were killed.

It seems completely illogical to build a new town on the middle of the airstrip, which would put build over all that history and put an immediate end to all the existing activities on the airstrip – the World Wheelie Championships, the Large Model Aircraft Display, the Thunder Days, attempts at land speed records, etc etc. These events bring a large number of visitors to the York area (estimated at around 100,000 p.a.), and their loss would be a mistake.

The nearby Maize Maze also brings about 100,000 visitors p.a. to the area, so that should also be protected and its countryside setting retained.

Furthermore, siting the new town so far from the A64 is completely illogical. It should be sited much closer to the A64 to minimise the length of road needed to connect it to the A64. The A64 clearly separates the site from Heslington, so there is no need for ST15 to be so close to Elvington & Wheldrake. It is completely disproportionate in size to these 2 villages and would dominate the area.

As there are underground fuel pipelines at the airfield, there could be contamination issues which would be extremely costly to address, when there is no need to address them by moving the proposed development back to its original site.

If Langwith/Whinthorpe 2 was moved back closer to Grimston Bar, off the airstrip, the airstrip could be retained. There would be a significant reduction in commuter miles & pollution if the link road to the A64 was shorter. Indeed, residents of the new town would be more likely to cycle or use public transport if the site was much closer to the A64. There would also be less pollution in terms of construction traffic driving to & from the site of the new town if it was closer to the A64.

Elvington is one of few villages around York that remains a small, separate village in a rural setting. The grain of the village should be respected, not swamped by over-development too close by, when there is no valid need for it to be so close. Residents who chose to buy houses here did

## Question

## Response

so precisely because it is a small village in a rural location, and does not have the modern urban sprawl that has overwhelmed other villages like Dunnington, Haxby or Strensall. Elvington retains its old village character, and this should be respected and protected.

Putting the site closer to the A64 would reduce the length of the access road required, reduce the amount of pollution caused by construction vehicles & residents' cars using that access road, would make it more likely that local residents would cycle or use public transport to access the city.

There are so many good reasons not to site ST15 so close to existing villages, but not a single good reason for it to be so close to Elvington & Wheldrake. Wherever it is sited, there needs to be a robust traffic management plan in place as this side of York already has congestion problems at peak times, without adding another few thousand cars into the mix.

Overall for ST15, there is insufficient detail to provide a truly considered response, but the over-riding response is that the location is incorrect, and should be moved.

It is completely illogical that Knapton or Murton are considered to contribute to greenbelt, whereas CYC say that Elvington does not. Both are closer to York itself than Elvington is.

Elvington should be officially confirmed as greenbelt, and protected as such.

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

Consult local residents to see what we feel our village needs. Take notice of what local residents have said repeatedly in response to previous consultations, instead of repeatedly ignoring us.

*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@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 18 July 2019 09:04  
**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: 122678
- Date submitted: 18/07/2019
- Time submitted: 09:03:35

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>	Matthew
<i>Surname:</i>	Wedgwood
<i>Address: building name/number:</i>	█
<i>Address: Street name:</i>	██████████
<i>Address: Area:</i>	██████████
<i>Address: town/city:</i>	██████████
<i>Address: postcode:</i>	██████████

**Question****Response**

*Email address:*

[REDACTED]

*Telephone number:*

[REDACTED]

*Proposed modification reference (PM1 to PM46):*

PM40

*Document:*

TP1 INCLUDING ANNEXES 4, 5, 6

*Page number:*

TP1 INCLUDING ANNEXES 4, 5, 6

*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:*

The plan is not compliant on either point as CYC has never visited Elvington, never asked Elvington Parish council or Keep Elvington Rural or other residents what we want. CYC proposes what it wants, asks us to comment, ignores our comments & proposes the same thing again.

*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*

The Local Plan is not effective



**Question**

**Response**

*above, you do not consider the Local Plan to be 'sound' - which of the 4 'tests of 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 consistent with national policy

Lack of consultation with the village, ignoring previous responses, inconsistency vs other villages. The whole of Elvington (H32, E9, SP1, ST15) should be officially recognised as contributing to the greenbelt.

Elvington is a rural village several miles from York, separated from Sutton by a mile & a river, and a couple of miles or more from any other villages. it is a rural village in greenbelt & should be recognised as such.

Any residential development in Elvington must provide a better mix of properties within the village. There is a real shortage of larger family homes, and of starter homes.

[REDACTED]

[REDACTED] Elvington desperately needs more houses with at least 4 (or more) bedrooms, and office space for those who work from home part or all of the time.

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

In relation to each individual site, my comments are as follows:

H39, Extension to Beckside

I oppose this proposal. A previous Planning Inspector confirmed that H39 serves Green Belt Purposes. Beckside is already disproportionately large and densely populated compared to the rest of the village and should not be further extended, as this will only add to the imbalance between that area & other areas of the village.

The additional traffic from 32 houses would have a serious adverse effect on the existing residents of that estate. The proposed density is not in keeping with the existing Beckside development, so there will be a clear mis-match between old & new development.

In my opinion, as stated in response to the last consultation, it would be far better to link up the two halves of the village, which are divided by open fields between the school and

## Question

## Response

doctor's surgery on one side of the road, and the field in front of the water works on the other side.

In my opinion, development in site H26 to bridge that gap would join up the village without negatively affecting the existing residents. Indeed, a development there could make the village a safer place, as drivers would be less likely to speed alongside a row of houses, whereas many speed now because the area is so visibly devoid of houses. H26 would allow for a larger number of houses than H39, would allow for more of the big executive houses that the village definitely needs. Development of H26 would make the top end of Elvington Lane, Elvington Park, Jubilee Court & the Conifers more integrated into the rest of the village, rather than being separated from them by open fields.

### SP1. The Stables – Travelling Show Person Site

The previous Planning Inspector's ruling clearly stated that the permission was only temporary whilst CYC found a more suitable site and that they must vacate the site by June 2016, which has since been extended.

NPP requires "fair and equal treatment for travellers" – not preferential treatment. No member of the settled community would have been given planning permission/residency rights to occupy the green field site. This site has already been rejected more than once for residential development, and it is not long since CYC rejected a proposal to site some yurts behind the village. Just because CYC has failed to find a more suitable site to meet the family's needs, this does not mean that the site itself has become suitable so all the previous reasons why planning permission was originally refused more than once still stand. Therefore, the site should be removed from the plan.

### E9. Elvington Industrial Estate

I support this site being included in the Local Plan, although it is in fact a grassy paddock, not a brownfield site. I support anything which brings additional jobs to the local economy, but at the same time, there needs to be some form of traffic management plan to limit the number of HGVs travelling through the centre of the village.

### ST 26. Industrial Airfield Estate

I support this extension too, on the basis of additional jobs for local people, but only on the proviso that a detailed archaeological and ecological assessment is carried out prior to development. Units should be small, high value businesses in compliance with the existing restriction to B1 and B8 use, and in line with CYC's economic strategy.

However, it should be a requirement that a 7.5 tonne weight

## Question

## Response

limit is imposed on the main road through the village, and that any traffic from E9 and ST26 must have to travel up to the A1079 roundabout at Grimston Bar, rather than travelling through the village. There are already too many HGV's travelling through the village and posing a risk to pedestrians, particularly those walking to and from school. ST26 must not bring any further increase to the level of HGV traffic in the centre of the village.

ST 15. Whinthorpe 2/The Airfield

I totally support the proposal for one large development, rather than detracting from all the existing villages in CYC's area by forcing on them a disproportionate and unsustainable amount of development.

However, for a development of thousands of houses, it is absolutely critical that the location must be correct first.

In my opinion, the original location of Whinthorpe, closer to Grimston Bar, was much better than the new location half way down the airstrip, for numerous reasons. The A64 would continue to separate the new town from Heslington, so there is nothing for residents of Heslington to object to in it being located closer to the A64. I am sure it could be screened from view anyway, both for the benefit of the residents of the new town, and for those in Heslington.

The Air Museum is the site of the Allied Forces Memorial, and is an increasingly important tourist attraction with over 100,000 visitors per year. The location of the museum beside the airfield is an inherent part of the character of the site, and to swamp it close to such a large development would totally undermine that. The heritage of that whole site should be preserved.

Originally a grass airfield, RAF Elvington was completely rebuilt with three hardened runways in 1942, as a sub-station of RAF Pocklington. It has one of the longest runways in Britain. Grouped with RAF Melbourne, the three airfields became known as '42 Base', within 4 Group. No. 77 Squadron suffered heavy losses during its time at Elvington with over 500 aircrew killed, missing or taken prisoner and almost 80 Halifaxes lost as it played a major part in the Battle of the Ruhr and the bombing of Berlin.

In May 1944 No 77 Squadron posted to the newly opened nearby RAF Full Sutton and was replaced at Elvington by two French squadrons, numbers 346 "Guyenne" and 347 "Tunisie" who both played a leading part in the bombing of Germany. Elvington was the only airfield in the United Kingdom used by the remainder of the Free French Forces, they also flew Handley Page Halifax heavy bombers until they moved to Bordeaux in October 1945 where they

## Question

## Response

became the basis for the new air force of liberated France. In September 1957 a memorial was unveiled in Elvington village dedicated to the two French squadrons. While they were at RAF Elvington nearly half of the squadrons' members were killed.

It seems completely illogical to build a new town on the middle of the airstrip, which would put build over all that history and put an immediate end to all the existing activities on the airstrip – the World Wheelie Championships, the Large Model Aircraft Display, the Thunder Days, attempts at land speed records, etc etc. These events bring a large number of visitors to the York area (estimated at around 100,000 p.a.), and their loss would be a mistake.

The nearby Maize Maze also brings about 100,000 visitors p.a. to the area, so that should also be protected and its countryside setting retained.

Furthermore, siting the new town so far from the A64 is completely illogical. It should be sited much closer to the A64 to minimise the length of road needed to connect it to the A64. The A64 clearly separates the site from Heslington, so there is no need for ST15 to be so close to Elvington & Wheldrake. It is completely disproportionate in size to these 2 villages and would dominate the area.

As there are underground fuel pipelines at the airfield, there could be contamination issues which would be extremely costly to address, when there is no need to address them by moving the proposed development back to its original site.

If Langwith/Whinthorpe 2 was moved back closer to Grimston Bar, off the airstrip, the airstrip could be retained. There would be a significant reduction in commuter miles & pollution if the link road to the A64 was shorter. Indeed, residents of the new town would be more likely to cycle or use public transport if the site was much closer to the A64. There would also be less pollution in terms of construction traffic driving to & from the site of the new town if it was closer to the A64.

Elvington is one of few villages around York that remains a small, separate village in a rural setting. The grain of the village should be respected, not swamped by over-development too close by, when there is no valid need for it to be so close. Residents who chose to buy houses here did so precisely because it is a small village in a rural location, and does not have the modern urban sprawl that has overwhelmed other villages like Dunnington, Haxby or Strensall. Elvington retains its old village character, and this should be respected and protected.

Putting the site closer to the A64 would reduce the length of

## Question

## Response

the access road required, reduce the amount of pollution caused by construction vehicles & residents' cars using that access road, would make it more likely that local residents would cycle or use public transport to access the city.

There are so many good reasons not to site ST15 so close to existing villages, but not a single good reason for it to be so close to Elvington & Wheldrake. Wherever it is sited, there needs to be a robust traffic management plan in place as this side of York already has congestion problems at peak times, without adding another few thousand cars into the mix.

Overall for ST15, there is insufficient detail to provide a truly considered response, but the over-riding response is that the location is incorrect, and should be moved.

Consult local residents, take notice of our suggestions in a 2 way consultation, not a "consult & ignore responses". Involve the parish council, involve the Keep Elvington Rural Group, involve & listen to local residents.

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

Give us the varied mix of housing, particularly larger houses that the village needs, so residents do not have to move away to larger houses or given up their gardens to extensions.

Keep all the Elvington sites within greenbelt. Treat Elvington the same as Knapton or Murton.

*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:** clerk@fulfordpc.org.uk  
**Sent:** 25 July 2019 13:06  
**To:** localplan@york.gov.uk  
**Subject:** Fulford Parish Council - Consultation Response  
**Attachments:** 20190722 Fulford Parish Council - PM1 Local Plan Response.pdf; 20190722 Fulford Parish Council - PM1 Local Plan Reps.Final.17.07.19.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 Consultation Response from Fulford Parish Council for your kind attention.

Kind regards

Rachel Robinson  
**Clerk and RFO to Fulford Parish Council**  
The Cemetery Lodge, Fordlands Road, York, YO19 4QG  
Phone: 01904 633151 Mobile: [REDACTED]  
Email: [clerk@fulfordpc.org.uk](mailto:clerk@fulfordpc.org.uk)

*The regular working hours for the Clerk to Fulford Parish Council are:-*

*Tuesdays 10 am - 2 pm;  
Wednesdays 10 am - 2 pm;  
Thursdays 10 am - 2 pm.*

*Outside of these hours this email account will be checked periodically (except on Fridays) but replies may not be immediate.*

This transmission is confidential for the sole use of the addressee(s). If received in error, please notify us immediately and delete it. Any disclosure, reproduction, modification or publication of this transmission without prior written consent is strictly prohibited. Any views indicated are solely those of the author and, unless expressly confirmed, not those of Fulford Parish Council.

#### Privacy Notice

This Privacy Notice is provided to you by Fulford Parish Council which is the data controller for your data.

Fulford Parish Council may need to share your personal data with other data controllers such as local authorities, community groups, charities, other not for profit entities, contractors or credit reference agencies so that they can carry out their responsibilities to the council. If Fulford Parish Council and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be "joint data controllers" which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.



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# 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	The Parish Clerk	
First Name		
Last Name		
Organisation (where relevant)	Fulford Parish Council	
Representing (if applicable)		
Address – line 1	The Cemetery Lodge	
Address – line 2	Fordlands Road	
Address – line 3	York	
Address – line 4		
Address – line 5		
Postcode	YO19 4QG	
E-mail Address	clerk@fulfordpc.org.uk	
Telephone Number	01904 633151	

## 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:	See Attached
Document:	See Attached
Page Number:	See Attached

### 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

### 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.

**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

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

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 Attached

**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

22<sup>nd</sup> July 2019

CITY OF YORK LOCAL PLAN  
PROPOSED MODIFICATIONS  
REPRESENTATIONS BY FULFORD PARISH COUNCIL  
JULY 2019

INTRODUCTION

Fulford Parish Council (FPC) made lengthy representations on the Publication Draft Local Plan (PD), including on Outstanding Assessed Housing Needs, Green Belt and the lack of a proper selection methodology for strategic sites.

FPC welcomes the opportunity now given by the Inspectors to make comments on the Proposed Modifications (PMs) and the new evidence documents. However it considers that none of its principal concerns are met by the new documentation for the reasons set out below.

OUTSTANDING ASSESSED HOUSING NEEDS PROPOSED MODIFICATIONS PM3, PM4, PM5. CITY OF YORK HOUSING NEEDS UPDATE - JANUARY 2019.

PMs3, 4 and 5 state that the intention is to deliver a minimum of 790 new dwellings over the plan period to 2032/33 and the post plan period to 2037/38. These PMs are based upon the GL Hearn Report of January 2019 which sets out an updated figure for the Outstanding Assessed Housing Needs (OAHN) for the City.

FPC considers that the GL Hearn (GLH) report is not sound and over-estimates the OAHN for the City over the plan period and beyond.

FPC agrees with the GLH report that the 2016-based sub-national population projections (SNPPs) for the City should be preferred to the 2014-based SNPP as the basis for the demographic starting-point. This follows from national guidance which requires the use of the latest national projections. It is also because the migration estimates used by the 2016-based SNPP are much closer to more recent trends than the 2014-based SNPP (GLH paras 2.7-2.12).

FPC agrees that the 2016-based subnational household projection (SNHP) for the City (which is based upon the 2016-based SNPP) results in a need for 484dpa over the plan period and to 2038, and that this figure should be used as the starting point for assessing the OAHN (para 2.6).

The GLH report questions the appropriateness of using the headship rates (HRRs) upon which the 2016-based SNHP for the City is based. It sets out (2.24) two alternative scenarios which are:

- Using the HRRs of the 2014-based SNHPs: and

- Using the HRRs of the 2014-based SNHP but with a part-return to trends in the past for the 25-34 and 35-44 age groups (the 2014 PRT).

GLH gives little justification why either of these two scenarios should be preferred to the 2016-based SNHP which it concedes is the official demographic starting point to assess need. The closest to a justification is in paragraphs 3.18 and 3.19. Paragraph 3.18 says that using the “official HRRs from the 2016-based projections” would “assume that deterioration in household formation within younger age groups is acceptable”. Paragraph 3.19 says that by using the part return to trend HRRs would “make the required improvements to avoid locking in these historic deteriorations and ensuring that these improve in the future.” FPC considers that these are not adequate reasons to depart from the up-to-date official projections for the demographic starting point.

The relevant Government Planning Practice Guidance (PPG) makes clear that the latest household projections should provide the starting point estimate of the OAHN. They are said to be “statistically robust and are based on nationally consistent assumptions”. They should only be departed from “to reflect factors affecting local demography and household formation rates which are not captured in past trends”. Moreover, any local changes would need to be “clearly explained and justified on the basis of established sources of robust evidence”.

As we have said, GLH has provided no evidence about local demography or local household formation rates which would justify departing from the official Government projection. At its highest the GLH preference for the use of the (third) PRT scenario is based upon an aspiration that HRRs should increase which is not specific to York or any other local authority area. FPC’s conclusion is that GLH’s reliance on the PRT scenario to derive the OAHN (para 3.19 of its report) is not supported by the type of evidence required by Government guidance. In reality, if additional housing is required to improve affordability for younger age-groups, this should be reflected in the market signals adjustment and not the household formation rates. To do otherwise would be double-counting.

The GLH report examines whether employment trends would justify a figure higher than the demographic starting point. It makes reference to an employment projection contained in the ELR Update of September 2017 which suggests that the “economic growth potential” in the City of York is 650 jobs per annum over the period 2014-2031. Using a series of fairly questionable assumptions about changes in future unemployment rates, commuting ratios and economic activity rates and (very importantly) applying the PRT scenario HRRs, it derives an economic-led housing need of 790dpa. This need is some 63.2% more than the official demographic starting point derived from the 2016-based SNPPs and SNHPs. GLH later says in the report that this economic-led housing need should be used as the OAHN for the Local Plan (para 11). However it needs to be noted that if the economic-led housing need is derived using the 2016-based HRRs, the OAHN is reduced to only 590dpa- a reduction of over 25%- and a figure much closer to the demographic starting point.



FPC considers that an increase of this scale in the OAHN above the official demographic starting point on the basis of a single employment forecast for York cannot be justified. Economic projections looking forward 15 or 20 years are notoriously unreliable, even at the national or regional level because of the potential of unforeseen events and influences such as economic slowdowns and recessions, new technologies, changes in Government policies, and disruptions to international trade. Long term economic projections for small areas such as a local authority area are even more unreliable because they can be heavily affected by the decisions of individual companies and public organisations which are often unrelated to national economic trends. One recent example in York is the decision by the MoD to close the Imphal and Queen Elizabeth Barracks which are major employers in the area. The uncertainty about future employment levels is made clear by various health warnings in the ELR and why a range is given of job outcomes. It is also why the PPG makes clear that undue reliance should not be placed on a single source of information such as employment forecasts to assess the amount and type of employment land required. Instead the PPG says: -

*"Local authorities should develop an idea of future needs based on a range of data which is current and robust. Authorities will need to take account of business cycles and make use of forecasts and surveys to assess employment land requirements."* (our underlining)

If the Government considers that an employment forecast is not reliable as the sole source of information to produce an employment land requirement, it is difficult to envisage how it could be relied upon as the only justification of a housing requirement which is 60% higher than the demographic starting point.

The ELR Update (September 2017) Table 2 illustrates the difficulties of relying on a single projection. The table shows a wide range of outcomes from the various forecasts of which the one relied on by GLH is the highest. Use of the other (lower) forecasts would produce very different results for the so-called **"economic-led housing need"** especially if the **questionable assumptions** about unemployment, commuting rates and economic activity are varied. It must also be remembered that this forecast was produced over two years ago at a time when there was more confidence about the national economic outlook and the potential impact of BREXIT. The increasingly outdated nature of the forecast is illustrated by the fact that the sector in York showing the second **highest level of growth is "wholesale and retail trade"**. **In light of the current challenges** facing the retail sector in York and nationally, this type of growth now seems very unlikely during the plan period.

**FPC's** conclusion is that GLH are wrong to rely totally on a single high and increasingly out-of-date employment forecast to justify a nearly two-thirds increase in the OAHN above the demographic starting-point. There is circularity in the reasoning of the Council. A very ambitious employment target is being used to justify an overly high housing land requirement and vice versa.

Finally the GLH report deals with the issue of market signals. It proposes a market signal adjustment of 15%. Such an uplift applied to the demographic starting point (484dpa) would produce an OAHN of 557dpa. **This is much less than GLH's assessment of "economic-led need" of 790dpa.**

FPC accepts that some market signals adjustment is appropriate but considers that this should be of the order of 10%, the same as recommended by GLH in its SHMA Update of September 2017. There is no new information in the January 2019 Housing Needs Update which would justify an increase above the original recommendation. In particular, the January 2019 GLH report shows that house price increases in York have been less than the national average since 2008; rental increases over the past five years have also been less; and the lowest quartile affordability ratio is less than the national average. The report makes much of the fact that the lowest quartile rents have increased faster than the English average, but any one-year figure is of little significance. Over the past 5 years the difference is not great (14% cf 11%). It must also be remembered that the past 5 years saw a major surge in student numbers in York (created by the opening of the Heslington East Campus) which would have placed heavy demands on the lower-priced end of the housing rental market. This surge is now coming to an end.

Finally, the GLH Report says that that the OAHN figure of 790dpa should be used for the post-plan period 2033 to 2038. However this recommendation entirely ignores the fact that the economic-led housing need, on which this high figure is solely based, is derived from an employment forecast which has an end-date of 2031 (Employment Land Review Update (September 2017) Table 2). There is no employment forecast beyond 2031. Accordingly, there is no evidential basis to use any figure other than the demographic starting-point to assess potential housing need beyond the end of the plan period in 2033

In conclusion, FPC considers that the GLH 2019 Housing Needs Update does not provide a sound and convincing basis for an OAHN of 790dpa. This figure is based on a single and now increasingly outdated employment forecast and the application of very high HRRs that are not consistent with official projections. In the absence of better evidence, FPC considers that the OAHN should be based upon the demographic starting point (484dpa) plus 10% for market signals. This would give a total OAHN of 532dpa.

Q5.2 Soundness Tests: FPC considers that the PMs' **OAHN fails the soundness tests of being justified and consistent with national policy.**

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

THE HOUSING LAND REQUIREMENT. PROPOSED MODIFICATIONS PM3, PM4, PM5, and PM44.

PMs 3, 4 and 5 state that the intention is to deliver a minimum of 790 new dwellings over the plan period 2032/33 and the post plan period 2037/38. The housing requirement is based upon the GLH report of January 2019 which sets out an updated OAHN that the Council intends to meet fully.

For the reasons given above, FPC considers that the GL Hearn report substantially over-estimates the OAHN. However, it also considers that the OAHN should not be fully met if this would cause significant harm to the setting and special character of the historic town or to other green belt purposes. Full reasons are given in our Publication Draft representations, including reference to NPPF2012 paragraph 14. FPC also notes that its position on this matter is supported by the legal opinion by John Hobson QC which has been submitted by the Council. Paragraph 10 makes clear that the Council should have assessed the impact of the potential development allocations on the primary purpose of the Green Belt before determining land requirements. We will refer in more detail to this opinion when dealing with the Green Belt Topic Paper Addendum.

Q5.2 Soundness Tests: FPC considers that the PM's housing requirement fails the soundness tests of being justified and consistent with national policy.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

HOUSING PROVISION AND THE HOUSING LAND TRAJECTORIES: PMs 20 a-d; PMs 21 a-d.

PMs20a-d are a series of four trajectories which are intended to replace the original single trajectory making up Figure 5.1 of the Submitted Plan. It is not at all clear why there are four different trajectories and how they are intended to relate to each other. In particular, the trajectories at PMs20 b and d incorporate a 10% non-implementation rate whilst the trajectories at PMs20 a and c do not. On this basis, there is no clarity if the Council is proposing a non-implementation rate or not. Similar comments can be applied to PMs12a-d which are intended to replace the original single Table 5.2 of the Submitted Plan.

FPC has a number of significant concerns about elements of the trajectories which can be itemised as follows:-

## 1. The Inherited Shortfall.

All the trajectories show an inherited shortfall of 32dpa from the period 2012 to 2017 which is to be made up over the plan period and which is added to the 790dpa OAHN for the period 2017 to 2033. The effect is to increase the actual housing requirement for the plan period 2017 to 2033 to 822dpa. The Council claims that the inherited shortfall arises because the completions over the five year period 2012 to 2017 are 512 dwellings less than its calculated OAHN for this five year period (790dpa). **FPC considers that the Council's position** is incorrect for two reasons.

Firstly, the purpose of the trajectories is not to introduce new policy but to show how the housing requirement set out in policy is to be met over the plan period to 2033. Policy SS1 (as now proposed to be modified) makes no reference to a housing requirement of 822dpa over the plan period or any need to make up any shortfall. Instead it simply states the policy **intention to "deliver a minimum annual provision of 790 new dwellings over the plan period to 2032/33"** (our underlining). In this regard, page 1(i) of the submitted plan confirms that the plan period is 2017 to 2032/33. Therefore, there is no possible basis to interpret modified Policy SS1 as setting out **"an annual housing target" for the plan period of 822dpa, as suggested by the trajectories.**

**Proposed Modification PM5 does refer to "a shortfall in housing provision .... from the period 2012 to 2017". However, any reasonable construction of modified paragraph 3.3 would suggest that the calculated OAHN for the plan period 2017 to 2033 (790dpa) includes provision for this shortfall.** In conclusion, FPC considers that the trajectories are in contradiction with Policy SS1 as proposed to be modified.

Secondly, the GLH report of January 2019 is very ambivalent about what period it covers in its conclusion that the OAHN for York is 790dpa. It is true that its assessment of demographic needs (the starting point) has been given a base of 2012. The reason for this is inexplicable as the **plan period starts in 2017 and GLH's demographic estimates of need** are derived from the SNPP for York which has a base date of 2016. In any event, there is no shortfall against the highest level of demographic need calculated by GLH for the 5 years 2012 to 2017. Dwelling completions in this period were 3432 dwellings compared to the highest estimate of demographic need by GLH for the five years of 3395 dwellings (679dpa). In reality, the GLH 790dpa estimate of OAHN is based solely upon the Oxford Economics employment forecast which reflects the ambitious economic proposals of the Local Plan which have not yet been implemented. Even if the estimate of the OAHN to 2038 is accepted, it provides no support for the existence of a shortfall against housing needs for the 5 years preceding the plan period.

FPC considers that the inherited shortfall should be deleted from the trajectories.

## 2. The Non-implementation Rate of 10% .

The trajectories PMs20b, 20d, 21b and 21d show a 10% non-implementation rate which applies to both existing planning permissions and allocated sites. The effect of this non-implementation rate is to reduce the overall available land supply to meet the housing requirement up to 2038 by 1781 dwellings which has to be made up by the allocation of additional Green Belt land.

The starting point to consider the matter is that the Council did not consider there was a need for a non-implementation rate when it submitted the Local Plan. This is demonstrated by Table 5.2 of the Submitted Plan. The Council has presented no new evidence with the proposed modifications which would justify any change of mind. For the record, the May 2018 SHLAA was in existence at the time when the Council approved the contents of the Publication Draft Local Plan.

FPC accepts that there are always some planning permissions which are not implemented for various reasons. However, presumably all the permissions making the trajectory figure have been assessed by the Council as either deliverable or developable and a large number of these permissions will be sites under construction or within the control of a developer. There can be no reason why a non-implementation rate should be applied to such sites. **Equally, the Council's evidence is that all the housing allocations and strategic sites have been fully evaluated and that these sites will be developed in the plan period.** Unlike some other parts of Northern England, there are no problems of poor demand or low house prices in York which are likely to restrict deliverability.

If sites do not come forward for development, these can be dealt with through the regular five-year reviews of the Local Plan, by taking steps to secure speedier development or by deletion and replacement by alternative sites. This course of action should be preferred to the wasteful allocation of Green Belt land for development on a just-in-case basis.

## 3. Overall Housing Provision.

PM21a shows that over the 16 year plan period to 2033 the local plan proposals (as proposed to be modified) would provide land for 5142 dwellings more than the identified target of 13,152 dwellings (822x16). In other words it is over-providing by some 39%. Most of this over-provision is on sites within the current Green Belt. Even if the 10% non-implementation rate is applied to the proposed supply (PM21b), there would be still an over-provision of some 3533 dwellings, amounting to 27%. There can be no justification for such lavish over-allocation where flexibility factors are already built into the calculation of supply, including the non-implementation allowance in the case of PM21b. NPPF 2012 paragraphs 47 and 159 only require local planning authorities to meet housing needs. There is no national policy objective to greatly over-supply housing land above need. Such over-supply would lead to the wasteful use of Green Belt land for unnecessary development. As the Plan lacks any phasing policy for greenfield allocations, the result would be that either York pulls in residents from adjoining large urban areas such as Leeds, Wakefield and Selby to fill the houses

(contrary to the urban regeneration objectives of these areas), or development is diverted away from less viable brownfield and urban sites. Both outcomes would be contrary to national policy and the overall objectives of the Local Plan.

The Council has argued that the planned over-supply in the plan period is necessary to meet the assessed housing needs up to 2037/38. This argument is undermined by the lack of any phasing of greenfield allocations in the Local Plan which could lead to all the allocated housing land (including for the post-plan period) being developed by 2033.

PM21c shows that at 2038 there would still be an over-supply of housing land, amounting to 3789 dwellings or 22% of the identified requirement for the 2017-2038 period (17102 dwellings). Even if a 10% non-implementation rate is applied over the 21 year period, the over-supply would still amount to 2004 dwellings or 12%. This over-supply must also be placed in the context that there is no evidence to support the higher assessed need of 790dpa being applied beyond 2033 (or in reality 2031). On this basis, it would be reasonable to apply the OAHN derived from the 2016-based SNHP (plus 10% for market signals) equalling 532dpa. The over-supply in PMs21b and d would become 5079 dwellings (32%) and 3298 dwellings (21%) respectively.

In conclusion, the trajectories highlight the substantial over-provision of housing land made by the Local Plan. FPC considers that the Council should have reviewed the Local Plan housing supply in the light of a lower OAHN.

Q5.2 Soundness Tests: FPC considers that the PMs fail the soundness tests of being justified and consistent with national policy.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

#### QUEEN ELIZABETH BARRACKS STRENSALL. PROPOSED MODIFICATIONS PM13, PM18, PM19 and PM39.

FPC objects to the deletion of the strategic site and housing allocation at Queen Elizabeth Barracks, Strensall. Neither site makes any contribution to Green Belt purposes. The Green Belt boundary should be restored to that shown by the Submitted Plan.

The primary interest of FPC in this matter is that the de-allocation of this predominantly brownfield strategic site significantly increases the need for greenfield and Green Belt releases elsewhere.

The main Barracks site (ST35) represents one of the largest opportunities for brownfield development in the City. The Local Plan should provide a policy basis for its re-use and

redevelopment. In this regard the Local Plan should recognise that housing is the most appropriate form of development and that the site is likely to provide a significant number of dwellings in the plan period. It would be contrary to national policy for such a large predominantly brownfield site to be left vacant and unused once the Army vacates. NPPF2012 paragraph 111 says that planning policies "*should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided it is not of high environmental value.*" **The Council does not** seek to justify the proposed modification by saying that the Barracks site is of such high environmental value.

The Plan should recognise the contribution that the site is likely to make to meeting housing requirements in the plan period. It would be entirely inappropriate if land important to Green Belt purposes should be developed in order to make up the shortfall created by the deletion of this predominantly brownfield site.

FPC recognises the sensitivity of Strensall Common SAC but believes that appropriate mitigation (coupled with a possible reduction in housing numbers) could ensure that there would be no adverse effect on the integrity of the European site. This mitigation could take the form of better habitat management, habitat restoration, improved wardening and more effective visitor controls.

Q5.2 Soundness Tests: FPC considers that the PMs fail the soundness tests of being justified and consistent with national policy.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

## THE SUSTAINABILITY APPRAISAL

FPC considers that the sustainability appraisal (SA) accompanying the Proposed Modifications is significantly flawed in respect of its assessment of the amended housing requirement, the failure to reduce the housing provision made by the Plan in the light of the reduced OAHN, and the deletion of Policy SS19 for Queen Elizabeth Barracks, Strensall.

A SA should appraise the relevant local plan proposal/policy and the reasonable alternatives to it. However, the June 2019 SA does not appraise any of the up-to-date reasonable alterations to the 790dpa requirement which are set out in the January 2019 GL Hearn report including the demographic starting point or a variant of it with a market signals adjustment. The only alternatives appraised are higher requirements which are agreed by the Council either to be out-of-date (867dpa derived from the 2014-based SNHP and the 953dpa derived from the 2014-based SNHP plus a

market signals adjustment) or not in accord with Government policy (the 1070dpa based on the standard methodology which is not applicable to this Plan).

The SA does not appraise the sustainability implications of the decision of the Council not to reduce the amount of the proposed housing supply in the light of the significantly lower housing requirement. If it had done so, it would have found very substantial benefits of reducing supply to most of the SA objectives, especially objectives 8, 9, 11, 14 and 15. There would be no harm to other SA objectives as housing needs would continue to be met. This failure means that the conclusions set out in paragraph 5.4.8 of the PMSA are incorrect and cannot be justified.

The PMSA fails to recognise the environmental harm which will be caused by the deletion of the Queen Elizabeth Barracks Strensall site as a strategic site for housing development and its inclusion within the Green Belt. The site is mainly brownfield. Its inclusion in the Green Belt and the lack of any enabling policy will make its redevelopment very difficult, contrary to SA Objective 9.

Q5.2 Soundness Tests: FPC considers that the Plan is not legally compliant because of the failure of the PMSA to properly assess the PMs.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

## 7. GREEN BELT TOPIC PAPER (TP1) ADDENDUM.

### The Validity of the New Evidence.

The Council has produced an Addendum to the Green Belt Topic Paper which runs to some 84 pages plus 6 very large annexes running to many more hundreds of pages. In comparison, the original topic paper (TP1) was only 32 pages long without any annexes. As we show below, the Addendum and its Annexes contain substantial new evidence and positions which the Council has not previously advanced. These include:

- That exceptional circumstances need to be shown to justify Green Belt alterations and what those exceptional circumstances are.
- How the Council has evaluated land important to the 5 purposes of the Green Belt. Previously the only information published by the Council was in relation to Purpose 4- preserving the setting and special character of the historic town.
- How the Council has determined the inner and outer boundaries of the Green Belt.
- How the Council has determined which built-up areas should be included or excluded from the Green Belt.
- How the identified strategic sites perform against the purposes of the Green Belt.



FPC disputes the validity of the Council putting forward such voluminous new evidence after the submission of the Plan. This goes to the weight which can be attached to it. Unlike the GL Hearn report of January 2019, the Green Belt Addendum is not a response to a change in circumstances which justifies a response from the local authority (in that case the publication of the 2016-based SNPPs and SNHPs). It is simply an attempt to justify decisions already taken by the local authority. Such an attempt is contrary to both national policy and PINS guidance.

One of the tests of soundness set out in NPPF2012 is that the submitted local plan should be justified- i.e. *"the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence."* This follows from the principle that decisions by the local authority should be evidence-based. NPPF2012 paragraph 158 reinforces the point, saying:

*"Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area."*

**The word "based" must imply that the** evidence was in front of the local authority at the time of the decision. Evidence produced much later to support a decision already taken would not comply with paragraph 158.

PINS guidance reinforces all these points. The PINS note 'Procedural Practice in the Examination of Local Plans' says at paragraph 1.3 that the Inspector will take the published plan as *"the final word of the LPA on the plan."* Therefore, there is *"a very strong expectation"* that further LPA-led changes to the plan will not be necessary. PINS emphasises:

*"Provision for changes after the submission of the plan is to cater for the unexpected. It is not intended to allow the LPA to complete or finalise the preparation of the plan."*

Of specific reference to the TP1 Addendum, paragraph 1.9 says:

*"Evidence should not be collected retrospectively in an attempt to justify the plan."*

**Paragraph 3.15 adds that** *"topic papers should form part of the evidence base submitted with the plan."*

All this guidance points to the inapplicability of this new evidence.

### The Purposes of the Green Belt

FPC considers that the appraisal of Green Belt purposes set out in Section 4 of the TP1 Addendum is seriously flawed as follows:

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

FPC agrees with the TP1 Addendum that preserving the setting and special character of the historic town is the primary purpose of the York Green Belt. It is therefore very important that the Local Plan is based upon a full and comprehensive appraisal of which areas of land make a significant contribution to this primary purpose. Without such an appraisal, any decisions about sites suitable for development and whether exceptional circumstances exist must be inherently flawed. Despite this, the TP1 Addendum accepts that there has not been a full and comprehensive appraisal of the areas important to Purpose 4. Paragraph 4.17 says:

*"The Green Belt Appraisal does not identify everything which is special about York. Areas not identified on the appraisal map (Figure 3) may still be important to the historic character and setting but the map only identifies the most important."* (our underlining)

From this statement, it follows that there must be areas important to the setting and special character of the historic town which have not been identified and taken into account by the Council in its decision-making on individual sites. This constitutes a major failure of the information base as Purpose 4 is the primary purpose of the Green Belt.

In addition, FPC disputes that **Figure 3 (the appraisal map) identifies all the "most important"** areas contributing to the setting and special character of York. FPC made extensive representations about this matter at Publication stage. It pointed out the Secretary of State has always made clear **that the primary purpose of the York Green Belt can only be maintained by "a belt" of open countryside "encircling the City" whose "outer edge is about 6 miles from the City Centre". This belt of open countryside establishes the important rural character of York's setting and defines its special character as a compact historic town located within an extensive agricultural landscape. The functions of a "belt of open countryside" are not fulfilled by the narrow corridors of open land which Figure 3 identifies as "extensions to green wedges". In reality, these narrow corridors have** a character very similar to the rest of the belt of open countryside around York. A more appropriate way of considering the relationship between the green wedges and the surrounding open countryside is that the wedges provide a continuation of the encircling belt of open countryside into the urban area. If this is so, all the open countryside around York beyond the Outer Ring Road has significant value to the setting and special character of the City. This is the view of FPC (and that of previous Inspectors who have considered the Green Belt around York).

A further major deficiency of Figure 3 is that it does not identify the importance in its entirety of the buffer of open land which encircles the City between the Outer Ring Road and the existing urban edge. FPC pointed out in its representations at Publication Draft stage that this buffer of open land plays a major role in establishing the setting and special character of York. Significant areas of open land within this green buffer have been excluded from Figure 3 seemingly only because the Council wishes to promote development on them. Most of these excluded areas have

similar characteristics to, and fulfil the same functions as, the areas which have been identified by Figure 3.

In conclusion the TP1 Addendum has failed to properly assess the areas important to the setting and special character of the historic town and, as such, is not a sound basis for making decisions on Green Belt boundaries or development allocations.

Purpose 1: To check the unrestricted sprawl of large built-up area.

The TPI Addendum (4.22-4.26) seeks to define the areas important to Purpose 1 by identifying all the land which does not currently have access to two or more named services. FPC agrees that accessibility may be an important measure of sustainability. However, by itself, it is not a good indicator of whether **development would constitute "unrestricted sprawl"**.

FPC considers that Purpose 1 is better understood as seeking to prevent the development of land which is not well-related to the existing urban pattern and may create a precedent for future unplanned development. It can only be mapped by examining each parcel of land around the urban area and applying an informed judgement.

For these reasons, FPC considers that Figure 4 is not an adequate basis to assess land which is important to achieve Purpose 1.

Purpose 2: To prevent neighbouring towns merging into one another.

FPC accepts that Figure 5 does identify the most narrow gaps between settlements around York. However the boundaries appear arbitrarily drawn and exclude land which fulfils a separation purpose. One example is the omission of the York Designer Outlet from the area separating Fulford from Bishopthorpe. Further encroachment of built development onto the large open areas within its boundaries would have a damaging effect on the perceived separation of the two settlements.

Figure 5 is also flawed because it does not recognise that there are other areas of open land important for the separation of settlements, for example that between Elvington and Heslington. Although not as narrow as the gaps identified by Figure 5, they still help achieve the objective of Purpose 2. The gaps between settlements to the south of the City are very important to the setting and special character of the historic town.

Purpose 3: To assist in safeguarding the countryside from encroachment.

The TPI Addendum seeks to identify the areas important to Purpose 3 by mapping existing designations for nature conservation, open space and green infrastructure corridors. FPC considers that this is a wholly flawed approach.

The countryside is normally defined as open areas where rural land uses predominate. It is not confined just to areas important for wildlife, recreation and green infrastructure. Indeed, such areas are generally protected from development by designations other than Green Belt. For this reason, Figure 6 of the TP1 Addendum is of little or no value to defining Green Belt boundaries. The only possible conclusion is that the Council has not carried out a proper exercise to identify those areas important to Purpose 3.

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

FPC agrees that the land fulfilling this purpose cannot be mapped in the same way as the other Green Belt purposes. Instead Purpose 5 seeks to assist urban regeneration by restricting the amount of greenfield land which is made available for development on the edge of settlements. If too much such land is released, it will divert resources away from the recycling of derelict and urban land. We go back to this point when discussing whether the Council has demonstrated exceptional circumstances for its proposed Green Belt releases.

Strategic Areas to keep Permanently open.

TPI Addendum says that Figure 7 shows those areas which have been identified as being "*strategically important to keep permanently open*", presumably on the basis that the areas make a significant contribution to at least one Green Belt purpose. There is, however, no clear way of understanding how the identified areas of land have been derived from Figures 3 to 6. Moreover, there is no explanation how this figure relates to the Submission Local Plan. In particular, the figure shows large areas of land **to be kept** "*permanently open*" which are proposed by the Local Plan for development (for example ST15: West of Elvington Lane and ST27: The University Expansion). Similarly, the map shows large areas as not being necessary to keep permanently open which are included in the Green Belt (for example land south of Strensall including Queen Elizabeth Barracks and a large area south of Stockton-on-Forest).

In conclusion, FPC considers that the TP1 Addendum has not properly considered which areas of open land land make important contributions to Green Belt purposes and require to be kept permanently open.

### Exceptional Circumstances

FPC agrees that the Council must demonstrate exceptional circumstances to justify altering the general extent of the Green Belt. These exceptional circumstances need to be shown to exist for the principle and quantum of Green Belt alterations proposed, and individually for each proposed alteration.

FPC agrees that the judgement in the case of Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council (cited in TP1 Addendum para 7.110) sets out the relevant matters which need to be taken into account when considering whether the Council has adequately justified its case for exceptional circumstances. These are:

- i. The acuteness/intensity of the objectively assessed need;
- ii. The inherent constraints on supply/availability of land prima facie suitable for sustainable development;
- iii. The consequent difficulties in achieving sustainable development without impinging on the Green Belt;
- iv. The nature and extent of the harm to the Green Belt (or those parts of it which would be lost if the boundaries were reviewed).
- v. The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonable extent.

The only other matter which FPC considers should be taken into account is the extent of harm to other planning interests which the Green Belt alteration(s) would cause, including to wider environmental interests.

Applying the above criteria to the evidence on housing contained in the TPI Addendum, FPC considers that the relevant issues are:-

1. Has the Council adequately justified the acuteness of the need?
2. Has the Council adequately justified the quantum of Green Belt losses proposed?
3. Has the Council adequately assessed the nature and extent to the harm to Green Belt purposes, including the primary purpose of preserving the setting and special character of the historic town?
4. Has the Council adequately justified the alternatives to Green Belt releases to secure sustainable development?
5. Has the Council presented evidence that it has sought to ameliorate or reduce harm to the purposes of the Green Belt and the wider environment to the lowest reasonable practical extent?

#### Justification for the Acuteness of the Need

The TP1 Addendum references the 2019 GLH Report as providing the evidential basis for its OAHN figure of 790dpa for the period up to 2038. However we have already shown that the conclusions of this report are deeply flawed and the identified requirement is substantially in excess of any that may be generated by up-to-date demographic projections, even when adjusted for market signals. The 790dpa figure is more than 60% above the demographic starting point generated from the up-to-date Government projections. The only basis for it is a sole employment forecast which is very

speculative, increasingly outdated, and ends in 2031. For these reasons, FPC considers that the **Council's assessment of the acuteness of need has not been properly justified.**

#### Justification for the Quantum of Green Belt Releases

The TP1 Addendum (7.75) says there is a requirement for 17,102 dwellings over the 21 year period 2017 to 2038, inclusive of the inherited shortfall. We have already commented on the unreliability of this figure. To meet the identified requirement, the TP1 Addendum (7.75) shows there is land within the urban areas for 13,122 dwellings; or 12,114 dwellings if a 10% non-implementation rate is applied. This leaves a shortfall of between 3980 and 4988 dwellings to be met on sites within the Green Belt. (For the record, the TP1 Addendum identifies sites as urban which are within the Green Belt shown the 2005 Local Plan including ST2 Former Civil Service Sports Ground and ST4 Land Adj Hull Road.)

To meet the outstanding requirement, the TP1 Addendum (8.8) says that land for 7769 dwellings is being excluded from the Green Belt. The excess against the requirement amounts to 3779 dwellings (22.1%); or 2004 dwellings (11.7%) if the non-implementation rate is applied.

**TP1 Addendum para 7.103 says there are "exceptional circumstances to warrant this additional flexibility in the specific context of York's Local Plan." These exceptional circumstances are said to be "there is currently a period of national planning policy flux, including the introduction of the new standard method for calculating housing needs." Paragraph 7.105 adds there is a danger that the Plan once adopted will be rendered "immediately out-of-date" and "the provision of additional flexibility based on retaining the submitted Plan's housing supply will help to 'future-proof' the Plan and ensure that York can continue to meet identified housing needs."**

The starting-point to consider the **Council's** argument is that the housing provisions of the Plan already contain substantial elements of flexibility without additional over-provision against the requirement as:

- The identified requirement (790dpa) is the highest possible figure from a range of alternatives. In particular, it is more than 60% above the demographic starting-point (484dpa), whilst its requirement for the 2033-38 period (790dpa) is much higher than any evidence supports.
- There is no evidential basis to include additional provision for an inherited shortfall from 2012 to 2017 (512 dwellings).
- There is already substantial flexibility built into the supply figure if a 10% non-implementation rate is applied, amounting to 1781 dwellings.
- There is no provision in the supply figure for any contribution from the Strensall Barracks site which is likely to contribute over 500 dwellings over the plan period to 2033 (whether as a windfall or an allocation).

**The Council's** argument that there is a need for a high level of flexibility in supply because the Plan once adopted might become immediately out-of-date is simply not credible. There is no flux in national policy. The Government has recently issued a revised NPPF which makes clear (para 73) that the Local Plan on adoption will form the basis for the calculation of the five-year supply. Any calculation based on the standard methodology would be irrelevant.

FPC considers that the Council has not justified the quantum of housing releases proposed from the Green Belt. In particular, it has not reduced to the minimum the losses to Green Belt and wider planning objectives

Similar points can be made about the employment provision as the Plan significantly over-provides against the identified requirement.

#### Assessment of the Harm to be caused to Green Belt Purposes

To show exceptional circumstances, it is important that the Council assesses the impact on Green Belt purposes of its proposed Green Belt alterations, including the cumulative impact.

The only reference to cumulative impact is in Section 7g (Conclusions on Exceptional Circumstances) where the Addendum says:-

*"The sites allocated within the general extent of the York Green Belt have been done so without damage to its primary purpose – to preserve the setting and special character of York." (our underlining) (para 7.116)*

*"The release of sites within the general extent of the Green Belt will not damage the overall purposes of the Green Belt as a whole." (our underlining) (para 7.117)*

These conclusions **must be taken to represent the Council's overall assessment of harm which it has used to determine whether exceptional circumstances exist.**

FPC **disagrees strongly with the Council's conclusions which it considers are not credible.** The scale of the development being proposed within the Green Belt by the Local Plan (land for 7540 dwellings plus employment allocations) is bound to damage its purposes, including the primary purpose of preserving the setting and special character of the City. This seems evident **from the Addendum's own Figure 7** which shows most of the proposed Green Belt losses as being areas which should be **kept "permanently open."** **The Council's conclusions are not** even consistent with the TP1 **Addendum's own assessment of the impact of** the individual strategic sites. **The Addendum's Annex C** records the potential for many of the sites to cause significant harm to Green Belt purposes, including the fourth purpose of preserving the setting and special character of the historic town. We consider that Addendum paragraphs 7.116 and 7.117 do not present a credible assessment of the **extent of the harm to Green Belt purposes of the Council's proposals.**

Alternatives to Green Belt Releases to secure sustainable development.

The Addendum does not refer to the alternative open to the Authority which is to not fully meet its identified housing and employment needs. This alternative would accord with national policy set out in paragraph 14 of NPPF 2012 if the adverse impacts of fully meeting needs would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. One of the cited policies is Green Belt.

From the wording of NPPF2012 para 14, it must follow that it would not constitute sustainable development to exclude land from the Green Belt if it would significantly damage its purposes. This appears to be common ground with the Council as the Authority has submitted the legal opinion of John Hobson QC which confirms the following: -

*"Once the need for development, both within the Plan period and beyond, is ascertained, a further judgement 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." (our underlining)*

There is no evidence from the TP1 Addendum that the Council has carried out such an exercise. It would presumably argue that it is not necessary because there would be no significant impacts on Green Belt purposes. However, if the Inspectors take a different view (consistent with TP1 Addendum Figure 7), the exercise required by national policy must be carried out to establish whether the Green Belt is still capable of fulfilling its purposes, including preserving the setting and special character of the historic town.

An alternative would be **to ask neighbouring authorities to meet part of York's housing and employment needs beyond the Green Belt.**

The TPI Addendum sets out the discussions with neighbouring authorities about housing provision (paras 7.85-7.94). It is clear that there has been no formal request from CYC that the neighbouring **authorities meet some of York's identified housing need. The matter was only first raised as a possibility at the inter-authority meeting on 4 September 2018, many years into the plan preparation process and at a time when the plans of the neighbouring authorities were already very well advanced. It was not pursued by CYC, and at the North Yorkshire and York meeting on 27 November 2015 CYC seemed to have confirmed that it intended to meet its own needs in the plan period and beyond. This is reflected in the responses of the neighbouring authorities to the Preferred Sites consultation (TPI Addendum, para 7.92). FPC's conclusion is that CYC has never properly explored with the neighbouring authorities whether some of York's housing needs could be met more sustainably beyond the Green Belt.**



Evidence that the Council has sought to reduce harm to Green Belt purposes.

This issue relates to the previous issues and in particular to the amount of land proposed to be lost to development. However, even if the quantum of losses required is accepted, FPC considers that there has been no proper site selection exercise to choose the sites which would cause least harm to Green Belt and wider planning interests. The Council has never carried out a comprehensive exercise to assess the contribution to Green Belt purposes of all the parcels of land making up the general extent of the Green Belt. Instead, it has only assessed the relatively small number of potential development sites which has been submitted to it. This is not the type of comprehensive sieving exercise which other Authorities (such as Knowsley Council) have undertaken before making substantial alterations to Green Belt boundaries. Such exercises have examined the contribution which all the parcels of land making up the Green Belt make to its purposes. The result is that no transparent exercise exists to justify why particular sites have been selected for exclusion from the Green Belt rather than others. This is particularly true of the large new settlement sites (ST7, ST14 and ST15) where arbitrary holes are proposed to be punched into the encircling Green Belt. These holes could theoretically be punched almost anywhere within the Green Belt.

#### Conclusion on Exceptional Circumstances

Applying the criteria set out in the Calverton Parish Council case, FPC considers that the TP1 Addendum has failed to demonstrate the exceptional circumstances to justify **the Local Plan's** proposed Green Belt changes. Of particular importance: -

- It has greatly exaggerated the acuteness/intensity of the objectively assessed need.
- It has not justified the quantum of release proposed.
- It has not properly assessed the nature and the extent of harm to the Green Belt.
- It has not properly investigated alternatives to Green Belt releases including requesting other authorities in the York HMA to meet part of the identified need.
- There has been no comprehensive site selection process to ensure that the impacts of the proposed alterations on the purposes of the Green Belt have been ameliorated or reduced to the lowest possible extent.

Q5.2 Soundness Tests: FPC considers that the Green Belt alterations being proposed fail the soundness tests of being justified and consistent with national policy.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

## 8. TP1 ADDENDUM ANNEX 4: URBAN AREAS IN THE GENERAL EXTENT OF THE GREEN BELT

FPC considers that Annex 4 is flawed in its approach. The relevant national policy is NPPF paragraph 86 which states:

*"If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs **to be protected for other reasons, other means should be used,...and the village should be excluded from the Green Belt.**"*

The starting-point is that the NPPF only refers to "villages". The policy does not apply to other developed areas within the general extent of the Green Belt. The relevant policy for such developed areas is set out at NPPF paragraph 89 last bullet point.

It is also important that the policy requires that an evaluation is made of the impact of future development upon the openness of the Green Belt. Indeed the wording of paragraph 86 makes clear that this is the most important test to be applied. Despite this, Annex 4 makes no such **evaluation of the impacts on the Green Belt of future development in the identified "urban areas"**.

FPC disagrees strongly with the evaluation of Annex 4 for the McArthur Glen Outlet. In particular:

- The evaluation takes no account of the important Green Belt functions played by the wider area of open countryside in which this site lies, including being part of the narrow gap between Fulford and Bishopthorpe.
- The evaluation fails to recognise that built development is concentrated within the central part of the site and that the other parts of the site have an open character which contributes significantly to the purposes of the Green Belt.
- The evaluation takes no account of the significant harm which major built development on the currently open areas of the site would have on Green Belt purposes, including the character of the surrounding open countryside.

In line with its Publication Draft representations, FPC considers that the McArthur Glen Outlet should have been identified as a developed site to be washed over by Green Belt and subject to NPPF paragraph 89.

## 9. TP1 ADDENDUM ANNEX 5: SITES PROPOSED IN THE GENERAL EXTENT OF THE GREEN BELT

Annex 5 seeks to evaluate each of the proposed strategic sites against the five Green Belt purposes set out in NPPF2012. However it does so only by applying the criteria set out in Section 4 of the

main Addendum. We have shown that these criteria are inherently flawed. It must follow if we are correct that all the appraisals of the individual sites are similarly flawed and cannot be relied upon.

We will now examine the individual appraisals for the sites in the south-east quadrant of the City which particularly affects Fulford. However similar comments can be made about most of the appraisals for the other strategic sites.

### Proposal ST15: Land to the West of Elvington Lane

The site extends to some 159ha and forms an integral part of a much larger area of attractive open countryside to the south-east of York. This wider area of countryside is well-used by residents of Fulford and Heslington for walking and cycling and the site itself is crossed by public rights of way. It is one of the most tranquil and pleasant parts of the open countryside close to the City.

The proposal is for a freestanding new settlement of some 3339 dwellings. However the proposed new settlement currently has no suitable access. The submitted Local Plan therefore proposes a major new road crossing the Green Belt and connecting with the A64 by a new grade-separated junction. This new road and junction will have major impacts on the landscape, the wider environment and the purposes of the Green Belt. Despite this, Annex 5 (page A5.17) says:

*"The potential for negative impacts on landscape from the proposed new access point to the A64 is an identified concern to be addressed through SPD/site masterplanning."*

This is a fundamentally flawed approach as the decision in principle on whether the new road and junction is acceptable is being taken as part of this plan. Design is unlikely to mitigate most of the likely impacts which will be severe on the landscape and the setting and special character of the City. The lack of any appraisal of this key infrastructure at this stage of the plan process is a fundamental flaw and invalidates the **Annex's** conclusions on ST15.

Under the heading of sustainable patterns of development, the Annex **says that** *"the degree of harm (created by the proposed new settlements around York) has been judged to be far less than would be caused should the housing development in those settlements be located, instead, on the edge of the existing built-up area of the City or its surrounding settlements."* **FPC considers that** such a judgement cannot be validly made without a proper site selection exercise which examines all the potential alternatives against Green Belt purposes. Moreover this statement does not justify why this particular location has been selected against the many other potential locations where a hole could be punched in the Green Belt to facilitate development. Finally, the claim that the impact **would be "less" than** that of peripheral development does not automatically mean that it is acceptable. It is difficult to see how punching a hole of 159ha in size in the general extent of the Green Belt for development, which is unrelated to the existing pattern of settlement, would not cause significant harm to Green Belt purposes. In this regard, it is noteworthy that the option of a

new settlement in the Green Belt is not one of the development alternatives set out in NPPF2012 paragraph 84:-

*"When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages not within the Green Belt or towards locations beyond the outer Green Belt boundary."*

FPC disagrees with the judgements made by Annex 5 about the impacts of ST15 on the Green Belt purposes as:-

- The proposal would lead to urban development unrelated to the existing settlement pattern of the area. There is also bound to be pressure in the future to expand the new settlement onto the adjoining areas of open countryside, especially given the cost of the infrastructure necessary to serve the settlement. For these reasons there will be significant harm to Purpose 1 (compared to the minor harm recorded by Annex 5)
- The proposal would result in major new development within the existing open gap between Heslington and Elvington. Although this is not one of the narrowest gaps around the main urban area, maintaining the distinct separation of the two settlements is very important. Consequently, there will be minor/significant harm to Purpose 2 (compared to the minor harm recorded by Annex 5).
- The site forms part of an area of attractive and tranquil open countryside which is well used for recreation purposes and has nature conservation value. Consequently, there would be significant harm to Purpose 3 (compared to minor harm/significant harm recorded by Annex 5).
- The site forms an important part of the open countryside setting of York giving it its character of a compact historic town within a distinct rural hinterland. The development of the site and its associated road infrastructure would have a major impact on this setting. Consequently there would be significant harm to Purpose 4 (compared to minor harm recorded by Annex 5).
- The properly calculated housing needs of York can be met sustainably without the development of this site. In these circumstances, its development would divert resources and demand away from sites within the urban area, including brownfield land. Consequently, there would be significant harm to Purpose 5. (Annex 5 says this purpose is not applicable to the site.)

**FPC's conclusion is that Annex 5 is seriously defective in its assessment of the impacts on the Green Belt of the development of ST15.**

## ST27 – University of York Expansion

**Annex 5 claims that the site** *"offers a unique opportunity to attract businesses that draw on the University's applied research to create marketable products and expand the Science Park York."*

However there is no evidence to support this contention either in the form of demand and viability studies, or that a site linked to the University must be physically contiguous with it. Annex 5 also makes reference to the possibility of the site being used for additional student accommodation which highlights the uncertainty about the purpose of the allocation.

**The Annex's statement about the site offering** *"a unique opportunity to attract businesses"* also ignores the potential availability of Site ST4: Land Adj to Hull Road. This site is currently allocated for housing development but in the light of the over-supply of housing land could be re-allocated for University expansion. It is better related to the University than ST27 and is in an attractive location for employment development. FPC has objected to its allocation for housing purposes but accepts that its development would have a much lesser impact on Green Belt purposes than ST27 if a need exists. The same could apply to the use of Imphal Barracks for University expansion.

FPC disagrees with the judgements made by Annex 5 about the impacts of ST27 on the purposes of the Green Belt:-

- The proposal would lead to urban sprawl unrelated to the existing pattern of development in the area. In this regard, Heslington East Campus was designed to be a one-off development without any expansion to the south of the current lakes. In addition, there is bound to be pressure to expand the development, once it is fully developed, onto adjoining land. This is **clear from the University's own evidence**. Consequently there would be significant harm to Purpose 1 (compared to minor harm recorded by Annex 5).
- The area forms part of the wider open countryside between Heslington and Elvington. As such, it makes some contribution to separating settlements. Consequently, there would be minor harm to Purpose 2 (compared to no significant effects recorded by Annex 5).
- The site forms part of a wider area of open countryside which is greatly used by local people for walking and cycling. Consequently there would be significant harm to Purpose 3 (compared to minor harm adjudged by Annex 5).
- The site is a very important part of the green buffer on the inner side of the Ring Road which encircles the City and gives it much of its character. However the green buffer in this vicinity has already been seriously eroded by the development of the Heslington East Campus. The development of this site would further damage the green buffer by bringing development up to the A64. TP1 Addendum Figure 3 shows the site as being one of the

"most important areas" to the setting and special character of the City. Equally, Annex 5 recognises that:

*"Development would inevitably result in the loss of part of the rural setting of York between the new University Campus and the A64 experienced predominantly from the A64. The site would bring development close to the A64 and further change the experience of York's setting in this location."*

Despite this, Annex 5 says that the proposal would only cause minor harm/significant harm to Purpose 4. FPC considers that significant harm to Purpose 4 would be caused.

- The proposal would divert resources and demand from urban sites, including brownfield land. Consequently, there would be significant harm to Purpose 5 (Annex 5 says this purpose is not applicable to this site).

**FPC's conclusion is that Annex 5 is seriously defective in its assessment of the impacts of ST27 on Green Belt purposes. There would be significant harm.**

Q5.2 Soundness Tests: FPC considers that the TP1 Addendum Annex 5 fails the soundness tests of being justified and consistent with national policy.

Q6.1 Required Changes: As above

Q7.1 Appearance at Examination: Yes

Q7.2 Reasons for Appearance: The complexity of the issues.

**From:** [Redacted]  
**Sent:** 22 July 2019 14:22  
**To:** localplan@york.gov.uk  
**Subject:** FW: York Local Plan proposed modifications consultation  
**Attachments:** 2019 07 22 York Proposed Modifications Consultation ERYC Response.pdf; 20180404 - Final East Riding consultation response.pdf

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

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**From:** Tom Bannister [Redacted]  
**Sent:** 22 July 2019 14:12  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Cc:** Macefield, Rachel  
**Subject:** 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 Rachel,

Please find attached East Riding's response to York's proposed modifications consultation, and a copy of our earlier response referred to in the letter.

please don't hesitate to get in touch if you would like to discuss any matters in this response.

Kind regards  
Tom

**Tom Bannister MRTPI**  
**Planning Policy Manager**

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Rachel Macefield  
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Your ref:  
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Enquiries to: Tom Bannister  
E-mail: [REDACTED]  
Telephone: [REDACTED]  
Date: 22 July 2019

Dear Rachel

## York Local Plan Proposed Modifications Consultation

Thank you for consulting East Riding of Yorkshire Council on the City of York Local Plan proposed modifications and the opportunity to meet with your colleague Alison Cooke to discuss this consultation on 05 July 2019.

Please accept this letter in addition to East Riding's earlier consultation response to the York local Plan set out in the letter dated 04 April 2018. In addition to the points raised in this earlier letter (copy attached) East Riding has the following comments to make.

### Habitats Regulations Assessment 19 February 2019

East Riding notes the updates made to the original York local Plan Habitats Regulations Assessment (HRA) and the different outcomes within it, including ruling out likely significant effects of the Local Plan on the Lower Derwent Valley the need to remove sites likely to affect Strensall Common.

East Riding raises no objections to the finding of this updated HRA.

Thank you also for the additional clarification in the email from Alison Cooke (19/07/2019) providing greater clarity on how this HRA has considered Likely Significant Effects alone and in-combination where necessary and how these have been screened out. In the interest of clarity, it would prove helpful if this explanation could be included in the updated HRA. This would allow a clear record of how the York Local Plan HRA has reached its conclusions. Specifically, regarding the determination of when it was, and when it was not necessary to consider potential in combination effects of the emerging policies of the York Local Plan and other plans that are already in place (e.g. the East Riding Local Plan adopted April 2016).

Please feel free to contact me if you would like to discuss any matters in this response.

Yours sincerely

[REDACTED]

Tom Bannister  
Planning Policy Manager



# EAST RIDING

OF YORKSHIRE COUNCIL

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[www.eastriding.gov.uk](http://www.eastriding.gov.uk)

Ian Burnett Head of Asset Strategy

Mr Mike Slater  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

Your ref:  
Our ref:  
Enquiries to:  
E-mail: [REDACTED]  
Telephone: [REDACTED]  
Date: 04 April 2018

Dear Mr Slater

## City of York Local Plan - Regulation 19 Publication Draft

Thank you for consulting East Riding of Yorkshire Council on the City of York Local Plan Publication draft. This represents a significant milestone in the plan making process and has reflected ongoing cooperation between the two authorities.

There is a close functional relationship between the City of York and the Vale of York Sub-Area within the East Riding, which is a predominantly rural area centred on the towns of Pocklington and Market Weighton. This is recognised within the East Riding Local Plan Strategy Document, which identifies there are relatively high levels of out-commuting from this part of the East Riding to the City. In particular, the Council supports the reference in Policy T4 of the York Publication Draft Local Plan to the need for improvements to the A64/A1079/A166 Grimston Bar junction. This is a congested junction that affects journeys to and from the East Riding and the need to implement mitigation measures has been included within the East Riding Infrastructure Delivery Plan (IDP).

It is recognised that, in determining the objectively assessed need for housing, the York Housing Market Area (HMA) does not include East Riding of Yorkshire which forms part of the Hull HMA. The Council supports this approach and the aim of the York Local Plan to meet its full objectively assessed need for housing, as set out in Policies DP1, DP2 and SS1. This will help to create a more sustainable pattern of development and enable new residents to access services, employment and retail development within the city by a range of sustainable modes of transport.

However, it is still unclear whether the scale of development proposed for strategic allocation ST15 (Land West of Elvington Lane) would be sufficient to deliver the necessary supporting infrastructure outlined in Policy SS13. Whilst the Council does not necessarily consider this policy to be unsound, it would be helpful to provide further clarification within the plan to outline how this strategic allocation will be delivered.



Alan Menzies  
Director of Planning and Economic Regeneration

Land West of Elvington Lane - Policy SS13

Policy SS13 identifies a range of policy requirements that will need to be addressed through the development of strategic allocation ST15. This includes the provision of a range of shops, services and facilities; on-site education to meet primary, nursery and potentially secondary demand; demonstrate all transport issues have been addressed; ensure provision of necessary transport infrastructure; and deliver high quality, frequent and accessible public transport services. These requirements have also been supplemented by other relevant plan policies:

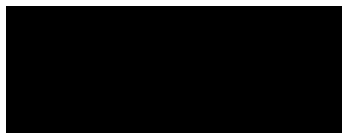
- Policy HW6 - need for additional spoke facilities (6 x 3m serviced building with parking facilities for two ambulances) for the allocation;
- Policy G16 - new area for nature conservation required on land south of A64 in association with ST15;
- Policy T2 - need for a dedicated public transport / cycle route linking the allocation to York; and
- Policy T4 - need for a new grade separated junction to serve the allocation.

Whilst this strategic infrastructure is identified in the published draft York IDP (2014), it does not clarify the scale of costs associated to the development of the allocation. For example, the estimated cost for the new A64 grade separated junction is stated as "unknown" and the new dedicated bus route is "not costed". These both identify the "developer" as being the only funding source. In addition, the draft IDP does not identify any specific schemes or costs associated to increased GP or education provision. It is unclear whether these costs have been established and considered through the Local Plan and CIL Viability Assessment in determining whether the scale of development proposed would generate sufficient developer contributions to deliver the required infrastructure.

The explanatory text for Policy SS13 identifies that the viability of delivering this infrastructure "must be considered and evidence provided to demonstrate its robustness" (paragraph 3.67). The Council, in response to the pre-publication (regulation 18) York Local Plan, suggested that it would be helpful to consider the viability of delivering essential infrastructure for this allocation through the plan making process. For example, the draft masterplan and related viability evidence could be published to establish these costs and clarify the mechanisms for securing sufficient funding to enable new infrastructure to be delivered in a timely manner. In particular, the cost of the new grade separated junction onto the A64 is likely to be very substantial. It will be necessary to ensure this can be delivered alongside the development of the allocation to minimise the potential impact on adjacent junctions with the A64, including the A64/A1079/A166 Grimston Bar junction and approach roads.

Please do not hesitate to contact me if you require any further information regarding this response.

Yours sincerely



Jon Palmer  
Planning Policy Manager



**From:** Alastair Willis [alastair.willis@lichfields.uk]  
**Sent:** 22 July 2019 14:54  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** York Local Plan: Proposed Modifications Consultation 2019 [NLP-DMS.FID486012]  
**Attachments:** 50730 Proposed Modifications Consultation Response Form 2019 PM21c.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM21b.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM21a.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM20d.PDF; 50370 Proposed Modifications Consultation Response Form 2019 PM20c.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM20b.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM20a.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM5.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM4.PDF; 50370 Proposed Modifications Consultation Response Form 2019 PM3.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM44.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM22.PDF; 50730 Proposed Modifications Consultation Response Form 2019 PM21d.PDF; 50642\_05 York Local Plan Proposed Modifications 22.07.19.PDF

**Follow Up Flag:** Follow up  
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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 see the attached representations submitted on behalf of Bellway Homes PLC. We would be grateful if you could confirm receipt of the attached by return.

The attached documents are as follows:

- City of York Local Plan: Proposed Modifications Version – Representations on Housing Matters (Lichfields, July 2019);
- Proposed Modifications Response From – PM3
- Proposed Modifications Response From – PM4
- Proposed Modifications Response From – PM5
- Proposed Modifications Response From – PM20a
- Proposed Modifications Response From – PM20b
- Proposed Modifications Response From – PM20c
- Proposed Modifications Response From – PM20d
- Proposed Modifications Response From – PM21a
- Proposed Modifications Response From – PM21b
- Proposed Modifications Response From – PM21c
- Proposed Modifications Response From – PM21d
- Proposed Modifications Response From – PM22
- Proposed Modifications Response From – PM44

Please do let me know if you have any queries.

Kind regards

**Alastair Willis**

**Planning Director**

Lichfields, The St Nicholas Building, St Nicholas Street, Newcastle upon Tyne NE1 1RF  
 T 0191 261 5685 / [REDACTED] / E [alastair.willis@lichfields.uk](mailto:alastair.willis@lichfields.uk)

## Lichfields' planning news updates for July are now available

[VIEW NEWS](#)



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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		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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:	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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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# Part B -Your Representation

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



### 3. To which 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?

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

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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 report for detailed representations.



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There is a need to examine some of the fundamental aspects of the plan. We therefore request the opportunity to participate at the oral part of the examination.

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Signature

Date

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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
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## What can I make comments on?

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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.**

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# Part B -Your Representation

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



### 3. To which 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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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:

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## Retention of Information

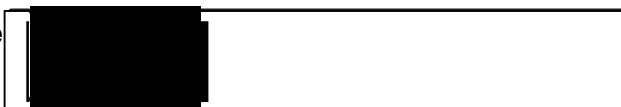
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Signature



Date

22/07/2019



# 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

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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		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
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Telephone Number		0191 2615685

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# Part B -Your Representation

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



### 3. To which 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?

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

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

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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)

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Signature

[Redacted Signature]

Date

22/07/2019

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ID reference:

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Last Name		Willis
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# Part B -Your Representation

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



### 3. To which 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?

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### 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”?

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

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



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

**5. 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 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.**



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**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.

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## Storing your information and contacting you in the future:

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## 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

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Signature

Date

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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.**

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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.

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**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 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 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)

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Signature

Date

22/07/2019

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

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

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1. Personal Details		2. Agent's Details (if applicable)
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First Name		Alastair
Last Name		Willis
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# Part B -Your Representation

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



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

Proposed Modification Reference:	PM20d
Document:	Local Plan Proposed Modifications
Page Number:	

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Signature

Date

22/07/2019



# 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

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## 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		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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:	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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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)

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## 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?

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# Part B -Your Representation

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



### 3. To which 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.

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



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

**5. 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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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

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

Signature

Date

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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**

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## What can I make comments on?

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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each 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.**

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## Do I need to attend the Public Examination?

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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.

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# Part B -Your Representation

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



### 3. To which 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.

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

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



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

**5. 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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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.

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## Your rights

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Signature

Date

22/07/2019

# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
Address – line 3		Seaton Burn
Address – line 4		Newcastle upon Tyne
Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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
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## 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.**

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## 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.

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# Part B -Your Representation

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



### 3. To which 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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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

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## Storing your information and contacting you in the future:

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Signature

Date

22/07/2019



# 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		Mr
First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
Address – line 2		Dudley Lane
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Address – line 5		Tyne and Wear
Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
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## Do I have to use the response form?

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# Part B -Your Representation

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



### 3. To which 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?

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**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 report for detailed representations.

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Signature

Date

22/07/2019

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ID reference:

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First Name		Alastair
Last Name		Willis
Organisation (where relevant)		Lichfields
Representing (if applicable)		Bellway Homes PLC
Address – line 1		Seaton Burn House
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Postcode		NE13 6BE
E-mail Address		alastair.willis@lichfields.uk
Telephone Number		0191 2615685

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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 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 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 a need to examine some of the fundamental aspects of the plan. We therefore request 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

22/07/2019

# **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**

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## 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.

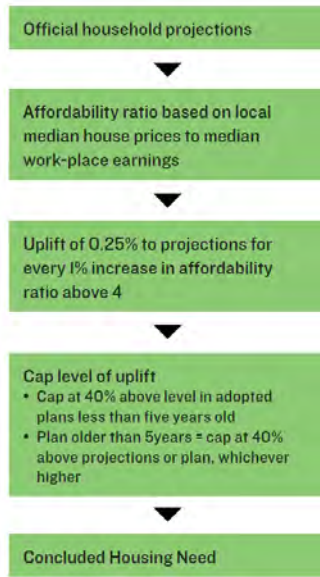
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ 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 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

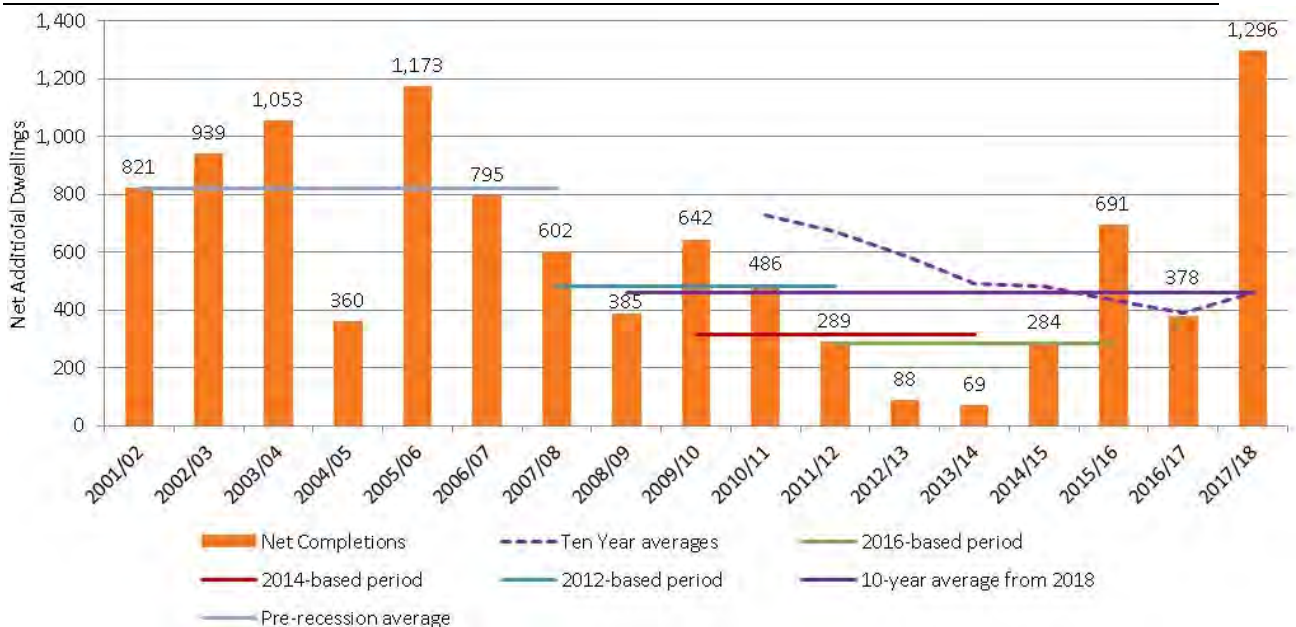
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<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

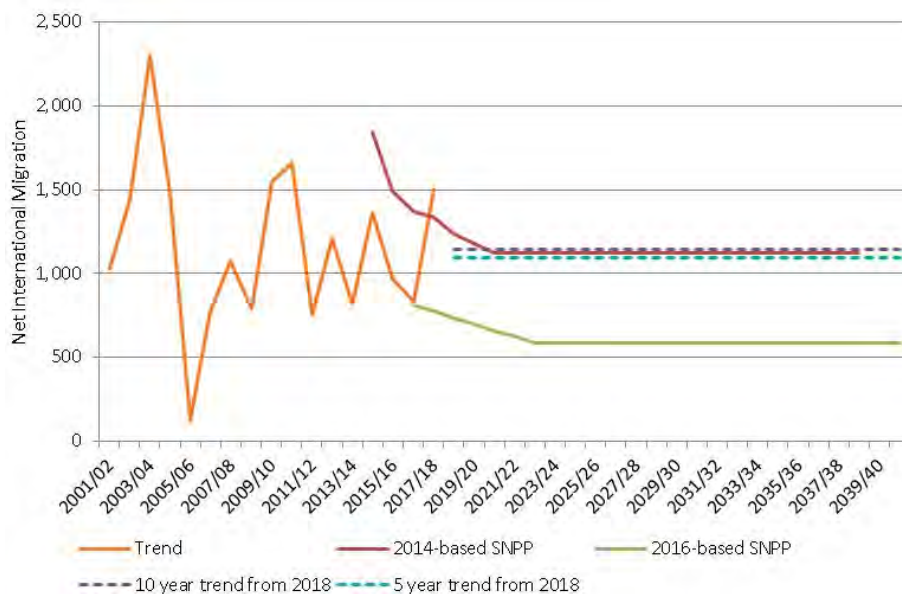
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**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/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.

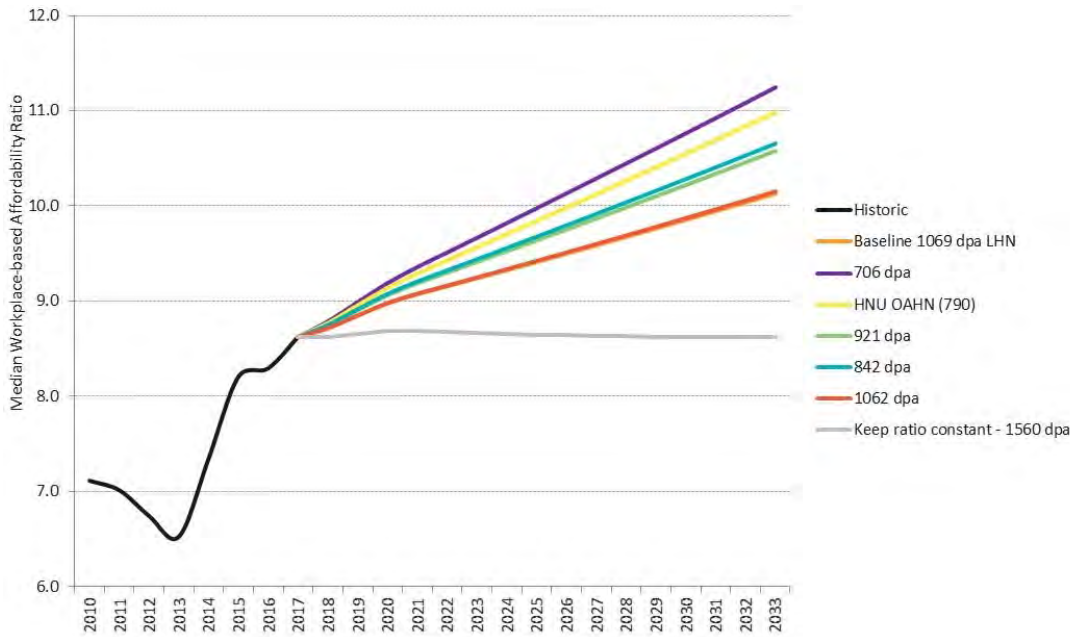
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- 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?**

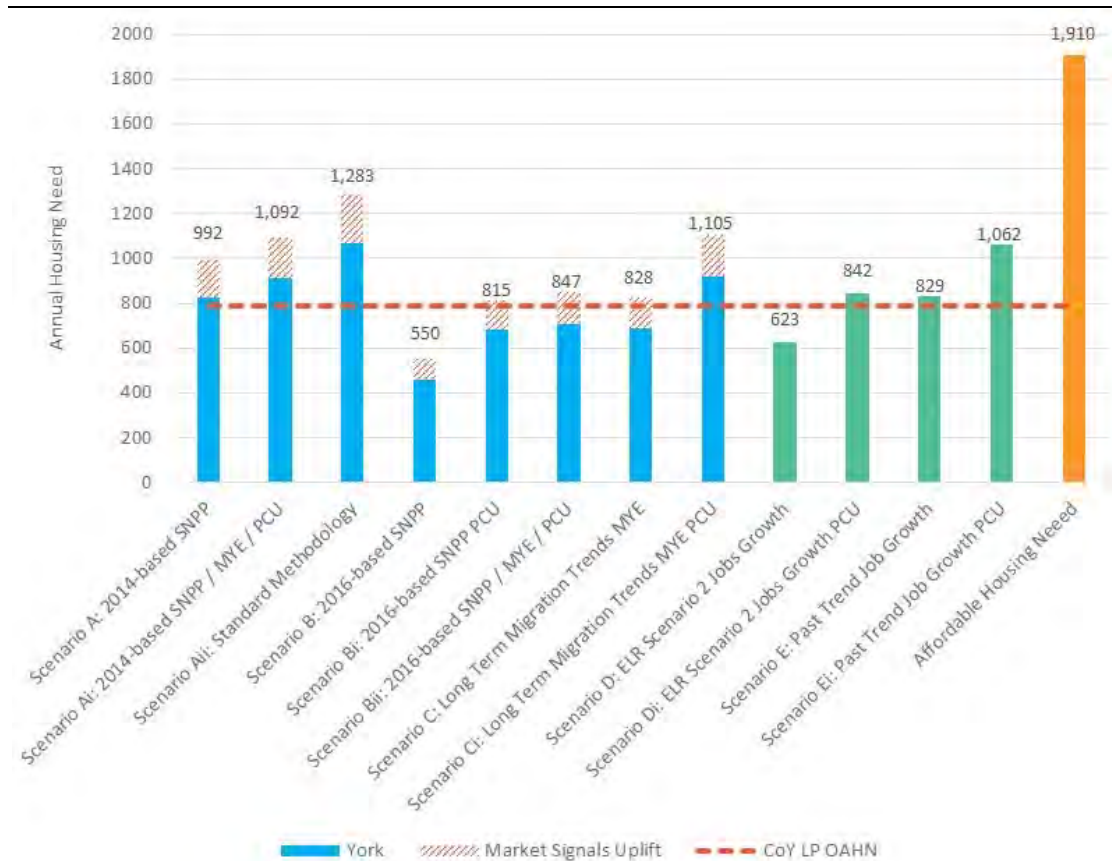
4.39 The Practice Guidance requires plan-makers to assess likely employment growth based on past trends and/or economic forecasts. Where the labour force supply is projected to be less than the forecast job growth, the Practice Guidance states that this could result in unsustainable commuting patterns 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).**

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<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).

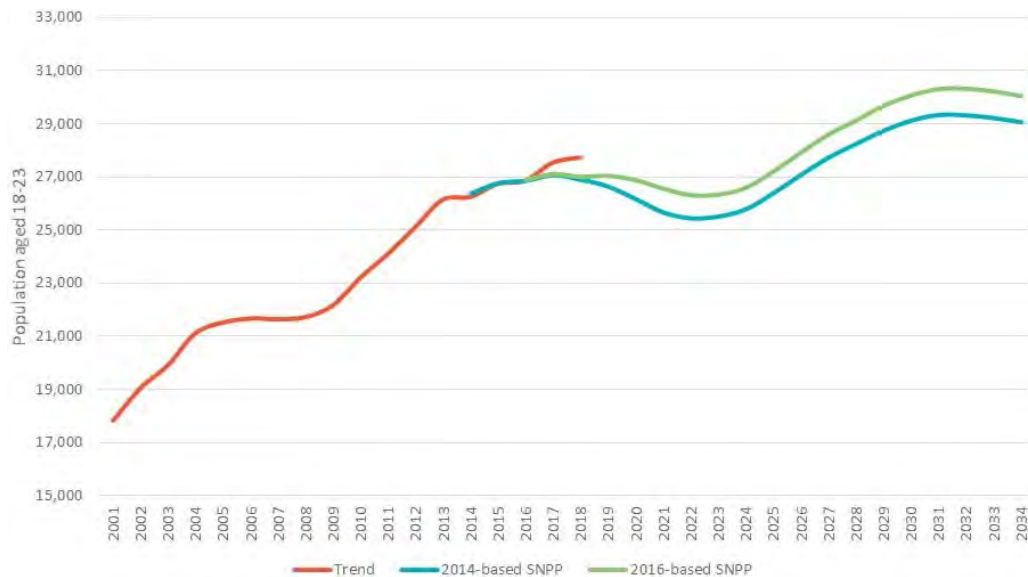
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<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

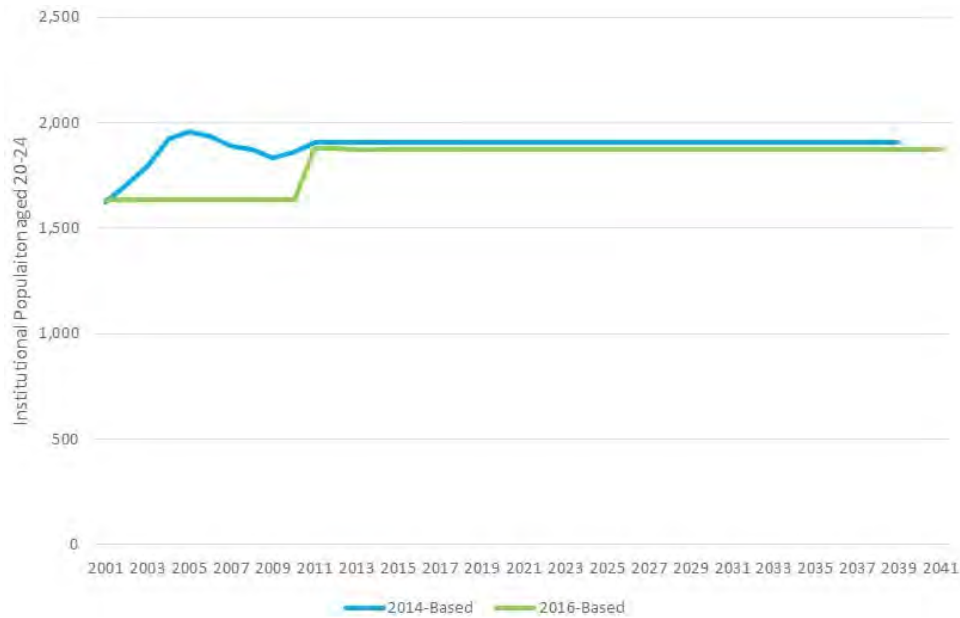
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal 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.

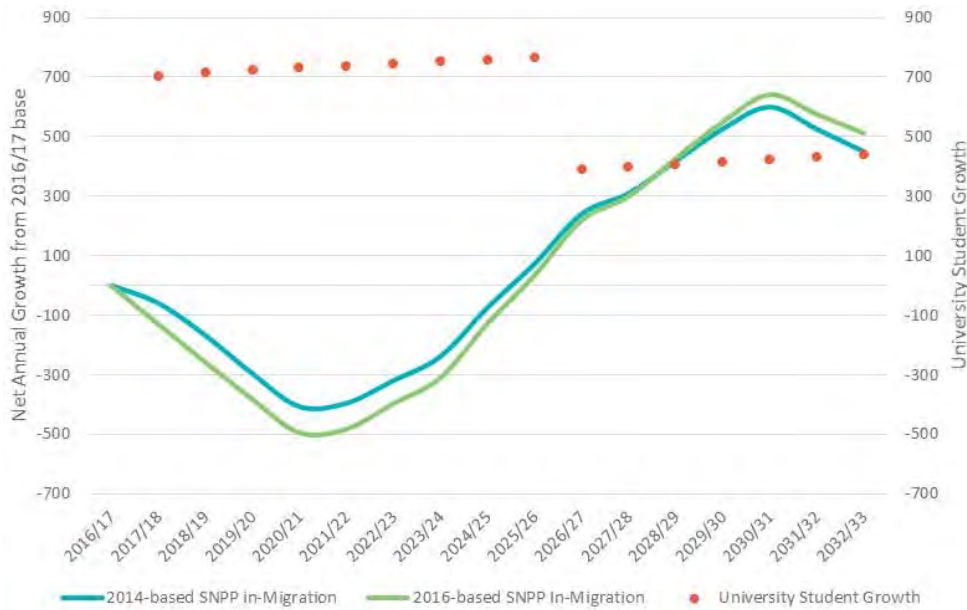
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



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**

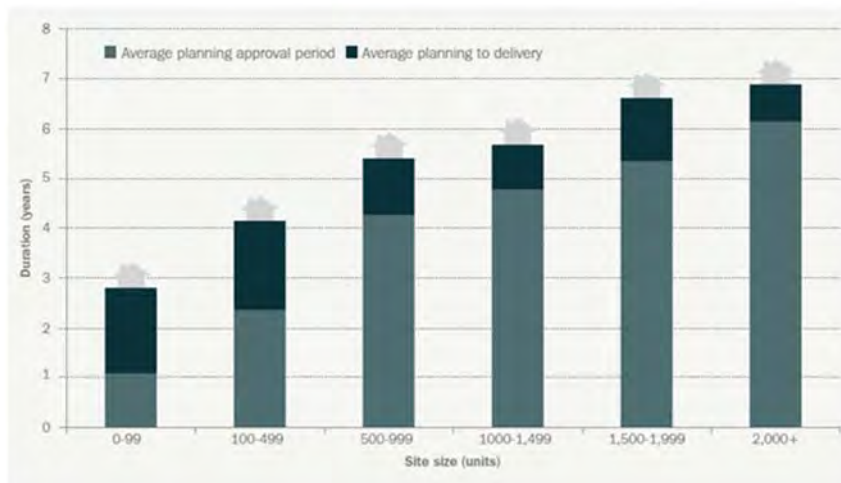
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. 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.

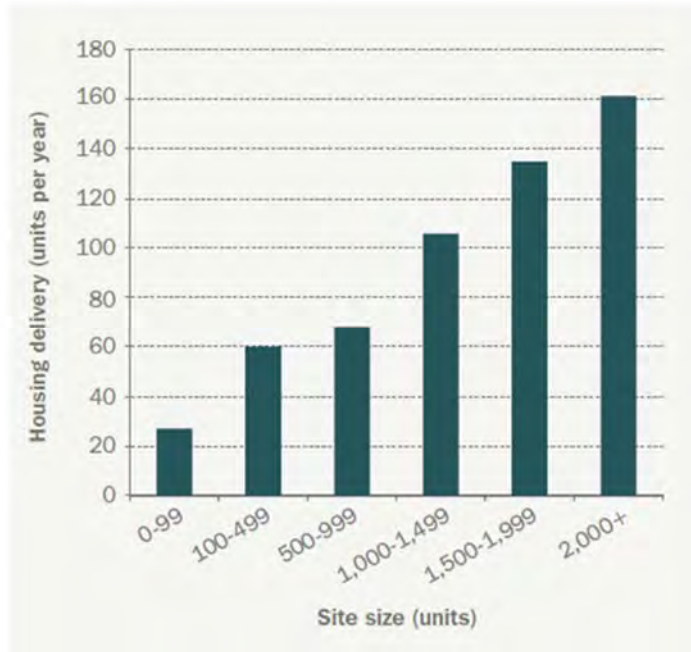
Table 15 Annual Delivery Rates

	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.







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**From:** Joanne Harding [joanne.harding@hbf.co.uk]  
**Sent:** 19 July 2019 11:18  
**To:** localplan@york.gov.uk  
**Subject:** HBF response to York Local Plan Proposed Mods  
**Attachments:** HBF Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019-signed.pdf; 19-07-22 York Local Plan Proposed Mods.docx

**Follow Up Flag:** Follow up  
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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 the response of the Home Builders Federation (HBF) to the York Local Plan Proposed Modifications.

It would be greatly appreciated if you could confirm receipt of this response.

If you require any further information or if you have any questions or queries please do get in touch at the details below.

Thank you.

Kind regards

Joanne Harding MRTPI

Local Plans Manager - North



HOME BUILDERS FEDERATION

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# 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	Joanne	
Last Name	Harding	
Organisation (where relevant)	Home Builders Federation (HBF)	
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Address – line 1	HBF House	
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Address – line 3	London	
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Address – line 5		
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E-mail Address	joanne.harding@hbf.co.uk	
Telephone Number	07972 774 229	

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:

Please see separately attached letter.

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)

Please see separately attached letter.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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 separately attached letter.

**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 separately attached letter.

**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 debate the comments made within our representations further and in greater detail. To ensure that the industry can respond to any additional evidence provided by the Council or others following submission of the plan.

**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

Planning Policy  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

SENT BY EMAIL  
[localplan@york.gov.uk](mailto:localplan@york.gov.uk)

19/07/2019

Dear Sir / Madam,

## **YORK LOCAL PLAN: PROPOSED MODIFICATIONS**

Thank you for consulting with the Home Builders Federation on the York Local Plan: Proposed Modifications.

The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

The HBF is keen to work with the City of York to ensure that a sound Local Plan can be provided in a timely manner. This would be to the benefit of all concerned with the development and future economic success of the city.

### **Proposed Modifications:**

**PM3: Paragraph 2.5, PM4: Policy SS1, PM5: Explanation to SS1, PM20a-d: Figure 5.1, PM21a-d: Table 5.2, PM22: Paragraph 5.9 and PM44: Table 15.2**

*The HBF do not consider that these proposed modifications are sound, the HBF do not consider that are positively prepared, justified or consistent with national policy.*

### Housing Requirement amended to 790 dwellings per annum

Each of these Proposed Modifications (PM) follows from 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 proposed modification is based on the Housing Needs Update 2019; the Update was produced to take into consideration the 2016-based sub-national population and household projections from ONS and CLG. The 2016-based household projections see a reduction in the level of household growth across the Country. This is a result of changes in the subnational population projections upon which the household projections are based, and adjustments in the approach taken in the household projections to considering household formation rates.

The population projections reflect the anticipation that life expectancy will not increase at the same rate as before. This will mean that the numbers of older people are not set to grow at the rate expected in the 2014-based projections. Secondly, the level of international in-migration is not expected to continue at the same rate as previously. These adjustments have meant a reduction in population growth and will have an impact on household growth. Alongside the reduction in population growth changes have also been made to household formation rates. These rates determine the number of households that are likely to form based on the sub national population projections. In previous iterations of the household projections these rates have been derived from household formation data going back to 1971. However, the latest household projections use a much more limited data series between 2001 and 2011. This has led to a lower household formation rates amongst younger people than would have been expected in the past as it reflects the fact that, due to higher house prices and reduced wage inflation, younger people have not been able to form households at the same rate as previous generations.

It is noted that ONS have stated that *'household projections are not a prediction or forecast of how many houses should be built in the future. Instead, they show how many additional households would form if the population of England keeps growing as it did between 2011 and 2016 and keeps forming households as it did between 2001 and 2011'*.

The major concern with regard to the latest household projections is that they will continue the trend of younger people forming households much later in life than in previous years. This posed a serious question for the Government as to whether it wants to see these trends continue or whether housing delivery needs to be at a level that will improve affordability and deliver homes that will improve the trend in household formation amongst younger people. It is clear from the initiatives that the Government has introduced such as Help to Buy that this issue is to be addressed. The Government also continues to state that its aspiration is to increase housing delivery to 300,00 dwellings per annum by the mid-2020s, and it has recognised that this will not be achieved if the Government uses the 2016 projections.

PPG sets out guidance on how to undertake a housing needs assessment, in relation to the Standard Method it states that *'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'*. The PPG requires the continued use of the 2014-based household projections, as it states that this will provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected and will be consistent with the Government's objective of significantly boosting the supply of

homes. Whilst we recognise that the principles set out in the PPG have been made in relation to the standard method, they provide a clear statement from Government that the 2016 based projections should not be used for assessing housing needs. The impact of these lower household projections if applied using the approach to assessing housing need required by the 2012 NPPF and its associated guidance is no different to their application under the standard methodology. Indeed, the impact could be considered to be even more significant given that Councils have generally under-estimated the degree of uplift required to improve affordability in relation to market signals. What is clear from the PPG is that significant caution should be given to the use of the 2016-based household projections.

The HBF continue to recommend that the policy is modified as follows:

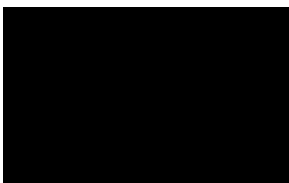
- *'Deliver a minimum annual provision of **1,070** ~~867~~ new dwellings over the plan period to ~~2032/33 and post plan period to~~ 2037/38. This will enable the building of strong, sustainable communities through addressing the housing and community needs of York's current and future population.'*

### **Future Engagement**

I trust that the Council will find the foregoing comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



**Joanne Harding**  
**Local Plans Manager – North**  
Email: [joanne.harding@hbf.co.uk](mailto:joanne.harding@hbf.co.uk)  
Phone: 07972 774 229



**From:** Emma Ridley [redacted]  
**Sent:** 22 July 2019 17:09  
**To:** localplan@york.gov.uk  
**Cc:** [redacted]  
**Subject:** Proposed Modifications Representation Submission  
**Attachments:** 004.P17-0472 Local Plan Rep FINAL.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.

Good Afternoon,

Please find enclosed our representation in response to the Council’s New Local Plan Proposed Modifications Consultation.

If you could confirm receipt of this submission, it would be greatly appreciated.

Kind Regards,

**Emma Ridley**  
Planner

**Pegasus Group**  
PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | HERITAGE  
Pavilion Court | Green Lane | Garforth | Leeds | LS25 2AF



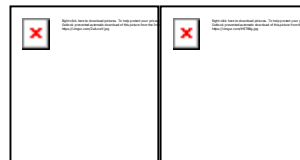
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CITY OF YORK COUNCIL:  
YORK LOCAL PLAN PROPOSED MODIFICATIONS

LAND TO THE SOUTH OF STRENSALL, YORK

LOCAL PLAN CONSULTATION RESPONSE

ON BEHALF OF LOVEL DEVELOPMENTS LTD

**Pegasus Group**

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## EXECUTIVE SUMMARY

This representation is prepared by Pegasus Group on behalf of the Lovell Developments Ltd in response to the '**Proposed Modifications**' to the York Local Plan.

The representation concerns land at South of Strensall, York.

Strensall is a sustainable settlement. Following the removal of the Queen Elizabeth Barracks Allocation, it is appropriate for Strensall to continue to contribute to delivering sustainable growth over the full period of the Plan with sufficient robustness and flexibility to respond to long-term requirements and opportunities.

This site should not be ruled out for exclusion from the Green Belt and allocation for residential development and is suitable for further consideration through the site selection process.

In order to be considered positively prepared and thus sound, the Plan must demonstrate that housing need is being met as a minimum not a limit. The Plan must be aspirational but deliverable to be positively prepared (NPPF, paragraph 16).

At Appendix A, this representation is accompanied by an Economics Analysis Representation which provides detailed evidence on the housing requirement for the City. This demonstrates that the Local Plan target of 790 new homes per annum is insufficient to meet the housing need in the City. In order to be found sound, the Local Plan should be targeting higher growth.

## 1. INTRODUCTION

- 1.1 This representation has been prepared by Pegasus Group on behalf of Level Developments Ltd in relation to land South of Strensall, York (**"the Site"**).
- 1.2 The representation considers the Proposed Modifications of the Local Plan and provides an update on the comments raised by Pegasus Group in response to the consultation of the pre-publication draft of the Local Plan in 2017. This response should be read in conjunction with the previous representations submitted by Pegasus Group to the previous consultation stages of the Local Plan.
- 1.3 The representation considers the questions of soundness referred to in the National Planning Policy Framework, which are; positively prepared, justified, effective and consistent with national policy, and in respect of the relevant legal tests.

### The Site

- 1.4 The Land to the South of Strensall is made up of a parcel of land which covers an area of approximately 29 hectares. The site is bounded by residential development to the west, the railway line to the north, residential properties to the east and adjoining Flaxton Road to the south. The site is a greenfield site currently used for agricultural purposes. Mature planting exists on some of the site boundaries, particularly to the southern boundary along Flaxton Road.
- 1.5 For clarity, a site location plan / aerial image is shown below:



*Figure 1: Site Location Plan*



## 2. STATUTORY CONTEXT: SOUNDNESS AND THE LEGAL TESTS

2.1 The City of York Council Publication Draft Local Plan has been submitted for examination with proposed modifications consulted upon. The intention of the Plan is to set the approach to its long term physical development including identifying sites to ensure that sufficient land is available in appropriate locations to meet the **District's growth targets, which are set out in** Section 3 of the draft Local Plan.

2.2 Section 19(2) of the Planning & Compulsory Purchase Act 2004 provides that:

*"(2) In preparing a development plan document or any other local development document the local planning authority must have regard to –*  
*(a) National policies and advice contained in guidance issued by the Secretary of State..."*

Section 20(5) then states:

*"The purpose of an independent examination is to determine in respect of the development plan document-*

*(a) Whether it satisfies the requirements of sections 19 and 24(1), regulations under section 17(7) and any regulations under section 36 relating to the preparation of development plan documents;*

*(b) Whether it is sound; and*

*(c) Whether the local planning authority complied with any duty imposed on the authority by section 33 A in relation to its preparation".*

2.3 **The NPPF outlines the Government's policy in respect** of plan making. The transitional arrangements in the NPPF (2018) apply, and for Doncaster Local Plan mean that the policies in the newly adopted Framework are applicable. NPPF paragraph 35 provides the considerations which should be taken into account in the process of examination of an emerging development plan. This states:

***Plans are "sound" if they are:***

- *Positively prepared – the plan should be prepared based on a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs*

*from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development;*

- *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework.*

2.4 Regulation 8 (2) of the Town and Country Planning (Local Planning) Regulations 2012 require that **“a local Plan or Supplementary Planning Document must contain reasoned justification of the policies contained within it”**.

2.5 Regulation 8 (4) of the Town and Country Planning (Local Planning) Regulations 2012 continues that the policies contained within a local plan must be consistent with the adopted development plan.

### 3. THE PROPOSED MODIFICATIONS

- 5.1 This chapter of the representation considers the content and preferred policies set out within Proposed Modifications of the City of York Local Plan. To meet development and infrastructure requirements City of York Council is required by national planning policy to positively prepare a positively prepared Local Plan.
- 5.2 Overall, we welcome the intention in the Vision and Outcomes set out in the submitted Local Plan for a vibrant City which enhance the vitality of local communities through meeting housing need and economic development, whilst **enhancing the City's unique historic, cultural and natural environmental assets.**
- 5.3 The first part of our assessment seeks to comment on the proposed modifications relating to the housing requirements of the City. The second part will consider the site at Strensall, in the context of the revisions to the Local Plan since the last round of consultation.

Proposed Modifications:

PM3: Paragraph 2.5, PM4: Policy SS1, PM5: Explanation to SS1, PM20a-d: Figure 5.1, PM21a-d: Table 5.2, PM22: Paragraph 5.9 and PM44: Table 15.2

*Housing Requirement – 790 dwellings per annum.*

- 5.4 The proposed modifications sets out the provision of housing required for the City, identifying a minimum annual provision of 790 new homes over the plan period to 2032/33 and post plan period to 2037/38.
- 5.5 We disagree with the annual housing provisions identified within draft Policy SS1, although the wording '**a minimum annual provision**' is supported as this accords **with the requirements of the NPPF to 'boost' the supply of new housing in the City.**
- 5.6 In demonstrating our disagreement with the housing figures, Pegasus Group have produced evidence in the form of the Economics Analysis Representation which supports this representation. For full details please refer to the attached document, although in summary the following has been found:
- 5.7 *For York to achieve long-term sustainable economic growth it needs a Local Plan that:*

- *Sets an ambitious target for housing delivery in York which aligns with the government's aspirations to see 300,000 new homes built by the mid-2020s.*
- *Addresses housing affordability issues, with York being one of the least affordable places to live in Yorkshire and The Humber.*
- *Delivers a housing stock that meets the needs of the entire population, particularly the younger cohort who will form a **large part of the District's** future labour market.*
- *Reflects housing-related priorities outlined in local economic development strategies*

*As it stands, the Local Plan does none of these things and cannot be considered fit for purpose. The proposed reduction to delivering only 790 dwellings per annum goes against all current thinking on addressing the national housing crisis and the target for York should be to deliver a minimum of at least 1,000 new homes per annum*

#### Housing Requirement Summary

- 5.8 Overall, we have very clear concerns that the Council have not allowed for additional housing requirement above the household projections which would provide affordable units for the City moving forward and that this would result in adverse impacts on certain elements of the population including younger generations.
- 5.9 We therefore do not consider that the Council have allocated sufficient land within the Local Plan to cater for the housing requirement for the City of York until the end of the plan period contrary to the soundness tests at NPPF para 1 & 2.
- 5.10 We reserve the right to provide additional information and evidence on the housing supply for York as may be necessary as the Local Plan progresses.

#### Proposed Modifications:

PM13 - Policy SS19: Queen Elizabeth Barracks, Strensall

- 5.11 In general terms, we agree that this site should be removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).

- 5.12 Our client is however disappointed that no further allocations are proposed in Strensall to compensate for this loss and that his site remains as Green Belt land in the Local Plan.
- 5.13 Throughout the different stages of the Local Plan, Strensall has consistently been identified as a Settlement that can accommodate growth and the removal of the Queen Elizabeth Barracks site provides a requirement for alternative allocations to be made to ensure continued sustainable growth in the village.
- 5.14 Within the 2014 Local Plan Preferred Options Document the clients site was identified as safeguarded land in order to meet development in the longer term, beyond the plan period. Therefore it is clearly a site that the Council have previously thought appropriate for Green Belt release.
- 5.15 Our client's site is enclosed on three sides meaning that the Green Belt could be easily re-defined by using the physical features that are readily recognisable and likely to be permanent. As explored in our previous representations, we believe that there is a case to demonstrate that our client's site would be a preferable allocation for residential development.
- 5.16 We believe this not only because it accommodates less constraints to overcome than the Barracks site, particularly in terms of matters surrounding heritage and trees, but also represents a more sustainable location to the existing facilities and services within the village. The development also has the potential to add to and support the facilities within the village which would benefit the existing community. It is also a site which is not reliant on the cessation of an existing use therefore is more certain and could be delivered in a quicker timescale.
- 5.17 Notwithstanding this, the client would like to highlight that the parcel of land located to the north of the railway line, as shown below, is also available for allocation either as part of the wide site or as an allocation in its own right.



*Figure 2: Northern Parcel*

- 5.18 We believe that the northern parcel represents an area of land which is well connected to the existing settlement and has clearly defined boundaries by virtue of existing residential development and the railway line to the south. The site can therefore be released from the Green Belt without causing harm to the openness of the Green Belt and resulting in unrestricted urban sprawl.

6. SUMMARY AND CONCLUSIONS

- 6.1 In conclusion, we disagree with the annual housing provisions identified within draft **Policy SS1 of the 'emerging' Local Plan. We believe that the housing target for the City of York should be significantly higher, as illustrated by the evidence produce as part of this representation. As a result, it is considered that the City Council is not planning positively to meet the housing needs of the City. The Plan cannot be sound in these circumstances.**
- 6.2 As discussed in previous representations, we also have concerns over the **Spatial Strategy of the 'emerging' Local Plan and question the strategy for growth, particularly with respect to the proposed 'green villages'**. In our opinion, urban extensions to existing settlements represents a more sustainable approach to future development for the City.
- 6.4 Whilst, for the reasons outlined, we do not object to the removal of the **Queen Elizabeth's Barracks** allocation of additional housing in Strensall, we have concerns that no further / replacement allocations have been proposed. We believe that our clients land to the South of Strensall represents a more suitable option for future development which is available and developable within the plan period and should therefore be included as an allocation. Failing this, the site should be removed from the Green Belt and identified as safeguarded land for future development needs.
- 6.5 We trust that the above comments will be taken into account in progressing the City of York Local Plan.

---

## APPENDIX A – ECONOMIC ANALYSIS REPRESENTATION





CITY OF YORK COUNCIL:  
YORK LOCAL PLAN PROPOSED MODIFICATIONS

LAND TO THE SOUTH OF STRENSALL, YORK

LOCAL PLAN CONSULTATION  
RESPONSE

ON BEHALF OF LEVEL DEVELOPMENTS LTD

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## 1. INTRODUCTION

1.1 This report considers the demographic and economic factors relevant to responding to the Proposed Modifications of the City of York Local Plan. It has been prepared by Pegasus Group on behalf of Level Developments Ltd in relation to land South of Strensall, York.

1.2 This report should be read in conjunction with the previous representations submitted by Pegasus Group to the previous consultation stages of the Local Plan.

1.3 The comments within this report serve to highlight a number of aspects of the Proposed Modifications Document and its supporting evidence base that require revision or additional analysis to be considered suitably robust.

1.4 The remainder of this report is structured as follows:

- Section 2 provides a review of existing evidence on housing need in York.
- Section 3 analyses the most recent data on demographic trends and housing market indicators, both of which impact on the requirement for new homes.
- Section 4 reviews past employment trends in York, along with benchmark areas.
- Section 5 provides views on future economic growth in York and the extent to which the Proposed Modifications Document fully reflects the growth potential of the District.
- Section 6 presents overall conclusions from the analysis.

## 2. EXISTING EVIDENCE ON HOUSING NEED IN YORK

- 2.1 If a Local Plan was submitted to the Planning Inspectorate for examination either on or after 24 January 2019, it will be examined in accordance with the 2018 National Planning Policy Framework (NPPF). This requires authorities to assess local housing need following the standard method. **York's Local Plan was submitted prior to this deadline, therefore it is subject to previous NPPF policies from 2012.**
- 2.2 When responding to consultations, the starting point is normally the housing need identified in the previous Local Plan. However, York has not had an adopted Local Plan since 1954, therefore this section reviews the evidence produced over the last few years to chart the different housing need figures that have been used by the Council. Consideration is also given to the standard method to identify what the level of housing need would be in the District if the Local Plan was subject to the latest NPPF. This has been done to provide a full range of housing need estimates for York.

### Local Plan – Preferred Sites Consultation July 2016

- 2.3 The Local Plan Preferred Sites Consultation included a housing figure of 841 dwellings per annum (dpa) based on the 2016 Strategic Housing Market Assessment (SHMA), produced by GL Hearn<sup>1</sup>. This figure took account of recent migration trends (Mid-Year Population Estimates for 2013 and 2014 published by the Office for National Statistics – ONS) and improvements to household formation rates for younger households in the 25-34 year age group. The assessed need of 841 dwellings per annum was 7.4% higher than **the “starting point” as set out in the 2012-based household projections (783 dwellings per annum)**.
- 2.4 In 2016, the 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 GL Hearn produced an addendum to the main SHMA report which briefly reviewed key aspects of the projections and highlighted what level of housing need would be implied by the new information. GL Hearn recommended that the Council did not need to move away from the previous advice (841 dwelling per annum).

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<sup>1</sup> *City of York Council – Strategic Housing Market Assessment*. GL Hearn, June 2016.

Local Plan – Pre-publication Draft September 2017 (Regulation 18 Consultation)

- 2.5 The Local Plan produced as part of the Regulation 18 stage identified the need for 867 dpa in York 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.
- 2.6 The updated housing need (going from 841 dpa to 867 dpa) for the District was based on an updated addendum to the SHMA, produced by GL Hearn in May 2017<sup>2</sup>. The purpose of the update was to review the housing need in York taking into account the impact of the 2014-based SNPP and the 2015 Mid-Year Population Estimates (published in June 2016). This SHMA addendum increased the demographic starting point from 783 (which was the demographic starting point for the 841 housing need figure as per the 2016 SHMA) to 867 per annum. In an introductory note to the SHMA addendum, the Council states that *"Guidance (NPPG) indicates that the official projections should be seen as a baseline only. On this basis the figure of 867 is the relevant baseline demographic figure for the 15 year period of the plan (2032/33) subject to any appropriate adjustments."*
- 2.7 It is important to note here that GL Hearn apply a 10% uplift to housing need figure, to take account of market signals and affordable housing need. The SHMA addendum states that in line with PPG, this should be set against the official starting point of 867 dpa. Applying this uplift, the resultant housing need for York would be 953 dpa. However, the council rejected this figure and remained with 867 dpa. In the introductory note to the **SHMA addendum, the Council say that this was done on the basis that GL 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."**

Local Plan Publication Draft February 2018 (Regulation 19 Consultation)

- 2.8 The housing target for York outlined in the Local Plan produced as part of the Regulation 19 consultation remained at 867 dpa.

**Inspector's Initial Observations on the Local Plan, July 2018**

- 2.9 Following submission of the Local Plan for examination in May 2018, the two Planning Inspectors appointed by the Planning Inspectorate to conduct the examination provided

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<sup>2</sup> City of York Council – Strategic Housing Market Assessment – Addendum Update. GL Hearn, May 2017.

some initial feedback on the Local Plan to the York City Council. They raise a number of concerns and this includes issues with the proposed housing target of 867 dpa. In particular, they query why the Council rejected the 953 dpa target calculated by GL Hearn in the May 2017 SHMA Addendum Update. The Inspectors state that the evidence required to demonstrate that the 867 dpa figure used in the Plan is properly justified is absent from the documents submitted.

- 2.10 The Inspectors go on to say that the Council "***... can either seek to justify an OAN of 867 dpa by providing a detailed critique of why a 10% uplift is not necessary as a response to market signals and affordability. However, in the face of the work undertaken by GL Hearn, and bearing in mind that this was produced for the Council as a wholly independent exercise free of any influence one way or the other, this may prove challenging.***"
- 2.11 In light of these comments, it would be reasonable to assume that the Council may have gone back and revisited its housing targets and perhaps revised them upwards. However, this is not the case and the Council has since reduced its estimates of future housing in York.

#### Local Plan Proposed Modifications June 2019

- 2.12 One of the main changes proposed by the Council would see the housing target reduce from 867 dpa to 790 dpa. This equates to 77 fewer homes per annum, or a decline of 8.9%. The source of this estimate is a January 2019 Housing Needs Update, produced by GL Hearn<sup>3</sup>. It was produced to interrogate the 2016-based SNPP, 2016-based Household Projections and the 2017 mid-year population estimates to consider the potential implications for household growth and housing needs in York. The analysis of the 2016-based SNPP and household projections is interesting, especially given how pessimistic they are when compared with the 2014-based versions.
- 2.13 Having reviewed the Housing Needs Update, it appears 790 dpa estimate has been calculated by taking employment forecasts produced as part of the Regulation 18 Consultation and then to calculate the level of housing provision that would be needed to support job growth, which allows the Update to arrive at 790 dpa.

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<sup>3</sup> *City of York – Housing Needs Update*. GL Hearn, January 2019.

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## Housing Standard Method – ‘**Planning for the Right Homes in the Right Places**’

- 2.14 It is noted at the start of this section that the York Local Plan is subject to previous NPPF policies from 2012. **This means it does not technically need to apply the government’s standard method** when calculating housing requirements. However, given the Council is proposing to significantly reduce its housing target and taking into account the concerns raised by the Planning Inspectors in July 2018, it is sensible to consider what figure results from the standard method. This helps to provide the most complete picture on future housing need in York.
- 2.15 A consultation on the standard method was published in September 2017 on the back of **commitments set out within the White Paper ‘Fixing our Broken Housing Market’,** which included proposals to tackle the housing challenge, specifically to build more houses of the type people want to live in, in the places they want to live in. The consultation paper considered that the previous system for determining dwelling requirements was too complex and that it led to a costly and time-consuming process that lacked transparency. In response to this a standard approach was identified, based on three key principles, to be simple, based on publicly available data and realistic.
- 2.16 The approach taken, as part of the original standard method, is essentially a top down method to achieving a total number of homes nationally per annum. The targeted figure was initially 266,000 homes per annum, which was an average of three different sources of evidence. More recently, however, a higher figure of 300,000 homes per annum has been targeted by the Government.
- 2.17 When the standard method was released for consultation, it used the 2014-based household projections as one of the main starting points for calculating local housing need. It takes the projections (the average between the first ten-year period from the current year (now 2019 to 2029, although the original methodology was based on a timeframe of 2016 and 2026)) as a starting point or the Local Plan requirement (if it was adopted within the last five years). On top of that, it then applies an uplift based on affordability, which is an arbitrary calculation to generate figures that are capped at 40% of the household projections or the Local Plan figure (depending on its status and age).
- 2.18 More recently, the Revised NPPF has been published following a consultation exercise, which provides the policy framework that the standard methodology fits within. The methodology has remained unchanged, except for clarity over the starting point and a discreet change relating to what figure the cap is applied to in certain circumstances.

## Technical Consultation on Updates to National Planning Policy & Guidance

2.19 Following the release of the 2016-based housing projections and a consideration of their implications on the standard method (which identified a much slower rate of household formation than previously), a consultation was launched in October 2018 by MHCLG on how to assess local housing need<sup>4</sup>. In summary, it suggested that there are flaws to the standard method, which will cumulatively result in delivering homes at a level inconsistent with the national target to deliver 300,000 homes per annum. The consultation closed in the first week of December 2018 and made three proposals:

- 1) For the short-term, to specify that the 2014-based data will provide the demographic baseline for assessment of local housing need.
- 2) To make clear in national planning practice guidance that lower numbers through the 2016-based projections do not qualify as an exceptional circumstance that justifies a departure from the standard methodology.
- 3) In the longer term, to review the formula.

## Government Response to the Technical Consultation on Updates to National Planning Policy and Guidance

2.20 The government published a summary of the consultation responses (of which there were 511) and its view on the way forward in February 2019. Based on the responses received, the government states that it considers that its proposed approach to providing the demographic baseline for the standard method (i.e. using the 2014-based projections) is the most appropriate approach for providing stability and certainty to the planning system in the short-term. It also continues to think that the 2016-based household projections should not be used as a reason to justify lower housing.

## National Planning Practice Guidance

2.21 PPG on assessing housing needs was updated in February and crucially, it says the 2014-based household projections should be used when calculating the minimum local housing need figure using the standard method. The rationale for this is given as:

*"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery*

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<sup>4</sup> Ministry of Housing, Communities & Local Government. *Technical consultation on updates to national planning policy and guidance*. October 2018.



*and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*<sup>5</sup>

2.22 PPG goes on to state that:

*"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 National Planning Policy Framework...it is not considered that these projections provide an appropriate basis for use in the standard method."*<sup>6</sup>

2.23 Based on the most up to date guidance outlined above, the standard method indicates that housing requirements over the next decade in York (2019-29) amount to 1,069 dpa. This figure is considerably higher than anything produced to date by the Council.

#### Summary

2.24 The proposed modification to deliver only 790 new dwellings per annum in York represents a decline of 8.9% on the target of 867 dpa outlined in previous consultations on the Local Plan. This reduction poses a major risk to the District as it seeks to achieve sustainable long-term growth and attract new households and employment opportunities to the area. Even the previous target of 867 dpa is highly questionable, with the two **Planning Inspectors assigned to the Local Plan's examination** having already raised concerns about its validity.

2.25 It is acknowledged that the York Local Plan is not subject to the standard method, however PPG clearly states that the 2016-based projections should not be used for assessing housing needs. The fact that the 790 dpa target for York is informed by the 2016-based projections significantly undermines its credibility. This has recently been raised as an issue elsewhere, with a planning inspector deciding in July 2019 to reopen examination hearings into a draft Hertfordshire local plan's proposed modifications, after expressing concerns about its use of the 2016-based household projections to calculate housing need.<sup>7</sup>

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<sup>5</sup> Paragraph: 005 Reference ID: 2a-005-20190220

<sup>6</sup> Paragraph: 015 Reference ID: 2a-015-20190220

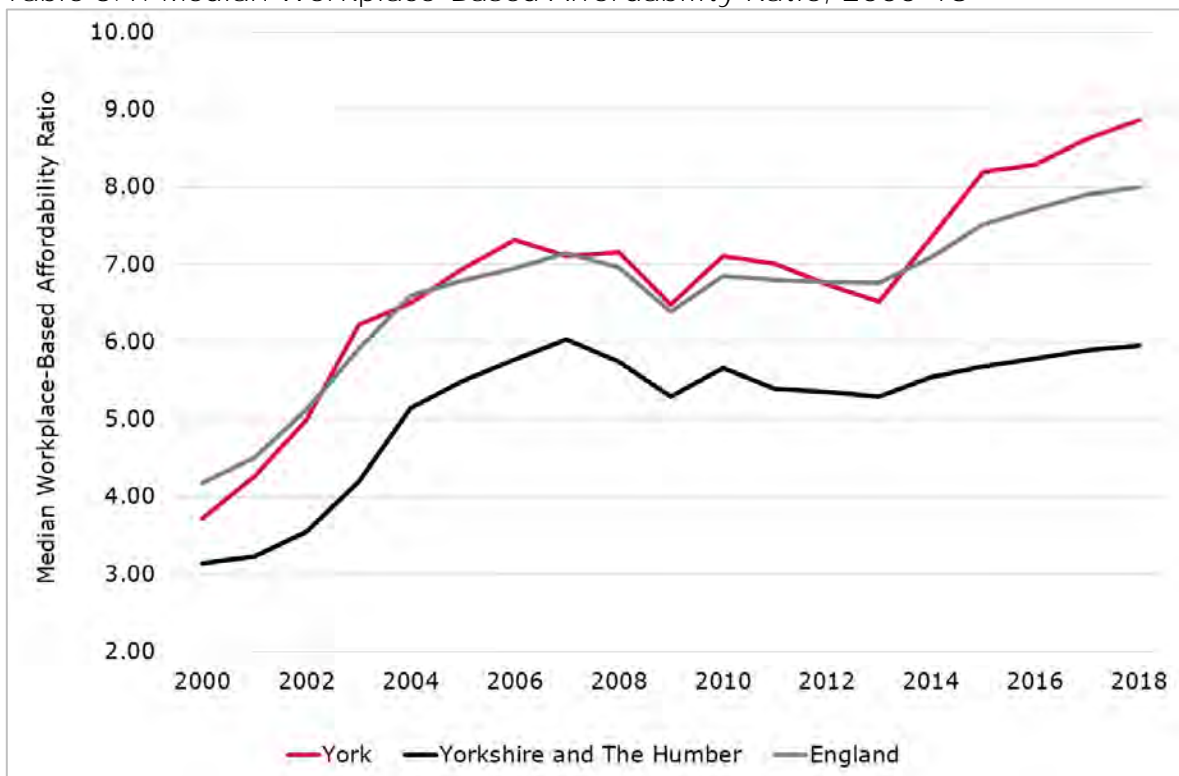
<sup>7</sup> <https://www.planningresource.co.uk/article/1591309/inspector-voices-concerns-herts-local-plans-use-2016-based-household-projections>

### 3. DEMOGRAPHIC AND HOUSING MARKET INDICATOR DATA

#### 2017 Affordability Ratio Data

3.1 The 2018 affordability ratio<sup>8</sup> for York was 8.86, which was 0.24 points higher than the previous ratio and demonstrates that affordability in the District has worsened slightly. In 2008 the ratio was 7.16, indicating that affordability issues have become more acute in York over the last decade. Figure 3.1 shows long-term trends in the **District's** affordability ratio from 2000-18. The regional and national ratios are provided for comparison purposes, highlighting how York is less affordable than either benchmark area. **It also shows that the District's affordability ratio has risen every year since 2013.**

Table 3.1: Median Workplace-Based Affordability Ratio, 2000-18



Source: ONS

3.2 When comparing the affordability ratio data with other authorities in Yorkshire & The Humber, York is one of the least affordable districts to live in the region. Harrogate (10.13), Ryedale (9.32) and Hambleton (9.09) are the three the least affordable areas, with York in fourth place. The fact that **York's ratio** has been increasing since 2013 means that affordability still remains a major issue for the area. Going back further, the affordability ratio in the District has not been below four since 2000. A ratio of four is

<sup>8</sup> Consistent with the original Standard Methodology consultation in 2017, the workplace based median affordability ratio has been used.

important because the maximum amount that can typically be borrowed for a mortgage **is four times a person's earnings**.

- 3.3 When comparing Yorkshire & the Humber to other regions, the most affordable region to live is the North East, with an affordability ratio of 5.32. Unsurprisingly, London is the least affordable and has a ratio of 12.25. Yorkshire & the Humber's ratio has stayed broadly the same over the last decade, indicating that housing in the region has not become more affordable. The average price of a home is therefore likely to remain unaffordable for many, especially for local employees on median incomes.

#### 2016-based Subnational Household Projections

- 3.4 Compared with the 2014-based household projections, the 2016-based projections suggest that growth in York will be lower than originally thought. When applying the 2016-based household projections and 2018 affordability ratio data to the Standard Methodology, the uncapped housing need in York comes out at 579 dwellings per annum (dpa) over the next decade (2019-29<sup>9</sup>). This is significantly below the uncapped estimate of 1,070 dpa from 2016-26, which was calculated when the Standard Methodology was published for consultation in September 2017. This latter calculation used the 2014-based household projections and 2016 affordability ratio data. The impact of the new data, particularly the 2016-based household projections, has been to substantially lower the annual housing requirement for York, a trend evident in many parts of the country – especially the north.
- 3.5 It should be noted that household projections are based on short-term past trends of natural change and net migration (five years for internal migration and six years for international migration). Further, it is acknowledged that there are additional methodological changes, which may have impacted the change to the number of households. Relevant factors are considered further below.

#### 2016-based Subnational Population Projections

- 3.6 In order to further understand the differences between the different household projection time series, it is necessary to consider the population projections, which are a key component. Tables 3.1 and 3.2 show population change in York, based on the 2016 and 2014-based Subnational Household Projections respectively. With the more recent

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<sup>9</sup> When analysing the impact of the new affordability data and household projections, the most up to date period of 2019 to 2029 has been used to calculate the Standard Methodology housing figure. This is in line with accompanying guidance to the Revised NPPF.

projections showing a slower rate of household formation, the new population projections unsurprisingly show a smaller rate of growth in the number of people living in York. The lower rate of growth projected in the more recent projections compared to the earlier data set is quantified between 2019 and 2029 as a difference of around 5,700 fewer people.

- 3.7 When reviewing the differences in population profile over a ten-year period from 2019-29, it is evident that the youngest cohort of people (those aged 0-14) is projected to contract in York by around 440 according to the 2016-based projections (see Table 3.1). The same cohort in the 2014-based projections was estimated to increase by approximately 1,300 (see Table 3.2), highlighting the scale of difference between the two sets of projections.
- 3.8 The older/retirement population (65+) is projected to grow substantially over the next decade – by an estimated 6,900 (see Table 3.1). Such circumstances show the opposite of a balanced and sustainable community, which is further evidence to suggest that York should be planning for economic growth to expand opportunities for a younger population to reside in the area.

Table 3.1: 2016-based Subnational Population Projections by Five Year Age Group in York, 2019-29

Age group	2019	2029	2019-29
Age 0 - 4	10,165	10,243	78
Aged 5-9	10,754	10,385	-369
Aged 10-14	10,560	10,412	-148
Aged 15-19	13,617	15,694	2,077
Aged 20-24	22,648	24,079	1,431
Aged 25-29	16,755	14,684	-2,071
Aged 30-34	13,536	13,813	277
Aged 35-39	12,441	13,901	1,460
Aged 40-44	11,388	12,356	968
Aged 45-49	12,718	11,752	-966
Aged 50-54	13,334	10,893	-2,441
Aged 55-59	12,855	12,241	-614
Aged 60-64	10,896	12,709	1,813
Aged 65-69	9,936	12,040	2,104
Aged 70-74	10,353	9,973	-380
Aged 75-79	7,195	8,581	1,386
Aged 80-84	5,750	7,919	2,169
Aged 85-89	3,438	4,345	907
Aged 90+	2,065	2,785	720
All Ages	210,410	218,803	8,393

Source: ONS

Table 3.2: 2014-based Subnational Population Projections by Five Year Age Group in York

Age group	2019	2029	2019-29
Age 0 - 4	10,700	11,200	500
Aged 5-9	10,900	11,300	400
Aged 10-14	10,700	11,100	400
Aged 15-19	13,400	15,600	2,200
Aged 20-24	22,500	23,400	900
Aged 25-29	16,700	15,000	-1,700
Aged 30-34	14,200	14,800	600
Aged 35-39	13,100	15,000	1,900
Aged 40-44	11,800	13,500	1,700
Aged 45-49	13,000	12,700	-300
Aged 50-54	13,500	11,400	-2,100
Aged 55-59	13,000	12,600	-400
Aged 60-64	10,900	12,900	2,000
Aged 65-69	10,100	12,200	2,100
Aged 70-74	10,500	10,100	-400
Aged 75-79	7,300	8,900	1,600
Aged 80-84	5,800	8,200	2,400
Aged 85-89	3,500	4,600	1,100
Aged 90+	2,100	3,100	1,000
All Ages	213,400	227,500	14,100

Source: ONS

- 3.9 It is also helpful to consider the projected components of change, to understand where the differences are occurring (i.e. due to differences in natural change and/or migration). Table 3.3 presents this information for the 2016-based projections, with Table 3.4 showing the corresponding figures for the 2014-based projections.
- 3.10 When comparing the data, it can be seen that natural change in the 2016-based projections is expected to be smaller as a result of fewer births (a reflection of the lower growth in the number of people aged 0-4) and higher number of deaths (as reflected in the reduced number of people aged 85+). The level of net migration is also lower in the 2016-based projections and based on the analysis presented, there is concern that **York's** population will become unbalanced as a result of a declining younger population and fewer people of working age moving into the area.
- 3.11 The data suggest that York needs to try and attract more people to live in the area from elsewhere if its population is to be balanced and sustainable. This is a particularly **important point to consider in relation to the District's future labour supply** (i.e. it will need sufficient people of working age to fulfil job growth aspirations). As shown in Table 3.1, growth in the number of working age people is projected to be significantly lower in

the 2016-based projections. The number of people aged 15-64<sup>10</sup> is projected to increase by just over 1,900 between 2019 and 2029 according to the 2016-based projections, compared to growth of 4,800 over the same period when analysing the 2014-based data. To ensure this does not place added pressure on the existing working age population, York must ensure it has a sufficient supply of housing to attract new residents to the area.

Table 3.3: 2016-based Subnational Population Projections Components of Change in York (Figures in 1,000s)

Component	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Population	206.9	208.2	209.4	210.4	211.2	211.8	212.5	213.2	214.1	215.1	216.0	217.0	217.9
Natural Change		0.2	0.2	0.3	0.3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.1
Births		2.0	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1
Deaths		1.9	1.8	1.8	1.8	1.8	1.8	1.8	1.8	1.9	1.9	1.9	1.9
All Migration Net		1.1	1.0	0.7	0.5	0.4	0.4	0.6	0.7	0.8	0.8	0.8	0.8
Internal Migration In		12.9	12.8	12.6	12.5	12.4	12.5	12.5	12.6	12.8	12.9	13.0	13.1
Internal Migration Out		12.6	12.6	12.7	12.7	12.7	12.6	12.6	12.5	12.6	12.7	12.8	12.9
International Migration In		2.6	2.5	2.4	2.4	2.3	2.2	2.2	2.2	2.2	2.2	2.2	2.2
International Migration Out		1.8	1.7	1.7	1.7	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6
Cross-border Migration In		0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Cross-border Migration Out		0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6

Source: ONS

<sup>10</sup> The working age population is normally defined as those people aged 16-64. It is not possible to use this age range when analysing the population projections, therefore the range 15-64 has been used because it represents the closest fit.

Table 3.4: 2014-based Subnational Population Projections Components of Change in York (Figures in 1,000s)

Component	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Population	208.7	210.5	212.1	213.4	214.7	215.9	217.1	218.6	220.0	221.6	223.1	224.7	226.1
Natural Change	0.4	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.4	0.4
Births	2.1	2.1	2.2	2.2	2.2	2.2	2.2	2.3	2.3	2.3	2.3	2.2	2.2
Deaths	1.8	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.8	1.8	1.8	1.8	1.8
All Migration Net	1.6	1.4	1.2	0.9	0.8	0.7	0.8	0.9	1.0	1.1	1.1	1.1	1.0
Internal Migration In	12.3	12.3	12.2	12.1	12.0	11.9	12.0	12.0	12.1	12.3	12.4	12.6	12.6
Internal Migration Out	12.2	12.3	12.4	12.4	12.4	12.4	12.3	12.3	12.2	12.3	12.4	12.5	12.7
International Migration In	2.7	2.6	2.6	2.5	2.4	2.4	2.4	2.4	2.4	2.4	2.4	2.4	2.4
International Migration Out	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2
Cross-border Migration In	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Cross-border Migration Out	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6

Source: ONS

3.12 As highlighted above, the projections are based on short-term trends (five years for internal migration and six years for international migration). It is therefore useful to consider the components of change that informed the different time series of projections. Table 3.5 sets out the estimated components of change since 2002. The final two rows (highlighted in bold) summarise the data that was used as an input to the projections.

3.13 Consistent with the estimates for the periods leading up to the projection starting year, births in the most recent data series (2016-based) are lower (10,313 vs 10,484 for 2014-based) and deaths are higher (8,941 vs 8,734 for 2014-based), which has resulted in decreased levels of negative natural change. Levels of internal migration are also lower for the 2016-based projection timeframe, although international migration is higher. Combining the two, however, net migration is lower for the 2016-based data series when compared with the 2014-based figures. Despite this, it is clear that York remains a place where people want to live, with a positive balance for net internal migration in 14 out of the 17 years presented in Table 3.5. In 9 of these periods, the balance was above 500. It is also evident that York is an attractive place to live for international migrants, with a positive balance in all years presented in the table. In 10 of the 19 years shown in Table 3.5, the balance was in excess of 1,000.

3.14 The mid-2017 and mid-2018 estimates show that net international migration remains positive, especially for the most recent 2018 data where the balance was more than 1,500. It is clear from the data presented in Table 3.5 that population projections can

change significantly based on recent past trends. Local planning authorities should, therefore, be mindful that projections are self-fulfilling and consider other important factors such as affordability and the housing needs arising from economic growth aspirations when considering future dwelling requirements.

Table 3.5: Mid-Year Estimates Components of Change for York

	Pop Start	Births	Deaths	Natural Change	Internal Net	Internal Net	Other Change	Pop End
Mid 2002	181,291	1,802	1,776	26	50	1,031	-310	182,088
Mid 2003	182,088	1,768	1,789	-21	791	1,438	-336	183,960
Mid 2004	183,960	1,834	1,775	59	606	2,301	-283	186,643
Mid 2005	186,643	1,967	1,775	192	236	1,471	-328	188,214
Mid 2006	188,214	1,983	1,689	294	594	127	-252	188,977
Mid 2007	188,977	1,993	1,656	337	-19	774	-299	189,770
Mid 2008	189,770	2,082	1,731	351	-186	1,073	-240	190,768
Mid 2009	190,768	2,162	1,688	474	636	787	-267	192,398
Mid 2010	192,398	2,046	1,670	376	951	1,543	-198	195,070
Mid 2011	195,070	2,108	1,794	314	845	1,659	-105	197,783
Mid 2012	197,783	2,117	1,768	349	690	753	-8	199,567
Mid 2013	199,567	2,051	1,814	237	1,056	1,205	48	202,113
Mid 2014	202,113	2,044	1,719	325	363	815	38	203,654
Mid 2015	203,654	1,993	1,846	147	637	1,360	-14	205,784
Mid 2016	205,784	2,006	1,806	200	-89	968	57	206,920
Mid 2017	206,920	1,911	1,849	62	338	831	12	208,163
Mid 2018	208,163	1,861	1,872	-11	199	1,505	37	209,893
Input to 2016-based projections	10,714	10,313	8,941	1,372	3,591	7,335	-41	-
Input to 2014-based projections	11,345	10,484	8,734	1,750	4,178	7,020	-530	-

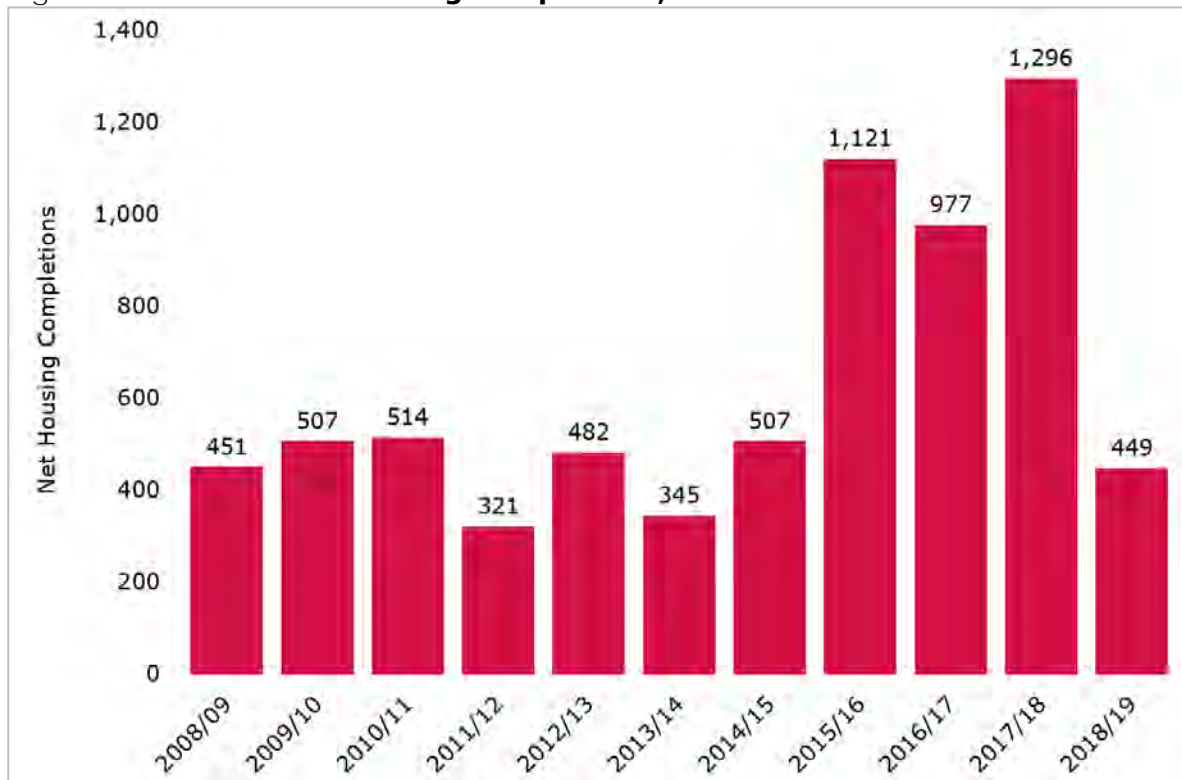
Source: ONS

- 3.15 **Data sourced from the Council’s Annual Monitoring Reports provide net completions data** over the last decade and Figure 3.2 presents this information. It can be seen that in 2018-19, there were 449 net additional housing completions in York. This represents a significant fall on the 2017-18 figure of 1,296, which was the highest number of completions for any of the years shown in the chart.
- 3.16 Net housing completions in York were either close to or above the 1,000 mark from 2015/16-2017/18. With the exception of this timeframe, net completions have been in the range 300-500 per annum. For York to achieve a balanced and sustainable population, it seems reasonable to assume that it should be targeting new completions at the higher



end of the scale (at least 1,000 homes annually) if it is to attract more people to the area, especially those of economically active age.

Figure 3.2: York's Net Housing Completions, 2008/09-2018/19



Source: City of York Council

- 3.17 A further indicator of housing market pressure is whether there is a sufficient proportion of vacant housing stock in the market to provide flexibility for renovations, transactions etc. A rate of 3% has previously been identified as an appropriate level of vacancies to maintain. The Government maintains a statistical data set of live tables recording such data. The number of vacancies at October 2018 in York was 527, which represents 0.6% of the total housing stock (89,580), meaning the district is significantly below the level of what is considered to be an appropriate level of vacant stock.

### Summary

- 3.18 Based on the data and commentary above, the cost of housing in York is a significant issue. Affordability ratios in the District have become more acute over the last decade, with a typical property costing almost nine times the median salary. The maximum amount that can typically be borrowed for a mortgage is four times a person's earnings, To put the scale of the problem into perspective, in 2018 the gross median annual salary

for people working in York was £26,522, while the median house price was £235,000<sup>11</sup>. Assuming the maximum mortgage that someone on this wage could apply for is £106,000 **(based on a mortgage of four times a person's income), this leaves** a shortfall of almost £130,000. In the absence of a large deposit and/or financial support from family, getting a foot on the housing ladder in York is going to be almost impossible for a large part of the population.

- 3.19 Net housing completions in York were either close to or above the 1,000 mark from 2015/16-2017/18. Outside this timeframe, net completions have been significantly lower at around 300-500 per annum. For York to achieve a balanced and sustainable population, it seems reasonable to assume that it should be targeting new completions at the higher end of the scale (at least 1,000 homes annually) if it is to attract more people to the area, especially those of economically active age.
- 3.20 In terms of the future, it is evident that the younger population in York is projected to contract and the number of elderly people is expected to grow. Such circumstances show the opposite of a balanced and sustainable community, which is further evidence to suggest that York should be planning for economic growth to expand opportunities for a younger population to reside in the area. Accordingly, it is important to consider other factors such as growth aspirations when creating successful and sustainable communities. Sections four and five consider this issue in more detail, beginning first with a look at recent employment trends in York.

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<sup>11</sup> Figures sourced from ONS: *House price to workplace-based earnings ratio*, March 2019

#### 4. EMPLOYMENT TRENDS IN YORK

4.1 When considering the extent to which the current OAN provides a realistic level of new housing provision, it is helpful to look at past employment trends in York, as housing need will be driven to a large extent by changes in the labour market. This section analyses the latest jobs data published by the Office for National Statistics (ONS). It focuses on York, along with the benchmark areas of Yorkshire & The Humber and Great Britain. York sits within two Local Enterprise Partnership (LEP) areas – the Leeds City Region LEP and the York, North Yorkshire & East Riding LEP. Both these LEPs are included in the analysis<sup>12</sup>.

##### Employment Trends

###### *Total Employment*

4.2 ONS data allow for long-term analysis of past trends in employment going back to 1998. As a result of changes to the methodology used in producing the data, it is not possible to look at trends over a continuous period. The following timeframes have been analysed to allow for this fact:

- 1998-2008: Jobs data published as part of the Annual Business Inquiry (ABI) by ONS.
- 2009-2015: Jobs data published as part of the Business Register & Employment Survey (BRES) by ONS, which replaced the ABI.
- 2015-2017: Jobs data published by ONS as part of the BRES.

4.3 Table 4.1 shows jobs in York between 1998 and 2008, along with the benchmark areas. The District saw total employment increase by around 8,000 from 1998-2008, equating to annual growth of 0.8%. This was slightly lower than 0.9% annual increase seen in Leeds City Region, as well as at a regional and national level. The York, North Yorkshire & East Riding LEP area had the strongest performing labour market in terms of growth, increasing by 1.2% per annum from 1998-2008.

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<sup>12</sup> The Leeds City Region LEP comprises of the following districts: Barnsley; Bradford; Calderdale; Craven; Harrogate; Kirklees; Leeds; Selby; Wakefield; and York. The York, North Yorkshire & East Riding LEP is comprised of the following districts: Craven; East Riding; Hambleton; Harrogate; Richmondshire; Ryedale; Scarborough; Selby; and York.

Table 4.1: Jobs Change, 1998-2008

	1998	2008	Absolute Change	% Annual Change
York	93,000	101,000	8,000	0.8%
Leeds City Region LEP	1,176,000	1,284,000	108,000	0.9%
York, North Yorkshire and East Riding LEP	413,000	464,000	51,000	1.2%
Yorkshire and The Humber	2,050,000	2,232,000	182,000	0.9%
Great Britain	24,355,000	26,677,000	2,322,000	0.9%

Source: Annual Business Inquiry

Note: Figures may not sum due to rounding

- 4.4 Table 4.2 shows the jobs change in York and the selected benchmark areas between 2009 and 2015. The District saw employment decline by 0.5% per annum between 2009 and 2015, equating to around 3,000 less jobs. By contrast, the four benchmark areas all saw employment increase over the same timeframe. One possible explanation for the downward trend in York is that the District felt the effects of the 2008/09 economic downturn more severely than the other areas. While sectors such as business, professional, scientific & technical activities (growth of 2,000) saw an increase in job numbers from 2009-15, this was offset by declines in transport & storage (5,500), finance & insurance (1,500), construction (1,000) and public administration & defence (1,000).

Table 4.2: Jobs Change, 2009-2015

	2009	2015	Absolute Change	% Annual Change
York	109,000	106,000	-3,000	-0.5%
Leeds City Region LEP	1,319,000	1,373,000	54,000	0.7%
York, North Yorkshire and East Riding LEP	495,000	501,000	6,000	0.2%
Yorkshire and The Humber	2,329,000	2,392,000	63,000	0.4%
Great Britain	27,858,000	29,548,000	1,690,000	1.0%

Source: Business Register & Employment Survey

Note: Figures may not sum due to rounding

- 4.5 Table 4.3 shows employment change between 2015 and 2017. The labour market in York performed strongly over this period, which is the most recent timeframe for which data are available. The decline in job numbers witnessed between 2009 and 2015 was reversed, with York seeing employment growth of 1.4% per annum. In absolute terms, this represents a rise of 3,000. The percentage annual growth was higher than any of the benchmark areas.

Table 4.3: Jobs Change, 2015-2017

	2015	2017	Absolute Change	% Annual Change
York	107,000	110,000	3,000	1.4%
Leeds City Region LEP	1,398,000	1,422,000	24,000	0.9%
York, North Yorkshire and East Riding LEP	530,000	543,000	13,000	1.2%
Yorkshire and The Humber	2,415,000	2,463,000	48,000	1.0%
Great Britain	29,819,000	30,593,000	774,000	1.3%

Source: Business Register & Employment Survey

Note: Figures may not sum due to rounding

### Summary

- 4.6 This section demonstrates that employment in York grew strongly over the ten-year period up to 2008, before suffering a decline from 2009-15. This is likely to have been the legacy effects of the economic downturn and recession in 2008/09. However, since **then the District’s labour market has been on a positive trajectory**, with its labour market outperforming LEP, regional and national benchmarks. For York to continue making an important contribution to the regional and LEP economies, it is imperative that its strong recent employment growth continues in the long-term. If the District is not ambitious enough with its housing offer, there is a risk that people attracted to work in the area from elsewhere will not be able to find a property to live in.

## 5. ECONOMIC GROWTH ASSUMPTIONS

### Introduction

5.1 When considering future housing need in York, it is helpful to consider the impact that economic development strategies will have on dwelling requirements in the area.

5.2 This section provides:

- A summary of the most recent Economic Strategy for York, published by the Council and covering the period 2016-20.
- A review of the growth ambitions from the strategic economic plans of the two Local Enterprise Partnership areas (LEPs) in which York falls: Leeds City Region LEP and York, North Yorkshire and East Riding LEP.

### York Economic Strategy

5.3 The York Economic Strategy only covers the period from 2016-20, however it sets eight actions for growing the economy and one of these is extremely relevant to the Local Plan. Action two (deliver a local plan that supports a high value economy) is of particular relevance. In relation to this, the Strategy states that:

*"York has been without a Local Plan for too long, leading to under-development and lack of strategic framework for long-term planning decisions. The first priority is to produce one. The second is to get it right, which, from an economic perspective, means enough business space of sufficient quality in locations the market is demanding to encourage high value jobs. It also means providing for the housing need to support this so that people who work in the City can also afford to own a home here, while balancing the need to protect the natural environment and character of the City."<sup>13</sup>*

5.4 It is highly questionable as to whether delivering only 790 dwellings per annum will help support a high value economy. **If York's labour market continues to grow as it has done** over the last 2-3 years, many people who work in the City are likely to be priced out of owning a home there.

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<sup>13</sup> Page 12 – *York Economic Strategy 2016-2020: Choosing a Better Story*. York City Council, June 2016.

## Local Enterprise Partnership Growth Ambitions

5.5 York sits within two Local Enterprise Partnership (LEP) areas: Humber LEP and York, North Yorkshire and Leeds City LEP. Both LEPs published Strategic Economic Plans (SEPs) in 2014. Although these documents are slightly outdated, they still provide a useful insight into the employment growth ambitions of the LEPS. The key point to note are:

- In the Leeds City Region SEP for 2016-36<sup>14</sup>, it is stated that the area is aiming to see 35,000 new jobs created over the 20 years. York is identified as one of City **Region's major assets in helping to achieve this aim, however the SEP** also notes that the District is faced with a number of challenges. This includes: a shortage of housing; unaffordable house prices; and a lack of business space. It is highly questionable as to whether a proposed target of 790 dpa in the Local Plan will address the first two of these issues, especially given that affordability issues are getting worse in the District, not better.
- The York, North Yorkshire and East Riding SEP<sup>15</sup> was published in 2014 and sets out four ambitions for 2021, one of which is to double the rate of house building in the area. While the current SEP is coming to the end of its intended timeframe, the target to double housing building is worth noting because of its level of ambition. For York to show a similar level of ambition in the long-term, it would need to see at least 1,000 new homes delivered on an annual basis, a point already discussed in paragraph 3.16. The lack of affordable housing is also raised as an issue in the SEP. As it notes: ***"If we want to retain our young skilled people and attract entrepreneurs, they need to be able to afford to live in the area."***<sup>16</sup>

## Concluding Comments

5.6 All three economic development strategies referenced in this section highlight the importance of delivering more homes if the economies of York and the wider LEP areas are to grow in the long-term. Addressing challenges such as unaffordable house prices, retaining young skilled people and attracting entrepreneurs are all mentioned above. The Local Plan therefore needs to reflect these strategic aims and the proposed housing target of 790 dpa fails to do this.

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<sup>14</sup> Leeds City Region Strategic Economic Plan, 2016-26. Leeds City Region LEP & West Yorkshire Combined Authority, May 2016.

<sup>15</sup> Strategic Economic Plan: York, North Yorkshire & East Riding Local Enterprise Partnership, March 2014.

<sup>16</sup> Page 31 – Strategic Economic Plan: York, North Yorkshire & East Riding Local Enterprise Partnership, March 2014.

## 6. CONCLUSIONS

6.1 The analysis presented in this report raises a number of important points when responding to the York Local Plan Proposed Modifications document. Firstly, the information discussed in section two shows that the District is now planning on setting a substantially lower annual housing target compared with the February 2018 Publication Draft. To propose moving from a target of 867 dpa to 790 dpa is the complete opposite of what is needed when considered against the context of the housing crisis and the ambition of the Government to increase the delivery of homes significantly. In addition, even the previous target of 867 dpa is highly questionable in terms of its ambition. The fact that the two Planning Inspectors assigned to the Local Plan's **examination have** already raised questions about its validity is extremely concerning.

6.2 Furthermore, the inputs to the proposed target of 790 dpa seem to include the 2016-based household projections. PPG sets out guidance on how to undertake a housing needs assessment. In terms of how this relates to the standard method, PPG clearly states that the 2014-based household projections should be used when calculating the minimum local housing need figure. As previously noted in paragraph 2.22, PPG goes on to state that:

*"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 National Planning Policy Framework...it is not considered that these projections provide an appropriate basis for use in the standard method."*<sup>17</sup>

6.3 Whilst it is acknowledged that the York Local Plan is not subject to the standard method because of when it was submitted for examination, the PPG provides a very clear view from the government that the 2016-based projections should not be used for assessing housing needs. The proposed target of 790 dpa should come with a significant health warning because of this. Indeed, a planning inspector recently decided to reopen examination hearings into a draft Hertfordshire local plan's proposed modifications because of concerns about its use of the 2016-based household projections to calculate housing need.

6.4 Compared with other parts of the country, York is far less affordable as a place to live. Affordability ratios have also become more acute over the last decade, with the housing ladder remaining out of reach for a substantial part of the local population. The

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<sup>17</sup> Paragraph: 015 Reference ID: 2a-015-20190220



affordability issue also creates problems for people wanting to move to York from outside the area, for example the younger economically active population. This is an important point, given that the number of young people in York is projected to contract and the number of elderly people is expected to grow. Build rates will therefore need to remain high in the long-term to address this issue and reducing the housing target seems counter-productive to achieving balanced and sustainable growth in the District.

6.5 From a strategic perspective, the review of economic development strategies highlights the importance of delivering more homes in York and the wider LEP areas which the District is part of. Addressing challenges such as unaffordable house prices, retaining young skilled people and attracting entrepreneurs are all recognised as major challenges. The Local Plan needs to reflect these strategic aims and the proposed housing target of 790 dpa fails do this.

6.6 In summary, for York to achieve long-term sustainable economic growth it needs a Local Plan that:

- Sets an ambitious target for housing delivery in York which aligns with the **government's aspirations to see 300,000 new homes built by the mid-2020s.**
- Addresses housing affordability issues, with York being one of the least affordable places to live in Yorkshire and The Humber.
- Delivers a housing stock that meets the needs of the entire population, particularly the younger cohort **who will form a large part of the District's future labour market.**
- Reflects housing-related priorities outlined in local economic development strategies.

6.7 As it stands, the Local Plan does none of these things and cannot be considered fit for purpose. The proposed reduction to delivering only 790 dwellings per annum goes against all current thinking on addressing the national housing crisis and the target for York should be to deliver a minimum of at least 1,000 new homes per annum.



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 18:58  
**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: 122976
- Date submitted: 22/07/2019
- Time submitted: 18:58:09

The following is a copy of the details included.

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### 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 Amanda Moore

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

**Name of the organisation, group or other individual you represent:** Also representing Ian Dickens, Georgia Dickens, Antonia Dickens

Contact address: [REDACTED]

---

**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):** Addendum TP 1

**Document:** TP1 annex 4 Elvington inset not green belt

**Page number:**

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**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 do not believe the plan to be legally compliant and fails on the duty to co-operate as my understanding is the the village nor the parish council has been consulted on its requirements or the proposal to remove from green belt . Significant proactive feedback has benn provided offering suitable alternatives to the plan which appear to be being dismissed/ ignored without logical explanation

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**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

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## **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):**

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## **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,Not effective,Not consistent with national policy

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

I do not believe the plan to be sound as it is suggesting removing Elvington from green belt , whilst suggesting other similar villages like Knapton are being proposed as becoming green belt . This is inconsistent.

Proposals to build houses on area H39 are continually being pushed regardless of the access issues, wildlife concerns and scale in comparison to current location despite a more suitable site being suggested H26 which would join the village together create a greater community and does not have the access issues of H38

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## **Your comments - necessary changes**

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

Elvington remains green belt , it is a rural village as evidenced by its limited amenities and services alongside its open spaces and wildlife.

H26 is considered for development instead of H39 as this bring the village together

ST15 is revisited as the scale of the proposal is detrimental to the whole rural element of the village and will cause unnecessary ssary volumes of traffic through a small village which already suffers from businesses using it as a shortcut

**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:** Tracey Rathmell [REDACTED]  
**Sent:** 23 July 2019 15:42  
**To:** [REDACTED]  
**Subject:** City of York Council Proposed Modifications

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]

Please find below Harrogate Borough Council's response to City of York Council's Proposed Modifications consultation.

There is agreement amongst the Leeds City Region Authorities and North Yorkshire Authorities that each will plan to meet their housing needs within their own local authority boundaries. In line with this agreement, Harrogate Borough Council is planning to deliver a step change in housing delivery over that previously planned for in the adopted Core Strategy in order to meet in full its objectively assessed need. It is not making provision to deal with undersupply elsewhere. City of York Council will need to satisfy itself that, in light of its refreshed evidence on housing need, the City of York Local Plan will meet the tests of soundness.

The City of York Plan is also seeking to set an enduring Green Belt boundary beyond the Plan period. Harrogate Borough Council has previously raised concerns regarding the longevity of the boundary. Again City of York Council will need to satisfy itself that the approach it is taking will meet the tests of soundness.

Happy to discuss our comments if you would find this helpful.

Regards

Tracey

**Tracey Rathmell**  
**Executive Officer Policy and Place**  
Place-Shaping & Economic Growth  
Harrogate Borough Council  
PO Box 787  
Harrogate  
HG1 9RW  
[REDACTED]  
[REDACTED]

Web address: [www.harrogate.gov.uk](http://www.harrogate.gov.uk)

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

OFFICE USE ONLY:

ID reference:

PM:SID 286

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	JOAN MARTIN	
Last Name	PICKARD	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by 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:

ALL

Document:

ALL

Page Number:

ALL

## 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)**

THE MODIFIED PLAN REFLECTS RECENT DOWNWARD REVISIONS IN THE OBJECTIVELY ASSESSED HOUSING NEED FOR YORK FROM 967 TO 790 DWELLINGS PER ANNUM FOR THE DURATION OF THE PLAN BUT IGNORES THE OFFICE OF NATIONAL STATISTICS POPULATION FORECASTS ISSUED IN SEPTEMBER 2018 INDICATING A REQUIREMENT OF ONLY 480 DWELLINGS PER ANNUM FOR YORK.

THIS LOWER NUMBER WOULD ALLOW THE PROPOSED DENSITIES ON ALLOCATED HOUSING SITES S731 AND H29 AT COPMANTHORPE TO BE REDUCED TO THOSE PROPOSED IN THE EMERGING COPMANTHORPE NEIGHBOURHOOD 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.**

A REDUCTION IN THE HOUSING DENSITIES OF SITES ST 31 AND H 29 TO 70 AND 65 RESPECTIVELY IS JUSTIFIED BY THE EVIDENCE

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   
COUNCILLOR  
DAVID CARR WILL SPEAK  
ON THIS ISSUE

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:

COUNCILLOR DAVID CARR WILL REPRESENT THE VIEWS OF VARIOUS GROUPS AND INDIVIDUALS TO FULFILL A DEMOCRATIC REQUIREMENT AND ADDRESS AN IMPORTANT ISSUE OF THE PLAN'S SOUNDNESS

**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

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Signature

Date

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

OFFICE USE ONLY:

ID reference:

PM:SID 287

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	KATHERINE	
Last Name	PICKARD	
Organisation (where relevant)	/	
Representing (if applicable)	/	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by 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
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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:

ALL

Document:

ALL

Page Number:

ALL

### 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)**

THE MODIFIED PLAN REFLECTS RECENT DOWNWARD REVISIONS IN THE OBJECTIVELY ASSESSED HOUSING NEED FOR YORK FROM 967 TO 790 DWELLINGS PER ANNUM FOR THE DURATION OF THE PLAN BUT IGNORES THE OFFICE OF NATIONAL STATISTICS POPULATION FORECASTS ISSUED IN SEPTEMBER 2018 INDICATING A REQUIREMENT OF ONLY 480 DWELLINGS PER ANNUM FOR YORK.

THIS LOWER NUMBER WOULD ALLOW THE PROPOSED DENSITIES ON ALLOCATED HOUSING SITES 5731 and 1729 AT COPMANTHORPE TO BE REDUCED TO THOSE PROPOSED IN THE EMERGING COPMANTHORPE NEIGHBOURHOOD 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.

A REDUCTION IN THE HOUSING DENSITIES OF SITES ST 31 AND H 29 TO 70 AND 65 RESPECTIVELY IS JUSTIFIED BY THE EVIDENCE

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   
COUNCILLOR  
DAVID CARR WILL SPEAK  
ON THIS ISSUE

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:

COUNCILLOR DAVID CARR WILL REPRESENT THE VIEWS OF VARIOUS GROUPS AND INDIVIDUALS TO FULFILL A DEMOCRATIC REQUIREMENT AND ADDRESS AN IMPORTANT ISSUE OF THE PLAN'S SOUNDNESS

**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

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Signature

Date

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

OFFICE USE ONLY:

ID reference:

PM:SID 291

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	DEREK	
Last Name	BOWEN	
Organisation (where relevant)	/	
Representing (if applicable)	/	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Monday 22 July 2019, up until midnight.

Representations received after this time will not be considered duly made.

# Part B -Your Representation

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



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

Proposed Modification Reference:

ALL

Document:

ALL

Page Number:

ALL

## 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 NOTIFIED PLAN HAS BEEN PREPARED IN LINE WITH STATUTORY REGULATIONS, THE DUTY TO COOPERATE AND LEGAL PROCEDURAL REQUIREMENTS

## 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)**

THE MODIFIED PLAN REFLECTS RECENT DOWNWARD REVISIONS IN THE OBJECTIVELY ASSESSED HOUSING NEED (OAN) FROM 867 TO 790 DWELLINGS IN YORK EACH YEAR FOR THE DURATION OF THE PLAN. THIS LOWER NUMBER IS WELCOMED BUT IS STILL CONSIDERED TOO HIGH IN LIGHT OF OTHER AUTHORITY POPULATION PROJECTIONS FOR YORK WHICH HAVE EMERGED SINCE THE ORIGINAL SUBMISSION OF THE PLAN IN MAY 2018

THE LOWER NUMBER OFFERS SCOPE FOR REDUCING DEVELOPMENT DENSITIES ON ALLOCATED SITES ST 31 AND 1429 AT COYNTHORPE BOTH OF WHICH ARE PRESENTLY GREEN BELT AND ARE INFILL SITES IN EXISTING SETTLEMENTS. THE DEVELOPMENT DENSITIES ON THOSE ALLOCATED SITES SHOULD BE REDUCED TO THOSE SET OUT IN THE EMERGING COYNTHORPE NEIGHBOURHOOD 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.

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THE CHANGE AND THE JUSTIFICATION ARE AS SET OUT  
IN 5(3)

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

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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

Cllr DAVID CARR  
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 PARTICIPATION OF CITY OF YORK COUNCILLOR DAVID CARR  
WAS A MEMBER FOR COMANTITOKIE FULFILLS A DEMOCRATIC  
REQUIREMENT AND HAS ALREADY BEEN ACKNOWLEDGED  
AND ACCEPTED BY THE PROGRAMME OFFICER

**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.



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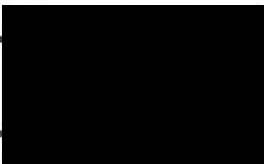
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Signature 

Date

16 July 2019

**From:** Derek Bowen [REDACTED]  
**Sent:** 15 August 2019 16:46  
**To:** localplan@york.gov.uk  
**Subject:** Re: Local Plan proposed modifications submission details confirmation required

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]  
Please note the response under my individual SID ref number.

[REDACTED] is the N P Group contact.

The response was just to indicate my membership of the Group which I believed the question required such an answer.

Thank You

Regards  
Derek

On 15 Aug 2019, at 16:27, [localplan@york.gov.uk](mailto:localplan@york.gov.uk) wrote:

Dear Mr Bowen,

Thank you for your submission to the recent York Local Plan Proposed Modification consultation.

We have registered your submitted response as being that which represents the views of Copmanthorpe Neighbourhood Plan Group as indicated on your form. This is referenced as SID 844 to match with earlier submissions from the neighbourhood planning group to the inspectors.

We previously had a [REDACTED] as the primary contact for the neighbourhood planning group with the email address of [copmanthorpe@gmail.com](mailto:copmanthorpe@gmail.com).

We note that you previously responded to previous consultations independently and were recorded as an individual under the reference of SID 291. We have not at present recorded your response under this your individual SID reference number.

Could you please advise if our processing of your response is correct, or you intended the response to be recorded as your own views, or duplicated as both the views of yourself and those of the neighbourhood planning group.

In addition we would very much appreciate it is you could confirm if our database needs to be updated to identify yourself as the primary contact for the Copmanthorpe Neighbourhood Planning Group or if you wish it to remain as noted above.

We look forward to hearing back from you with confirmation of these details.

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>



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

OFFICE USE ONLY:

ID reference:

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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	PROFESSOR	
First Name	ROBERT	
Last Name	WEST	
Organisation (where relevant)	CHAIRMAN	
Representing (if applicable)	COPMANTHORPE PARISH COUNCIL	
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.

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**

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- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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## What can I make comments on?

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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning 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.

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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:

ALL

Document:

ALL

Page Number:

ALL

## 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 modified plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements

## 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 type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

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

The modified Plan is considered to be sound but in light of the recent downward revisions in the Objectively Assessed Housing Need (OAN), the opportunity should be taken to reduce the suggested number of dwellings on the two Local Plan allocated housing sites at Copmanthorpe, sites ST31 and H29.

The modified Plan includes recent (January 2019) downward revisions in the OAN from 867 to 790 dwellings each year for the duration of the Plan. This reduced number is welcomed but is still considered to be too high in light of other authoritative population projections for York which have emerged since the original Plan was submitted in May 2018.

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

Both of these Local 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 lower numbers reflect the average housing density across Copmanthorpe, an ancient village settlement now extending to 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 opportunity offered by this Local Plan Modification should be taken to set the maximum number of dwellings permitted on the two Local Plan allocated sites at Copmanthorpe at 75 (for site ST31) and 60 (for site H29).



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 Section 5(3) of this form.

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:

I am the chairman of Copmanthorpe Parish Council.

**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

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 19 July 2019 11:10  
**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: 122739
- Date submitted: 19/07/2019
- Time submitted: 11:10:04

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 ALISON STEAD

**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):** PM 26

**Document:** CYC Publication draft local plan

**Page number:** 23

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**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:**

There has been consultation and the national inspector has highlighted the need to consult again because of proposed modifications to green belt around york: this is being done.

---

**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

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**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):**

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**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):**

The modification at PM26 is ok but is not being followed through in the case of H39 North of church lane where the building proposal is not taking into account the buffer zone needed to a Site of local interest viz Hedgrow E50 and proximity of Derwent Ings SSSI.

---

**Your comments - necessary changes**

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

No suggestions just evidence needed to show that the modification is being implemented when building proposals are put forward e.g H39 north of church lane

**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:**

I have appropriate expertise botanical and ecological knowledge to speak about Biodiversity and potential impact of nearby building on a listed site of local interest H39

---



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 19 July 2019 11:21  
**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: 122741
- Date submitted: 19/07/2019
- Time submitted: 11:21:08

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

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### About you (individual response)

**Name:** Dr ALISON STEAD

**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):** PM25

**Document:** CYC Publication draft local plan

**Page number:** 152

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**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 national inspector has requested resubmission of the draft CYC Local plan for consultation because of changes to the Green belt and some proposed sites and this CYC are doing.

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**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

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**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):**

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**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 26 states take account of the development within or setting of the conservation area. This is not being done for H39 and a modification is being proposed for the Green belt which is NOT listed as a Proposed modification in the list PM hence comment here!

I strongly oppose the removal of green belt status from the village of Elvington and the associated proposal for housing development alongside church lane ( H39 North of church lane )  
It is NOT Sound because it is not positively prepared, not justified when considered against reasonable alternatives and not consistent with national policy.

NOT justified when considered against reasonable alternatives:

The centre of the village is a conservation area with key areas of openness which do contribute to the Green belt inc areas of the church yard, the footpath to the river Derwent and Elvington beck and open areas around the Yorkshire Water pumping station all of which to the open area of the river Derwent and the SSSI Derwent Ings. Contiguous to this is church lane and the listed hedgerow E50 ( Site of local interest). The importance of Church lane ( the subject of proposed house development under H39 North of Church lane ) to Biodiversity is confirmed in paragraph 6.5.44 of the Sustainability Appraisal Report (Feb 2018 as amended June 2019) 'A number of sites have been assessed as having a negative effect on SA Objective 8 (Biodiversity) with one site H39: North of Church lane Elvington identified as having a significant negative effect on this SA objective. This reflects its close proximity (i.e. within 250m) to the Derwent River Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA)'.

In the document 'City of York Council TP1: Approach to Defining York's Green Belt – Addendum' the Section 9 Conclusions states that 'This addendum describes the exceptional circumstances which exist in order to justify releasing land from the Green Belt. This includes the acknowledgement that all other options for meeting identified need have been examined'.

I do not see where there is an exceptional circumstance for the removal of Green belt status for the village of Elvington given the key areas of openness identified in the conservation area. The needs for housing is acknowledged and welcomed by the village and can be met without removing the village from Green belt. The village through Elvington Parish Council and individual representations have supported housing development in the village at a site near Dauby Lane which was originally proposed by CYC as site H26 Dauby Lane. The site has derelict buildings on it – could be considered as a brown field site as a priority for use for housing development. The site has the advantages of linking the 'two halves' of the village; as well as building on a site which is currently semi derelict; and which is ideally situated between the school and the multi-purpose site with doctors surgery/sports & social club and year round afterschool facilities. Residents would be able to walk to all without the need to use a car. This is the preferred housing development for the majority of the village.

In the 2018 CYC Preferred sites consultation document there is a statement that 'The site currently provides a gap between the main village centre and the industrial/commercial areas to the north'. This analysis is erroneous and would be seen very clearly to be so on a visit by an inspector. It fails to recognise the extent of existing residential development within the industrial area of the village; some of which has been recently extended viz. at the Conifers as well as more long established housing estate at Elvington park and along the main road. Thus there is already significant residential development in the industrial estate areas of the village and the industrial estates are light industry without any direct adverse effect on residential development.

I would urge the council to reinstate the H26 building proposal and to restore the Green belt to Elvington and remove H39 building proposal.

I have commented previously on H39 and include those comments for reference here:

H39 North of Church Lane, Elvington

The proposal is:-

- 1) NOT positively prepared: (i) it fails to provide for the housing needs of the village for both affordable housing and larger houses. The alternative previously proposed site at Dauby Lane H26 would provide for more houses - upwards of 60 – of a wider mix of housing ranging from 2 bed to 4/5 bed which would provide for the ongoing needs of the village cf. the 28 houses proposed at Church Lane H39, (ii) it fails to provide due consideration of traffic flow out of the single exit from Beckside. The extra traffic both within Beckside and exiting onto the main street would adversely impact on existing residents of the village.
- 2) NOT justified because it is not the most appropriate development for the village. A reasonable alternative site is the previously CYC proposed Dauby Lane site H26. See comment above.
- 3) NOT justified given that the southern hedgerow of the site is of SINC quality with diverse mature deciduous trees, some subject to TPOs and the hedgerow forms an important wildlife link between the nationally important Wheldrake lngs area and the statutory Nature conservation site – River Derwent. The effectiveness of the link would be severely impaired with a housing development along one side of the hedgerow, e.g. existing barn owl populations known to hunt along the hedgerow are likely to cease to do so. Both the biodiversity importance and amenity importance of this part of the village will be impaired by this proposed development.
- 4) Furthermore it is NOT justified given the strategy to address the SINC hedgerow and TPO trees falls short of appropriate safeguarding. The proposal states TPO trees 'would need to be retained with an appropriate buffer for the tree canopies'. This strategy fails to take into account the extensive tree root system of such well-established trees which would be adversely affected by housing foundations and hard surface cover like tarmacked road and which cover a larger area than the tree canopy protection noted in the proposal. The plan is thus 'not the most appropriate strategy'.
- 5) NOT justified: the plan is not the most appropriate strategy in relation to flood risk and drainage. There has been extensive ongoing flood and water drainage issues in the proposed site and Church lane this year. The building of houses with increased area of hard surface and reduction in soak away land will exacerbate this causing increased waterlogging in the site and potential loss of trees (inc. TPO ones) in the hedgerow.
- 6) NOT consistent with national policy concerning Green belt land. The proposed extension to Beckside would be on a site which has previously been determined by the Planning inspector as serving green belt purposes.
- 7) NOT consistent with national policy concerning use of brown field sites for building, Site H26 is in effect a brown field site previously used for commercial activity.

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## Your comments - necessary changes

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

To implement the statement at PM25 in proposing sites.

**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:**

I have appropriate expertise, botanical and ecological knowledge to comment on H39 north of church lane elvington in context of Green belt and conservation area issues and the listed hedgerow E50 at church lane.

---



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 19 July 2019 11:31  
**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: 122742
- Date submitted: 19/07/2019
- Time submitted: 11:30:34

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 ALISON STEAD

**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):** H39 Addendum Annex 5

**Document:** Addendum Annex 5

**Page number:** 41

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**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:**

Proper consultation procedures have been followed to date

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**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

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**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):**

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**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):**

H39 North of Church Lane, Elvington

The proposal is:-

- 1) NOT positively prepared: (i) it fails to provide for the housing needs of the village for both affordable housing and larger houses. The alternative previously proposed site at Dauby Lane H26 would provide for more houses - upwards of 60 – of a wider mix of housing ranging from 2 bed to 4/5 bed which would provide for the ongoing needs of the village cf. the 28 houses proposed at Church Lane H39, (ii) it fails to provide due consideration of traffic flow out of the single exit from Beckside. The extra traffic both within Beckside and exiting onto the main street would adversely impact on existing residents of the village.
  - 2) NOT justified because it is not the most appropriate development for the village. A reasonable alternative site is the previously CYC proposed Dauby Lane site H26. See comment at 6.(1).
  - 3) NOT justified given that the southern hedgerow of the site is of SINC quality with diverse mature deciduous trees, some subject to TPOs and the hedgerow forms an important wildlife link between the nationally important Wheldrake Ings area and the statutory Nature conservation site – River Derwent. The effectiveness of the link would be severely impaired with a housing development along one side of the hedgerow, e.g. existing barn owl populations known to hunt along the hedgerow are likely to cease to do so. Both the biodiversity importance and amenity importance of this part of the village will be impaired by this proposed development.
  - 4) Furthermore it is NOT justified given the strategy to address the SINC hedgerow and TPO trees falls short of appropriate safeguarding. The proposal states TPO trees 'would need to be retained with an appropriate buffer for the tree canopies'. This strategy fails to take into account the extensive tree root system of such well-established trees which would be adversely affected by housing foundations and hard surface cover like tarmacked road and which cover a larger area than the tree canopy protection noted in the proposal. The plan is thus 'not the most appropriate strategy'.
  - 5) NOT justified: the plan is not the most appropriate strategy in relation to flood risk and drainage. There has been extensive ongoing flood and water drainage issues in the proposed site and Church lane this year. The building of houses with increased area of hard surface and reduction in soak away land will exacerbate this causing increased waterlogging in the site and potential loss of trees (inc. TPO ones) in the hedgerow.
  - 6) NOT consistent with national policy concerning Green belt land. The proposed extension to Beckside would be on a site which has previously been determined by the Planning Inspector as serving green belt purposes.
-

## **Your comments - necessary changes**

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

Retain the green belt designation for Elvington village particularly the area of conservation and areas contiguous to the conservation area in line with Local plan PM25 and 26.

Reconsider and reinstate H26 ( Daulby lane ) as a viable building proposal for the village of Elvington and remove H39 ( North of church lane).

**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:**

I have appropriate knowledge to comment on Biodiversity, and conservation area issues with both botanical and ecological expertise.

---



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 21:02  
**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: 122990
- Date submitted: 22/07/2019
- Time submitted: 21:02:26

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 alan cook

**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):** PM33

**Document:** local plan proposed modifications - June 2019

**Page number:** 36

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**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:**

it has been prepared with due diligence

---

**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 decision to propose these changes shows good judgement, assessment of development and infrastructure requirements, which will improve the soundness of the Local Plan.

---

**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':**

Implement the proposed boundary changes to the rear of Osbaldwick Village/Murton Way and keep the land to the north of the proposed boundary open.

**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:**

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**From:** Chris Atkinson [Chris.Atkinson@bartonwillmore.co.uk]  
**Sent:** 22 July 2019 15:55  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** 25859 - Representations to City of York Local Plan Proposed Modifications  
**Attachments:** 25859.A5.SN.kb.YorkLPMods.190722 FINAL.pdf; Appendix 1 - Osbaldwick Promo Doc B\_Low.pdf; Appendix 2 - Copmanthorpe Promo Doc C\_Low.pdf; Appendix 3 25859.A5.CA.Assessment of York City Council Sustainability Appraisal190718.pdf; Appendix 4 - 25859.A5.CA.YorkCentralReview.190719.pdf; GL0167 - Land at New Lane Huntingdon - Green Belt Review - 22-07-2019 (002).pdf

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Dear Sir/Madam,

We have been instructed on behalf of our Client, Barratt and David Wilson Homes, to make representations to the City of York Local Plan Proposed Modifications. We attach the following which form part of our submissions:

- Representations to the City of York Local Plan Proposed Modifications;
- Appendix 1 – Metcalfe Lane, Osbaldwick Promotional Document;
- Appendix 2 – Manor Heath, Copmanthorpe;
- Appendix 3 – Assessment of City of York Council’s Sustainability Appraisal;
- Appendix 4 – York Central Review;
- New Lane, Huntington Green Belt Review

I would be grateful if you could acknowledge receipt of our submissions.

Regards,

**Chris Atkinson**  
Senior Planner



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# York Local Plan Modifications Representations

Prepared on Behalf of Barratt and David Wilson Homes

July 2019

York Local Plan Modifications  
Representations

Prepared on Behalf of  
Barratt and David Wilson Homes

Status:	DRAFT	FINAL
Issue/Rev:	01	02
Date:	July 2019	July 2019
Prepared by:	CA	SN
Checked by:	SN	SN
Authorised by:	SN	SN

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Date: July 2019

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- Appendix 4 – York Central Review



## 1.0 INTRODUCTION

1.1 These representations are made on behalf of Barratt and David Wilson Homes, hereafter referred to as Our Client. Our Client has been heavily involved in all stages of the Local Plan process, making representations at each stage of the plan preparation and promoting a series of sites. For ease of reference these sites and their current status are included in Table 1 below.

*Table 1.1: Barratt & David Wilson Homes' Site Interests in York*

Site Address	Site Reference	CYCLP Area	CYCLP 2013 Capacity (BDWH control)	CYCLP 2016 Capacity (BDWH control)	CYCLP 2018 Capacity (BDWH control) (BDWH control)
Manor Heath, Copmanthorpe	ST12	1	250	0	0
Moor Lane, Copmanthorpe	H29	1	65	88	88
Riverside Gardens, Elvington	SF10	2	0	0	0
Eastfield Lane, Dunnington	H31	3	75	84	84
Metcalfe Lane, Osbaldwick	ST7	4	750	35	35
New Lane, Huntingdon	ST11	4	360	0	0
North of Monks Cross	ST8	6	35	35	35
North of Haxby	ST9	6	375	375	375
North of Clifton Moor	ST14	6	750	500	500

1.2 We have previously made representations seeking alterations to some of these sites, questioning the delivery rates of other sites allocated in the plan and highlighting matters of soundness in relation to the Green belt review. Further to this we have also made detailed representations on the Councils OAN, which we previously considered to be unsound and should be in the region of 950-1020 homes per annum. These representations remain valid and we will continue to rely upon them at the local plan examination.

1.3 We trust that these representations have been considered and therefore will not duplicate them in these submissions. It is however noted that the Council are seeking to further reduce the housing requirement and have produced a series of updates to the evidence supporting the plan.

1.4 The main objections that remain from previous representations include the level of housing, the approach to defining the Green Belt and site specific issues with the omission of Manor Heath Copmanthorpe, New Lane Huntington and part of their land at Metcalfe Lane, Osbaldwick. We note that representations have been made on these, however the amended work on the Green belt is directly relevant to their omission, therefore these representations are made in the context of the documents subject to this consultation.

1.5 These representations therefore focus on these documents, with the remainder of this report being as follows:

Chapter 2 - Review of the Housing Needs Update, January 2019

Chapter 3 - A review of the addendum to Topic paper 1 and the Councils overall approach to the Green Belt.

Chapter 4 - A review of the inner boundary assessment with specific reference to New Lane Huntington

Chapter 5 - A review of the approach to urban areas with specific reference to Copmanthorpe.

Chapter 6 - A review of the approach to removing sites from the Green Belt, with specific reference to manor Heath, Copmanthorpe and Metcalfe Lane, Osbaldwick.

Chapter 7 - Sustainability Appraisal and Trajectory

Chapter 8 – Conclusion

## 2.0 REVIEW OF THE HOUSING NEEDS UPDATE, JANUARY 2019

- 2.1 As part of the consultation a Housing Needs Update has been produced by GL Hearn, date January 2019. The report has been produced to consider the use of the 2016 subnational household projections (SNHP)
- 2.2 These projections have been well documented in relation to the decrease in the level of homes that they produce when used to calculate housing need by the standard methodology and those older plans using an alternative approach.
- 2.3 Originally the report was produced to support the Councils previous level of homes (867) and the decision of members to not include an affordability ration uplift, contrary to the recommendations of the report and officers. Notwithstanding the purpose of the report originally it is now noted that the Council are seeking to reduce their OAN to 790 homes per annum, with this update forming the principle piece of evidence.
- 2.4 It is noted that using the 2014 household projections shows a starting point of 849 dwellings per annum, with a 15% affordability uplift resulting in an OAN of 976. This calculation is exactly the same as the approach advocated in the update report, however it uses the 2014 projections rather than the 2016 projections. In simple terms if the 2016 projections are not considered an appropriate starting point the OAN should be increased to 976 dpa.
- 2.5 The update report itself acknowledges at 2.17 – 2.20 notes the change, the reasons for it and criticism. However, what it does not reference are the governments consultation on the standard methodology in response to the revised projections or the updates to the PPG in relation to the use of the 2016 figures.
- 2.6 Barton Willmore consider that the 2014-based MHCLG household projections should take preference to the 2016-based ONS household projections following the Government's technical consultation<sup>1</sup> in respect of the 2018 NPPF's Standard Method, and the subsequent confirmation in the Planning Practice Guidance (PPG) that 2016-based ONS household projections should not be used for the purpose of calculating Standard Method.
- 2.7 Although the Government's consultation relates in part to the standard method calculation, much of its reasoning concerns the ONS' methodology in the latest 2016 projections, which differs from the previous MHCLG method. It is therefore applicable to the OAN method.
- 2.8 A headline point in the Government's consultation paper is how the 2016 ONS projections are based on household formation trends between two Census points (2001 to 2011) rather than

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<sup>1</sup> Technical consultation on updates to national planning policy and guidance, MHCLG, October 2018

five Census points under previous MHCLG projections (1971, 1981, 1991, 2001, and 2011). This change under the 2016 projections is considered by Government to *“focus it more acutely on a period of low household formation where the English housing market was not supplying enough homes.”*<sup>2</sup>

- 2.9 The 2001-2011 period referred to by Government saw a rapid worsening of housing affordability in York, the lower quartile affordability ratio increasing from 4.64 (2001) to 7.48 (2011); a 61% increase in only 10 years, and the median ratio increasing from 4.27 to 7.01 (64% increase). This made it rapidly more difficult for younger people to form their own household, and formation rates amongst the younger age groups therefore fell significantly.
- 2.10 In this context the decision of ONS to look at trends over the much shorter 2001-2011 period and project these trends forwards over the next 25 years compared is a considered to be a serious weakness of the 2016-based projections and a self-fulfilling prophecy as the Government have identified.
- 2.11 Furthermore ONS themselves reported a significant 70% increase nationally in ‘concealed families’ (a family living in a multi-family household in addition to the primary family, such as a young couple living with parents) over the same 2001-2011 period, due partly to *“housing availability and cost in relation to employment and earnings.”* In York the increase was 78%; higher than the national average and the average for Yorkshire and the Humber (60%). It should be noted how this measure only captures concealed families, and not individuals who represent a concealed household.
- 2.12 For these reasons it is considered that the 2014-based household projection for York should represent the demographic starting point of housing need. This shows need for 849 dwellings per annum (dpa) once the Council’s vacancy rate assumption has been applied. The Council’s 15% market signals uplift should be applied to this figure, resulting in OAN of 976 dpa.
- 2.13 However, the market signals uplift should also be considered in the context of the 30% market signals uplift applied under Standard Method, which results in overall need of 1,069 dpa.
- 2.14 Given that the evidence does not support the level of homes, the modifications in the plan are all considered to be unsound and therefore our client objects to Modifications PM3, PM4, PM5, PM22 and PM44 all of which reduce the level of homes to 790 dpa. Further to this the trajectories in the modifications are also considered to be unsound in Modifications 20a-d and 21a-d.

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<sup>2</sup> Paragraph 11, page 8, Technical consultation on updates to national planning policy and guidance, MHCLG, October 2018

### 3.0 A REVIEW OF THE ADDENDUM TO TOPIC PAPER 1 AND THE COUNCILS OVERALL APPROACH TO THE GREEN BELT

3.1 The York Green belt and its lack of definition is well documented and the adoption of a Local Plan resolving this matter is welcomed by our Client. Given the history to the lack of a plan, the definition of the general extent of the Green Belt and the infrequency that a new Green belt boundary is defined it is clear that there are limited examples of the Council to draw upon in defining the Green Belt.

3.2 Notwithstanding this, the update to TP1, the Approach to defining York's Green belt is considered to have some fundamental errors in the approach taken and the decisions made. The documents aims to set out the approach taken by the Council in defining the boundary for the first time and comprises a main report and a number of appendices. For clarity the report sets out the following approach, with reference to the relevant sections,

- Establish the current status of the Green Belt and the current extent (Section 3);
- Provide a methodology for defining the detailed inner boundary, inset villages and outer boundary (Section 5);
- Consider if exceptional circumstances exist to alter this boundary (Section 7); and
- Establish the preferred sites to be released from the Green Belt under the exceptional circumstances test (Section 8).

3.3 In simple terms the Council in one document (and presumably at the examination) try to establish the Green Belt boundary and then amend it prior to it being formally adopted in the first place.

3.4 Paragraph 2.14 of TP1 confirm this approach stating that the Council have 'assumed that for the purposes of preparing the draft plan, that exceptional circumstances would have to be shown, as they would if a defined boundary were to be reviewed and altered.' The same paragraph confirms that there is no specific guidance in the Framework on Councils needing to deliver homes in the general extent of the Green Belt alongside defining the inner and outer boundaries. The reliance on exceptional circumstances therefore references paragraph 83 of the Framework.

3.5 Our Clients view is that this approach is fundamentally wrong and the Council simply need to define a boundary balancing the needs of the city and the appropriate tests in the Framework, without the need to consider exceptional circumstances.

- 3.6 Paragraph 82 of the Framework confirms that the general extent of the Green Belt is already established, in this case with the RSS.
- 3.7 Paragraph 83 confirms that Local Planning Authorities with Green Belt in their area, should establish Green Belt boundaries in their local plan. The paragraph then explains that once established, Green Belt boundaries should only be altered in exceptional circumstances through the review of a local plan.
- 3.8 Considering this paragraph, it is clear that it applies to York, as there is Green Belt within the boundary by virtue of the general extent included in the RSS. However, the paragraph is absolutely clear that the authority should establish those boundaries through a local plan. The RSS is not a Local Plan and therefore did not establish the boundaries of the Green Belt, therefore it is for the purpose of this plan to do that for the first time.
- 3.9 The paragraph is also then explicitly clear that once established boundaries should only be altered in exceptional circumstances. Given the only way to establish a boundary is through a Local Plan and this has never happened it is clear that they cannot be altered, therefore the test of exceptional circumstances is simply not relevant. The purpose of this Local Plan is to establish the boundary, it will be for future local plans to determine if they should be altered. This is confirmed in TP1 at paragraph 6.15, which confirms it is setting detailed boundaries for the first time.
- 3.10 The appropriate paragraphs in the Framework to be considered in the plan are therefore paragraphs 84 and 85 of the Framework.
- 3.11 Paragraph 84 notes that in doing so the Council should have regard to sustainable patterns of development and look to channel development towards urban areas inside the Green Belt boundary, towards towns and villages inset from the boundary or locations beyond the boundary. The Council does not have an opportunity to deliver homes outside of the outer boundary, however as it is defining the boundary for the first time it can define boundaries on the urban area and inset towns and villages in a way that allows development to take place in these areas rather than tightly defining boundaries.
- 3.12 The framework provides clear guidance to enable this to happen in paragraph 85, which confirms that when defining the boundary Local Authorities should;
- Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
  - Not include land which is not necessary to be kept permanently open;
  - Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period;

- 3.13 When considering these three points of guidance it is clear that the Council do not necessarily need to draw the Green Belt boundary tightly around existing built form. The definition of the Green Belt boundary is an exercise that should consider meeting development needs, enduring longer term and only designating land as Green Belt that needs to be kept permanently open.
- 3.14 The Councils approach is further shown at paragraph 2.18 whereby it considers that exceptional circumstances are needed to remove land from the general extent of the Green Belt. The general extent of the Green Belt is noted at the start of the Green Belt chapter in the Framework, simply stating that it is established. As shown above however, the Framework confirms that it is for the local plan to define boundaries and exceptional circumstances are needed to amend boundaries, not the general extent. The Councils reasoning for needing to show exceptional circumstances to remove land from the general extent is therefore unsound.
- 3.15 In terms of the Councils approach to defining the boundary, the main focus in section 4 relates to the five purposes of Green Belt, with no reference to the other guiding principles when defining boundaries. In principle our Client considers this to be an appropriate starting point, however the implementation of the Councils findings is considered wrong and land which is not considered necessary to be kept permanently open is included in the Green Belt.
- 3.16 In summary the Council provide a series of maps for each of the five purposes, showing how the methodology applies in Figures 3-6. Figure 7 then provides a plan overlaying all of the assessment information and identifying the overall area that is considered necessary to be kept permanently open.
- 3.17 In summary it is noted that both New Lane, Huntington and Manor Heath Copmanthorpe both are included in the white areas on this plan, showing that the land is not necessary to be kept permanently open. Similarly, a large part of the land at Metcalfe Lane remains the same, however these conclusions have not been carried through to the allocation of land or defining of boundaries.
- 3.18 Further assessment of the Councils assessment of these sites is included in chapters 4, 5 and 6 of this report.

#### 4.0 A REVIEW OF THE INNER BOUNDARY ASSESSMENT WITH SPECIFIC REFERENCE TO NEW LANE HUNTINGTON

- 4.1 Notwithstanding the objections to the overall approach to the Green Belt boundary and the Councils approach to define a boundary and then apply exceptional circumstances to change it in the same local plan examination, Our Client raises no objections to the methodology chosen to assess the areas that are required to be kept permanently open.
- 4.2 Further to this Our Client also acknowledges that there will be instances where some areas that are in an area of importance for retaining openness will need to be released, in order to meet the cities development needs. However, whilst this can all be done through the definition of the boundary, sites that are deliverable, sustainable and have no impact on the openness of the Green Belt or do not meet any of the purposes should not be included in the Green Belt.
- 4.3 The Council may choose to allocate these sites, which given the housing needs would be logical, however equally the land could be retained as white land or safeguarded.
- 4.4 In this respect we raise significant objections to the Councils assessment of the inner boundary of the city, with specific reference to land at New Lane, Huntington. Representations have been made on this previously, however these representations focus on the new information being consulted on in particular the Green Belt boundaries in Annex 3 of TP1, Section 5 boundaries 28, 29, 30 and 31.
- 4.5 Our Clients site at New Lane, Huntington is located between existing housing to the north and west and the Monks Cross development to the east. To the south of our client's ownership is an access road, with a small field beyond and then Malton Road as shown below in Figure 4.1

4.1: Our Clients Sites





- 4.6 From a simple visual assessment, it is clear that the site is surrounded on three sides by development and bounded to the south by a road, all of which form clear defensible boundaries. Further to this the development to the east and west both continue southwards beyond the edge of the south, where a significant road is located, providing yet further defensible boundary.
- 4.7 It is abundantly clear, again from a simple assessment that this site doesn't merge settlements, encroach into the countryside, sprawl or have an impact on heritage assets. It has no purpose of being included in the Green Belt and does not make any contribution to openness.
- 4.8 Notwithstanding this simple assessment, applying the Councils own methodology results in the same outcome. The Councils methodology maps a series of constraints on each of the purposes of including land in the Green Belt based on environmental constraints, heritage designations and areas identified for merging. The composite map in figure 7 clearly shows that the site is not in the area that is most important for Green Belt.
- 4.9 Further to this however the Council have produced a series of assessments of the location of the inner boundary of a more detailed assessment of this is included in the Councils boundary assessment. These assessments include an assessment of openness, a strategic assessment considering the five purposes and then a local openness assessment, with a conclusion.
- 4.10 Boundary 28 assesses the eastern part of the Monks Cross development and rightly defines the Green Belt on the eastern edge of the road.
- 4.11 Boundary 29 then deviates from using the road as a defined boundary and draws an arbitrary line from east to west along the southern part of the car parks. This boundary follows no logical boundary and cuts through a drainage pond, half of which is to be in the Green Belt and half out. The Monk Stray green corridor is located to the south, however in itself that should not result in a boundary that cuts through a field as this does. The logical boundary is clearly to follow the road, with the green corridor still offering protection through other policies.
- 4.12 Boundaries 30 and 31 are the main areas of objection for Our Client, as these effectively draw the boundary along the edge of existing development in an arbitrary manner rather than following the Councils methodology and guidance in the Framework.
- 4.13 Boundaries 30 and 31 is noted in the Councils detailed assessment as being within 250m of a green wedge, however it also confirms that it meets all of the tests for the five purposes of the Green Belt. None of the strategic openness tests are therefore met, including protecting historic towns.

- 4.14 The local openness assessment notes that the site is near to a SAM but also notes that the site is important to keep separation between residential and commercial developments. Neither of these detailed assessments form part of the Councils methodology or national guidance. The existence of SAM is not reason to include land in the Green Belt and has its own protection that would prevent harmful development to it. Similarly, there is no reason from a Green Belt perspective to prevent development adjacent to a commercial area.
- 4.15 The Councils conclusion is that the land in Our Clients control should be kept open to preserve the setting and special character of York and to assist from encroachment. This is simply not true. The Councils own encroachment assessment confirms this and the only heritage matter is localised, which would have no impact whatsoever on the historic setting of York.
- 4.16 This land was previously excluded from the Green Belt by the Council in previous versions of the plan and identified as appropriate for housing. However, with no justification, other than local objection the site was removed. The history of the site through the various stages of the plan preparation are shown below,
- The site was in the Preferred Options (2013) allocated under policy ST11 for residential
  - The Further Sites Consultation (2014) kept the allocation but included approx. 2.4ha of green space primarily on the eastern boundary as there is a Scheduled Monument located on site.
  - The Publication Draft (2014) retains the allocation.
  - The Preferred Sites Consultation (2016) removed the allocation and proposed it as a "Draft New Green Wedge".
  - The Pre-Publication Draft (2017) designates the site as Green Belt.
  - The Publication Draft (Feb 2018) and Submission retains it as Green Belt.
- 4.17 It can be seen from above, as per our own assessment and the Councils Green belt methodology that the site has no impact upon the purposes of the Green Belt and was independently considered by the Council to not be included in the Green belt and allocated.
- 4.18 Further to this, the inclusion of green space where the SAM is located is consistent with our approach to the site and also the view that a SAM located adjacent to the site provides no justification to allocate the site as Green Belt.
- 4.19 It is therefore clear that the site should be excluded from the Green Belt.

## 5.0 A REVIEW OF THE APPROACH TO URBAN AREAS WITH SPECIFIC REFERENCE TO COPMANTHORPE

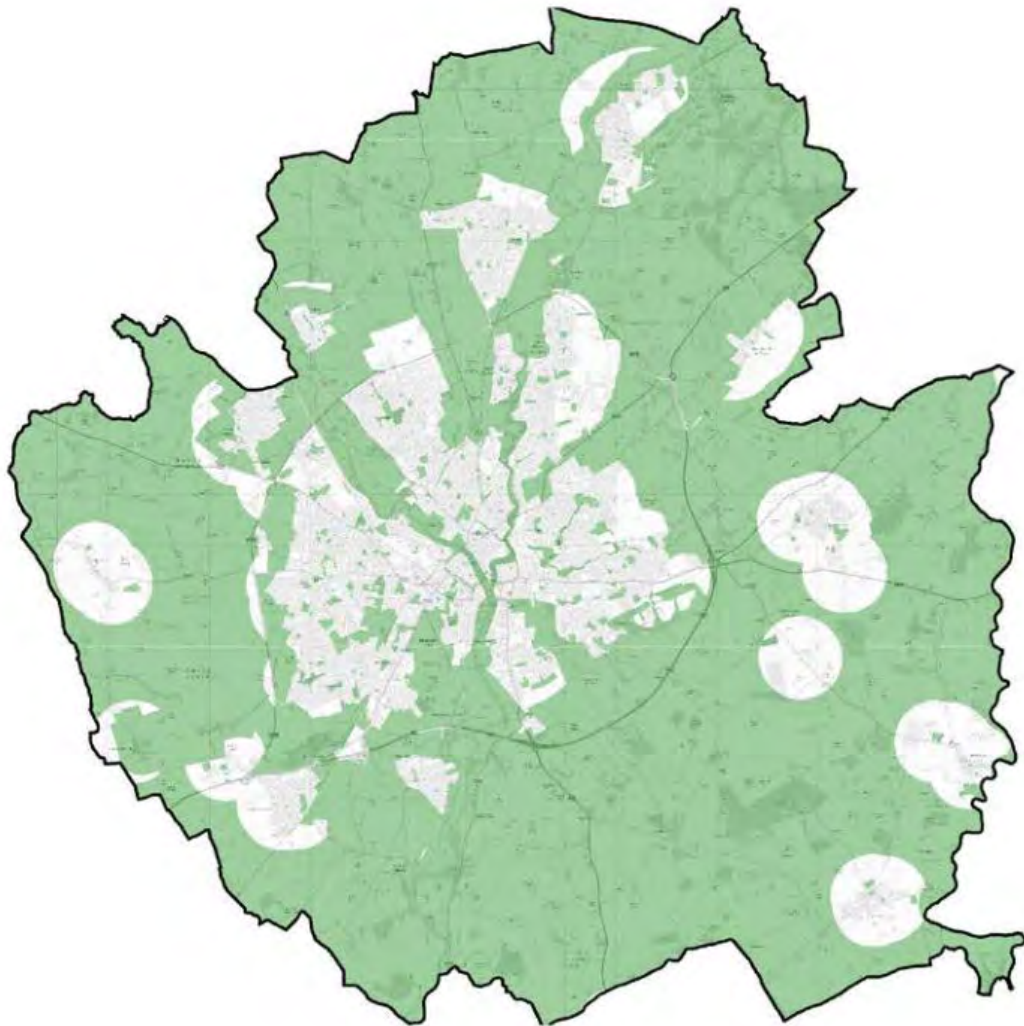
- 5.1 Section six of the addendum to TP1 considers the urban areas in the general extent of the Green Belt, effectively defining the boundaries of the settlements to be inset from the Green Belt.
- 5.2 Our Client has land at Copmanthorpe, which is one of the identified settlements within Figure 17 of TP1, that are within the general extent of the Green Belt. Further to this paragraph 6.14 confirms that Copmanthorpe is to be inset from the Green Belt once the boundaries are defined. The main issue therefore is where the boundary should be drawn around Copmanthorpe when inseting the settlement.
- 5.3 Paragraph 6.15 of TP1 confirms that the plan will define the inner area that abuts urban areas which are not of open character and do not contribute to the essential openness of the Green Belt. Further to this paragraph 6.16 confirms that the methodology as set out in Section 5 of TP1 would be relevant to determining the boundaries.
- 5.4 Without repeating earlier comments in full, the boundary should not necessarily be drawn tightly around the existing settlement as it should consider the Councils needs and sustainable patterns of development, ensuring that the boundaries of Copmanthorpe do not need to be altered at a later date. As part of this significant consideration should also be given to safeguarded land.
- 5.5 Notwithstanding this, the Council again fail to interpret their own assessments and use the evidence from the methodology. Despite clear guidance in section 5 of TP1 and a plan showing the areas of land not necessarily to be kept permanently open in Figure 7, this is used in setting the boundaries. Guidance in the Framework on meeting sustainable aims, ensuring the boundaries last beyond the plan period and not including land that is not necessary to be kept permanently open are also ignored with paragraph 6.17 simply confirming that the boundaries are drawn around the existing built form to taking into account accommodating identified needs.
- 5.6 Firstly such an approach is contrary to the methodology, secondly it completely ignores Figure 7, which shows large areas around Copmanthorpe not necessary to be kept permanently open and finally it means that the Green Belt boundary will not even endure the length of the examination let alone the plan period, as once drawn they seek to change it to accommodate development.

- 5.7 The correct approach if followed would draw upon the development needs for Copmanthorpe, the evidence in the Councils methodology, namely Figure 7 and also have due regard to the guidance in the Framework.
- 5.8 The plan should rightly inset Copmanthorpe but not draw a boundary simply around the extremities of the settlement. This approach is contrary to national guidance but most importantly in conflict with the Councils own methodology.
- 5.9 Should the Council follow its own methodology, the Green belt boundary would exclude land to the west of Copmanthorpe, including our Clients land. This land should then either be allocated, remain as white land or be allocated as safeguarded land.
- 5.10 A detailed assessment of land at Copmanthorpe and the Councils chosen sites is included in Chapter 6 of this report and further information supporting our Clients land at Manor Heath is included in Appendix 2.

## 6.0 A REVIEW OF THE APPROACH TO REMOVING SITES FROM THE GREEN BELT, WITH SPECIFIC REFERENCE TO MANOR HEATH, COPMANTHORPE AND METCALFE LANE, OSBALDWICK

- 6.1 As part of the evidence base which underpins the emerging Local Plan, the Council have prepared a document entitled 'Addendum to Topic Paper 1: The Approach to Defining York's Green Belt', which outlines the Council's approach to assessing the most appropriate locations for proposed Green Belt release.
- 6.2 This section of our representations sets out Our Clients comments with regards to the approach which has been undertaken by the Council, with particular reference being given to their land interests at Osbaldwick and Copmanthorpe.
- 6.3 Section 4 of the above referenced document sets out the York Local Plan Strategic Approach to the Green Belt, with the specific intention of defining which land needs to be kept permanently open having regard to the 5 purposes of the Green Belt.
- 6.4 The Council have approached the strategic assessment by considering each of the five Green Belt purposes in turn, then generating a composite plan, which concludes which areas need to be kept permanently open.
- 6.5 In the Council's assessment they considered the fourth purpose first, which seeks to preserve the setting and special character of historic towns, on the basis that the historic character of York is of a great importance.
- 6.6 The Council identify various areas which are considered to be of special character, or which effect the setting of heritage assets. These areas are shown of Figure 3 of the Addendum to TP1 and are defined as – village setting; Strays; River Corridors; Areas Retaining Rural Setting; Areas Preventing Coalescence; Green Wedges; and Extension of Green Wedge.
- 6.7 In terms of the first purpose, which seeks to check unrestricted sprawl of large built-up areas, the Council consider that proximity to key services is a key factor in determining whether the development of land would lead to urban sprawl. In order to undertake such an assessment, the Council have mapped all areas within the District which are not within 800m of at least two key services, which included primary schools, secondary schools, doctors, supermarkets etc. All areas which fail to meet this test are indicated in green on Figure 3.
- 6.8 The assessment which the Council have undertaken with regards to the prevention of neighbouring towns merging is relatively straightforward. The Council have identified areas between settlements, where it is considered that coalescence would occur, and these have been identified on Figure 4 of the Addendum to TP1.

- 6.9 The final assessment relates to the Green Belt purpose which seeks to assist in safeguarding the countryside from encroachment. In order to undertake this assessment, the Council have mapped all green corridors, nature conservation sites and areas of open space, on the basis that these areas make a specific contribution to the countryside. The result of this assessment is set out in Figure 5 of the Addendum to TP1.
- 6.10 The Council have not undertaken an assessment of the fifth and final Green Belt purpose and we note from a number of other local planning authorities that this is a regular occurrence and would not dispute the approach.
- 6.11 In order to fully understand which areas of the Green Belt need to be kept permanently open, the Council then formulated a composite plan comprising all of the above referenced plans. This is set out in Figure 7 of the Addendum to TP1. It is shown below for ease of reference (Figure 6.1).



6.12 In conclusion regarding the Council’s methodology and approach to undertaking a Green Belt assessment our Client considers it to be sound and logical and therefore offer their support to the approach.

6.13 Turning to our Clients land interests, it is useful to set out how they perform based on the Council’s approach to the Green Belt assessment. It should be noted that these representations are accompanied by promotional documents in respect of land at Metcalfe Lane, Osbaldwick and land at Manor Heath, Copmanthorpe, which are appended at Appendix 1 and Appendix 2 respectively. The assessment below is also outlined in these documents.

6.14 The table 6.1 below sets out how the two sites perform against the Council’s assessment:

Green Belt Purpose	Metcalfe Lane, Osbaldwick	Manor Heath, Copmanthorp
To check unrestricted sprawl	YCC have determined that land which does not have access to 2 or more key services such as primary schools, secondary schools, nurseries, doctors, supermarkets, grocery stores and shopping parades should constitute potential urban sprawl. As such they have prepared a plan which indicates all land which is not within 800m of 2 or more services (Figure 4 of TP1: Approach to Defining York’s Green Belt – Addendum). It is noted that this site is defined as being located within 800m of two or more services, and as such would not lead to urban sprawl if developed.	YCC have determined that land which does not have access to 2 or more key services such as primary schools, secondary schools, nurseries, doctors, supermarkets, grocery stores and shopping parades should constitute potential urban sprawl. As such they have prepared a plan which indicates all land which is not within 800m of 2 or more services (Figure 4 of TP1: Approach to Defining York’s Green Belt – Addendum). It is noted that this site is defined as being located within 800m of two or more services, and as such would not lead to urban sprawl if developed.
To prevent neighbouring towns merging into one another	In terms of the role played in preventing neighbouring towns from merging, YCC have prepared a plan which indicates the ‘areas of the city essential for preventing coalescence’, which is set out at Figure 5 of TP1: Approach to Defining York’s Green Belt – Addendum. It is noted that the land at Metcalfe Lane, Osbaldwick does not fall within one of these areas, and as such there are no concerns that the development of this site would lead to coalescence.	In terms of the role played in preventing neighbouring towns from merging, YCC have prepared a plan which indicates the ‘areas of the city essential for preventing coalescence’, which is set out at Figure 5 of TP1: Approach to Defining York’s Green Belt – Addendum. It is noted that the land at Manor Heath, Copmanthorpe does not fall within one of these areas, and as such there are no concerns that the development of this site would lead to coalescence.
To assist in safeguarding the countryside from encroachment	In order to assess what role land plays in safeguarding the countryside from encroachment, YCC have prepared a plan which incorporates Nature Conservation Sites, existing open space and Green Infrastructure Corridors. This is set out in Figure 6 of TP1: Approach to Defining York’s Green Belt – Addendum and indicates that a small	In order to assess what role land plays in safeguarding the countryside from encroachment, YCC have prepared a plan which incorporates Nature Conservation Sites, existing open space and Green Infrastructure Corridors. This is set out in Figure 6 of TP1: Approach to Defining York’s Green Belt – Addendum and

	proportion of the site is located within a Green Infrastructure Corridor and a Nature Conservation site. However, the indicative masterplan provided within this document has accounted for these features and would ensure that no built development with the exception of road infrastructure would be located within these areas.	clearly indicates that the development of this site would not lead to the loss of any of these areas.
To preserve the setting and special character of historic towns	Figure 3 of TP1: Approach to Defining York's Green Belt – Addendum highlights the 'areas important to York's special character and setting' and includes village settings, strays, river corridors, areas retaining rural setting, areas preventing coalescence, green wedges and extension of green wedges. It is noted that the land at Metcalfe Lane, Osbaldwick does not incorporate any of these important areas, and as such the land does not currently play a role in preserving the setting and special character of historic towns.	Figure 3 of TP1: Approach to Defining York's Green Belt – Addendum highlights the 'areas important to York's special character and setting' and includes village settings, strays, river corridors, areas retaining rural setting, areas preventing coalescence, green wedges and extension of green wedges. It is noted that the land at Manor Heath, Copmanthorpe does not incorporate any of these important areas, and as such the land does not currently play a role in preserving the setting and special character of historic towns.
To assist in urban regeneration by encouraging the recycling of derelict and other urban land	YCC conclude that "this purpose is achieved through the overall effect of the York Green Belt rather than through the identification of particular parcels of land which must be kept permanently open".	YCC conclude that "this purpose is achieved through the overall effect of the York Green Belt rather than through the identification of particular parcels of land which must be kept permanently open".

- 6.15 As noted above, both sites are situated within areas of land which the Council determine do not need to be kept permanently open, and as such they no longer meet the purposes of retaining land within the Green Belt. Despite this, in the case of Manor Heath, Copmanthorpe, the Council have not proposed to allocate the site for housing. Our Client objects to the Council's decision not to allocate the site for residential purposes, particularly given how well it performs against the Council's own Strategic Green Belt Assessment.
- 6.16 Our Clients concerns regarding the site at Manor Heath, Copmanthorpe are further exacerbated by the Council's decision to allocated land at Tadcaster Road, Copmanthorpe (ST31), particularly as it performs more poorly on the Council's own Green Belt Assessment. Annex 5 of the Addendum to Topic Paper 1 sets out the sites which are proposed in the General Extent of the Green Belt.
- 6.17 The document contains an assessment of site ST31, and this is clear that the site fails two of the four Green Belt purposes which are assessed. A large portion of the site is more than 800m to two or more key services and development of this part of the site would constitute urban sprawl, as per the Council's own assessment.



- 6.18 Furthermore, the entirety of the site is within an area 'protecting special character and setting' and having reviewed the Figures within the Addendum document, the particular issue is around coalescence. Despite these two issues, the Council have continued to propose the site as an allocation in favour of our Clients site, which does not raise any of the above issues. Indeed, it does not fail any of the Green Belt test.
- 6.19 As such, our Client considers the Council's approach to the allocation of sites in Copmanthorpe is not sound as it fails to meet the tests set out in paragraph 35 of the Framework, namely it is not justified, effective or consistent with national policy.

## 7.0 SUSTAINABILITY APPRAISAL AND TRAJECTORY

- 7.1 The Council have also included an update to the Sustainability Appraisal and an updated trajectory of deliverable sites, including the recently approved York Central scheme. A detailed assessment of both of these are included in Appendices 3 and 4.
- 7.2 The Councils SA includes an assessment of a number of sites, however as the housing and strategic sites are assessed differently it does make direct comparison more difficult. Again, the simple use of plus and minus scores makes direct comparison difficult, however this can be done by applying a numerical multiplier.
- 7.3 As the note shows, the Councils assessment of Our Clients sites is considered to be incorrect and requires amendment. Notwithstanding this, without amendment the sites score better than some allocated sites and with the corrections this increases. It is noted that weighting may be given to different criteria as opposed to them all being considered equally, however this is not in the methodology and is not evidenced.
- 7.4 Given the work carried out in relation to the Green Belt assessment so the sites at Manor Heath, Metcalfe Lane and New Lane it is not considered that there is any harm to the Green Belt, therefore this would not be justified to deviate from the findings of the SA.
- 7.5 On this basis we object to the SA at present and the implementation of its findings.
- 7.6 The Council have also consulted on an update to the SHLAA Figure 6, with an updated housing trajectory. The note in Appendix 4 considers this in relation to the scheme at York Central which provides a large quantum of development over the plan period.
- 7.7 Our Client has always supported the principle of a regeneration scheme of this nature, however equally it has to be considered robustly and sensibly in terms of what it can deliver, with a scheme of this scale and complexity likely to deliver homes over this plan period and the next. The Council however sought to justify a trajectory that provides all of the homes in this period, which is not considered robust or evidence based and therefore unsound.
- 7.8 Having considered the documents submitted with the application, including the ES there is no delivery trajectory, no detail of layout or timetable for implementation of individual plots. The scheme is in outline form and does not provide any details of how many units will be in individual blocks and when they will be delivered. On this basis any trajectory is based on estimate and assumption.

- 7.9 The level of homes included in the trajectory uses round numbers of 100, 150 and 200 to deliver the homes equally over the plan period. This clearly will not happen given the high reliance on apartments which will be developed and released in large numbers at intermittent times. Whilst it may be possible to do this for a volume site of dwellings it is not appropriate for the mix on the York Central site
- 7.10 The site has only just received outline planning permission, has no developers signed up and requires land assembly, sale and preparation prior to homes being released. The Councils ambitions for delivery next year are clearly unrealistic, given the length of time site acquisition and the determination of a planning application will take for a detailed scheme, let alone site preparation and build.
- 7.11 York Central has progressed over recent years and the outline planning application is a positive step for the site towards development. However, the Council need to be realistic about its delivery. Simply allocating unreasonable numbers to the site with no evidence will continue to restrict the level of homes in the city and under provide for the needs of its residents.
- 7.12 The site should therefore be significantly reduced in terms of the delivery in this plan period, with the homes being pushed into the next plan period. This way sufficient other sites can be allocated to meet the needs in this plan period.

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## 8.0 CONCLUSIONS

- 8.1 Our Client has a number of sites in the plan, some allocated and some proposed in the Green Belt. We have made representations at each opportunity and will be present at the examination to demonstrate where we believe the plan to be unsound.
- 8.2 These representations focus on the Councils updated evidence on housing need and also the addendum to TP1 on the approach to Green belt. The representations make specific reference to three sites under the control of Our Client in Huntington, Copmanthorpe and Osbaldwick.
- 8.3 The case on housing need and the OAN is simple. The Council propose 790 homes per annum based on the 2016 household projections. Applying the same methodology to the 2014 household projections results in 976 dwellings per annum. The simple question therefore is which is the appropriate set of projections?
- 8.4 The Government has been absolutely clear in its response to the standard methodology consultation that these projections should not be used in assessing OAN, similarly the PPG is clear on this point. It is therefore abundantly clear that the 2014 projections should be used and the level of homes increased. Our Client therefore objects to the lower level of homes and relevant modifications.
- 8.5 In terms of the approach to the Green Belt, again our client considers this to be unsound and it is not in accordance with national policy. It is clear that the Council are defining the Green Belt for the first time, therefore the boundaries should be based on the appropriate tests and the Councils methodology. Instead, however the Council seek to allocate all non developed land as Green belt, irrespective of the findings of their assessment, then delete parts for new homes.
- 8.6 On this basis New Lane Huntington should not be included in the Green Belt, Copmanthorpe should have a wider area of development limit and Metcalfe Lane should be increased in size. All three sites in their current state are therefore objected to as unsound.
- 8.7 Finally, the level of homes in the trajectory for York Central is considered to be unsound and the SA findings flawed. The level of homes should be reduced accordingly to reflect an accurate level of development and new sites allocated to make provision for the reduction in homes in the plan.

# APPENDIX 1

Metcalfe Lane, Osbaldwick Promotional Document

## APPENDIX 2

Manor Heath, Copmanthorpe Promotional Document

## APPENDIX 3

Assessment of City of York Council's Sustainability Appraisal

## APPENDIX 4

York Central Review



# Site ST7 Land East of Metcalfe Lane, Osbaldwick



**BARRATT**  
HOMES



**DAVID WILSON HOMES**  
WHERE QUALITY LIVES



YORK

Heworth

Stockton lane

Bad Bargain lane

Osbaldwick lane

Osbaldwick

A1079

A64

Osbaldwick m Road

Osbaldwick / 2

Figure 1: Wider Context Plan

# 1. Introduction

**This promotional document has been prepared by Barton Willmore on behalf of Barratt Homes to assist City of York Council with the preparation of their emerging Local Plan. It demonstrates the Land East of Metcalfe Lane, Osbaldwick represents a sustainable solution which can help meet the future housing growth required in York.**

## 1.1 About Barratt & David Wilson Homes

1.1.1 Our Client has been building homes for over 50 years and are one of the nation's largest housebuilders operating under two strong national brands for house building (Barratt Homes and David Wilson Homes). The company builds development nationwide helping to meet housing demand in cities, towns and rural areas.

1.1.2 Our Client is grateful for this opportunity to engage in the forward planning process. They are committed to ensuring the emerging Local Plan is prepared on a sound and robust basis and, in particular, ensure that the correct provision of housing is provided throughout the plan period to meet the needs of residents within the district.

## 1.2 Purpose of the Report

1.2.1 The emerging Local Plan acknowledges that a sufficient amount of land is required to meet the number of homes required over the plan period. The Council are currently proposing an OAN of 790 dwellings per annum. In order to fulfil this commitment, it accepts that there is a need to provide a range and choice of sites capable of meeting future requirements and in line with the Spatial Strategy for the City of York. In particular, new housing development needs to be focussed in the most sustainable locations across York.

1.2.2 A desk based assessment has been adopted to establish the constraints and opportunities for the site. This has influenced the production of an amended indicative master plan to show how the site could be laid out and to demonstrate that a high quality housing development can be comfortably integrated within the surrounding area.

1.2.3 It is considered that the site details in this report would make an ideal location for residential development and would accord with the Framework on Housing in the following regard:

- Available – Barratt and David Wilson Homes have an option to develop the site and are actively seeking to provide the site for residential development.
- Suitable – The site is in a sustainable location, is well related to the existing built form and is accessible from the main transport network. Furthermore, the site does not warrant Green Belt status in the emerging Local Plan.
- Achievable – the landowner is committed to bringing the site forward as soon as possible so delivery of housing can be achieved within the plan period.

1.2.4 Overall this report demonstrates that the site can be considered to be both deliverable and a viable location for future housing development and represents a suitable and logical housing allocation given its proximity to the existing built form of Osbaldwick.

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## 2. Site & Surroundings

### 2.1 Site Location

2.1.1 The site is located to the eastern edge of York, occupying predominantly agricultural land sitting between the established residential neighbourhoods of Osbaldwick, to the south and Heworth to the North.

2.1.2 Osbaldwick Lane forms the historic spine road connecting the now assimilated village of Osbaldwick with the city centre, which is approximately 1.5 miles away. Bad Bargain Lane, and Stockton Lane respectively serve to define the southern and northern extents of Heworth, and provide ready access to the city centre from this neighbourhood.

2.1.3 The A64 is less than a mile from the southern boundary of the site when accessed via the Osbaldwick Link Road.



Figure 2: Satellite Image of Site

## 2.2 Site Description

2.2.1 The wider site extends to 41 hectares in size. The site is surrounded:

- to the north by the residential area of Heworth;
- to the east by open farmland;
- to the south by the residential area of Osaldwick; and
- to the west by an existing residential area and an area of land presently being developed as a new residential neighbourhood (Derwenthorpe).

2.2.2 The site is well enclosed by existing residential areas. It is contiguous with established neighbourhoods to the north and south, while the emerging consented development of Derwenthorpe sits immediately to its south western boundary.

2.2.3 The site is comprised mainly of relatively species-poor grass fields. These form two identifiable areas of landscape character.

2.2.4 Several long, narrow paddocks are distinguished by parallel runs of existing hedgerows towards the south of the site. These follow the historic pattern of field structure associated with the conservation area of Osaldwick to the south.

2.2.5 Throughout the site, a number of areas of mature trees are clustered along field boundaries and minor watercourses.



View from Osaldwick Link Road Looking North to the Potential New Access



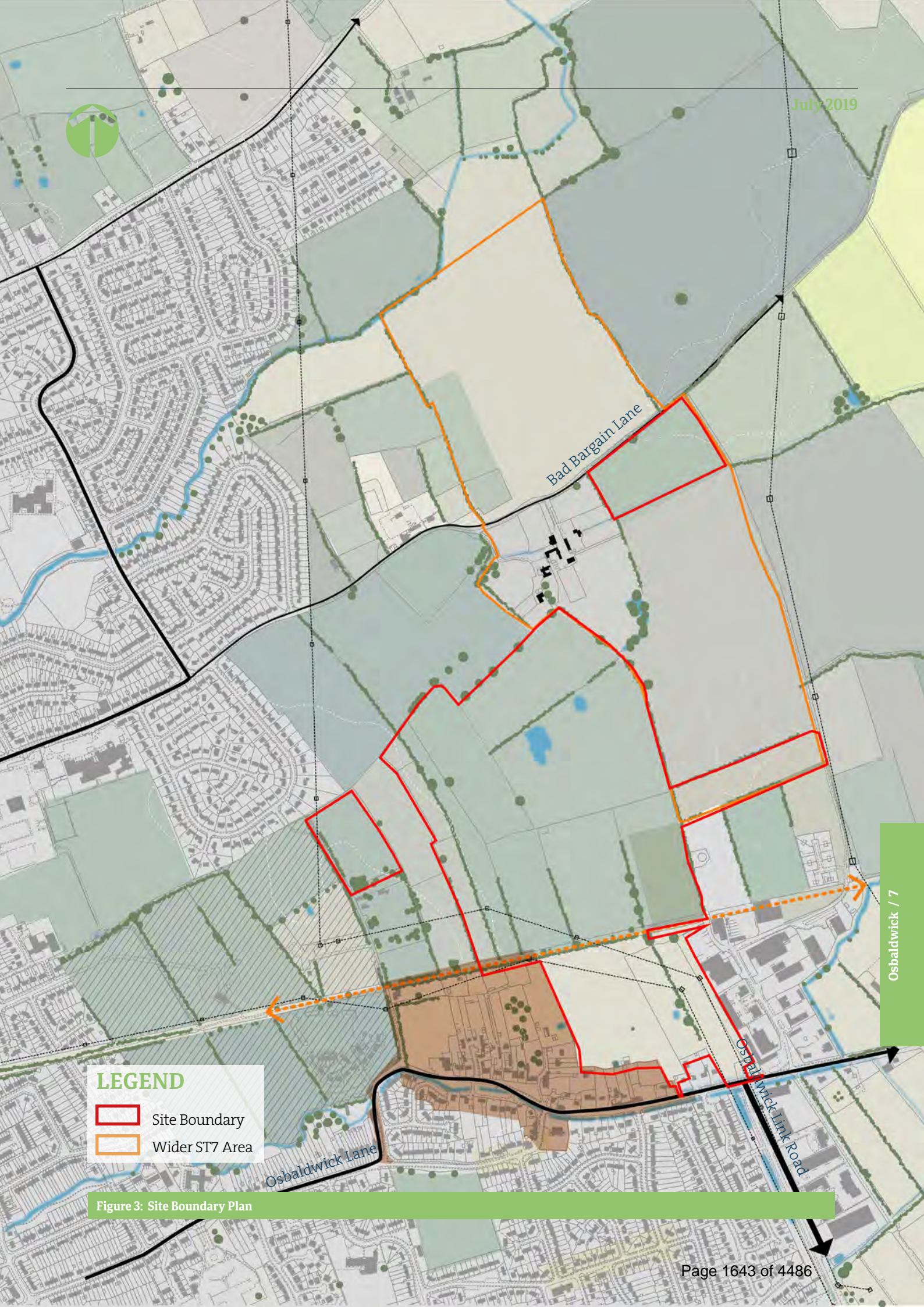
Access from Bad Bargain Lane (West)



Access from Bad Bargain Lane (East)



Access from Outgang Lane



**LEGEND**

- Site Boundary
- Wider ST7 Area

Figure 3: Site Boundary Plan

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# 3. Planning Policy

**National Planning Policy Framework (the Framework) was published in March 2012 and sets out the Government's planning policies for England. It is a key part of the Government's reforms to make the planning system less complex and more accessible to protect the environment and promote sustainable growth.**

## 3.1 National Planning Policy

### National Planning Policy

3.1.1 National Planning Policy Framework (the Framework) was published in March 2012 (recently updated in February 2019) and sets out the Government's planning policies for England. It is a key part of the Government's reforms to make the planning system less complex and more accessible to protect the environment and promote sustainable growth.

### Achieving Sustainable Development

3.1.2 The Framework stipulates that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles as follows:

- An economic role
- A social role
- An environmental role

3.1.3 The Framework specifically states that the above roles should not be undertaken in isolation, because they are mutually dependent.

3.1.4 Paragraph 11 sets out that a presumption in favour of sustainable development is at the heart of the Framework and at paragraph 59 it places great emphasis on local planning authorities to significantly boost their housing supply to ensure that a wide choice of high quality homes are delivered.

3.1.5 One of the fundamental requirements of the Framework is to ensure that local planning authorities deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by planning for a mix of housing based on current and future demographic trends, market trends and the needs of different people.

3.1.6 Paragraph 139 of the Framework provides guidance for local planning authorities when defining Green Belt boundaries. They are advised to:

- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
- b) not include land which it is unnecessary to keep permanently open;
- c) where necessary, 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;
- d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
- e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
- f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.





### 3.2 Local Planning Policy

#### York Unitary Development Plan Review (2006)

3.2.1 The current York Development Control Local Plan was approved for Development Control purposes only in April 2005 and therefore was never statutorily adopted. The Regional Spatial Strategy for Yorkshire and the Humber was revoked on the 22nd February 2013 apart from the policies relating to the Green Belt around York.

#### York Emerging Local Plan

3.2.2 City of York Council are preparing a new Local Plan that will outline the spatial vision for the city for the next 15 years and sets out the housing and employment requirements for the District. The Council had advanced the previous version of the Local Plan up to the Preferred Options stage, however, it was decided by Full Council that the Plan should not progress any further in its current form. Following this the Council have undertaken further work in terms of their evidence base which has informed the Preferred Sites Consultation.

3.2.3 The Council are still proposing to allocate land to the east of Metcalfe Lane, Osbaldwick (Reference number ST7), however the extent of the proposed allocation has changed significantly since the previous version of the draft Local Plan.

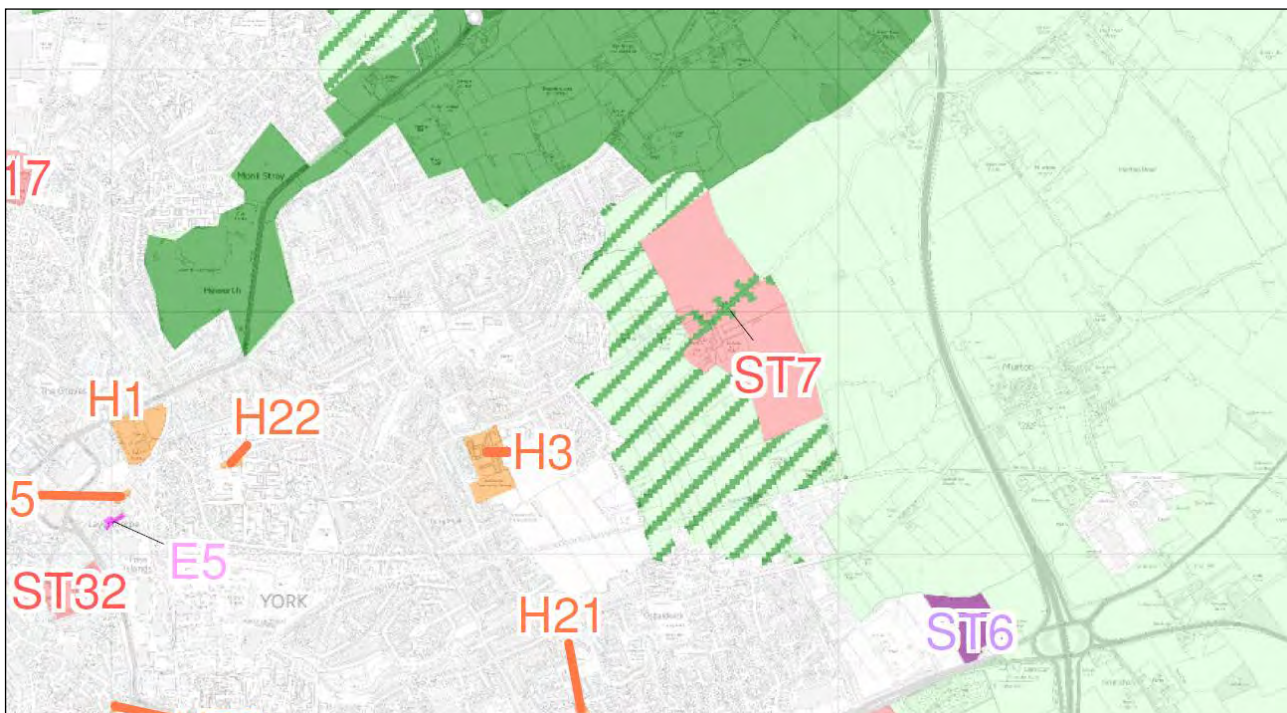


Figure 4: City of York Council's Potential Allocations Extract



### 3.3 Green Belt Assessment

3.3.1 This site has been assessed in terms of its suitability as a part of the greenbelt against criteria set out in Section 13 of the NPPF. The table below sets out the reasons why it is not considered to contribute toward the greenbelt and is therefore a candidate for removal.

Green Belt Assessment		
Purpose	Assessment	CYC Assessment
<b>To check the unrestricted sprawl of large built-up areas</b>	<p>The site does not contribute to urban sprawl.</p> <p>Site is built up on two of its four sides and is contained on three of its four sides.</p> <p>It has a clear eastern boundary represented by a lane/bridleway and associated planting.</p>	<p>CYC have determined that land which does not have access to 2 or more key services such as primary schools, secondary schools, nurseries, doctors, supermarkets, grocery stores and shopping parades should constitute potential urban sprawl. As such they have prepared a plan which indicates all land which is not within 800m of 2 or more services (Figure 4 of TP1: Approach to Defining York's Green Belt – Addendum). It is noted that this site is defined as being located within 800m of two or more services, and as such would not lead to urban sprawl if developed.</p>
<b>To prevent neighbouring towns merging into one another</b>	<p>Development of this site would not result in the merging of settlements given that there would be a significant buffer along the northern boundary of the site.</p>	<p>In terms of the role played in preventing neighbouring towns from merging, CYC have prepared a plan which indicates the 'areas of the city essential for preventing coalescence', which is set out at Figure 5 of TP1: Approach to Defining York's Green Belt – Addendum. It is noted that the land at Metcalfe Lane, Osbaldwick does not fall within one of these areas, and as such there are no concerns that the development of this site would lead to coalescence.</p>
<b>To assist in safeguarding the countryside from encroachment</b>	<p>The site is surrounded by built development on two of its four sides and is contained on three of its four sides.</p> <p>The site is urban fringe in nature.</p> <p>There is a high degree of containment.</p> <p>The site does not perform an important role as open countryside.</p>	<p>In order to assess what role land plays in safeguarding the countryside from encroachment, CYC have prepared a plan which incorporates Nature Conservation Sites, existing open space and Green Infrastructure Corridors. This is set out in Figure 6 of TP1: Approach to Defining York's Green Belt – Addendum and indicates that a small proportion of the site is located within a Green Infrastructure Corridor and a Nature Conservation site. However, the indicative masterplan provided within this document has accounted for these features and would ensure that no built development with the exception of road infrastructure would be located within these areas.</p>
<b>To Preserve the setting and special character of historic towns</b>	<p>The setting of nearby historic towns will not be affected.</p>	<p>Figure 3 of TP1: Approach to Defining York's Green Belt – Addendum highlights the 'areas important to York's special character and setting' and includes village settings, strays, river corridors, areas retaining rural setting, areas preventing coalescence, green wedges and extension of green wedges. It is noted that the land at Metcalfe Lane, Osbaldwick does not incorporate any of these important areas, and as such the land does not currently play a role in preserving the setting and special character of historic towns.</p>
<b>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	<p>There is insufficient capacity from urban regeneration to meet future development growth in York. The emerging York Local Plan acknowledges this and that a significant amount of land currently designated as Green Belt in the current plan will be required for future housing.</p>	<p>CYC conclude that "this purpose is achieved through the overall effect of the York Green Belt rather than through the identification of particular parcels of land which must be kept permanently open".</p>

Figure 5: Green Belt Assessment Table

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# 4. Sustainability Appraisal

## 4.1 Local Facilities

4.1.1 There are a number of key basic facilities within the locality of the site. Local convenience shopping, chemist and support services are at Tang Hall approximately 650m away from the centre of the site by use of the Osbaldwick/Tang Hall cycle route. Similar facilities are available at Heworth centre which lies approximately 2km from the site via Bad Bargain Lane. Local services exist in Osbaldwick itself and local convenience store is available on Farndale Avenue with other supporting retail opportunities on Osbaldwick Lane in the vicinity of Thirkby Way. Via a connection through Metcalf Lane, these facilities lie within approximately 1km and 800m of the development site respectively.

4.1.2 Further retail facilities are available in the wider area with Monks Cross Shopping Park being located approximately 2km to the north, whilst Foss Island Retail Park is located approximately 2.2km to the west of the site.

## 4.2 Education

4.2.1 Osbaldwick Primary School, off Hambleton Avenue, lies approximately 800m from the centre of the site via Metcalf Lane, with Hepland Primary School located off Whitby Avenue and Derwent Junior School off Osbaldwick Lane both approximately 1km distant as a walking route from the centre of the site.

## 4.3 Healthcare

4.3.1 Local health care facilities are available at The Medical Centre, Whitby Road, the Abbey Medical Group at Tang Hall Lane and the East Parade Medical Practice at Heworth. These facilities lying between 1 and 2km distance from the site.

## 4.4 Employment

4.4.1 Local employment opportunities exist at nearby Outgang Lane at Osbaldwick and in the Foss Island Road area of Layerthorpe.

## 4.5 Bus Services

4.5.1 Bus stops are currently available on Bad Bargain Lane, Tang Hall Lane, Applecroft Road, Osbaldwick Link Road and Osbaldwick Lane. Notwithstanding this, given the likely scale of the proposed infrastructure, it is expected that a service bus route will be provided along the extended Osbaldwick Link Road.

4.5.2 With respect to existing bus facilities, services 6 and 20 at Osbaldwick provide access to Wigginton, York, York University, Burton Green, Clifton Moor, New Earswick, Haxby, Bishopthorpe, Middlethorpe, Heworth and other local areas. Service 6 provides a 10 minute service Monday to Saturday daytime and a 30 minute service on evenings and Sundays. Service 20 provides an hourly service Monday to Saturday daytime only. At Bad Bargain Lane service 11 provides an hourly service Monday to Saturday daytime.

## 4.6 Cycling

4.6.1 The site lies within a 5km cycle distance of York City Centre and the Monk Cross Retail Park and is very well placed to take advantage of the Osbaldwick/Tang Hall cycle route.

4.6.2 To encourage access by sustainable modes of travel the development will be the subject of a Travel Plan, whose content will be subject to discussion and agreement with the City of York Council. This plan will set out measures by which residents of the development will be encouraged to use sustainable forms of travel to reduce peak hour vehicle movements, to improve general health and potentially to reduce travel costs. The Travel Plan will include targets for modal change, and on an annual basis monitoring of the levels of traffic generated and of the types of transport used. This information will be supplied to the City of York Council and if needed an Action Plan prepared to ensure agreed targets are reached.

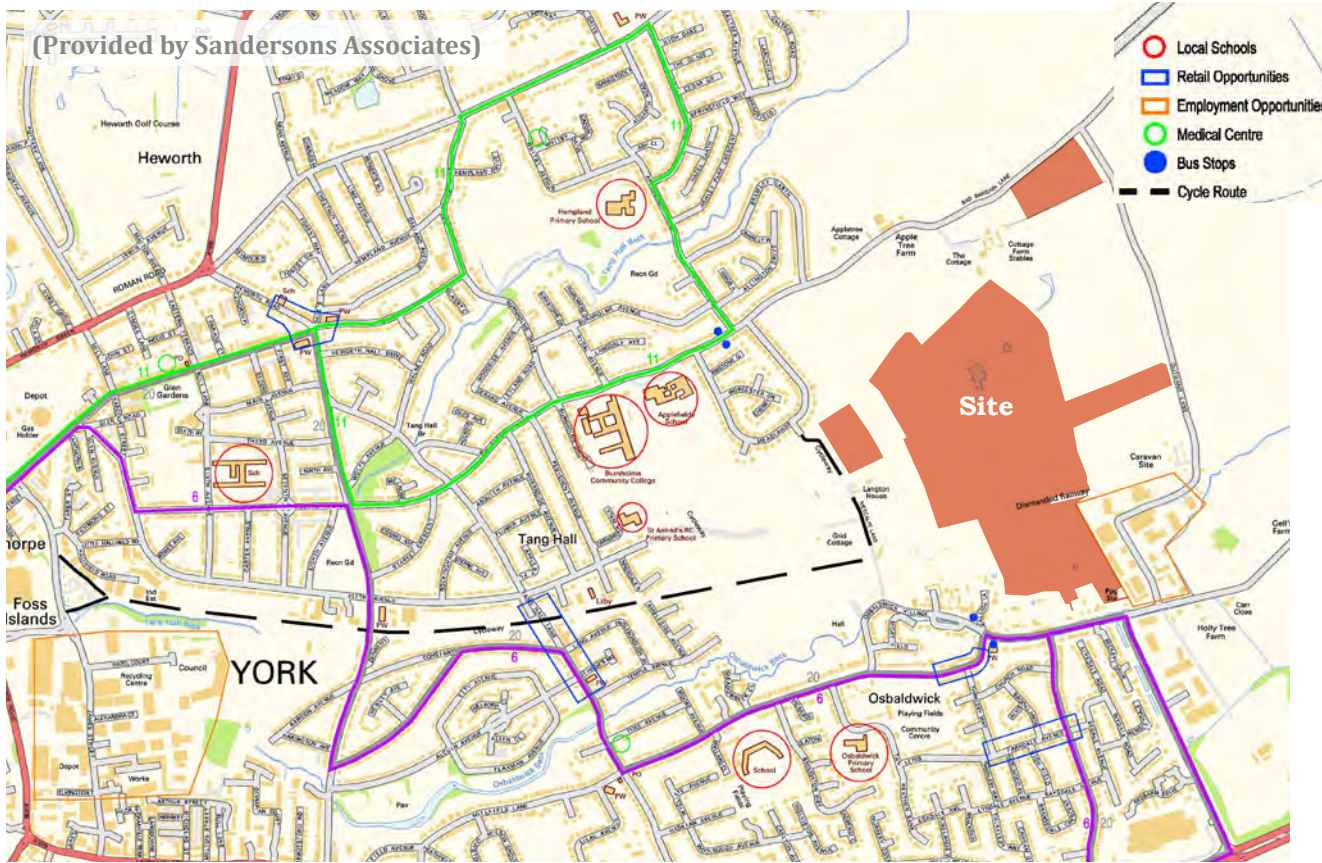


Figure 6: Local Facilities and Services



Figure 7: Bus Stop at Bad Bargain Lane



Figure 8: Local Shops at Osbaldwick Lane

# 5. Material Planning Considerations

## 5.1 Flood Risk

5.1.1 The majority of the site is located within Flood Zone 1 of the Environment Agency's indicative flood map and partially within Flood Zones 2 and 3, at the southern end of the site, adjacent to Osbaldwick.

5.1.2 The indicative layout plan has been designed to take account of this potential constraint and residential development will only be located in areas of low flood risk i.e. Flood Zone 1.

5.1.3 Land which is located within Flood Zones 2 and 3 will be utilised as public open space and as such it is considered that the development of this site can be masterplanned in such a manner that prevents any potential flood risk.

5.1.4 As the proposed vehicular access to the site is from the south via Osbaldwick Link Road, which is located within Flood Zone 3, safe access and egress for pedestrians and vehicles will be required from Bad Bargain Lane/Outgang Lane.

5.1.5 Any future planning application would need to be accompanied by a detailed Flood Risk Assessment, however it is considered that the indicative layout that has been prepared ensures that development would not take place within Flood Zones 2 and 3 and as such the development would not give rise to flood risk. In terms of surface water drainage a system could potentially be designed to ensure that surface water discharges at existing greenfield runoff rates or less.

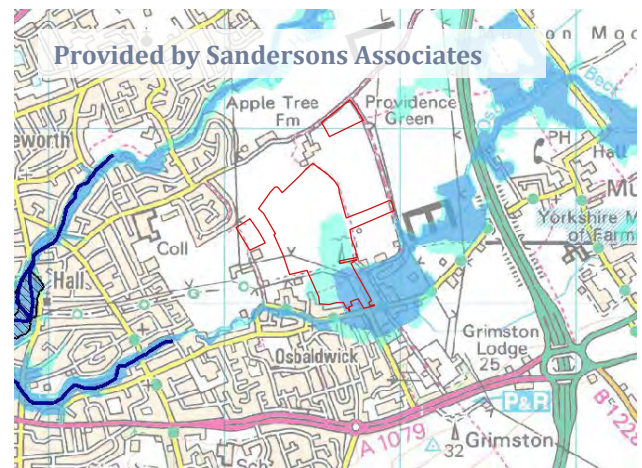


Figure 9: Environment Agency Flood Map

## 5.2 Drainage

5.2.1 There are adopted surface water sewers in Murton Way to the South of the site which connect into Osbaldwick Beck to the south of Murton Road. Existing adopted foul sewers exist in Murton Road which connect to the existing pumping station on Murton Road which connects to the small WWTW to the south of the site.

5.2.2 The most appropriate way of draining the site in terms of surface water is to outfall the development at equivalent Greenfield discharge rate into the existing field drains within the site or by sewer requisition into Osbaldwick Beck to the east and south of the site. Due to the flat nature of the site levels and size of the site, there may also be a requirement to pump the surface water from the site at equivalent Greenfield Rate and provide attenuation within the site.

5.2.3 In terms of surface water drainage from the site, the site is not within a groundwater source protection zone so the principle of soakaways and infiltration drainage is acceptable subject to site specific testing of the soil strata. Interrogation of the British Geological Survey Borehole Data, the records in this area confirm Sands which may mean soakaway or other infiltration SUDS are viable, further testing would confirm. However the borehole data also confirms that there is a high groundwater table which could be within 1.4m of the surface which could affect the efficiency of any infiltration SUDS.

5.2.4 Foul discharge from the development could be direct into the existing sewage works adjacent to the site which is currently an adopted sewage works. However this sewage treatment works are likely to require significant upgrade due to the size of development.

5.2.5 The City of York Infrastructure Delivery Plan June 2013 confirms that it will be likely that there will be a need for new sewers and upsizing of sewers to support individual sites. The document also confirms that an increase in WWTW capacity may be required for sites where capacity does not exist (Para 4.79) and the greatest need identified will usually be on large Greenfield sites (Para 4.81). Sites which are phased for the longer term can be taken into account in Yorkshire Waters future investment periods (Para 4.81).

5.2.6 If brought forward, the size of this development may result in a requirement to upgrade Sewers and/or the WWTW for which the Developer would be expected to fund any upgrades. Further liaison with Yorkshire Water should be undertaken once numbers of dwellings and masterplans are available.

5.2.7 In summary, the preliminary flood risk analysis and drainage analysis shows that the site should be able to be adequately drained in terms of surface water and foul discharges without detrimental effect to adjacent land. Constraints are on the drainage aspects with regard to Surface Water outfall and potential sewer and WWTW upgrades for Foul discharge. However the constraints identified are fully solvable in terms of drainage engineering without affecting the viability of the site for development.

## 5.3 Ecology

5.3.1 The site at Osbaldwick is not within a statutory nature Conservation Area. The nearest designation is St. Nicholas Fields Local Nature Reserve (LNR), sited 1.55km SW of the site.

5.3.2 The proposal site currently comprises mostly species poor grass fields, together with a large block of arable land in the eastern part of the site. The long linear field forming the southeast extent of the proposal site is potentially of greater ecological interest. This comprises more species rich semi-improved neutral grassland, which may meet the definition of the Biodiversity Action Plan habitat, Lowland Meadow. This field and the small linear field immediately to the west are designated as a Site of Importance for Nature Conservation (SINC).

5.3.3 The fields are separated by a network of hedgerows with scattered hedgerow trees. The hedgerows vary in their ecological value and species content, most appearing to be species-poor. Further surveys at the time of a future planning application will allow for any areas of greater interest to be identified and mitigation to be applied accordingly.

5.3.4 A scheme can be developed that encourages wildlife across the site through effective landscaping of both public open space and private residential gardens. In addition, the trees bounding the site will be retained and wildlife could continue to utilise them. Where possible field boundaries will be retained and re-organised within the green network.

## 5.4 Protected Species

5.4.1 The presence of ponds (both on-site and off-site) and hedgerows may provide a suitable habitat for Great Crested Newts. This species is known to be present in the general area. It is advised that a bottle trapping survey should be undertaken as part of a future planning application to investigate whether the species are present and if found, mitigation measures can be implemented to reduce the loss of foraging territory.

5.4.2 The mature trees and buildings on site may provide suitable roosting sites for bats. Presence or absence would be established by means of a survey at the time of a future planning application. Mitigation, if required, would be informed by the results of the survey.

5.4.3 The pockets of denser, semi-improved grassland, hedgerows and disturbed area around the sewage works may support a number of reptile species. Again, presence or absence would be determined by future surveys at the time of the planning application and mitigation measures put forward accordingly.

## Conclusions

5.4.4 The preliminary ecological work undertaken concludes that the site has a moderate wildlife value, given the potential for species such as reptiles, bats and Great Crested Newts. The majority of habitats on site are of limited ecological value, although one small area is covered by a SINC designation within the local plan and towards the east of the site. A long narrow field has been identified as being of greater ecological interest. The indicative layout and vehicular access arrangement has been designed to limit the impact on the SINC as the route of the new road will turn westwards at the earliest point thus ensuring that as small an area as possible is developed.

5.4.5 All of the protected species determined to be present, or potentially present are characteristic of the local area and the nature of the habitats present on site. There is no evidence at this stage to demonstrate any unique or specific ecological interest. Similarly there is no evidence that any habitats or species that do occur could not be protected or accommodated within a proposed housing development on this site. More detailed surveys and assessments completed at the time of a future planning application would determine any requirement for mitigation or compensation.

5.4.6 Should the site be developed there would be a requirement to ensure there is no overall net loss, and a net gain for biodiversity should be designed into the site in accordance with the NPPF.



## 5.5 Highways

5.5.1 In order to assess the impact of the development in traffic and transportation terms a detailed Transport Assessment will be provided. This will examine the impact in relation to access by all forms of transport; walking, cycling, public transport and by the private car. The assessment will examine both the immediate connections to the local road network and the wider implications on the adjacent strategic network.

5.5.2 The Osbaldwick Link Road is a major new route which runs south from Osbaldwick Lane to the A1079 dual carriageway off Hull Road. It is suggested that the most appropriate means of accessing this site would be by means of projecting the Link Road north west into the development site (Figure 10). This would form a circulatory route within the development with primary and secondary linkages to Bad Bargain Lane. It would also improve the connectivity of the existing residential area to the east of Heworth.

5.5.3 Linkages for pedestrians and cyclists will also be considered to provide connectivity to Osbaldwick Village, Burnholme Community College, Applefields School, and St Aelred's RC Primary School and the Tang Hall Library and Learning Centre. Running west to east across the site is the Tang Hall to Osbaldwick cycle route which provides an off road facility for pedestrians and cyclists towards the City Centre which lies approximately 3km away.



Figure 10: Osbaldwick Link Road looking North

5.5.4 The scope of the Transport Assessment will be subject to agreement with the City of York Council and will consider the impact of the additional traffic on the current Link Road and its connection to the Hull Road and the connection of the Hull Road with the A64 York Bypass. On this latter point, discussions with the Highways Agency will be required.

5.5.5 The Transport Assessment will consider the impact of additional traffic on Bad Bargain Lane in terms of its connection westwards with Tang Hall Lane and existing connections northwards to Stockton Lane. In addition, by the inclusion of the link to Bad Bargain Lane, traffic patterns in the immediate area are likely to be changed as existing residents and other land uses will take the opportunity to divert their traffic from the Tang Hall corridor eastwards towards the Osbaldwick Link Road. Finally it will examine existing sustainable travel arrangements and the means by which the use of sustainable travel can be maximised.

5.5.6 Projections of traffic generations from the site will be derived from the industry standard TRICS database or from surveys of local examples of similar development in Osbaldwick or in the Bad Bargain Lane area.

5.5.7 Distribution of the predicted traffic onto the local road network will be carried out from a combination of the attractiveness of likely destinations and surveys of traffic flow on existing local roads. The majority of the proposed development would be self-contained within the site to minimise the impact on the surrounding highway network.

5.5.8 Leading from the extended link road, the internal layout of the proposed development will be in accordance with the highway adoption standards of the City of York Council and will be in line with the latest national standards set out in Manual for Streets. Given the scale of the development, internal estate roads will interconnect to provide ease of access for service and emergency vehicles.

## 5.6 Landscape

5.6.1 The site comprises a series of fields, predominantly pasture, and is currently used as rough grazing. The site lies within the low-lying Vale of York Character Area (Area 28) and is characterised by being generally flat with minimal undulations, approximately 15 m above sea level. Where there are few features, views are potentially long ranging.

5.6.2 Conversely, where there are features in the landscape, trees, hedge lines, buildings etc, views are obscured and are short range only.

5.6.3 The southern part of the site comprises a large, irregular shaped open field with two narrow, regular edged fields lying side by side to the east. The 1852 OS map shows that the present day field arrangement has not changed significantly from that date, except for a line of trees, presumed to be a field boundary, shown virtually dividing the large field in half in an east-west direction. The field arrangement, akin to the open agricultural land to the north, is thought to be derived from the Medieval period and parliamentary enclosure.

5.6.4 The site has, along with the agricultural land to the north, been classified as Grade 3 Agricultural land under the Agricultural Land Classification scheme (provisional).

5.6.5 There are very visible ridge and furrow patterns evident over much of the larger field to the west and it is likely these have been undisturbed for some considerable time, possibly since enclosure, indicating that the areas were originally arable and then laid down to pasture. Land uses on the agricultural land to the north, which forms part of the wider area of search, are a mix of pasture and arable.

5.6.6 Field boundaries vary in type and condition. Internally, the dividing hedge boundaries, where present, are a mix of variable, overgrown and unmanaged, sparse or absent hedge vegetation and timber post and rail. These appear to be along the original hedge lines, judging from historical map evidence. Additional post and wire fences have been erected to subdivide the fields. These are generally in an average or poor state of repair.

5.6.7 A public footpath runs from the end of Galligap Lane off site, entering the site on the western boundary and heading off towards the top north-eastern corner of the site.

5.6.8 The visual impacts of any development on the site will generally be from nearby receptors and will mainly affect those existing dwellings along Murton Way, Galligap Lane and Yew Tree Mews, who currently have views over the site. The significance of this will be dependent on how open those views are and whether the views change over the season. There will be minimal impact on short range views from the industrial site. There will also be minimal significant long range views over the site, due to the surrounding land uses and the fact that the level topography of the area and existing landscape features effectively block out views.

5.6.9 There is scope to extend the Sustrans Cycleway along the off-site length of the dismantled railway line to the north to form a longer link. This could potentially contribute to any site POS provision but would, of course, be subject to all the relevant legal agreements being in place.

## 5.7 Cultural Heritage

5.7.1 The southern extent of the site is located adjacent to Osbaldwick Conservation Area although none of the site is located within its boundary. There are three listed buildings – Osbaldwick Hall, Stanley House and Hollytree House, which are located off Galligap Lane and Osbaldwick Village to the south west.

5.7.2 The Planning (Listed Building and Conservation Areas) Act 1990 states that development which effects the setting of a listed building or a Conservation Area, should have regards to preserving or enhancing the heritage asset.

5.7.3 The presence of heritage assets within proximity of the site have been taken into consideration when producing the indicative masterplan. The substantial area of public open space to the south of the site within closest proximity of the listed buildings will help to reduce any potential impact upon the setting of the listed buildings form.

5.7.4 The detailed design of the site will ensure that the settings of the heritage assets are not adversely impacted upon and would be preserved and where possible, enhanced, therefore ensuring the tests set out in the Act are met.



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# 6. Development Appraisal

## 6.1 Site Appraisal

### Site & Context

6.1.1 The site comprises of 41 ha of arable /open land situated in the east of York, approximately 3.3 miles drive from York city centre. The site is roughly within 1 mile of the A64 and close to surrounding York outer ring roads, it is approximately 39.2 miles north west of Hull and 27.7 miles north east of Leeds.

### Landscape Structure

6.1.2 The highest point of the site is at the eastern edge, where the land slopes away to the west, away from the A64.

6.1.3 There is one existing structure on the site, located at the northern edge, this is not to be retained. There are groups of trees and vegetation many along field boundaries or grouped around on of the existing ponds on site. There are existing ponds central to the site and one located at the southern boundary. The site contains a SINC at the southern part of the site and there are ridge and furrow archaeological fields evident mainly at the western part of the site.

6.1.4 There is a public right of way (PROW) that runs through the site and one that runs along the eastern boundary. It has been proposed in the local plan that another PROW could run horizontally, meeting with the existing cycle route and adjoining the eastern PROW.

### Opportunities & Constraints

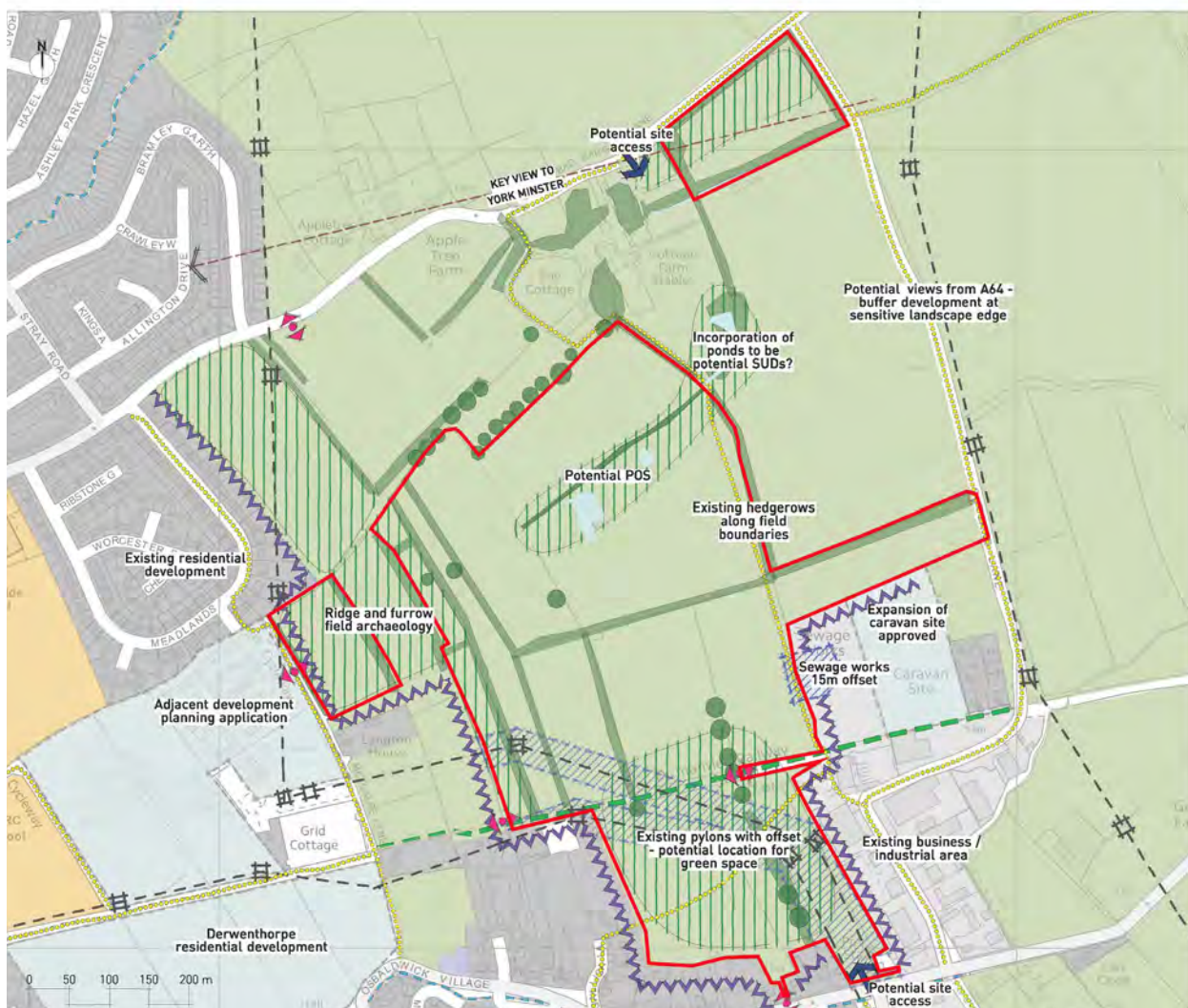
6.1.5 A number of opportunities and constraints associated with the site have been identified and are outlined below and illustrated on the plan; these have formed the basis for the design concepts for the site.

#### Opportunities

- Proposed green entrance and creation of green space to provide an amenity for surrounding area for Osbaldwick and Tang Hall.
- Retained green space creates buffer for existing residential developments.
- Creating access onto Bad Bargain Lane making better connectivity.
- Potential footpath links to provide cycle and pedestrian routes to such national cycle routes as route 66.
- Existing vegetation along field boundaries is to be retained to enhance the character of the site.
- Site access off Murton Way and Bad Bargain Lane better the connectivity of the area.

#### Constraints

- The site has pylons running through the southern and south western boundary, needing approximately 20m stand-off either side.
- Surrounding built form to be considered.
- Existing vegetation restricts the development of the site.
- Ridge and furrow field characters decrease the amount of space for housing.
- Views to York Minster to be retained – reducing the amount of built form in the northern site boundary.
- Conservation area below the southern area of the site should allow buffer.
- Public Right of Way running through the site.
- Site situated in flood zones 2 & 3.
- Potential views from A64 of site creating a sensitive landscape edge to the east.



Provided courtesy of Pegasus Group

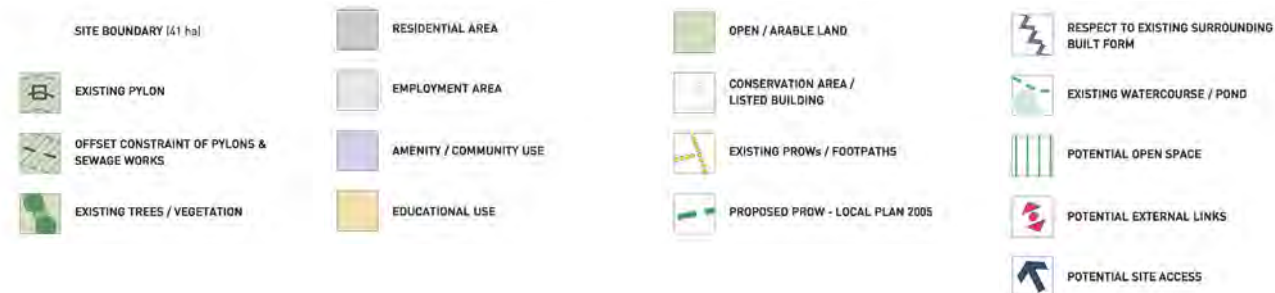


Figure 11: Constraints and Opportunities Plan

## 6.2 Indicative Masterplan

6.2.1 The proposed indicative masterplan demonstrates the following:

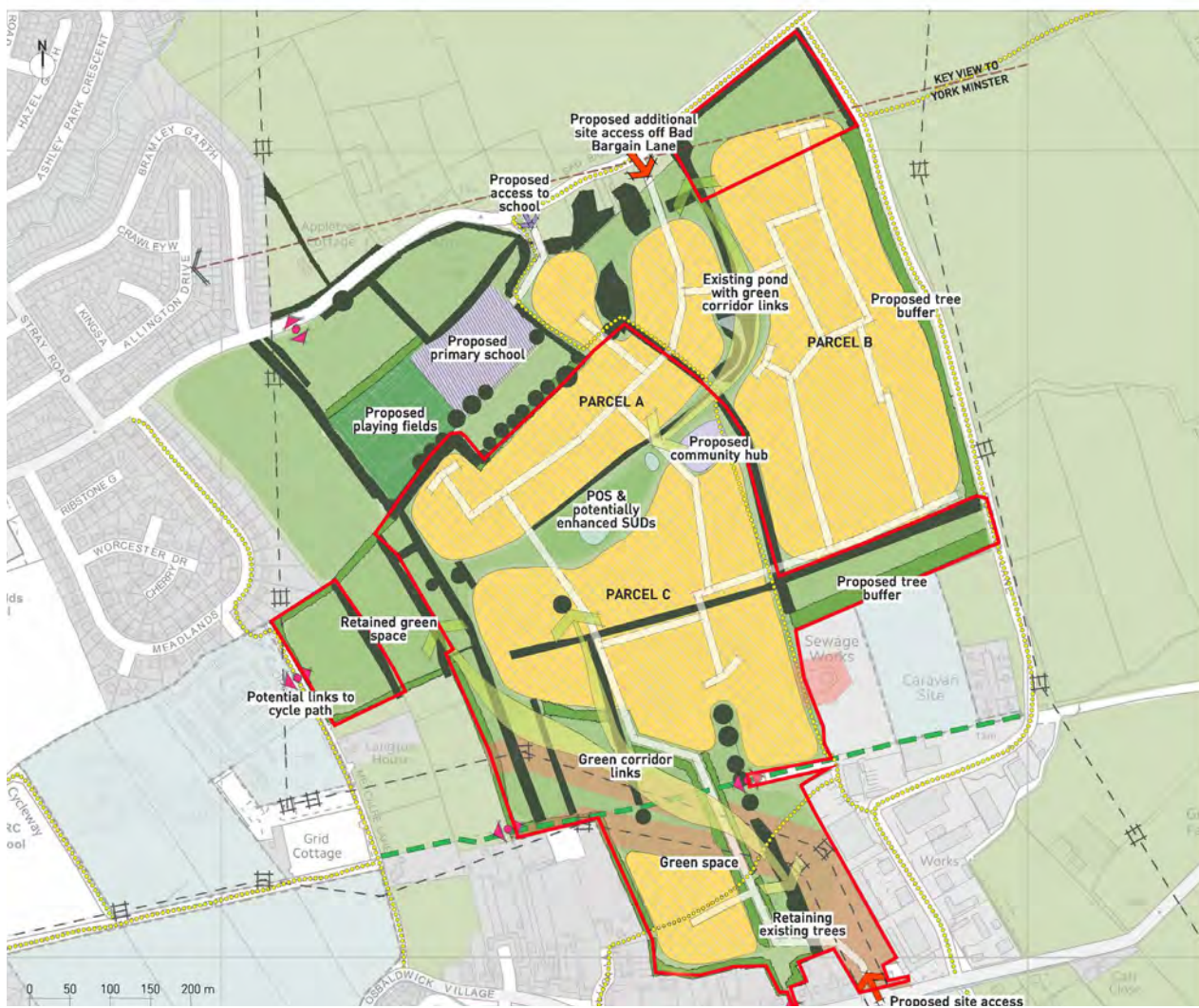
- An overall density of 32dph using the nett residential parcels shown on the plan would create an approximate total of 784 dwellings.
- Open space to accommodate play space, SUDs and pedestrian desire lined walkways.
- Creation of horizontal movement through potential cycle and pedestrian route with links to existing routes.
- Vertical green infrastructure to create green corridor linkages along the PROW and allow for a suitable route and connection through the development using green space for pedestrians and cyclists.
- Central hub providing communal/retail space as a focal point and amenity of the development.
- Proposed primary school to service new and existing dwellings in the local vicinity.
- Two site access points from Murton Way and Bad Bargain Lane.
- View of York Minster retained at northern part of site.
- Enhancement of existing ponds to potentially become SUDs for the development and to help manage the existing and potential future flood risk allowing for 1 in 100 year flooding and 40% tolerance of climate change impact.

## 6.3 Development Capacities

6.3.1 The table opposite sets out the indicative development capacity for the site, taking into account open space requirements as set out in Annex A of Policy L1c of the City of York Draft Local Plan.

Calculations	Sq M	Ha
<b>Open Space Area</b>		
Informal Amenity Space	99224	9.9
Sports Pitches	15130	1.5
<b>Total Open Space</b> (includes area to be retained within greenbelt)	<b>114354</b>	<b>11.4</b>
<b>Development Area</b>		
Residential Development Area	245330	17.2
Local Community Hub Area	2632	0.3
SUDS	10171	1
Childrens Play	1000	0.1
<b>Net Developable Area</b>	<b>259079</b>	<b>18.6</b>
<b>Total Site Area</b>	<b>410080</b>	<b>41</b>
<b>Deliverable Housing Numbers</b>		
Appropriate Housing Density	32 dph	
Indicative Housing Numbers	784 Units	

Figure 12: Development Capacity Table



Provided courtesy of Pegasus Group



Figure 13: Concept Plan

# 7. Benefits of the Site and Conclusions

## 7.1 Benefits

7.1.1 The development of the site would deliver a number of significant benefits. These include:

- Delivery of a significant number of new homes in a sustainable location in Osbaldwick that will contribute to York's annual housing requirement over the lifetime of the Local Plan;
- Provide a proportion of affordable homes;
- Development on the site would not lead to urban sprawl or the coalescence of settlements and as such it no longer meets the purposes of including land within the Green Belt;
- Provide homes in an area of low flood risk;
- The site is within comfortable walking distance of local services and bus stops providing access to York City Centre;
- Can be accommodated by existing infrastructure;
- It would be well designed to ensure that it is successfully integrated with the existing Conservation Areas;
- It would not result in a significant impact on any environmental or nature conservation assets; and,
- Osbaldwick has been identified as a location within York which needs to provide a proportion of new housing in order for City of York Council to meet its future housing targets. A consequence of this is that the population of Osbaldwick will inevitably increase, especially as a large amount of the housing will be designed for families. Osbaldwick is well served by a number of services and more housing would help to sustain the existing local facilities in the area and potentially offer the opportunity for new local services.



## 7.2 Conclusions

7.2.1 This report identifies that the site represents a 'deliverable site' for future residential development that would provide 784 new high quality homes to form a logical extension to the east of Metcalfe Lane taking into account both existing and proposed housing to the north, south and west of the site.

7.2.2 The site is able to utilise and enhance existing infrastructure in the surrounding area thereby making it very deliverable.

7.2.3 The site occupies a sustainable location that would be further enhanced by residential development on this site assisting York to deliver a flexible and responsive supply of housing land in consideration of its future housing land requirements.

7.2.4 The site does not perform a greenbelt function: it is built up on two of its four sides, contained on three and would not contribute to urban sprawl. The development of the site would nevertheless present an opportunity to establish an effective, long-term greenbelt boundary, along its eastern edge. The bridleway and associated planting that forms this boundary would be a robust and defensible edge to the settlement.

7.2.5 As with any site, there are a number of matters which will need to be addressed. However, preliminary assessment work has identified these matters and confirmed that these can be satisfactorily addressed either through proposing additional measures, mitigation or enhancement. A summary of the assessment work has been provided within this document. Further detailed technical work will be undertaken as the Local Plan progresses in order to provide certainty of delivery.

7.2.6 The site area shown within this document varies from that shown in the latest version of the emerging Local Plan. The site boundary has been extended to the south to accommodate a significant amount of landscaping and an additional vehicular access. This demonstrates that the site can be comfortably accommodated within the context of the surrounding area.

7.2.7 In respect of national and local planning guidance, this site is considered to be a 'deliverable housing' site as it is available, achievable and suitable for residential development.

7.2.8 Overall the site can contribute significantly to York's supply of deliverable housing land and is a sound justified sustainable solution to meeting future housing needs in York.

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**BARTON  
WILLMORE**

# Site ST12

## Land at Manor Heath Road, Copmanthorpe



**BARRATT**  
HOMES



**DAVID WILSON HOMES**  
WHERE QUALITY LIVES



YORK

CHAPELFIELDS

FOXWOOD

WOODTHORPE

A64

A1237

A64

To Tadcaster/Leeds

A64

Higgs Lane

COPMANTHORPE

Hallcroft Lane

East Coast Main Line

Copmanthorpe / 2

Figure 1: Wider Context Plan

# 1. Introduction

**This promotional document has been prepared by Barton Willmore on behalf of Barratt Homes to assist City of York Council with the preparation of their emerging Local Plan. It demonstrates the Land West of Manor Heath Road, Copmanthorpe represents a sustainable solution which can help meet the future housing growth required in York, as well as enabling the potential future expansion of Askham Bryan College.**

## 1.1 About Barratt & David Wilson Homes

**1.1.1** Our Client has been building homes for over 50 years and are one of the nation's largest housebuilders operating under two strong national brands for house building (Barratt Homes and David Wilson Homes). The company builds development nationwide helping to meet housing demand in cities, towns and rural areas.

**1.1.2** Our Client is grateful for this opportunity to engage in the forward planning process. They are committed to ensuring the emerging Local Plan is prepared on a sound and robust basis and, in particular, ensure that the correct provision of housing is provided throughout the plan period to meet the needs of residents within the district.

## 1.2 Purpose of the Report

**1.2.1** The emerging Local Plan acknowledges that a sufficient amount of land is required to meet the number of homes required over the plan period. The Council are currently proposing an OAN of 790 dwellings per annum. In order to fulfil this commitment, it accepts that there is a need to provide a range and choice of sites capable of meeting future requirements and in line with the Spatial Strategy for the City of York. In particular, new housing development needs to be focussed in the most sustainable locations across York.

**1.2.2** A desk based assessment has been adopted to establish the constraints and opportunities for the site. This has influenced the production of an indicative master plan to show how the site could be laid out and to demonstrate that a high quality housing development can be comfortably integrated within the surrounding area.

**1.2.3** It is considered that the site details in this report would make an ideal location for residential development and would accord with the Framework on Housing in the following regard:

- Available – Barratt and David Wilson Homes have an option to develop the site and are actively seeking to provide the site for residential development.
- Suitable – The site is in a sustainable location, is well related to the existing built form and is accessible from the main transport network. Furthermore, the associated area of Strategic Greenspace to the west will be delivered over the same period to mitigate landscape and greenbelt impacts arising from development.
- Achievable – the landowner is committed to bringing the site forward as soon as possible so delivery of housing can be achieved within the plan period.

**1.2.4** Overall this report demonstrates that the site can be considered to be both deliverable and a viable location for future housing development and represents a suitable and logical housing allocation given its proximity to the existing built form of Copmanthorpe. In addition, the development of this site would enable the potential future expansion of Askham Bryan College, which would provide wider educational and economic benefits to the District.

# 2. Site & Surroundings

## 2.2 Site Location

2.2.1 The site is located to the south western edge of York, occupying predominantly agricultural land sitting west of the established residential neighbourhood of Copmanthorpe and to the South of the A64 at its junction with the A1237.

2.2.2 Manor Heath forms the Western boundary of the village of Copmanthorpe linking directly with the A64 and A1237 immediately to the North and providing ready access to the city centre from this neighbourhood.

## 2.1 Site Description

2.1.1 The site extends to 20 hectares in size. The site is surrounded:

- to the north by the A64, with Askham Bryan College beyond;
- to the east by Manor Heath and the settlement of Copmanthorpe;
- to the south by agricultural fields in an area of safeguarded land; and
- to the west by agricultural fields and a significant area of Strategic Greenspace to mitigate landscape and greenbelt impacts.

2.1.2 The site is bound by existing the residential area to the East and appears as a logical extension to the settlement of Copmanthorpe and is comprised mainly of relatively species-poor grass fields. These form two identifiable areas of landscape character.

2.1.3 Hallcroft Lane bisects the site joining Manor Heath and forming a crossroads. The site is distinguished by existing hedgerows towards the East of the site, these follow the historic pattern of field structure.

2.1.4 The site is generally clear of vegetation and trees with no watercourses.



View from North Manor Heath



View from Haggs Lane



View From Junction at Hallcroft Lane and Manor Heath



Figure 2: Satellite Image of Site

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# 3. The Link with Askham Bryan College

## Background and Context

2.2.3 Although the land at Manor Heath, Copmanthorpe is being promoted by Barratt and David Wilson Homes, it is owned by Askham Bryan College and therefore represents a unique opportunity to not only deliver new housing in a suitable location, with minimal harm to the Green Belt, it also presents an opportunity to enhance educational facilities within the District. Should the land be developed for housing, the College would be committed to redirecting the funds generated into the investment of enhanced educational facilities.

2.2.4 The College is the largest provider of land-based education and has facilities located across numerous sites, and recruits study at the College from around the country. As such, the College plays an important role in District, not only through the provision of high quality higher educational facilities, but also to the local economy through the circa 6000 students, 350 of whom reside in College accommodation through the academic year.

2.2.5 The continued growth and success placed greater difficulties on the College in terms of existing infrastructure, resources and finances. Whilst investments have been made in certain areas, there are other elements of the College's offer and experience which have not received the level of funding and investment as a result. This has been further exacerbated by the reduction in funding within Higher Education in recent years.

2.2.6 Should residential development be enabled on the land at Manor Heath, the College would seek to investment the funds that are generated into the upgrading of the facilities within the built estates. It is considered vitally important to improve and upgrade the existing facilities on site in order to maintain the attractive educational offer that the College provides. Continued decline in the standard of facilities has the potential to reduce the private income that is generated.

## Emerging Local Plan

2.2.7 One of the key aims of the emerging City of York Council Local Plan is to ensure that the aims and aspirations of the York Economic Strategy (2016) are realised, and this is acknowledged in the aims and objectives of the Plan. The Plan acknowledges the role and importance of Askham Bryan College in contributing towards York being a nationally and internationally renowned centre for further and higher education. The economic benefits that arise from such facilities is also acknowledged, as is the importance of providing continued support to the growth and expansion of such facilities.

2.2.8 The emerging Plan indicates a specific policy (ED7) relating to Askham Bryan College, which states as follows:

2.2.9 The continued success of York College and Askham Bryan College is supported, including any further expansion of their teaching, administration, research operations and student accommodation at their existing sites and campuses as shown on the Proposals Map.

2.2.10 Supporting text to the Policy can be found at paragraph 7.24 of the emerging plan and acknowledges the Green Belt location of the College and highlights the balance that must be had in respect of ensuring that any future development does not lead to greater harm to the openness of the Green Belt.

## Conclusion

2.2.11 City of York Council fully acknowledge the important role that the College plays in providing high quality educational facilities within the District, and in turn the positive impact such facilities have on the local economy. The above paragraphs provide background regarding the College and its aims and aspirations to expand, but the current difficulties in generating funding make this more difficult to achieve. As such, the redevelopment of the land at Manor Heath for residential purposes would have a dual benefit of making a contribution towards the Council's housing requirements, but also providing valuable funds to enable the College to upgrade existing facilities to maintain the current high quality offer to pupils.







-  Site Boundary
-  Askham Bryan College

Figure 3: Satellite Image of Site and Askham Bryan College

# 4. Planning Policy

## 4.1 National Planning Policy

4.1.1 National Planning Policy Framework (the Framework) was published in March 2012, and recently updated in February 2019. It sets out the Government's planning policies for England and is a key part of Government reforms to make the planning system less complex and more accessible to protect the environment and promote sustainable growth.

### Achieving Sustainable Development

4.1.2 The Framework stipulates that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles as follows:

- An economic role
- A social role
- An environmental role

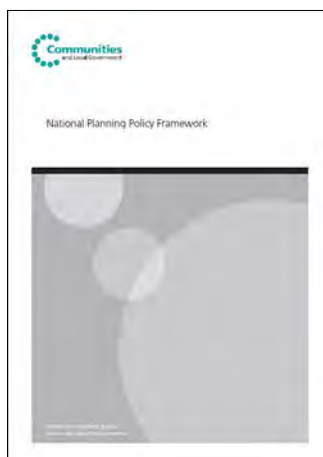
4.1.3 The Framework specifically states that the above roles should not be undertaken in isolation, because they are mutually dependent.

4.1.4 Paragraph 11 sets out that a presumption in favour of sustainable development is at the heart of the Framework and at paragraph 59 it places great emphasis on local planning authorities to significantly boost their housing supply to ensure that a wide choice of high quality homes are delivered.

4.1.5 One of the fundamental requirements of the Framework is to ensure that local planning authorities deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by planning for a mix of housing based on current and future demographic trends, market trends and the needs of different people.

4.1.6 Paragraph 139 of the Framework provides guidance for local planning authorities when defining Green Belt boundaries. They are advised to:

- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
- b) not include land which it is unnecessary to keep permanently open;
- c) where necessary, 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;
- d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
- e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
- f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.



## 4.2 Local Planning Policy

### York Unitary Development Plan Review (2006)

4.2.1 The current York Development Control Local Plan was approved for Development Control purposes only in April 2005 and therefore was never statutorily adopted. The Regional Spatial Strategy for Yorkshire and the Humber was revoked on the 22nd February 2013 apart from the policies relating to the Green Belt around York.

### York Emerging Local Plan

4.2.2 City of York Council are preparing a new Local Plan that will outline the spatial vision for the city for the next 15 years and sets out the housing and employment requirements for the District. The Council had advanced the previous version of the Local Plan up to the Preferred Options stage, however, it was decided by full Council that the Plan should not progress any further in its current form. Following this the Council have undertaken further work in terms of their evidence base which has informed the Preferred Sites Consultation.

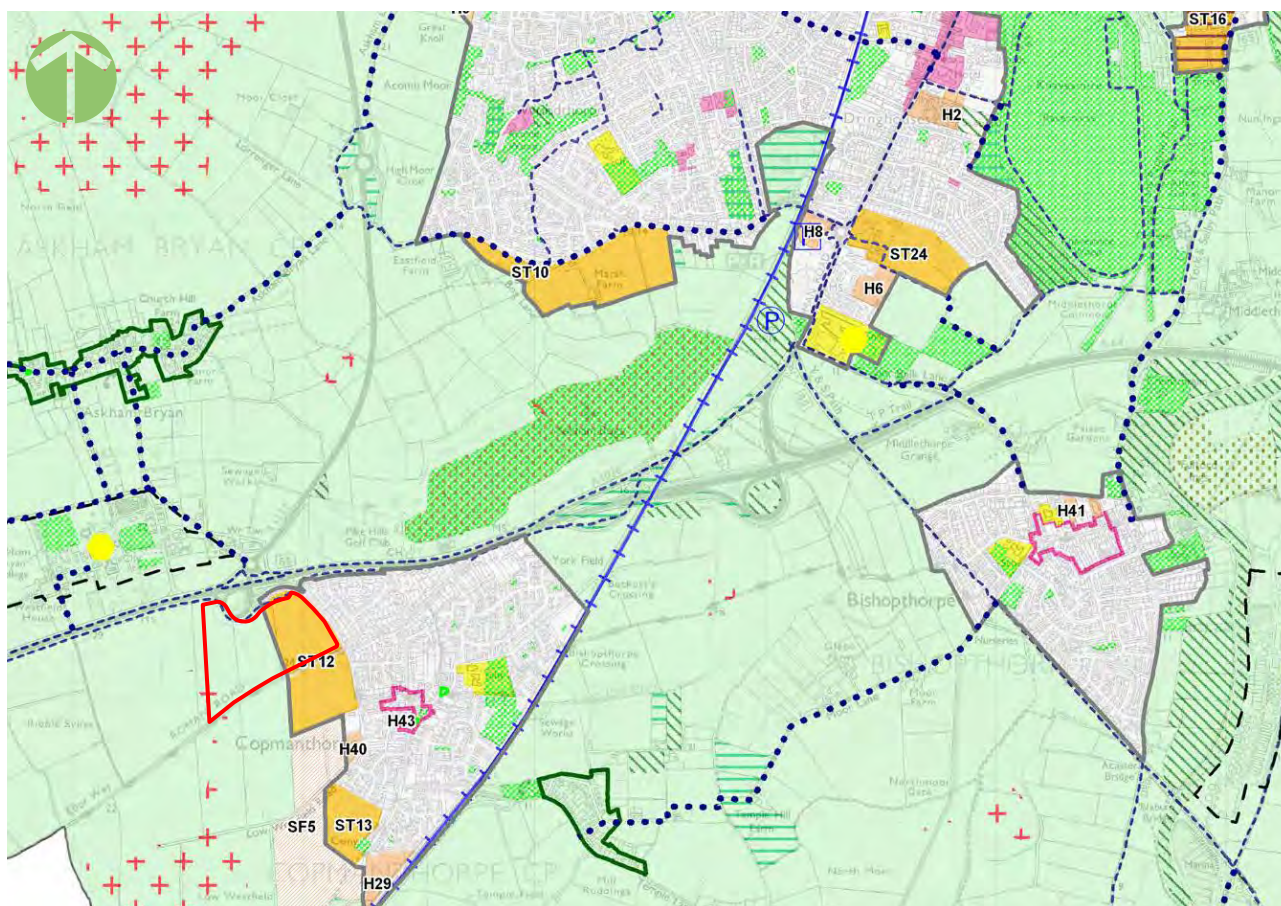


Figure 4: City of York Council's Potential Allocations Extract

### 4.3 Green Belt Assessment

4.3.1 This site has been assessed in terms of its suitability as a part of the greenbelt against criteria set out in Section 13 of the NPPF. The table below sets out the reasons why it is not considered to contribute toward the greenbelt and is therefore a candidate for removal.

4.3.2 In addition, the findings of the City of York Council Green Belt Assessment have been considered. A series of maps which cover each of the five Green Belt purposes have been produced and are set out in document TP1: Approach to Defining York’s Green Belt – Addendum and it is noted that the site does not currently serve any of the purposes of retaining land within the Green Belt. Indeed, a composite of all the individual plans was prepared and is shown at Figure 4 of this document, which indicates land which the Council consider should be left permanently open. The land at Manor Heath, Copmanthorpe does not fall within land which the Council consider should be left permanently open.

4.3.3 We would question the Council’s approach to the allocation of the land at Tadcaster Road, Copmanthorpe, based on the findings of their own Green Belt assessment, as indicated by Figure 5 of this document. The entirety of the site is classed as an area protecting Special Character and Setting, which in this particular instance we understand is coalescence. In addition, only half of the site is located within 800m of two or more key services, which according to the Council, means that development of this half of the site would constitute urban sprawl. This site therefore fails at least two of the five Green Belt tests, whereas the land at Manor Heath, Copmanthorpe, does not fail any of the tests, therefore, would lead to less harm to the Green Belt than the Tadcaster Road site.

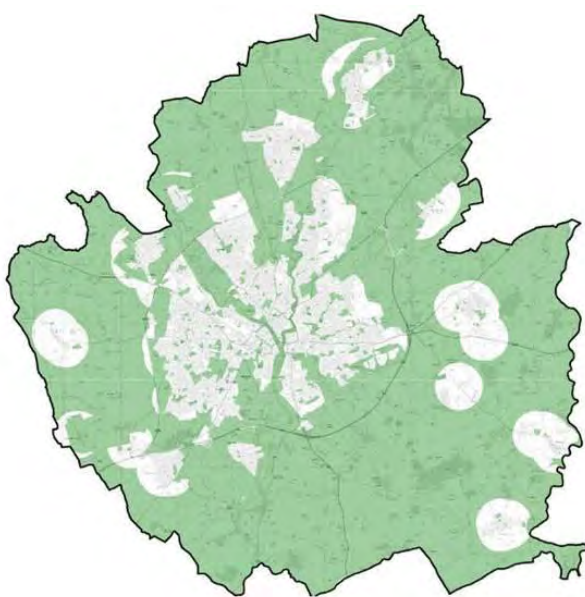


Figure 5: York City Council's Map Indicating Areas to Keep Permanently Open

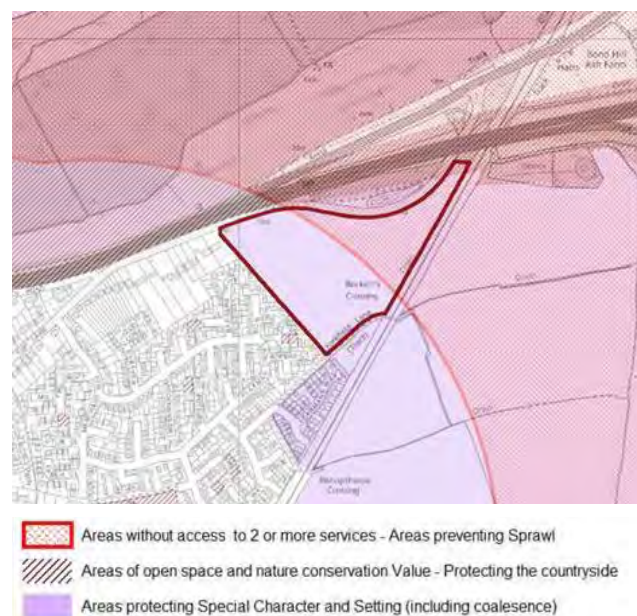


Figure 6: Proposed Allocation at Tadcaster Road, Copmanthorpe

Green Belt Assessment		
Purpose	Assessment	CYC Assessment
<b>To check the unrestricted sprawl of large built-up areas</b>	<p>The planned development of the site would not contribute to urban sprawl</p> <p>Site is built up on two of its four sides. The site is contained on three sides by the A64 to the north, existing housing to the east and the Roman Road to the south.</p> <p>The site offers the opportunity to provide a significant planted buffer as a new defensible edge to the settlement.</p>	<p>CYC have determined that land which does not have access to 2 or more key services such as primary schools, secondary schools, nurseries, doctors, supermarkets, grocery stores and shopping parades should constitute potential urban sprawl. As such they have prepared a plan which indicates all land which is not within 800m of 2 or more services (Figure 4 of TP1: Approach to Defining York's Green Belt – Addendum). It is noted that this site is defined as being located within 800m of two or more services, and as such would not lead to urban sprawl if developed.</p>
<b>To prevent neighbouring towns merging into one another</b>	<p>Development of this site would not result in the merging of towns.</p>	<p>In terms of the role played in preventing neighbouring towns from merging, CYC have prepared a plan which indicates the 'areas of the city essential for preventing coalescence', which is set out at Figure 5 of TP1: Approach to Defining York's Green Belt – Addendum. It is noted that the land at Manor Heath, Copmanthorpe does not fall within one of these areas, and as such there are no concerns that the development of this site would lead to coalescence.</p>
<b>To assist in safeguarding the countryside from encroachment</b>	<p>Framework advice requires the Council to provide appropriately for the long term development needs of the city before detailed green belt boundaries are established. To meet the required housing targets, some greenfield land will be required for development, inevitably encroaching into the countryside. The existing containment of the extended site by built development and the grade-separated A64-northern ring road junction to the east and north – together with the opportunity to provide a significant planted western edge to Copmanthorpe (which will soften the current hard interface of residential development at Manor Heath with the adjacent countryside) will improve the character of the landscape in this area and in consequence the setting of the city.</p>	<p>In order to assess what role land plays in safeguarding the countryside from encroachment, CYC have prepared a plan which incorporates Nature Conservation Sites, existing open space and Green Infrastructure Corridors. This is set out in Figure 6 of TP1: Approach to Defining York's Green Belt – Addendum and clearly indicates that the development of this site would not lead to the loss of any of these areas.</p>
<b>To Preserve the setting and special character of historic towns</b>	<p>The setting of nearby historic towns will not be affected.</p>	<p>Figure 3 of TP1: Approach to Defining York's Green Belt – Addendum highlights the 'areas important to York's special character and setting' and includes village settings, strays, river corridors, areas retaining rural setting, areas preventing coalescence, green wedges and extension of green wedges. It is noted that the land at Manor Heath, Copmanthorpe does not incorporate any of these important areas, and as such the land does not currently play a role in preserving the setting and special character of historic towns.</p>
<b>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	<p>There is insufficient capacity from urban regeneration to meet future development growth in York. The emerging York Local Plan acknowledges this and that a significant amount of land currently designated as Green Belt in the current plan will be required for future housing.</p>	<p>CYC conclude that "this purpose is achieved through the overall effect of the York Green Belt rather than through the identification of particular parcels of land which must be kept permanently open".</p>

Figure 7: Green Belt Assessment Table

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# 5. Sustainability Appraisal

## 5.1 Local Facilities

5.1.1 There are a number of key basic facilities within the locality of the site. Local convenience shopping, post office and medical practice approximately 550m away from the site.

5.1.2 Similar facilities are available at the neighboring village of Bishopthorpe which lies approximately 2km to the east of Copmanthorpe. Local services exist within Copmanthorpe itself and local convenience store is available on Church Street with other supporting retail opportunities on Horseman Lane. Via a connection through Manor Heath/School Lane, these facilities lie within approximately 500m of the development site respectively.

5.1.3 Further retail facilities are available in the wider area with the Tesco superstore at Askham being located approximately 2.5km to the north east which sits alongside the Askham Bar Park & Ride with direct links to York City Centre.

## 5.2 Education

5.2.1 Copmanthorpe Primary School, off Low Green, lies approximately 700m from the centre of the site via Hallcroft Lane, with Askham Bryan College located north of the A64 approximately 1km distant as a walking route from the centre of the site. In addition Woodthorpe Primary School is located 2.5km to the north east via the A1237. Askham Bryan College lies immediately North of the site and is one of the UK's most advanced specialist land-based education providers.

## 5.3 Healthcare

5.3.1 Local health care facilities are available at The Old School Medical Practice on Horseman Lane, Copmanthorpe and its sister practice on Church Lane, Bishopthorpe. These facilities lying between 300m and 3.8km distance from the site.

## 5.4 Employment

5.4.1 Local employment opportunities exist within Copmanthorpe, in nearby Bishopthorpe and within the City of York itself.

## 5.5 Bus Services

5.5.1 Bus stops are currently available on Manor Heath immediately adjacent to the site as well as on Hallcroft Lane, Horseman Lane, and Main Street in Copmanthorpe.

5.5.2 With respect to existing bus facilities, the 'coastliner' 843 and 840 service provides links to Leeds City Centre, Tadcaster, Scarborough, Malton and Whitby. Service 13 provides a regular service to nearby Haxby and other local areas.

## 5.6 Cycling

5.6.1 The site lies within a 5.5km cycle distance of York City Centre and 2.5 km from the Askham Bar Park and Ride and is very well placed to take advantage of the Tadcaster Road cycle route.



Figure 8: Local Facilities and Services



Figure 9: Bus Stop at Manor Heath



Figure 10: Local Coop at Church Street

# 6. Material Planning Considerations

## 6.1 Flood Risk

6.1.1 The whole site is located within Flood Zone 1 of the Environment Agency's indicative flood map.

6.1.2 As such, flood risk is not a constraint and the entirety of the site located in an area of low flood risk i.e. Flood Zone 1. In terms of surface water drainage a system could potentially be designed to ensure that surface water discharges at existing greenfield runoff rates or less.

## 6.2 Drainage

6.2.1 The most appropriate way of draining the site in terms of surface water is to outfall the development at equivalent Greenfield discharge rate into the existing field drains within the site. Due to the flat nature of the site levels and size of the site, there may also be a requirement to pump the surface water from the site at equivalent Greenfield Rate and provide attenuation within the site.

6.2.2 In terms of surface water drainage from the site, the site is not within a groundwater source protection zone so the principle of soakaways and infiltration drainage is acceptable subject to site specific testing of the soil strata.

## 6.3 Ecology

6.3.1 The site at Copmanthorpe is not within a statutory nature Conservation Area. The nearest designation is Askham Bog (SSSI), sited 800m NE of the site.

6.3.2 The proposal site currently comprises two large blocks of arable land with Hallcroft Lane dissecting the site east to west. The fields are separated by well-established hedgerows with scattered hedgerow trees. The hedgerows vary in their ecological value and species content, most appearing to be species-poor. Surveys at the time of a future planning application will allow for any areas of greater interest to be identified and mitigation to be applied accordingly.

6.3.3 A scheme can be developed that encourages wildlife across the site through effective landscaping of both public open space and private residential gardens. In addition, the trees bounding the site will be retained and wildlife could continue to utilise them. Where possible field boundaries will be retained and re-organised within the green network.

## 6.4 Protected Species

6.4.1 The presence of and hedgerows may provide a suitable habitat for nesting birds. The mature trees on site may provide suitable roosting sites for bats. Presence or absence would be established by means of a survey at the time of a future planning application. Mitigation, if required, would be informed by the results of the survey.

6.4.2 The pockets of denser, semi-improved grassland, hedgerows may support a number of reptile species. Again, presence or absence would be determined by future surveys at the time of the planning application and mitigation measures put forward accordingly.

## Conclusions

6.4.3 The majority of potential habitats on site appear to be of limited ecological value. Ecological surveys will be required to determine the potential of the site. There is no evidence at this stage to demonstrate any unique or specific ecological interest. Similarly there is no evidence that any habitats or species that do occur could not be protected or accommodated within a proposed housing development on this site. Detailed surveys and assessments completed at the time of a future planning application would determine any requirement for mitigation or compensation.

6.4.4 Should the site be developed there would be a requirement to ensure there is no overall net loss, and a net gain for biodiversity should be designed into the site in accordance with the NPPF.

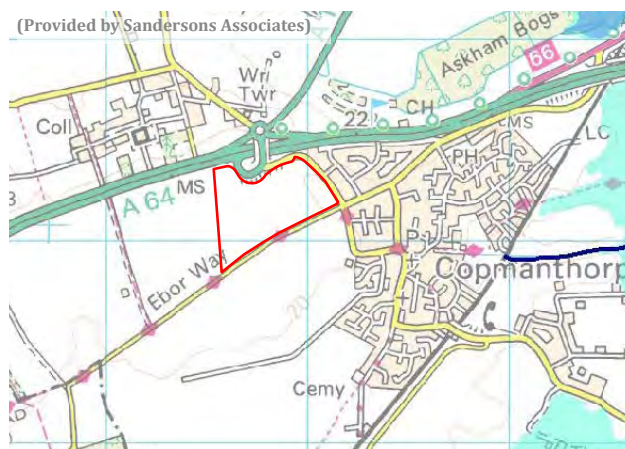


Figure 11: Environment Agency Flood Map

## LEGEND

	Flood Zone 2
	Flood Zone 3



## 6.5 Highways

6.5.1 In order to assess the impact of the development in traffic and transportation terms a detailed Transport Assessment will be provided. This will examine the impact in relation to access by all forms of transport; walking, cycling, public transport and by the private car. The assessment will examine both the immediate connections to the local road network and the wider implications on the adjacent strategic network.

6.5.2 Linkages for pedestrians and cyclists will also be considered to provide connectivity to Copmanthorpe Village, local education centers as well as the village itself.

6.5.3 The scope of the Transport Assessment will be subject to agreement with the City of York Council and will consider the impact of the additional traffic on the current road network and its connection to the A64 and the connection of the wider village of Copmanthorpe.

6.5.4 The Transport Assessment will consider the impact of additional traffic on the immediate and wider area and it will examine existing sustainable travel arrangements and the means by which the use of sustainable travel can be maximised. Projections of traffic generations from the site will be derived from the industry standard TRICS database or from surveys of local examples of similar development in the local area.

6.5.5 Distribution of the predicted traffic onto the local road network will be carried out from a combination of the attractiveness of likely destinations and surveys of traffic flow on existing local roads. The majority of the proposed development would be self-contained within the site to minimise the impact on the surrounding highway network.

6.5.6 The internal layout of the proposed development will be in accordance with the highway adoption standards of the City of York Council and will be in line with the latest national standards set out in Manual for Streets. Given the scale of the development, internal estate roads will interconnect to provide ease of access for service and emergency vehicles.



Figure 12: Looking South on Manor Heath



Figure 13: The A64



Figure 14: Looking West Over The Site From The Link

## 6.6 Landscape

6.6.1 The site comprises two fields, predominantly pasture. The site lies within the low-lying Vale of York Character Area (Area 28) and is characterised by being generally flat with minimal undulations, approximately 15 m above sea level. Where there are few features, views are potentially long ranging.

6.6.2 Landscape Character Area (LCT) 28: Vale Farmland with Plantation Woodland and Heathland.

6.6.3 This is a very large LCT which essentially encircles the whole urban area of York city. The LCT is described as follows:

'The landscape encompasses a patchwork of arable fields which are generally delineated by hedgerows. Copses and shelterbelts are also key features. Fragmented areas of heathland are present on sandy soils (for example at Strensall, Allerthorpe and Skipwith). Despite the presence of villages and towns, there is a sense that this is a predominantly rural landscape. Pockets of parkland associated with country houses such as Rufforth Hall Park, Benningborough Hall and 34 Bilton Hall contribute to a diverse and interesting landscape pattern. Views to surrounding higher landscapes contribute to a recognisable sense of place.'

6.6.4 The site has been classified as Grade 3 Agricultural land under the Agricultural Land Classification scheme (provisional).

6.6.5 Field boundaries vary in type and condition. Internally, the dividing hedge boundaries, where present, are a mix of variable, overgrown and unmanaged, sparse or absent hedge vegetation and timber post and rail. These appear to be along the original hedge lines, judging from historical map evidence. Additional post and wire fences have been erected to subdivide the fields. These are generally in an average or poor state of repair.

6.6.6 According to Ordnance Survey records there are no public footpaths within the site.

6.6.7 The visual impacts of any development on the site will generally be from nearby receptors and will mainly affect those existing dwellings along Manor Heath who currently have views over the site. The significance of this will be dependent on how open those views are and whether the views change over the season.

## 6.7 Cultural Heritage

6.7.1 The site is not within or adjacent to a Conservation Area. Copmanthorpe Conservation Area is a compact area encompassing Main Street, St Giles' Church and Low Green which form the historic core of the village.

6.7.2 Copmanthorpe has early origins as well as links to the Knights Templar in the 13th century and then the Knights Hospitallers until the dissolution of the monasteries in the 16th century. The Planning (Listed Building and Conservation Areas) Act 1990 states that development which effects the setting of a listed building or a Conservation Area, should have regards to preserving or enhancing the heritage asset.

6.7.3 This site is located on the western side of the existing settlement, separated from the conservation area in the village and there are no listed buildings located within close proximity to the site. There are no long-distance views from the site towards the historic core of the City.



### LEGEND

-  Site boundary
-  Agricultural land
-  Existing hedge
-  Existing trees
-  Visually closed boundary
-  View
-  Limited view

Figure 15: Landscape Baseline

# 7. Development Appraisal

## 7.1 Site Appraisal

### Site & Context

7.1.1 The site comprises of 20 ha of arable/open land situated in the south east of York, approximately 3 miles drive from York city centre. The site is immediately adjacent to the A64 and close to surrounding York outer ring roads, it is approximately 35 miles north west of Hull and 18 miles north east of Leeds.

### Landscape Structure

7.1.2 The site comprises two fields, predominantly pasture. The site lies within the low-lying Vale of York Character Area (Area 28) and is characterised by being generally flat with minimal undulations, approximately 15 m above sea level. Where there are few features, views are potentially long ranging.

7.1.3 Landscape Character Area (LCT) 28: Vale Farmland with Plantation Woodland and Heathland.

7.1.4 There are no public rights of way running through the site.

### Opportunities & Constraints

7.1.5 A number of opportunities and constraints associated with the site have been identified and are outlined below and illustrated on the plan; these have formed the basis for the design concepts for the site.

#### Opportunities

- Retained green space to create a buffer for existing residential developments.
- Creating access onto Manor Heath making better connectivity.
- Potential footpath links to provide cycle and pedestrian routes to such national cycle routes.
- Existing vegetation along field boundaries is to be retained to enhance the character of the site.
- Flat topography increases amount of development space for housing.
- No public right of way through the site.
- Site situated in Flood Zone 1.

#### Constraints

- Neighbouring built form to be considered.
- Potential views from A64 and surrounding roads creating a sensitive landscape edge to the east and north.

Calculations	Sq M	Ha
Open Space Area (Only for Extent of Development Area)		
Informal Amenity Space	1743	0.17
Structural Planting	17883	1.79
Sports Pitches	14892	1.49
Total Open Space	42558	4.26
Development Area		
Residential Development Area	96565	9.66
SUDS	1908	0.19
Children's Play	6132	0.61
<b>Net Developable Area</b>	<b>104605</b>	<b>10.46</b>
Total Site Area		
Total Site Area	214683	21.47
Area outwith Structural Planting	75560	7.56
Extent of Development Area	139123	13.91
Deliverable Housing Numbers		
Appropriate Housing Density	25 - 40 DPH	
Indicative Housing Numbers	260 - 420 Units	

Figure 16: Development Capacity Table



Provided courtesy of Pegasus Group

### LEGEND









-  Redline Boundary
-  Vehicle Access Point
-  Dual Carriageway
-  Residential Blocks
-  Trees
-  Play/Sports Pitches
-  Informal Open Space
-  SUDS

Figure 17: Concept Plan

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# 8. Benefits of the Site and Conclusions

## 8.1 Benefits

8.1.1 The development of the site would deliver a number of significant benefits. These include:

- Delivery of a significant number of new homes in a sustainable location in Copmanthorpe that will contribute to York's annual housing requirement over the lifetime of the Local Plan;
- Provide a proportion of affordable homes;
- Development on the site would not lead the coalescence of settlements and as such it no longer meets the purposes of including land within the Green Belt;
- The sale of the College's assets will enable the reinvestment of funds to increase and improve educational offer;
- Provide homes in an area of low flood risk;
- Can be accommodated by existing infrastructure;
- It would be well designed to ensure that it is successfully integrated with the existing built form; and
- It would not result in a significant impact on any environmental or nature conservation assets.

## 8.2 Conclusions

8.2.1 This report identifies that the site represents a 'deliverable site' for future residential development that would provide a significant amount of new high quality homes to form a logical extension to the west of Manor Heath taking into account the existing housing to the east of the site.

8.2.2 The site is able to utilise and enhance existing infrastructure in the surrounding area thereby making it very deliverable.

8.2.3 The site occupies a sustainable location that would be further enhanced by residential development on this site assisting York to deliver a flexible and responsive supply of housing land in consideration of its future housing land requirements.

8.2.4 The development of the site would present an opportunity to establish an effective, long-term greenbelt boundary, along its western edge. The associated planting that forms this boundary would be a robust and defensible edge to the settlement.

8.2.5 Site ST12 provides a unique opportunity whereby any released funds from the residential development of the site would be ploughed back into Askham Bryan College. The required capital investment for the College will have a multiplier effect with the College being able to accommodate and attract higher student numbers. Such an increase in student and staffing numbers results in an uplift in local spending, expansion and increased business with local and regional businesses. The aspirations of the College will result in a further positive contribution that is made towards the economy at a City and wider region area.

8.2.6 As with any site, there are a number of matters which will need to be addressed. However, preliminary desktop assessment work has identified these matters and confirmed that these can be satisfactorily addressed either through proposing additional measures, mitigation or enhancement.

8.2.7 The Publication Draft supports the continued growth and enhancement of the Askham Bryan College within its Green Belt location. The College has ambitious plans to enhance educational offer in a sustainable way, with the obvious economic and social benefits to the City of York and the wider region.

8.2.8 The site provides an opportunity, through the release of existing assets, to reinvest capital into the college adding further to the positive contribution to the York City region and further afield.

8.2.9 In respect of national and local planning guidance, this site is considered to be a 'deliverable housing' site as it is available, achievable and suitable for residential development.

8.2.10 Overall the site can contribute significantly to York's supply of deliverable housing land and is a sound justified sustainable solution to meeting future housing needs in York.

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## Assessment of York City Council Sustainability Appraisal

### Methodology

There are concerns regarding York City Council (YCC) methodology and the approach they have taken with regards to the Sustainability Appraisal (SA).

The SA includes 15 different objectives, each of which are assessed against the Site Assessment Criteria set out in Table 5.4. The scoring system is based on the following:

++  
+  
|  
0  
-  
--

It is not possible to make a direct comparison between sites which have been allocated as strategic sites and those which have not, as can be seen from the following example:

#### Assessment of Proposed Strategic allocations

Site ref	Allocation reference	Objective	SAO1: Housing	SAO2: Health	SAO3: Education	SAO4: Economy	SAO5: Equality & Accessibility	SAO6: Transport	SAO7: Climate Change	SAO8: Biodiversity	SAO9: Land Use	SAO10: Water	SAO11: Waste	SAO12: Air Quality	SAO13: Flood Risk	SAO14: Cultural Heritage	SAO15: Landscape		
		Site Name																	
295	ST1	British Sugar / Manor School	++	+	-	+	?	+	++	+	-	+	-	+	0	+	-	+	-
910	ST2	Former Civil Service Sports Ground Millfield Lane	++	+	-	+	?	+	++	+	-	+	-	+	-	0	-	-	0

#### Assessment of Non-allocated Strategic allocations

Call for Sites Ref	Local Plan Ref	SITE NAME	Status at Publication Draft	SAO1	SAO2	SAO3	SAO4	SAO5 / SAO6	SAO7	SAO8	SAO9	SAO10	SAO12	SAO13	SAO14	SAO15
295	ST1	Amalgomated Sites at British Sugar	Strategic Housing Allocation	++	++	+	0	+	+	-	++	-	0	-	+/-	+/-
298	n/a	Amalgomated Sites at Connaught Court Care Home	General Reasonable Alternative	+	++	+	0	++	+	-	++	0		-	-	-

For example, the non-allocated sites have a combined assessment for SAO5 and SAO6, whereas the allocated Strategic sites have a separate assessment for each criteria. In addition, no assessment of SAO11 is undertaken.

Furthermore, some of the assessment criteria for the allocated strategic sites have two ratings e.g. SAO2, SAO3, SAO6, SAO7, SAO8, SAO12, SAO14 and SAO15. It is not clear why this has been

undertaken and logic would be that it is split between proposed uses as some of the strategic sites are mixed-use i.e. one rating relates to the housing element, one relates to employment. However, this isn't related in the site assessment criteria table 5.4, where for example, SAO2, SAO8, SAO12, SAO14 and SAO15 do not differentiate between different uses.

We would therefore question the validity of the Sustainability Appraisal and its robustness as an evidence base for determining the most suitable and sustainable sites to take forward as proposed housing allocations.

In addition to the above, some of the assessment criteria and how they are assessed are questionable. SAO3 seeks to 'improve education, skills development and training for an effective workforce' and in respect of housing developments has the following scoring system:

*Access to:*

Nursery provision – 5

Primary school – 5

Secondary school – 5

Higher education facilities – 5

*Total points:*

11 – 20 = ++

5 – 10 = +

1 – 4 = -

0 = --

There is no weighting added to this scoring which we consider to be a flaw. For example, if a site has access to a nursery and higher education facilities but no primary or secondary school it is rated exactly the same as a site which has access to a primary and secondary school, but no nursery and higher education facilities. This isn't robust.

SAO4 seeks to 'create jobs and deliver growth of a sustainable, low carbon and inclusive economy'. The assessment criteria set out in Table 5.4 basis the scoring on the number of jobs created, and is set out as follows:

100+ = ++

1-99 = +

0 = 0

The Council only consider job creation where there is some form of employment/retail uses within the site itself, but this approach is fundamentally flawed as it is widely acknowledged that the development of housing provides a significant boost to the local economy, through the creation of direct and indirect construction jobs, but also through increased footfall to local shops and facilities in the surrounding area, which again leads to increased job provision. This shouldn't be disregarded.

It is noted that SA objectives SAO14 and SAO15 are based on the findings of the Heritage Impact Appraisal, which as an approach is acceptable, however we consider some of the findings within the document to be questionable.

Comments on Assessments of BDWH non-allocated sites

Barratt and David Wilson Homes a have promoted a number of sites through every stage of the emerging Local Plan, some of which have not been allocated and it is considered that they have not been considered correctly and our comments are set out below.

New Lane, Huntington

Call for Sites Ref	Local Plan Ref	SITE NAME	Status at Publication Draft	SAO1	SAO2	SAO3	SAO4	SAO5 / SAO6	SAO7	SAO8	SAO9	SAO10	SAO12	SAO13	SAO14	SAO15
320	n/a	Amalgomated Sites at New Lane Huntington	Strategic Reasonable Alternative	++	++	++	0	++	+	-	-	0	0	-	-	0

What is immediately clear from the above assessment is that there is only one of the objectives which the site scores the lowest possible rating – SAO9 (use land resources efficiently and safeguard their quality). A site is assessed as – if it is greenfield and has an agricultural land classification of either 1, 2 or 3. We would question the suitability of this approach, because grade 3 land is split it grade 3a and 3b, with only land being 3a and above being classed as best and most versatile land. As such, land which is 3b will in effect be rated unfairly based on the Council’s approach, as it can not be separated out.

Furthermore, the site has been incorrectly assessed in respect of SAO13. The entirety of the site is FZ1 and should therefore have been scored as 0 rather than -.

If the above assessment is converted into a numerical score using the following method, it performs very well when compared to allocated sites:

- ++ = 2
- + = 1
- 0 = 0
- = -1
- = -2

Using the above method the site would score +4. However, as noted above we do believe that the assessment of SAO4 is flawed and the site should score positively as it will help improve the local economy through job creation. Taking the above error regarding SAO13 into account, the site should be assessed as +5 as a minimum.

Manor Heath Road, Copmanthorpe

Call for Sites Ref	Local Plan Ref	SITE NAME	Status at Publication Draft	SAO1	SAO2	SAO3	SAO4	SAO5 / SAO6	SAO7	SAO8	SAO9	SAO10	SAO12	SAO13	SAO14	SAO15
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723	n/a	Amalgamated Land at Manor Heath Road,	Strategic Reasonable Alternative	++	++	-	0	+	+	0	-	0	0	0	-	-
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As with New Lane, Huntington, only one of the objectives scores the lowest possible rating – SAO9, on the basis that it is a greenfield site with an agricultural land classification of either 1, 2 or 3.

We would dispute the Council’s assessment of the site regarding SAO3 as the settlement of Copmanthorpe has a primary school (Copmanthorpe Primary School), a nursery (Child Care Centre) and higher education facility (Askham Bryan College). We are unable to locate any information as to how the SA assess ‘access to’ education facilities, however, all three of the above mentioned facilities are within 1km of the proposed site.

As such, rather than scoring – the site should have been assessed as ++.

In terms of SAO14 and SAO15 these are assessed on the basis of the findings of the Heritage Impact Assessment, which on the face of it is a reasonable approach to take. However, in the case of this site, the negative findings are questionable.

For example, the site receives a rating of – on the following grounds – *“although Askham Bryan College is not a “village”, as such, nonetheless, it is a sizeable development in the open countryside to the west of the City and the development of this site would substantially reduce the current gap between Copmanthorpe and the large assortment of buildings to its north-west around the College”.*

It is acknowledged within the above response that the development of the site would not lead to the coalescence of two settlements, the fact the gap between Copmanthorpe and Askham Bryan College would reduce is not of relevance and does not impact upon the sustainability of the development. As such, the site should not have received a negative rating on this SA objective.

The above extract from the Heritage Impact Assessment, concludes that Character Element 6.7 would be harmed. Character Element 6.7 is classed as ‘relationship of the historic city of York to the surrounding villages’. Askham Bryan College is not a village and to state otherwise is a significant flaw, particularly as it has led to a negative score. There would be no landscape or heritage harm as a result of the development of this site.

Using our scoring system above this site would have scored +1 based on the Council’s assessment. However in our view the site should have score +6.

BW assessment of the two sites is as follows:

SITE NAME	SAO1	SAO2	SAO3	SAO4	SAO5/SAO6	SAO7	SAO8	SAO9	SAO10	SAO11	SAO12	SAO13	SAO14	SAO15	TOTAL
New Lane Huntington	++	++	++	0	++	+	-	--	0		0	0	-	0	+5
Manor Heath Road, Copmanthorpe	++	++	++	0	+	+	0	--	0		0	0	0	0	+6

### Comparison with proposed Strategic Allocations

As noted above it is difficult to make a direct comparison between the non-allocation BDWH sites and the proposed strategic allocations, because they have not been assessed in the same way. However, below is an attempt to provide a comparison, which for consistency, knocks out SAO11 on all sites, and in the instances where the proposed strategic allocations have two scores within a single objective, the higher figure is taken:

Site/Allocation	Address	SA Score
-----------------	---------	----------

Reference		
ST4	East of Grimston Bar	+4
ST9	Land North of Haxby	+1
ST15	Land to the West of Elvington Road	+3
ST31	Land at Tadcaster Road	+1
ST33	Station Yard Wheldrake	+5
ST37	Whitehall Grange	-9

Based on the handful of sites listed above, the sites at New Lane, Huntington and Manor Heath, Copmanthorpe, score as well as, or more favourably than sites which have been taken forward as proposed allocations.

## York Central

18/01884/OUTM

Outline planning application with all matters reserved for the redevelopment of York Central, Leeman Road to provide a mixed-use development of up to 379,729 m<sup>2</sup> of floorspace Gross External Area (GEA) primarily comprising up to 2,500 homes (Class C3), between 70,000 m<sup>2</sup> and 87,693 m<sup>2</sup> of office use (Class B1a), up to 11,991 m<sup>2</sup> GEA of retail and leisure uses (Classes A1-A5 or D2), hotel with up to 400 bedrooms (Class C1), up to 12,120 m<sup>2</sup> GEA of non-residential institutions (Class D1) for expansion of the National Railway Museum, multi-storey car parks and provision of community uses all with associated works including new open space, ancillary car parking, demolition of and alterations to existing buildings and associated vehicular, rail, cycle and pedestrian access improvements

### Introduction

The York Central site has formed a key strategic site within the emerging York Plan, which is earmarked to deliver a significant number of new homes within the plan period and beyond. Our Client, Barratt and David Wilson Homes, has always supported the principle of a regeneration scheme of this nature, however, such sites are extremely complicated and time consuming to deliver.

It is considered that the evidence provided to date, which implies that 1,700 units will be delivered within the plan period, is not robust given the nature and scale of the development.

An assessment of the Council's relevant evidence base to the emerging Local Plan, and details of the submitted planning application for York Central (ref: 18/01884/OUTM) have been undertaken and this note seeks to demonstrate our findings.

### Background

- Site split into areas – Station Quarter (zones B, C, D and F); Foundry Quarter (zones H, K, L, N and P) and York Yard South (zones E, J and M);
- The following zones are residential development – E, H, J, K (part of), L, M, N and P;
- The development will be phased as follows (residential zones only):
  - Phase 1 – E, H (part of), K (part of), L (part of);
  - Phase 2 – H (part of), L (part of);
  - Phase 3 – J (part of), N;
  - Phase 4 – J (part of), M, P;
- Building heights in residential zones will vary in height between 3 and 7 storeys;
- Density across the site of 101 dph;
- Development to include terraces, townhouses and flats, however the application does not provide **quantum's** against each category. This is to be determined through RM;
- City of York Council (CYC) accept that the development will comprise of mainly apartments. This is demonstrated in the revised DAS (January 2019) which provides a schedule of development, which states that based on 2,148 dwellings, 1,973 would be apartments, with only 175 being houses;

- In order to comply with Policy H4 of the emerging York Local Plan, there will need to be 5% self-build/custom-build plots provided within the development. This would range from between 85 units to 125 units based on a minimum development of 1,700 units and a maximum of 2,500 units. Based on the quantum of development set out within the DAS, this would mean 108 units would need to be self-build. Given that these would not be apartments, that means that of the 175 houses provided on site, only 67 would be provided by a housebuilder.

#### Lead-in times and Build out rates

- Figure 6 of the York City Council SHLAA provides a housing trajectory for proposed housing allocations in the emerging Local Plan. For York Central it is as follows:

20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34
100	100	100	100	100	100	100	100	100	150	150	150	150	200

- The Council’s own evidence base states that sites with 3 outlets build out rates would generally be 90dpa. It is unclear therefore why they have indicated that 100dpa for the first 9 years will be delivered at York Central. Furthermore, the Council undertook an assessment of recently developed sites in the district, which ranged from 29 to 85 dwellings per annum;
- The lead in time, with the first units being completed in 2020 is overly ambitious. At present, the site does not have outline planning permission, albeit it is acknowledged that it has been approved by Members subject to completion of a S106 legal agreement;
- The application is in outline and does not include any hybrid elements, whereby full consent has been granted;
- Prior to any development coming forward, a S106 legal agreement would need to be completed and engrossed, thus enabling the outline planning permission to be granted; reserved matters applications would need to be prepared, submitted and approved, and all pre-commencement conditions would need to be discharged. In addition to this, all technical permissions would need to be put in place and potentially land acquisition would need to be completed;
- Given this is a brownfield site there is likely to be significant demolition and groundworks involved in getting the site to a suitable standard where it can be developed, including the provision of suitable development platforms. To assume that all the above can be completed to enable the first completion to occur in 2020 is unrealistic;
- It is noted that the sites referenced in the Council’s evidence base (Annex 5 of the SHLAA) are all greenfield sites and no evidence with regards to previously developed sites is provided;
- Research has been undertaken into lead-in times for major developments by Savills and they found on average the following:
  - Completion of S106 – 6 to 15 months;
  - Reserved matters application preparation – 8 to 10 months;
  - Reserved matters application determination – 3 to 6 months;

- o Site preparation – 5 to 8 months.
- Our Clients anecdotal evidence is that a major reserved matters application can take up to 12 months to determine at the City of York Council;
- Therefore, at a conservative estimate the earliest units would be completed on this site is 22 months i.e. May 2021. However, the Savills research only accounted for greenfield sites, so given the likely remediation works required on previously development sites, a greater time period would be required for site preparation.
- This is backed up by evidence prepared by Lichfields, which concluded that on average, sites with 2,000 plus units take nearly 7 years from inception to first completion;
- As such, it is unlikely that any units will be completed at York Central until late 2021/early 2022.
- In addition to this, the Council’s trajectory does not include a step up in delivery, which more accurately depicts how major sites are developed, and it is anticipated that there would be a single housebuilder initially, with this increasing over time. The Council’s assertion that 100 units will be delivered in the first year is ambitious as this assumes three housebuilders will be on site from day one;
- A further flaw with the Council’s trajectory is the fact that, based on the quantum outlined in the planning application (2,148 units), 92% of the units are apartments, which means units can not be considered complete until the entire block is complete, unlike with conventional single plot housing, where completions can occur relatively quickly;
- In addition to this, 5% of the total plots have to be self-build/custom-built, but in reality, these can only be stand alone plots i.e. not apartments. Therefore, 62% of the houses on site will be self-build and there is little way of predicting when these will come forward or if there is sufficient demand for such plots in city centre locations;
- A more realistic trajectory in respect of York Central if it were a standard site would be as follows:

20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34
0	30	60	90	90	90	90	90	90	120	120	120	120	120

- Based on this trajectory with more accurate lead-in times and build out rates, approximately 1,230 units can be delivered within the plan period, leaving a shortfall of 470 units, which will need to be found elsewhere through the provision of additional allocations;
- However, given the nature of the site, which almost entirely compromises of apartments, the level of completions is likely to be minimal for a significant number of years, particularly as individual units can not be classed as completed until an apartment block is completed. Whilst the number of completions will increase towards to the second half of the plan period, it is



highly unlikely that the Council's assertion that 1,700 units will be delivered in the plan period will be achieved.

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Land at New Lane, Huntington

Green Belt Review

Barratt York

10<sup>th</sup> July 2019



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## FIGURES

GL0167 01	Site Location Plan
GL0167 02	Heritage Plan



## 1 INTRODUCTION

1.1 The following Green Belt Review (GBR) has been prepared by Golby + Luck Landscape Architects on behalf of Barratt York in relation to the land to the east of New Lane, Huntingdon; see GL0167 01.

1.2 The GBR considers the setting and function of the site in relation to the identified purposes of the Green Belt as identified under paragraph 134 of the National Planning Policy Framework 2019 (NPPF).

1.3 In the production of this GBR the following resources have been used:

- National Planning Policy Framework 2019 (NPPF);
- City of York Local Plan – Publication Draft February 2018 (Regulation 19 Consultation) (Draft Local Plan);
- The City of York Local Plan Topic Paper TP1 Approach to Defining York's Green Belt Addendum March 2019 (GBAD)
- The City of York Local Plan – The Approach to the Green Belt Appraisal 2003 (GBA);
- The City of York Historic Character and Setting Technical Update 2013 (HCSTPU);
- The City of York Historic Character and Setting Technical Paper 2011 (HCSTP)
- The City of York Heritage Impact Appraisal Pre-publication (Regulation 18 Consultation) 2017 (HIA);
- Historic England National Heritage List;
- DEFRA Magic environmental data base; and
- Ordnance Survey Mapping via Promap



## 2 SITE CONTEXT AND SETTING

- 2.1 The site extends to approximately 11.5 hectares of farmland to the east of New Lane, Huntingdon; see GL0167 01.
- 2.2 Huntingdon comprises a predominantly residential suburb on the northern fringe of the City of York. To the north is Earswick, to the south is Heworth, to the west is New Earswick, and to the east is the Monks Cross and Vanguard retail parks.
- 2.3 Huntingdon and its associated residential areas extend between the A1036 to the south and A1237 to the north. To the west the settlement is bound by the River Foss that flows south into the City of York.
- 2.4 In terms of the site, it is bound to the west by New Lane and the wider settlement of Huntingdon. To the north it is bound by the residential setting to the south of Jockey Lane and the wider industrial setting to the north. To the east it is bound by the commercial setting of the Vanguard Shopping Centre and York Waterworld leisure centre and stadium. To the south the site is bound by the New Lane Cemetery and cycleway that links New Lane with the commercial development to the east.
- 2.5 Up until the mid 20<sup>th</sup> Century Huntingdon, Earswick and New Earswick were all separate settlements but have since coalesced following the modern residential expansion to become the northern suburbs of the City. Prior to that much of the wider farmland setting comprised farmland that was characterised by the historic strip field pattern that is still evident today in extensive swathes that border the settlement.
- 2.6 Following the completion of the A46 ring road in the late 1980's/early 1990's the commercial expansion of Huntingdon began to the east of the settlement. This included the industrial development of the land known as The Brecks and the subsequent development of the Monks Cross and Vanguard retail parks throughout the 1990's and early 2000's.
- 2.7 In terms of land use, the site comprises 5 no. fields maintained as pasture that are bound by low clipped native hedgerows with limited tree cover.
- 2.8 In terms of landform, the site sits at approximately 14m above ordnance datum (AOD). The site and wider landscape setting are relatively flat being typical of this part of the Vale of York.



- 2.9 In terms of access, the site is maintained as privately owned farmland and is not crossed by any public rights of way. The site itself does not perform any recognised leisure or recreation function. To the immediate south is the New Lane cemetery that is publicly accessible and to the south is the public cycleway that connects New Lane with the retail parks to the east.
- 2.10 In terms of designation, the site forms part of the wider Green Belt. There is a designated Scheduled Ancient Monument (SAM) within the site at the mid-point of the eastern boundary that is the site of a Roman Camp on Huntingdon South Moor (List UID 1020976). At the western boundary of the site is Huntington Grange a late 18<sup>th</sup> Century house of rebrick in Flemish bond with clay pantile roof. The house is Grade II Listed (List UID 1149128) with its principal frontage facing north towards an adjoining modern bungalow. The grounds of the house are defined by tall hedgerow and tree cover separating it from the wider site that surrounds it to the north, south and east; see GL0167 02.



### 3 GREEN BELT REVIEW

3.1 The last Green Belt appraisal was carried by the City of York Council in 2003. Within the GBA the purposes of the Green Belt are set out in accordance with the relevant national planning policy at that time (PPG 2). These purposes are not significantly different to the purposes set out in the NPPF and the landscapes considered in the assessment have not changed exponentially since 2003. The GBA is clear that the most important of these functions is the preservation of the setting and special character of historic towns, and for that reason identified the most valued land on that basis falling under four categories that are:

- Areas which retain, reinforce and extend the pattern of historic green wedges;
- Areas which provide an impression of a historic city situated within a rural setting;
- The setting of villages whose traditional form, character and relationship with the surrounding agricultural landscape of which is substantially unchanged; and
- Areas which prevent the coalescence of settlements to retain their individual identity

3.2 These areas are mapped within the GBA and identified as:

- a) The Strays;
- b) The “ings”;
- c) Green Wedges;
- d) Extensions to the Green Wedges;
- e) The Villages;
- f) Impression of a historic city within a rural setting; and
- g) Preventing coalescence

3.3 As identified on the GBA map (north) the site is not included within any of these valued landscapes considered relevant to the setting of the Green Belt and historic setting of the City and its surrounding settlement and villages; see GL0167 02.



- 3.4 The GBAD provides a more recent addendum with detailed consideration of the Green Belt. The GBAD sets out a detailed methodology and considered the outer and inner boundaries of the Green Belt, with the latter taken into consideration on this review. The GBAD remains reliant on the broad areas of value that were identified in the GBA, and at Figure 7 (GBAD) identifies strategic areas to keep permanently open. The site is not identified on this plan.
- 3.5 In the GBAD methodology the Green Belt inner boundary is subdivided into seven Sections with the site located within Section 5. The GBAD remains reliant on previous landscape and historic landscape assessments to identify key landscapes of value around the City and whilst the study considered various Sections of the Green Belt in more detail the overall findings of the assessment are not substantially different.
- 3.6 The GBAD does provide additional methodology and understand of the permanence of Green Belt boundaries, suggesting that at a local level such boundaries should be clear, recognisable and likely to be permanent (see paragraphs 5.67 to 5.70 – GBAD) identifying linked infrastructure features as being more permanent.
- 3.7 Within the more detailed assessment of Section 5 of the Green Belt the GBAD identified two boundaries in relation to the site (Boundaries 30 and 31). Boundary 30 extends along the northern and eastern boundaries of the site, and Bound 31 along the western boundary of the site.
- 3.8 In terms of their strategic location, the study notes that the land adjoining both boundaries (the site) does not perform a strategic Green Belt function in relation to the City of York.
- 3.9 In terms of local issues, the GBAD appears to identify three issues:
- The setting of the SAM within the site;
  - The existing pattern of enclosure within the site; and
  - The effect of coalescence between Huntingdon and the Monks Cross/Vanguard retail parks
- 3.10 The setting of the SAM is a localised heritage issues that is not considered relevant to the strategic nature of Green Belt policy. The purpose of Green Belt is not the protection of individual heritage assets hence the purpose as set out in the NPPF is concerned with the protection of the setting and special character of historic towns.





- 3.11 The issue of the scale and pattern of the fields within the site and its historic reference to a time of enclosure is again not the primary concern or function Green Belt policy. Green Belt is a functional policy primarily concerned with the prevention of urban sprawl. The identification of landscapes of historic relevance and importance has been the subject of two assessments, culminating in the HCSTPU that has not identified this site as being of strategic importance.
- 3.12 In terms of coalescence, there is a key point of note, Huntingdon is already physically joined to the wider Monks Cross commercial area. The site does currently comprise open between an area of modern residential development to the west and modern commercial development to the east that are undeniably joined to the north. This can effectively be described as an articulation of the existing urban edge that are sometimes identified, where strategically important, as Green Wedges. What this relationship cannot be described as are two separate settlements with individual character and identifies. They have separate character and identifies (residential and commercial) but are undeniably joined as part of the same urban area. More importantly, the GBA and the GBAD identify strategically important Green Wedges that does not include this site.
- 3.13 The GBAD whilst more detailed, ventures into issues relating to site specific heritage assessment and landscape assessment that are not identifiable to the purpose and function Green Belt. For this reason, a review of the Green Belt setting of the site tested against the purposes set out in the NPPF has been set out below.

To check the unrestricted sprawl of large built-up areas

- 3.14 Unrestricted urban sprawl is often defined as growth that is not defined, or controlled, by robust and enduring boundaries, and it has long been established since PPG2 that the establishment of the Green Belt should be guided by the identification of such boundaries.
- 3.15 In the case of this site, to describe the northern, eastern and western boundaries as robust and enduring is beyond refute as they are defined by the existing settlement and large scale industrial and commercial development. The southern boundary is defined by a cemetery and public cycleway identified in the Draft Local Plan as an area of Existing Openspace. The public use of the land, combined with its identification in the local plan, and reinforcement through the alignment of a public right of way also secures a robust and enduring boundary capable of checking unrestricted urban sprawl. These boundaries are entirely consistent with the test of 'permanence' as set out in the GBAD methodology.



3.16 In conclusion, the release of this site from the Green Belt will not result in unrestricted urban sprawl due to the robust and enduring nature of its boundaries.

To prevent neighbouring towns merging into one another

3.17 The issue of coalescence is primarily concerned with the prevention of settlements merging and the protection of their separate character and identity.

3.18 The first point of consideration is the identification of two separate settlements that have the potential to coalesce. The site is located at the eastern edge of Huntingdon. To the east are the modern retail parks Monks Cross and Vangarde. To the south is the wider suburb of Heworth that was once a separate settlement but now forms part of the wider urban area of the City of York.

3.19 The development of the site will remove existing open land between the settlement edge at New Lane and the retail parks to the east. Whilst this will result in the loss of open land it will not result in coalescence for two key reasons:

- The retail parks do not constitute a separate settlement comprising a residential community that affords its own separate character and identity. It is true that the retail parks are distinct from the wider settlement of Huntingdon in terms of their land use, but this does not constitute a separate settlement; and
- More pertinent is the fact that the retail parks are not in fact separate from the main urban area of Huntingdon as they are already connected to the settlement at the northern boundary of the site.

3.20 The development will constitute what can be described as “in-fill” development but it will not result in physical or perceived coalescence and will not result in the loss of the separate character and identity of two separate settlements. Green Wedge is often designated to protect such land, but the site clearly does not perform this role and is subsequently not designated as one of York’s Green Wedges.

To assist in safeguarding the countryside from encroachment

3.21 Almost any development of greenfield land beyond the defined limits of development constitutes the development of “countryside”. It is clear that the City of York is substantially reliant on the development of “countryside” to delivery its housing requirement as the current housing need cannot be met through the recycling of derelict and other urban land.



- 3.22 It is therefore important to consider what exactly constitutes "encroachment" as this cannot be simply defined as the development of the countryside (or green field land) on the basis this would restrict any development within the Green Belt.
- 3.23 The definition of encroachment is a gradual advance beyond usual or accepted limits. This implies a test of what would constitute usual or generally accepted limits. For development to extend into a landscape with an absence of development where it would be perceived as discordant to the established character and visual setting would constitute an apparent encroachment. Conversely, the extension of an existing urban environment into an area of land substantially bound by a setting of development that imparts or lends its character to that landscape is less likely to be considered an unwarranted encroachment. This concept and approach is set out and accepted in the GBAD methodology.
- 3.24 The site is bound by settlement and development on all but its southern boundary with the established urban setting making a significant contribution to its character and visual setting. The development of the site will materially change its character, as would be the case for the development of any green field site, but its development will not be perceived as an unwarranted encroachment into the wider setting of countryside.
- To preserve the setting and special character of historic towns
- 3.25 The City of York Heritage Impact Appraisal 2017 (HIA) includes the most up to date heritage assessment of sites promoted as part of the emerging Local Plan. Within this document the site is considered as Site ST11 Land at New Lane, Huntingdon.
- 3.26 In the preceding City of York Historic Character and Setting Technical Update 2013 (HCSTU) the site had been assessed as not making a valuable contribution to the historic setting of the City and its surrounding settlements and villages.
- 3.27 In the HIA issues are raised in relation to site specific assets that include the SAM at the eastern boundary of the site, and Huntington Grange at the western boundary of the site; see GL0167 02. In the HIA the rapid assessment identifies some minor harm to assets and major/substantial harm in relation to potential impact on archaeological deposits. This assessment is not uncommon to many of the sites assessed in this study and performs consistently with many of the sites that have been selected as preferred options. What is key is that these issues are site specific and should not be drawn into the assessment of Green Belt function.



3.28 The test in Green Belt terms is whether the development of a site will preserve the setting and special character of historic towns. To this end the HCSTU is the most relevant study as this specifically considers the setting of the City of York, its surrounding villages and the intervening countryside. As already set out in this GBR a number of valued landscapes are identified in the HCSTU and GBA all of which make a contribution to the historic setting of the City of York and its associated landscapes. The site is not identified as performing a valued function in this assessment and it can only be concluded that its development will not impact on the preservation of the setting and special character of the City of York, its surrounding villages and associated landscapes of strategic importance. The role of the Green Belt is not to protect individual assets of local significance, it is a strategic designation and its purposes are clearly defined as such in the NPPF. The GBAD is wrong to take localised issues such as this into consideration when considering the wider strategic role of the York Green Belt.

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

3.29 As already noted, the delivery of the projected housing need for the City of York is substantially reliant on the identification and development of green field sites, the majority of which (if not all) are current designated as Green Belt.

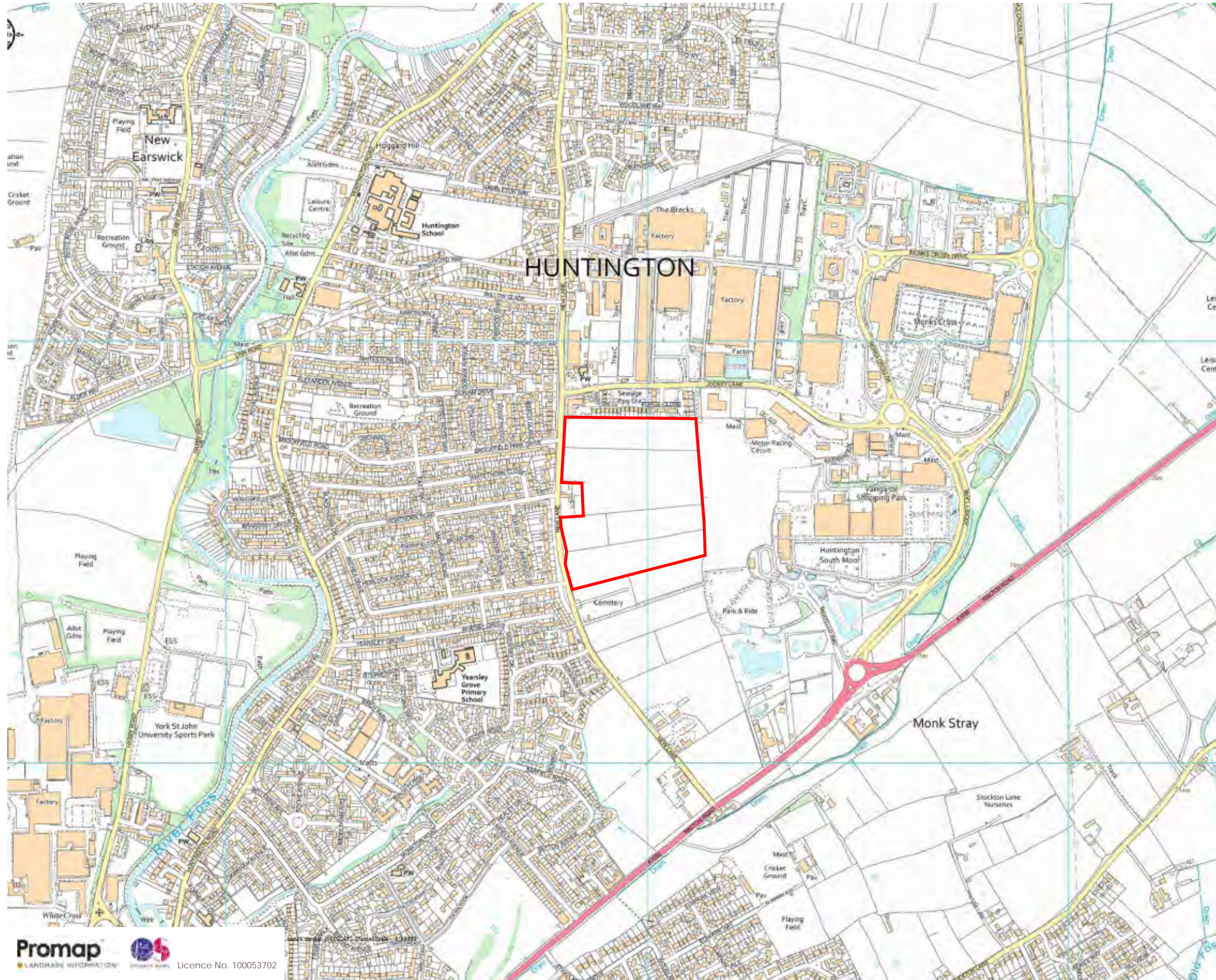
3.30 On that basis, the test must focus on the performance of each site against the first four purposes of the Green Belt. This GBR clearly identified that the development of the site will not affect these purposes or interrupt the function of the Green Belt in this location. The site is bound by robust and enduring boundaries, it affords a setting heavily influenced by its relationship with the urban fringe that is immediately present on all but its southern boundary, and the Council's own evidence demonstrates that the site does not make a valued contribution to the historic setting of the City or its surrounding villages.

3.31 The GBAD takes into consideration more specific site related issues, such as heritage assets within and adjoining the site, but these are site specific issues that should be dealt with on that basis and are not relevant to the strategic role of Green Belt.

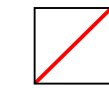
3.32 Taking into account the strategic role of this site there is no apparent reason why the development of this site would conflict with the purposes of the Green Belt as identified in the NPPF or undermine the function of the Green Belt in this location.



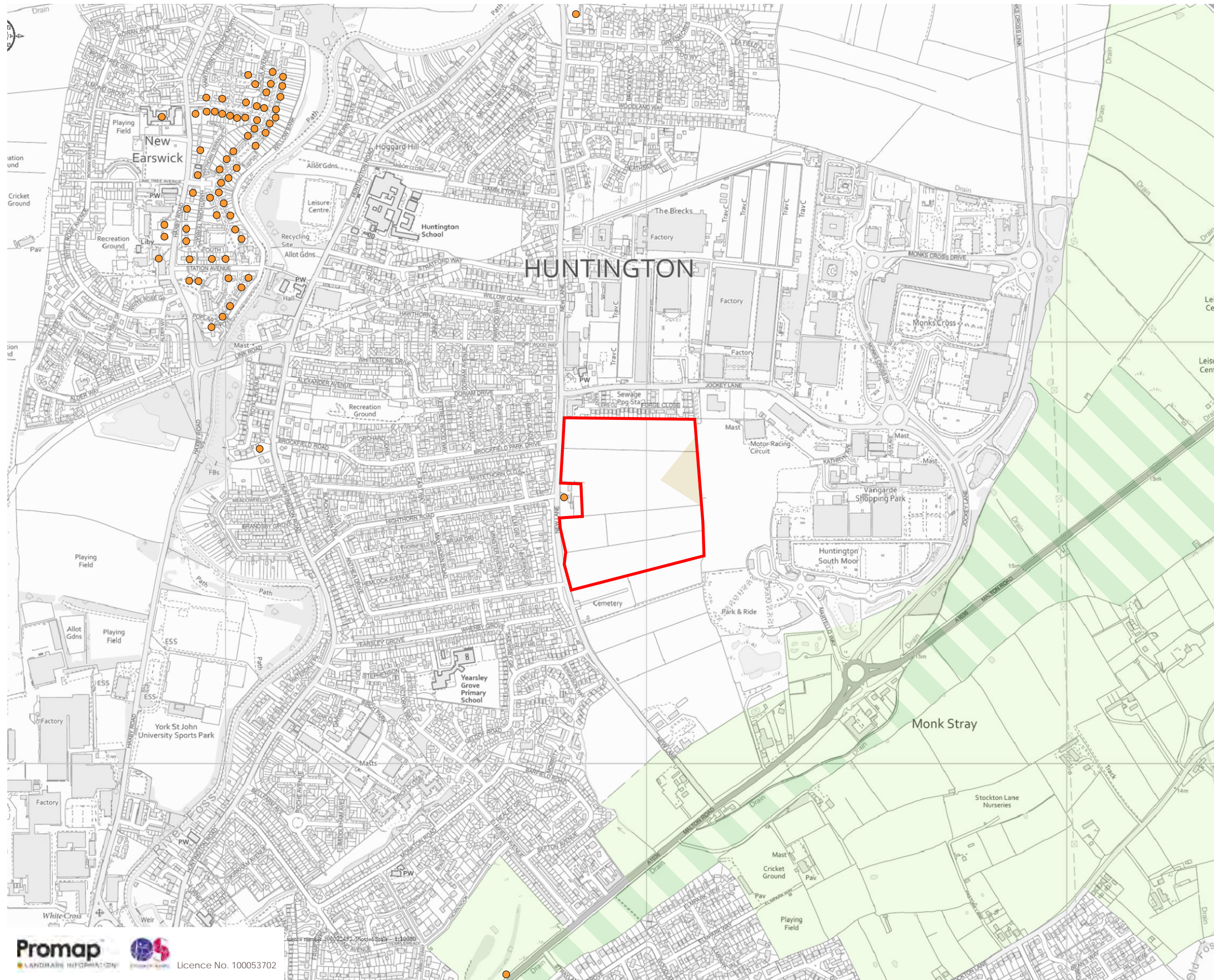
## FIGURES








Key



Site boundary



Key

-  Site boundary
-  Grade II Listed Buildings
-  Scheduled Ancient Monuments
-  Green Wedge
-  Stray

**Promap**  
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Number/Figure <b>GL0167 02</b>	Project <b>New Lane, Huntington</b>
Scale <b>1:10000@A3</b>	Drawing title <b>Heritage Plan</b>
Date <b>11/07/2019</b>	Client <b>Barratt York</b>
Checked <b>SG</b>	

north

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**From:** Andy Bell [REDACTED]  
**Sent:** 22 July 2019 22:16  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan proposed modifications consultation June 2019 - July 2019  
**Attachments:** Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019A.docx

**Follow Up Flag:** Follow up  
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Hello,

Please find attached my response to the "New Local Plan proposed modifications consultation June 2019 - July 2019"

Regards

Andy Bell

# 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	Bell	
Organisation (where relevant)		
Representing (if applicable)		
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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?

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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.**

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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.

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# Part B - Your Representation

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



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

Proposed Modification Reference:

Document:

Addendum to Topic Paper 1: The Approach to Defining York's Green Belt and its Annexes

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 Local Plan is not Legally compliant as it appears to do the complete opposite to the Yorkshire and Humberside RSS Revocation order and the Yorkshire and Humberside RSS saved policies by redefining already detailed Green Belt Boundaries at and beyond the Outer Green Belt Boundary (approx. 6 miles) by using weak Exceptional Circumstances which are not relevant in some cases. Does not comply with either the 2012 or the 2019 NPPF where it proposes development that is not Limited Infilling in Villages. In addition, it is becoming even more apparent that many people have never received any correspondence of any sort, in particular CD013Q – Annex 16 City Wide Leaflet, relating to the Local Plan and are therefore unaware of its existence. At least one of the boundaries is incorrect.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

The Boundary around Wheldrake that was taken from the 2005 Draft Local Plan, which was adopted by CYC for the purposes of providing Development control, in the Addendum to Topic Paper 1: The Approach to Defining York's Green Belt and its Annexes is INCORRECT. The land between the Cranbrooks and Valley View (D80) also known as Land to the north of North Lane (H28) is designated as housing and not part of the Green Belt in appendix J of the 2005. The Evidence base for this should also include the York Green Belt Archives Y/PPT/2/5/192 as that shows how these Green Belt boundaries were drawn up by a Planning Inspector on the back of a public inquiry, which is the justification for not including the land North of Avon Drive, Huntington despite previously identified Green Belt land that lies within the Inner Green Belt Boundary being open to having its Boundary redefined as per the Yorkshire and Humberside RSS revocation order and the Yorkshire and Humberside RSS saved polices.

Seems to be an inconsistent approach to defining the Inner and Outer Green Belt Boundaries, the Inner Boundary is tightly drawn around the existing Urban areas of York City centre on the basis of protecting York's historic Character despite many of these areas and the main transport corridors into the City centre having fairly recent/modern developments such as Foxwood, Acomb Park, Huntington, Rawcliffe Askham Bar and Clifton Moor or having development underway or approved such as Fulford and Boroughbridge Road. In addition to these residential areas we also have the Park & Rides at Rawcliffe, Askham Bar, Poppleton/A59, Hull Road, Monks Cross and the McArthur Glen Designer Outlet/A19 sites as well as the large Retail Parks of McArthur Glen Designer Outlet/A19, Monks Cross and Clifton Moor. These offer very little in the way of historical Character, this is not really evident until the Bar walls are in view and the Inner Boundary is therefore too tightly drawn around the City. In contrast, the Outer Green Belt Boundary is widely recognised as been approx. 6 miles and therefore any land beyond that is part of the open countryside but sites have been allocated in settlements that already have detailed boundaries, remove Green Belt land, impact on the Character described in their Conservation Areas and increase their size by almost 20%, inhibit the expansion of Employment land and the types of Employment that would be allowed and have such a higher density that it is no longer in keeping with the remaining character of the settlements. In some instances sites such as ST33 have had subsequent Employment

development completed and the plans for it show there was never any intention of utilising the land for the Residential allocation which is already known by those that attended the Developers presentation of the site at a Parish Council meeting in October 2018 as the full 6ha area still only showed the development confined to the previously rejected H49 site area. As such, this constitutes a Significant Material change to the allocation submission of ST33 which is also supported by the Wheldrake Green Belt description in Annex 4 “around the recognisable boundary of Millfield Industrial Estate and should therefore be removed as there is land available in Wheldrake that is not part of the Green Belt once the corrections are applied as per above.

The Wheldrake Green belt boundary in Annex 4 starts at a random location by starting in the middle of the Southern Boundary and lacks some significant detail, including the corrections to the actual Green Belt Boundary, it would be more appropriately described as:-

*“In general, the Green Belt boundary around the village of Wheldrake follows road and property boundaries. Starting at the entrance to the village, the Green Belt boundary flows south, east and then north around the recognisable boundary of Millfield Industrial Estate before following the rear boundaries of seven properties on Millfield Court and Dykeland Close which along with houses abutting one side of Back Lane South that follows the southern edge of the village, face open agricultural land that delineates the Industrial Area from the existing Residential Area by providing an open setting beyond, as per the Conservation Area description, before following the Paddocks and onto Church Lane and then heading north, following rear property boundaries round to the west of houses on Blue Slates Close, Derwent Park, Courtneys, The Ruddings, Greengales Lane and the Broadlands as a recognisable boundary providing a clear distinction between built and open agricultural land. The Green Belt boundary continues west along the side property boundary of houses on Broad Highway and rear property boundaries of houses on Ruffhams Close, Moor Close and The Cranbrooks. It then continues along the drainage ditch to the northern side of the rear boundaries of the properties on Valley View before following the rear boundaries of the properties on the western side back and along Main Street to the entrance.”*

The Exceptional Circumstances have been created generically in the main TP1 Addendum document before a blanket application to any allocation that needs justification to be removed from the Green Belt, in the case of ST33, the Educational exceptional circumstance only arises if the development goes ahead and then becomes a requirement rather than a circumstance which would be addressed by Section 106 payments as part of the conditions applied to allowing the development to go ahead which applies to all applications of this circumstance. The Employment circumstance also doesn't exist because the development would see the loss of good quality Agricultural Land and its associated farming jobs, loss of a 15 year old Outdoor Furniture business and its associated employment and the restriction on the types of Employment allowed on the Industrial estate as a result of the noise complaints that will come from the Housing development butted up to the Industrial estate, coupled with the employment land review that supposedly took place that removed the E7 allocation as it was deemed there was no need for any Employment Land in the area also quashes this circumstance. On the third and final circumstance of Housing Need, 2 points arise, firstly, now that the other 2 circumstances don't exist, as has been raised numerous times on other Local Plans, Housing Need alone is not sufficient to be considered as an Exceptional Circumstance and secondly, with the correction of the Green Belt boundary around Wheldrake, there is a site available for development that is not in the Green Belt.

As for the “Impact on the need to promote sustainable patterns of development” point in regards to ST33, when it was submitted as H49, it failed to score enough points in relation to access to services, the addition of the previously allocated employment land on the recognisable industrial area further exasperates the failure to score enough points for access to services and as such what amounts to almost a 20% increase in the size of the existing Residential area of Wheldrake is not a sustainable development. Furthermore, this goes against both the 2012 and the 2018/2019 NPPF that states development in Villages should be of limited infill, this is neither.

“Purpose 1 Checking unrestricted sprawl” in relation to ST33 is incorrect, the site provides no access to any services, I suspect what is meant is that it has access to 2 or more services, however, as H49 it failed to score enough points for access to services and as a 20% increase in the size of the existing Residential Built up area it is unrestricted sprawl.

“Purpose 3 Safeguarding the countryside from encroachment”, regarding ST33 causes Significant Harm. It changes the open character of part of Back Lane South as described in the Conservation Area. When the Planning Inspector compiled the York Green Belt report, he concluded it would allow development to encroach into the open countryside if it was not included in the Green Belt hence the reason it was included in the Green Belt.

“Purpose 4 Preserving the setting and specialist character of historic towns”, when applied to York is applied to the Villages in York as it is also their Historic Character that contributes to the Historic Character of York. With regard to Wheldrake, its Character is described as a strongly rural, pastoral character of a linear village founded in Agriculture and lies within isolated countryside with Back Lane South still retaining an open setting beyond. With its Agricultural Character previously been used as a reason to allow the development of a controversial Egg Production Plant in the Green Belt, to now remove Agricultural land for ST33 that provides some of the open setting as described in the Conservation area significantly harms the Village’s Character.

The “Detailed boundary issues” for ST33 is inaccurate and conflicts with the Green Belt Boundary description for Wheldrake and the Planning Inspectors comments from the York Green Belt report. The site is made up of 2 elements, land on the Industrial Estate which has its own recognisable boundary as per the Green Belt Boundary description for Wheldrake and a high quality Grade 2 Agricultural field. The tall, dense hedge in the description that forms the south eastern boundary is a fallacy as the hedge runs partially down the centre of the Agricultural field, and compared to the existing hedgerows it is not as dense which is evident from watching the deer regularly cutting through it. It only appears tall compared to the other hedgerows because it is deliberately maintained that way, but looking at the odd tree in it makes that blindingly obvious when compared to the other trees around area. The Planning Inspector commented likewise when compiling his Green Belt report. The north eastern boundary is Back Lane South which as per the Conservation Area is characterised as having openness across the proposed site and beyond.

After requesting several times to view the York Green Belt Archives at the City library and been told it couldn’t be found, I half expected it to be unavailable due to it either been with CYC or the planning Inspectors, I had to resort to contacting Carol Crookes, the Independent Programme Officer for York’s Local Plan to see if the Planning Inspectors had seen it and if not to make them aware that valuable historically evidence was missing and clearly hadn’t been used to produce the Local Plan. After a quick email from Carol, the Archive was suddenly found, I think this provides a useful insight along with the other points into the approach taken by CYC to compile the draft York 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.**

Any inconsistencies, omissions and inaccuracies make Plans/Supporting Documentation Unsound. The production of the TP1 Addendum and its Annexes after the "Answers" have already been drawn up results in these documents being negatively prepared, unjustified and inconsistent with National policy making them ineffective. The approach should have been to establish the parts of the Outer Green Belt Boundary that had already been detailed by looking at the Planning Inspectors York Green Belt report and the rest of the York Green Belt Archives (Y/PPT/2/5/192) that formed the boundaries documented in Appendix J of the Draft 2005 Local Plan that was adopted by CYC for the purposes of controlling Development. This would have then identified the area left that could have been used for development and had its Green Belt boundaries drawn up accordingly which would have complied with the Yorkshire and Humberside RSS Saved policy and the revocation order. The whole approach to defining the York Green Belt needs to be restarted with the above approach otherwise it fails to comply with the Yorkshire and Humberside RSS revocation order, the Yorkshire and Humberside RSS saved policies and parts of the 2012, 2018/2019 NPPF where development in villages is not limited infill.

**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:**

Hopefully there will be an opportunity to ask questions on some of these points to which I expect the answers to result in further questions needing to be asked. At one of the drop in sessions with a planning officer when this scenario arose they promised to send some evidence to support their decision to re-allocate a proposed Employment allocation to a proposed Housing allocation after I'd suggested they had only done this in order to raise it above the site size to make it strategic so that they could be more creative with their sustainability assessment of the allocation and that any evidence suggesting that the employment land was not required was inconsistent with their approach to the allocations in Wheldrake as they had subsequently allocated a different Employment site less than 200m away from the original Employment allocation was complete nonsense. They subsequently admitted that had been done because as per its previous rejections as a Housing Allocation it still did not score enough points. Whilst I appreciate I have no evidence of the detail of the conversation and they would deny they said any of this, I am still waiting for the supporting evidence, which was followed up by subsequent emails requesting it and an email from our local MP Julian Sturdy, the tone changed, responses dragged on and the timescales were used to hide behind process by saying it had all been handed over to the Planning Inspectors and they were no longer able to respond to my query.

**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



**From:** Collard, Tim (Avison Young - UK) [REDACTED]  
**Sent:** 22 July 2019 16:54  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** DIO Response to the Proposed Modifications Consultation  
**Attachments:** 19-7-22 DIO FinalReps to PM.pdf; DIO PM3, PM4, PM5, PM20, PM21, PM22 Form.pdf; DIO PM13, PM14, PM18, PM19 Form.pdf; DIO PM15 Form.pdf; DIO PM16, PM17 Form.pdf; DIO PM39 Form.pdf; DIO PM45, PM46 Form.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.

**FAO York Planning and Public Protection Team.**

Dear sir / madam,

Please find attached Defence Infrastructure Organisation's representation to the York Local Plan Proposed Modifications consultation, with completed forms which are self-explanatory.

I would be grateful if you could confirm receipt.

Any queries please let me know.

With kind regards,

Tim

**Tim Collard**  
Principal Planner  
Planning, Development and Regeneration  
[REDACTED]

Avison Young  
3 Brindleyplace  
Birmingham, B1 2JB  
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# 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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)

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

Yes, you can. Where there are groups who share a common view, 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?

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# Part B -Your Representation

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



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

<b>Proposed Modification Reference:</b>	PM3, PM4, PM5, PM20, PM21, PM22
<b>Document:</b>	Proposed Modifications Document (June 2019)
<b>Page Number:</b>	9, 10, 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)

N/A

### What does ‘Sound’ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below.

### 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)

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

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

Please refer to DIO’s Representations Sections 2 and 3.

**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 refer to Representations Sections 2 and 3.

**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 enable DIO to supplement and/or explain as necessary the attached representations.

DIO's responses on proposed modifications are interrelated and need to be considered in light of comments on proposed modification to remove Queen Elizabeth Barracks from the Submission Local Plan.

**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

22 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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 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?

<b>Proposed Modification Reference:</b>	PM13, PM14, PM18, PM19
<b>Document:</b>	Proposed Modifications Document (June 2019)
<b>Page Number:</b>	12, 17, 23

## 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 refer to Section 4 of DIO’s 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)

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

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

Please refer to Supporting Representations (Section 4).

**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 refer to Supporting Representations (Section 4).

**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 enable DIO to supplement and/or explain as necessary the attached representations.

DIO's responses on proposed modifications are interrelated and need to be considered in light of comments on proposed modification to amend housing need and supply.

**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.

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## Storing your information and contacting you in the future:

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

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## Your rights

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Signature



Date

22 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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
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## 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.

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# Part B -Your Representation

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



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

Proposed Modification Reference:	PM15
Document:	Proposed Modifications Document (June 2019)
Page Number:	20

### 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)

N/A

### What does ‘Sound’ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below.

### 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)

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

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

Please refer to Supporting Representations (Sections 5 and 7).

**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.**

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**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 enable DIO to present evidence to the Inspectors on the appropriate delineation of the boundary of the Imphal Barracks site.

**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

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## Storing your information and contacting you in the future:

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Signature



Date

22 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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
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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning 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.

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# Part B -Your Representation

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



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

Proposed Modification Reference:	PM16, PM17
Document:	Proposed Modifications Document (June 2019)
Page Number:	21

### 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)

N/A
-----

### What does ‘Sound’ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below.

### 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)

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

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

Please refer to Supporting Representations (Section 6).

**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 refer to Supporting Representations (Section 6).

**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 enable DIO to supplement and/or explain as necessary the attached representations.

**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

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

Signature 

Date **22 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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)

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## 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.**

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## Do I need to attend the Public Examination?

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## Where can I view the Consultation documents?

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# Part B -Your Representation

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



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

Proposed Modification Reference:	PM39
Document:	Proposed Modifications Document (June 2019)
Page Number:	40

### 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)

N/A

### What does ‘Sound’ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below.

### 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)

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

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

Please refer to Supporting Representations (Sections 3 and 7).

**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 refer to Supporting Representations (Sections 3 and 7).

**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.

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To enable DIO to supplement and/or explain as necessary the attached representations.

**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

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## Storing your information and contacting you in the future:

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## 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

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

Signature



Date

22 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	Defence Infrastructure Organisation – please refer to agent.	Mr
First Name		Craig
Last Name		Alsbury
Organisation (where relevant)		Avison Young
Representing (if applicable)		Defence Infrastructure Organisation
Address – line 1		3 Brindleyplace
Address – line 2		Birmingham
Address – line 3		
Address – line 4		
Postcode		B1 2JB
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**

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- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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## What can I make comments on?

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## Do I have to use the response form?

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# Part B -Your Representation

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



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

Proposed Modification Reference:	PM45, PM46
Document:	Proposed Modifications Document (June 2019)
Page Number:	45

### 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)

N/A

### What does ‘Sound’ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below.

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**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)

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

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

Please refer to Supporting Representations (Section 8).

**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.**

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

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## Defence Infrastructure Organisation

### Representations in Respect of City of York Council Proposed Modifications to the York Local Plan (June 2019)

July 2019



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Status: Final  
Draft Date: 22 July 2019

For and on behalf of GVA Grimley Limited t/a Avison Young

# 1. Introduction

## Background

- 1.1 Avison Young is instructed by Defence Infrastructure Organisation ("DIO") to consider and comment on the City of York Council's ("CYCs") Proposed Modifications to the Submission Version of the York Local Plan. The Proposed Modifications were published in June 2019 and the closing date for representations is 22 July 2019.
- 1.2 Avison Young has been assisted in the preparation of these representations by: James Maurici QC, who is instructed to support DIO through the EIP process and who has provided the legal content of these representations; Wood, on matters of ecology; and RPS, on matters of housing need.
- 1.3 As CYC is aware, DIO is part of the Ministry of Defence ("MoD"). It plays a vital role in supporting our armed forces by building, maintaining and servicing the infrastructure needed to support defence. DIO announced its intention to vacate and dispose of three MoD sites in York (Queen Elizabeth Barracks ("QEB"), Towthorpe Lines and Imphal Barracks) in November 2016 and, since then, has been promoting the allocation of all three for development in the emerging Local Plan. DIO remains fully committed to facilitating the redevelopment of these sites and, therefore, securing appropriate Local Plan allocations. Its ambition is fully aligned with Government objectives to make the best use of surplus public sector land and significantly boost the supply of new housing.
- 1.4 Shortly after the 2016 announcement, DIO opened a dialogue with CYC on the suitability and availability of its York assets and this was followed through 2017 and into 2018 by numerous technical submissions and representations which dealt with the deliverability of housing (and employment development in the case of Towthorpe Lines) and site capacity. All three sites were tested for suitability by CYC, inter alia, through the Sustainability Appraisal and Habitat Regulations Assessment ("HRA"). CYC was ultimately satisfied that all three sites represented suitable, sustainable and deliverable propositions and all three were allocated for development in the Local Plan submitted for examination in May 2018.
- 1.5 Post-submission, Natural England ("NE") raised concerns about the impact that new housing at QEB might have on the adjacent Strensall Common SAC and, in response, CYC commissioned a survey that was intended to (i) provide it with a better understanding of how the Common is used and (ii) quantify the threat or risk posed to the SAC by additional housing proposed nearby. On receipt of the results of the survey, CYC commissioned a review of its HRA and the revised Assessment concluded that CYC could not rule out the possibility of a development at QEB having an adverse effect on the integrity of the SAC. CYC subsequently resolved to promote a Modification to the Local Plan which, if agreed and endorsed by the Local Plan Inspectors, will result in the QEB allocations (SS19/ST35 and H59) being omitted and the QEB sites being washed over by Green Belt. Additionally, minor changes would be made to other Policies which currently reference the QEB allocation. CYC is also promoting modifications to the supporting text to the Towthorpe Lines Policy (EC1) and separate and unrelated changes to the supporting text to the Imphal Barracks Policy. All are addressed in these representations.

- 1.6 DIO has written to CYC on two occasions since NE commented on the Strensall Common issue; both times expressing serious concerns about the way in which CYC has gone about assessing the likely effect of development at QEB and its failure to properly involve DIO in its assessment and decision making processes. Its failure to properly engage with DIO has meant that it has not given appropriate consideration to DIO's ability to mitigate the effects that new housing at QEB might give rise to. As a consequence, its decision making has been flawed. Moreover, the actions of CYC in promoting these modifications has the potential to frustrate the Government's objectives in respect of the re-use of public sector assets, the re-use of previously developed land and tackling the housing crisis.

#### Legislative Context - Soundness

- 1.7 When the Local Plan was submitted for examination, CYC must have been satisfied that it was sound. Indeed, this will be the starting point adopted by the Inspectors based on the statutory provisions governing this process. S. 20(2) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") provides that an authority must not submit a draft plan for examination *"unless (a) they have complied with any relevant requirements contained in regulations under this Part, and (b) they think the document is ready for independent examination"*.
- 1.8 The Submitted Plan includes the QEB allocations. CYC now invites main modifications to delete these allocations. S. 20(7C) of the 2004 Act only allows such main modifications to be made if they are adjudged by the Inspectors as being *necessary* to make the Submitted Plan sound and/or legally compliant. That is to say the Inspectors must take the view that: (i) the Submitted Plan with these allocations included would be unsound or legally non-compliant; and (ii) the main modifications deleting these allocations would make the Submitted Plan sound and/or legally compliant: see e.g. para 1.3 of Procedure Guide for Local Plan Examinations: The Planning Inspectorate June 2019 (5th Edition). The position is made clear by a paragraph no longer contained in this guidance but which was in the previous version (June 2016 (4th Edition v.1)) and which said *"In order for the Inspector to take forward any change (in effect a proposed main modification) initiated by the LPA (or any other party in the examination), the requirements of section 20(7B) and (7C) of the PCPA must be met. For example, a LPA's change of preferred approach to a policy (including a site allocation) could not be accommodated unless the policy/site as submitted is, in the Inspector's view, unsound or not legally compliant and the proposed change initiated by the LPA (or any other party) would make the plan sound/compliant."* This remains a correct account of the law.
- 1.9 The proposed deletion of the QEB allocations is predicated on one matter only. That is the suggestion that deletion is necessitated by the Habitats Regulations 2017 because of *"doubts surrounding the effectiveness of mitigation"* in relation to recreational impacts (see the revised HRA dated 19 February 2019 at para. 4.40). If, as is DIO's case, this is not correct then these main modifications may not be recommended by the Inspectors. It should be noted that it is accepted that in all other regards the allocations remain sound and appropriate.

**DIOs Position**

- 1.10 We will be advancing evidence, beginning with these representations, which demonstrates very clearly that, insofar as DIOs sites are concerned, the Submitted Plan is indeed sound and need not be modified.
- 1.11 However, to account for circumstances in which the Inspectors disagree with us, and endorse the omission of the QEB allocations, we will further be demonstrating that the CYC's approach to defining the Green Belt boundary around Strensall is flawed.
- 1.12 Thus far through the plan-making process, DIO has not had cause to examine the approach that CYC has taken to assessing its housing need. However, it is clear that whilst the revised HRA has been the key underpinning factor in CYCs decision to promote Modifications in respect of QEB, its thinking in respect of housing need has also been a factor. As a consequence, DIO has commissioned an independent assessment of CYCs work on housing need and in the light of its findings, will now be fully engaging in the housing need and housing land supply debates through the EiP. Our initial submissions on these topics are set out within Sections 2 and 3 below. In section 4, we set out our representations on the proposed omission of the QEB housing allocations and, in Sections 5 and 6, make representations on the modifications proposed in respect of the Towthorpe Lines and Imphal Barracks policies / supporting text. In section 7, we comment on the proposed modifications to Policy GI2 and, in Section 8, we deal with CYCs proposed Green Belt boundaries. Finally, we comment in Section 9 on CYCs approach to monitoring.
- 1.13 DIO will follow these representations with further submissions and further discussions with CYC and Natural England with a view to reaching agreement with both on the key SAC related matters. If agreement cannot be reached and the Proposed Modifications withdrawn, it will be necessary for the DIO to oppose CYC at the forthcoming examination hearings.

## 2. Housing Need (PM3, PM4, PM5, PM20, PM21, PM22)

2.1 CYCs evidence on housing need comprises a SHMA from 2016, a SHMA Addendum Update from 2017 and the City of York Housing Needs Update published in January of this year.

2.2 The 2017 Addendum Update concluded that the City's housing need (its OAHN) equates to 953dpa. However, the Submission version of the Local Plan ignored that evidence and specified a need and a requirement of 867dpa. In the light of the findings of the 2019 Housing Needs Update, CYC is asserting that its need is now 790dpa and is proposing to modify the Local Plan to reflect this.

2.3 DIO has commissioned a review and analysis of the CYC's evidence base. This has been completed by RPS and a copy of RPS's Report is attached at Appendix 1. RPS has concluded that both the Modification being promoted by CYC and the 867dpa specified in the Submission version of the Plan are unsound. It has identified numerous deficiencies in the approach that CYC has taken to calculating and setting its need figure including:

- CYC has shifted the demographic-based starting point from the 2014-based to the 2016-based official projections. The 2016-based projections significantly reduce the projected growth in population and households up to 2032. Relying on the 2016-based projections downgrades the demographic-based starting point and does not reflect either a realistic growth trajectory or the growth aspirations and objectives of the Local Plan, which have remained broadly unchanged since the plan-making process began in 2012. The use of the 2016-based projections does not inform a credible position and the demographic starting point should be rebased to the 2014-projections, as undertaken in earlier assessments of household growth. CYCs own OAHN, using the 2014-based projections, generates a housing need of 867 dpa ;
- in spite of the use of more pessimistic projections of population growth, CYC maintains a Plan strategy focused on recognising the crucial role that the City plays and must continue to plan both locally and sub-regionally. This is not reflected in the overall calculation of housing need;
- in terms of assessing the balance between housing need and jobs in the City, CYC only considers one particular employment forecast in its analysis (650 jobs per annum, or 0.5% CAGR based on forecasts from Oxford Economics). It does not examine evidence from other sources, notably past trends in jobs growth, as an input to the assessment of future employment growth (c 0.83%, based on observed jobs growth between 2000 and 2017). The result is a job-led housing need estimate that appears at odds with the economic-led strategy focus of the Local Plan and which appears likely to under-estimate the need for additional homes to the detriment of both the economy and sustainable development objectives;
- CYCs adjustment for market signals (15% applied to its blended 2014/2016 projections) is insufficient to address the worsening trends in house price and rental increases and widening affordability gap in York. The market signals adjustment also (wrongly) incorporates an adjustment for household suppression,

which is a demographic-based adjustment rather than market/affordability-based, contrary to the provisions of the NPPG;

- an adjustment for market signals should be made but this should be 15% applied to the 2014 projections. By applying the 15% market signals adjustment to the demographic starting point of 867 pda, the full OAN should be calculated at 997 dpa;
- CYC has effectively ignored the very considerable need that the City has for affordable housing (573 dpa) by subsuming that this will be addressed by the market signals adjustment it has made. This is wholly inappropriate and contrary to the provisions of the NPPG. If CYCs method of calculation should be preferred, a specific adjustment should be made for affordable housing, over and above the market signals adjustment. A specific adjustment for affordable housing is not required in RPSs calculation (997dpa);
- the Government's standard method indicates that York's current base housing need is 1,099dpa; 39% more than the 790 being asserted by CYC. Whilst we note that the standard method is not to be applied at this point in the Plan-making process, it would be inappropriate to ignore what it tells us in the light of the fact that (i) by embedding it in national policy, the Government has clearly satisfied itself that the standard method represents the most appropriate / robust way of calculating housing need; and (ii) it gives a clear indication of the level of growth that CYC is going to achieve in the near future. If, with all of this in mind, there is any doubt about where, within a range, York's need should be fixed for Local Plan purposes, it seems to us that it would be wrong to do anything other than settle on a figure at the upper end, as close as possible to the 1,099 calculated by the standard method. Any transition required in due course would then be more manageable.

2.4 RPS concludes ultimately that, at the very least, the City's housing need should be fixed at the 997dpa and DIO considers that the Plan will be unsound unless it does so.

### 3. Housing Land Supply

3.1 We note that CYC is promoting PMs 13, 14, 18 and 19 on the basis that its HRA has not been able to rule out adverse effects on the integrity of the SAC and that there is no mention of other reasons for the PMs. However, it has also been put to DIO by CYC that, in the light of CYCs proposal to modify its housing need figure, the QEB allocations are no longer needed in any event. With this in mind, DIO considers it appropriate and necessary to examine CYCs existing and proposed housing land supply and has instructed Avison Young to review CYC's evidence on these matters. Our initial findings are summarised below. We will be making further and more detailed submissions on matters of supply as the EIP progresses and more detailed and up to date evidence emerges.

#### Policy Context

3.2 The NPPF requires local planning authorities to 'boost significantly' the supply of new homes by, amongst other things:

- a) using their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in their housing market area, as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- b) identifying and annually updating a supply of specific deliverable sites, sufficient to provide 5 years' worth of housing with an additional buffer of either 5% or 20% depending on how well they have delivered housing in the past;
- c) identifying a supply of specific, developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15 also; and
- d) for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing land to meet their housing target.

3.3 In footnotes to paragraph 47, 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 5 years and in particular that development 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."*

*"To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged."*

3.4 The Government's National Planning Practice Guidance adds the following:

*"The National Planning Policy Framework sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against their housing requirements. Therefore local planning authorities should have an identified 5-year housing supply at all points during the plan period." (our emphasis)*

#### Observations on York's Housing Land Supply

3.5 We have a number of significant concerns about how CYC has articulated its housing need and its housing strategy and concerns also about its supply side evidence. These include concerns about:

- a) how it describes the Plan period. CYC appears to be suggesting that the Plan period is 2017-2033 but its housing trajectory and key parts of its evidence base indicate that it is 2012 – 2033;
- b) the fact that the Local Plan does not contain a summary of the housing need / delivery position as at the Plan base date. Every other Local Plan that we have reviewed contains information on the number of new homes required to be delivered in the Plan period; the number delivered between the start of the Plan period and the point at which the Plan is submitted for examination (or some other relevant date in the plan-making period); the number of new homes committed by extant planning permission; and the residual amount of housing that needs to be provided by the Plan itself. This information is not contained within the York Local Plan. So far as we can tell, it only appears in the 2018 SHLAA;
- c) the fact that CYC has not published up to date (i.e 2019) data on its forward supply. It has released Monitoring Updates which confirm how many new homes were built in 2017/2018 and 2018/2019 (absent from the 2018 SHLAA) but it has not released up to date information on the number of new homes that are committed by planning permission. The information contained within the SHLAA on commitments is out of date and unreliable;
- d) the SHLAA data which indicates that:
  - CYC has included in its forward supply at least two committed student housing schemes (with a combined capacity of about 650 units) without producing evidence of the extent to which construction of these bed spaces will release standard housing back into the open market. These will need to be struck out of CYCs forward supply calculations unless such evidence can be produced in accordance with the provisions of the NPPG;
  - CYC has included in its forward supply a number of committed housing developments that no longer appear to be implementable (e.g. because the planning permission for the schemes have expired or the window for submission of Reserved Matters has expired);
  - CYC has included in its forward supply a number of Office to residential conversion schemes (with a combined capacity of about 270 dwellings) that were promoted in 2016 and 2017 but



have not yet been delivered. In our experience, these types of conversions present a range of physical and financial challenges and unless CYC can produce evidence of the deliverability of these schemes, they should be struck out of its supply calculations;

- e) the evidence that CYC has published in respect of the suitability, availability and achievability of its proposed housing allocations is wholly inadequate and does not provide either the Inspectors or interested parties with anything like the information that we shall all need in advance of the EiP Hearing Sessions to enable a full and proper discussion about deliverability and developability. This is critical because CYC's strategy is heavily reliant on a number of large housing schemes, many of which will be very challenging to deliver and will have very long lead in times;
- f) the way in which CYC has assessed lead in times. Its evidence / analysis is extremely weak and the conclusions it has reached grossly underestimate the time that it will take the promoters of major developments to get from where they are now to the point of delivering housing. CYC has, in our view, underestimated both the time it will take to get to submission of a planning application on each of its allocated sites, and the time that it will take the promoters of these developments to secure the permissions / approvals that they will need in order to deliver homes. For example, in our experience, it will take a promoter / developer of a major development at least 5 years to get from submission of an application for planning permission to commencing construction of the first home. This makes no allowance for the pre-application lead in phase which, according to research conducted by us and others, can take up several years. So, notwithstanding the general concerns we have about the suitability, availability and achievability of CYCs proposed allocations, the trajectories that its has produced for these sites (see 2018 SHLAA page 38) appears to us to make inappropriate assumptions about housing delivery in at least the first half of the Plan period;
- g) the way in which CYC has assessed likely delivery rates. Again, its evidence on delivery rates is wholly inadequate. We consider its baseline assumption of 35dpa for a single outlet housing scheme to be too low. In our experience a more reliable figure is between 50dpa and 60dpa. However, its assertion that sites with multiple outlets will yield multiples of 35dpa (or whatever the base level of delivery is) is completely flawed. Multiple outlets do not generate multiples of the number of units that a single developer might generate in a particular location. The rates achieved across sites with multiple outlets will be impacted by a range of factors including the breadth of product on offer and absorption rates. That said, it would not be unreasonable to assume that, once fully operational, major sites could yield 100 – 120 dwellings per annum. Unless CYC can produce specific evidence to support its assumption that Elvington Lane will deliver between 140 and 280 dwellings per annum from 2025 onwards, the contribution that this site makes to its forward supply will need to be adjusted;
- h) its assumptions about windfalls which don't appear to us to sit comfortably with its assertions about the need to release land from the Green Belt. If CYC has, as it appears to suggest, exhausted its urban capacity when searching for land to allocate for housing, it must have seriously diminished the prospect of major windfalls coming forward in due course. To assume that the urban areas will yield a further 3,000 homes in the period to 2038 seems to us to be a gross over-estimation;

- i) the fact that nowhere in its evidence base does it demonstrate that its proposed allocations will ensure that it maintains a 5 year supply of deliverable housing sites through the Plan period;
- j) the fact that it has not produced a trajectory for affordable housing in accordance with the requirements of the NPPF; and
- k) the fact that it is not at all clear how CYCs evidence on housing need, allocations and Green Belt work together to ensure that the City's housing needs will continue to be satisfactorily addressed 'well beyond' the Plan period, without the need for additional modifications being made to the Green Belt boundary. According to the trajectories in the SHLAA, CYC is making very little provision for development beyond the Plan period and is only contemplating a period of 5 years post 2033 in any event. This, it seems to us, is not sound and we return to this point in our Green Belt section below.

3.6 It is important that CYC produces more, and more robust evidence on its housing land supply and that this is made available to the Inspectors and interested parties in advance of the Inspectors defining MIQs. If it does not do so, it will not be possible for the Inspectors to judge whether the Plan will give York a 5 year supply of deliverable housing sites on adoption, whether the Plan's allocated sites are deliverable or developable, and whether the Plan will enable CYC to maintain a policy compliant level of supply through the Plan period. It will also have important ramifications for its approach to Green Belt matters.

## 4. Queen Elizabeth Barracks, Strensall (PM13, PM14, PM18 and PM19)

4.1 The submitted Plan makes two housing allocations at QEB: ST35 for an estimated 500 dwellings and H59 for an estimated 45 dwellings. Through Proposed Modifications PM13, PM14, PM18 and PM19, it is promoting the deletion of these. In each instance, CYC gives the same reason for the Modification and this is as follows:

*Site removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).*

4.2 DIO objects in the strongest possible terms to these Modifications. The evidence underpinning the Modifications is not robust and, in any event, does not indicate that it is not possible to mitigate adverse effects that development at QEB might have on the SAC. DIO will demonstrate through the Examination of the Local Plan that harmful effects are (i) not adequately evidenced; (ii) being over-stated by CYC; and (iii) can, nonetheless, be adequately mitigated. Accordingly, the allocations as set out in the submitted Plan are sound (as CYC considered them to be at the point of submission) and the Proposed Modifications are not required. That being so the Inspectors should not recommend these main modifications.

4.3 In the sub-sections that follow, we set out: (i) our understanding of the background to the PMs (how and why we have reached the position that we have); (ii) a brief statement on the context provided by the relevant regulations and national planning policy; (iii) the concerns that we have about CYCs evidence base; (iv) DIOs observations on the mitigation measure that could be deployed in this instance and the likely efficacy of these; (v) a brief summary of the technical work that DIO has commissioned and intends to feed into CYC, NE and the Local Plan Inspectors in due course; and (vi) the next steps that DIO consider should be taken in respect of the QEB allocations.

### Background

4.4 The submitted Plan was subjected to HRA including an Appropriate Assessment. This focussed on a relatively small number of policies but included the proposed allocations at QEB. The Assessment concluded that ST35 and H59 will have no adverse effect on the SAC, either in terms of impacts on the aquatic environment, recreational pressure, or air pollution. The allocations were, therefore, regarded as sound.

4.5 In April and June 2018, Natural England ("NE") wrote to CYC setting out concerns it had about the QEB proposals and, more specifically, concerns about the evidence CYC had relied upon when reaching the conclusions that it had in its HRA. This prompted CYC to commission a visitor survey of Strensall Common which was carried out by Footprint Ecology ("Footprint"). Footprint reached two pertinent conclusions. The first was as follows:

*Given the scale of increase in access predicted from the visitor surveys, the proximity of new development and concerns relating to current impacts from recreation, adverse [sic] integrity on the SAC cannot be ruled out as a result of the quantum of development proposed. In addition, for*

*individual allocations that are adjacent to the site it will be difficult to rule out adverse effects on integrity. Potential approaches to mitigation are considered below.*

- 4.6 It then went on to provide a relatively cursory overview of a number of different mitigation measures that could be deployed at Strensall Common and then concluded as follows:

*At plan-level HRA it will be necessary to have confidence that the above mitigation measures are feasible and achievable in order to rule out adverse effects on integrity on Strensall Common SAC as a result of recreation.*

- 4.7 Footprint offered no concluding comment on whether the mitigation measures that it referenced in its Report are feasible and achievable and, as we note below, it made no attempt to discuss these with DIO. Given that DIO is the owner of both QEB and the Common we find this somewhat remarkable. We can find no other evidence of CYC having examined the various mitigation measures that might be available in this instance.

- 4.8 In the light of the Footprint work, CYC commissioned a review of its HRA. An updated version of this was published in February and whilst it maintained that development at QEB would have no effect on the SACs aquatic environment or air pollution, it also stated that: "*given the doubts surrounding the effectiveness of mitigation, the only reliable mechanism to avoid an adverse effect on the integrity of the European site is to REMOVE BOTH SS19/ST35 AND H59 FROM THE PLAN*".

- 4.9 CYC went on subsequently to resolve to promote PMs 13, 14, 18 and 19.

#### **Law and Policy**

- 4.10 DIO does not dispute the need for Appropriate Assessment under the Habitats Regulations and it is fully cognisant of the case-law that has shaped the way in which Assessments should now be undertaken (see below). It is also familiar with the Government's policies on conserving the natural environment as set out within paragraphs 109 – 125 of the NPPF. It notes, in particular, its policies on encouraging the effective use of land by re-using land that has been previously developed land (paragraph 112), and conserving and enhancing biodiversity, which although intended to be applied in the planning application context speaks clearly of the role that can be played by appropriate mitigation measures (paragraph 118). It is mitigation that has been misunderstood and incorrectly assessed in this instance.

- 4.11 There are two points that need to be made here in terms of the law:

- 4.12 First, as was explained by the Court of Appeal on *R. (Mynnyd y Gwynt Ltd) v Secretary of State for Business Energy and Industrial Strategy* [2018] P.T.S.R. 1274 at para. 8:

*(5) Following assessment, the project in question may only be approved if the authority is convinced that it will not adversely affect the integrity of the site concerned. Where doubt remains, authorisation will have to be refused: see **Waddenzee**, at paras 56-57.*

*(6) Absolute certainty is not required. If no certainty can be established, having exhausted all scientific means and sources it will be necessary to work with probabilities and estimates, which must be identified and reasoned: see **Waddenzee**, points 107 and 97 of the Advocate General's opinion,*

endorsed in *Champion's* case, at para 41 and by Sales LJ in *Smyth v Secretary of State for Communities and Local Government* [2015] PTSR 1417, para 78.

(7) *The decision-maker must consider secured mitigation and evidence about its effectiveness: European Commission v Federal Republic of Germany* (Case C-142/16) EU:C:2017:301, para 38.

- 4.13 DIO would draw particular attention to the fact that it is essential to consider the available evidence relating to the effectiveness of mitigation and that absolute certainty as to lack of effects is not the legal test. IN any event, there is considerable evidence on the effectiveness of the use of mitigation techniques to prevent recreational impacts.
- 4.14 Second, the level of assessment required at the plan stage is of course less than would be required for a planning application. Thus it was said by the Advocate-General in Case C-6/04 *Commission v UK* at para. 49 that " ... *an assessment of the implications of the preceding plans cannot take account of all the effects of a measure. Many details are regularly not settled until the time of the final permission. It would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure.*"

#### Issues with the Footprint Work

- 4.15 DIO makes no criticism of the way in which Footprint went about gathering visitor data. That is to say, it does not find fault with the use of manual counts, interviews, automated counts and spot checks on car park occupancy. However, it does have a number of concerns about the extent of the survey, the robustness and representativeness of the data it gathered and how it has interpreted this. These include:
- a) Footprint conducted manual counts and interviews over a total of just 64 hours over an 8 day period, with this time being split between 3 different survey locations. There were no days when all locations were surveyed simultaneously. Footprint covered, at most, two survey locations per day and, on six of the survey days, only a single location was covered. The survey locations were not surveyed for equal periods of time;
  - b) automated counters (trail cameras) were stationed in two different locations for longer periods (17 days in one location and 42 days in the other), although not all of the data from all days was interrogated and it is not clear how the data from the automated counters has informed Footprint's analysis and conclusions;
  - c) Footprint conducted a total of 8 snapshot drive-by car park counts (one drive-by on each of 8 different days). Four of these were on Saturdays and none of the counts recorded occupant data. Yet Footprint has gone on to make assumptions about occupant levels and, in turn, the number of people that it considers arrive at the Common by car (173 per day – para 3.3). It is impossible to tell from this small snapshot sample whether the results represent average, peak or some other level of use;

- d) Footprint asserts that the data it has gathered constitutes a large sample, we strongly dispute this;
- e) the weather was pleasant on all survey days and whilst this might help quantify worst case scenario levels of use, surveying only in such conditions is not representative. We note that the interviews results indicate that there are certain people that visit the Common daily, whatever the conditions, but Footprint has no count data to verify this and it is likely that, in wetter periods, the level of use reduces. In addition, it is likely that, in such periods, greater use is made of existing tracks, leading to less pressure on the sensitive vegetation;
- f) Footprint has, it seems, relied principally on the results of its interviews to inform its analysis and conclusions yet of the 488 visitors noted in the locations where interviews were conducted (para 5.3), only 174 visitor locations are recorded, which is just 35% of the total number of visitors counted at its Locations 1, 2 and 3. We are not satisfied that extrapolating from such a modest amount of data is robust;
- g) the survey spanned a period of just 8 days between 30 August and 10 September. Nonetheless, in the light of the interview outputs, Footprint concludes that there is little evidence of seasonal variation in use of the Common. We have two difficulties with this. First, the narrow survey window operated by Footprint has resulted in it gathering insufficient data to enable an appropriate examination of seasonal patterns of use. We note, again, that some interviewees indicated that they use the Common all year round but there is no count evidence of this. Secondly, and although Footprint has only considered levels of use during a very short 'peak' period at the end of the summer, even its own evidence suggest that, actually, there is a difference in the way that the Common is used within and outside of school holiday periods. The rate of interviews per hour was much lower in September (during school term time), even though the September surveys included a weekend day. In August, 102 interviews were conducted in two locations during a total of 16 hours of survey work, but only 97 were undertaken in September during a total of 48 hours of survey work at the same locations;
- h) Footprint has failed to assess the extent to which the Common is used by Military personnel, either for Military or recreational purposes. This is problematic because there are 799 training bed spaces on site and, in 2018, QEB was used by a total 88,887 personnel (the average number of users since 2009 has exceeded 100,000 per annum). It is wrong therefore to assume that all new homes built on QEB would generate entirely new and additional users. Some would replace existing use by Military personnel;
- i) the surveys undertaken by Footprint do not enable or allow adequate assessment of the use of the Common on 'firing' and 'non-firing' days (large parts of the Common are not available to the public on firing days and the MoDs ranges will continue to be used after QEB is vacated);
- j) at no point does Footprint attempt to calculate total daily, weekly, monthly or annual use of the Common and so its findings are not set within a suitably measurable / understandable context. Moreover, its tally count (488 people) counted both people arriving and people departing. It is likely therefore that there will have been some double counting of visitors;

- k) Footprint has made a considerable point about the proximity of QEB to the Common and the extent to which the Common is used by people who currently live within 500m of it. Whilst the interviews do indeed indicate that a substantial percentage of visitors live within 500m of the Common, the interviews also indicate that 42% of visitors live more than 2KM away (so from beyond Strensall). Moreover, the 44 people interviewed from homes within 500m of the Common equates to just 2.1% of the 0-500m population. That is not confirmatory or even suggestive of high levels of use in actual terms;
- l) a significant point is also made about dog walking, yet the median distance travelled to the Common by dog walkers is 3KM, indicating that the majority of dog walkers live considerably further away than would the residents of QEB;
- m) Footprint predicts that new housing planned within 7.5KM of the Common would give rise to a 24% increase in visitors. Of this 24%, it estimates that 18% would be generated by the two QEB allocations and the remaining 7% by other development facilitated by the Local Plan. We have two significant concerns about Footprint's assertions. First, it bases its estimates on the results of just 174 interviews completed over an 8 day survey period. Secondly, it does not set this in any form of meaningful context. The obvious question that arises is 24%, or 18% of what? The percentages as presented are meaningless;
- n) Footprint says that it draws upon existing literature reviews and information gained from site visits to understand the impacts of recreation on the SAC. The majority of the evidence and information gathered by Footprint on recreational impacts is academic and not specific to Strensall Common. It lists the key issues as: trampling; fire; disturbance to grazing livestock (impacting adversely on patterns of grazing); dog fouling; contamination of ponds; fly tipping; and damage to infrastructure. However, it goes on to identify: no issues with trampling, no evidence of fires (save a record of one previous incident), no evidence of contamination of ponds, no evidence of damage to infrastructure (other than some incidents of graffiti on signs and also trees around two of the car parks), and has made no on-site observations of dog fouling (instead it has made assumptions about dog fouling based on the existence of certain types of vegetation in certain locations). Insofar as disturbance to livestock is concerned, Footprint has gathered no evidence of its own and, instead, has relied upon information contained within NE's Site Improvement Plan ("SIP") for the Common dating from 2014. This stated that the tenant farmer had lost stock to dog attacks each year but did not quantify or evidence the issue or provide details of its information sources [that said, NE itself went on to recommend in its Plan a number of mitigation measures including the appointment of a warden, the production of an access strategy and better signage / educational awareness]. There is, it seems no up to date evidence of dog worrying, no catalogue of events and so no robust dog-related information on which to base conclusions about the effects of additional dog use. It is also not clear why NE was apparently happy with the effectiveness of mitigation measures previously but, apparently, now is not (we return to this later); and
- o) Footprint comments on a number of potential mitigation measures but there are others that may be available to DIO (none of which have been discussed with DIO). Footprint's assessment of the efficacy of alternative green space is flawed and has no regard to the impact it might have (even if adjacent to

the Common) were it to be managed in a complementary manner. Notwithstanding this, it is important to note that Footprint does not conclude that adverse effects caused by additional development cannot be mitigated.

#### Issues with the HRA

4.16 DIO has a number of serious concerns about CYCs updated HRA. These can be summarised as follows:

- a) the HRA draws heavily on the Footprint report, asserting that it provides "*new strong evidence (or objective information) that the proposed mitigation cannot be completely relied upon*". There are several points at which the HRA extrapolates data in a manner that appears to be inappropriate / unsupported on the evidence. For example, at para 4.30 the HRA states that "*Footprint was able to show that...new residents would probably make frequent visits, often with dogs, resulting in a likely increase of 63% in access*". It has always been assumed that new residents would probably make frequent visits to the Common. This does not constitute new information. The assertion in respect of dogs is new, but is not evidence-based. Footprint does not make any specific observations regarding the proportion of visitors from QEB that are likely to have dogs and nor does its data allow this to be easily tested. What the data does indicate is that the proportion of lower impact activities (e.g. walking, running) is currently greater for those visitor cohorts that originate closer to the SAC, and that dog-walkers have a greater median travel distance. The reference to 63% is misleading. This is not an estimate of the extent to which overall use of the Common would increase if the QEB sites are developed, it is a simple analysis of the extent to which the number of homes within 500m of the common will increase in the event that the sites are developed;
- b) whilst the Footprint report does provide some 'new evidence', many of the results are unsurprising and entirely consistent with the data and information available at the time of the 2018 HRA (which concluded that established mitigation measures would be effective). For example: access by dog-walkers and consequent sheep-worrying had been highlighted as an issue previously (see reference above to the NE Site Improvement Plan of 2014); the predicted relative increase in access is essentially consistent with the forecast increase in housing numbers in York, which was known at the time of the 2018 HRA; and a cursory review of other publicly available visitor surveys would reveal that residents living close to a site visit more frequently than those living further away, so conclusions reached in that regard (however poorly evidenced), are not new. The most relevant new evidence (that 75% of visitors originate within 5.5km of the site) is largely ignored by the HRA, particularly when considering the potential for other allocations to contribute to increased recreational pressure at the site 'in combination'. It is difficult therefore to see what has fundamentally changed since the 2018 HRA, either in relation to the core assumptions regarding visitors, the QEB allocation or the predicted effectiveness of the mitigation;
- c) the HRA should contain a full and precise analysis of measures capable of avoiding or reducing significant effects. It does not;



- d) the HRA concludes that "...the proposed mitigation cannot be completely relied upon..."; "...the additional requirement for a wardening service [would not] remove the threat of an adverse effect on the integrity"; and that "...this scale of increase [24% - which, of course, is not all attributable to QEB], the uncertainty surrounding the effectiveness of mitigation and in particular, the predicted increase in the worrying of livestock, ensures that... an adverse effect on the integrity of the European site cannot be ruled out". None of these statements are unequivocally supported by the data or evidence from other sites. It is clear from other European sites and mitigation schemes that the mitigation measures proposed (particularly wardening) are achievable and likely to be effective. This is clear from NE's support of them nationally and its Site Improvement Plan for Strensall itself where wardening is one of its core proposals. It is also clear from the available evidence that wardening is effective for complex sites with substantially higher numbers of visitors, and predicted population increases, than Strensall Common (e.g. Thanet DC's Local Plan includes allocations that are likely to increase the population of Thanet (and hence potential visitors to the Thanet Coast and Sandwich Bay SPA / Thanet Coast and Sandwich Bay Ramsar) by over 26% (equivalent of 37,000 people) and yet wardening is considered suitable as the primary mitigation mechanism for safeguarding the interest features (wintering birds) against disturbance by dogs);
- e) rather than assessing each potential mitigation measure as part of a wider suite of measures, with complementary effects, the HRA assesses each one on its own with little consideration to the cumulative efficacy;
- f) Para. 4.23 states: "*[The Footprint report] cast[s] doubt on the effectiveness of the open space within SS19/ST35 and the proposed barrier. In particular, the report raised doubt that it could provide a circular walk of 2.5km...and would lack the natural setting...This evidence suggests that the new open space would prove less attractive than anticipated and that new residents would still seek access to the Common*". This assumes that the purpose of the open space within the QEB site is to entirely supplant all use of the common by residents, whereas it would function in conjunction with other measures (particularly site management and wardening) to reduce potential adverse effects. It must be the case that provision of a large, well designed area of open space on site would reduce pressure on the Common to some degree, as a consequence of its convenience and attractiveness especially to new residents. Contrary to the suggestion in the HRA, the Footprint report does not provide a critique of the proposed open space at QEB, but simply notes that "...Significant areas of green space would be necessary to accommodate routes of this length [2.5km]..." and that "...any alternative green space provision would have to be significant and have a semi-natural feel". Indeed, the Footprint report was principally considering the effectiveness of well-designed SANGS as mitigation for visitors from further afield. The HRA's treatment of mitigation is inconsistent when 'in combination' effects are considered. The mitigation measures referred to in Policy SS19 of the submitted Plan are disregarded or dismissed as being ineffective (despite the measures being specific to QEB, well-established, previously regarded as robust and relied upon in other areas with similar sensitivities), whereas for other allocations within the visitor catchment of the Common (e.g. ST8, ST9 and ST14) the simple inclusion in policy of a commitment to open space is casually assumed to be fully effective in preventing adverse effects. The policies for those other sites contain no SAC specific requirements (either in terms of direct mitigation or even

testing for effects). This is a fundamental issue and goes to the soundness of those other allocations. We will be drawing this to the attention of the Local Plan Inspectors in due course;

- g) Para 4.24 notes that "*Although [the Footprint report] recognised that a permanent barrier could restrict direct access to the Common...it referred to evidence from a similar scenario at Talbot Heath in Dorset where the Secretary of State questioned the effectiveness of a barrier to reduce access to the adjacent SAC/SPA because its permanency could not be guaranteed, and refused the application. The report rightly acknowledges that the MODs current presence provides greater confidence that a barrier could be maintained but questions how long this can be guaranteed*". Para. 4.26 goes on to note that "*The report also highlights that once occupied, new residents may well push for greater access over time. Overall, this evidence and opinion raises credible doubts over the long-term reliance on the barrier as an effective visitor management tool*". The Talbot Heath scenario differs from that at QEB in some important respects. Firstly, the fence was intended to be substantially longer (and so correspondingly more vulnerable); secondly, it would have clearly interrupted well-used paths and desire lines across the Heath between existing housing areas, increasing the likelihood of a breach; thirdly, it was intended to be 'cat-proof', which is substantially harder to maintain than typical exclusion fencing; and fourthly, there was no prospect of the developer or landowner maintaining (etc.) the fence in the long-term. These factors do not apply here. Moreover, this statement appears to assume that any fencing will be primarily intended to prevent residents from QEB accessing the SAC, rather than simply preventing the creation of new ad hoc access points to SAC and so directing access to locations where behavioural management is easier to implement. The assertion that "...new residents may well push for greater access over time" is not evidenced. In the case of QEB, there is no reason to assume that a perimeter barrier will not be effective in directing residents from QEB to appropriate access points;
- h) Para. 4.25 considers residential stand-offs from European sites that have been incorporated into other policy and planning documents. However, these stand-offs relate primarily to SPAs (which are vulnerable to pressures such as cat predation that SACs would not necessarily be sensitive to) the requirement for a stand-off at a European site would need to be considered on its own merits based on a critical examination of the interest features and conservation objectives, and an assessment of the effects taking into account available mitigation. There are several examples of housing allocations located within 400m of a European site (for example, the Chelmsford City Council Local Plan has an allocation partly within 400m of the Essex Estuaries SAC and Crouch and Roach Estuaries SPA / Ramsar). The need for a 400m stand-off is inferred but not examined by the HRA;
- i) Paras. 4.27 and 4.28 consider the mitigation potential of rewetting to reduce visitor impacts away from pathways. The positions regarding the efficacy of this are conflicting. Initially, the states (without evidence) that the dry summer of 2018 "*...suggests that the permanent establishment of wet heath cannot be guaranteed and could not be relied upon to effectively influence visitor behaviour...especially given the uncertainties posed by climate change.*" This statement does not reflect the information available on the hydrology of the site, including NE's 'Supplementary advice on conserving and restoring site features' or the SSSI 'Views about Management', and it is likely that water levels and the presence of wet heath will be a function of water management rather than water

availability. Subsequently, the HRA states that the "*summer of 2018 was an exception and much of Strensall Common is actually wet for much of the year casting doubt on the suitability for this as a management tool*". Leaving aside the non sequitur this does not appear consistent with the Footprint report, which notes that "*no significant impacts were observed away from paths*" (para. 9.16) and that "*...there are very few paths crossing the main stands of vegetation*" in the wetter northern and south western sections of the site. There is no evidence to suggest that re-wetting would not be achievable or effective as a management tool; and

- j) Paras. 4.30 – 4.33 consider the efficacy of wardening. Para. 4.30 notes that "*[the Footprint report] provides evidence of where such schemes have effectively influenced visitor behaviour*" but only concedes that wardening might "*...reduce the impact of a modest increase in recreational pressure...*". Some observations are then drawn from the Site Improvement Plan regarding worrying of sheep, before Para. 4.33 dismisses the effectiveness of wardening stating that "*This evidence [which evidence is not clear] questions whether wardening activities could accommodate the increase in visitors and dogs anticipated to be associated with SS19/ST35 and H59*". There is no evidence to suggest that wardening might only be sufficient for "*modest*" increases in recreational pressure, and many of the examples cited in the Footprint report (and from elsewhere) are dealing with large-scale population increases and similar predictions regarding relative changes in access. For example, Thanet District Council's Local Plan includes allocations that are likely to increase the population of Thanet (and hence potential visitors to the Thanet Coast and Sandwich Bay SPA / Thanet Coast and Sandwich Bay Ramsar) by over 26% and yet wardening is considered suitable as the primary mitigation mechanism for safeguarding the interest features (wintering birds) against disturbance by dogs. A key aspect of most wardening / developer contribution schemes is that they are generally considered by NE to be scalable. Whilst the predicted increase in visitors due to the York Local Plan appears large in relative terms (24%) the Footprint report is silent on what this means in absolute terms. However, the numbers currently accessing the site do not appear to be so large that wardening would not be an effective behavioural management tool. Moreover, even if Footprint's forecast increases in use were proven to be accurate, there is no robust reason why wardening could not manage this increase effectively. It is worth noting that wardening schemes are employed at large sites, often with numerous formal and informal access points, where there are inevitably fewer opportunities for behavioural management (either directly through warden contact, or indirectly through management or controls / informatives at the access points etc.). The Thanet Coast and Sandwich Bay SPA / Thanet Coast and Sandwich Bay Ramsar sites, for example, largely comprise beach areas with few access or management restrictions, where dog-walkers favour the opportunity to let dogs off of the lead. There is no obvious reason to assume that wardening would be less effective for a smaller site with fewer, discrete, access points, and a landowner that is heavily involved and invested in site management.

#### Issues for Plan-Making

- 4.17 In the light of the various points noted above, DIOs principal concerns about the evidence underpinning PMs 13, 14, 18 and 19 can be summarised as follows:

- a) the Footprint work has played a very significant role in CYCs decision-making, yet Footprint has gathered data which provides only a tiny snapshot of how the Common is used. Moreover, it is a snapshot that is not informed by up to date data on the key recreational pressures that Footprint and NE assert are affecting it now or might affect it in the future (livestock worrying and dog fouling); does not indicate how many people visit the Common daily (and so the assertions made about increases in levels of use are not set in a meaningful context); makes no assessment of how the Common is used by Military personnel and how this will reduce when the MoD vacates the Barracks; emphasises the likely additional pressure that will be caused by the QEB proposals but largely ignores the high percentage of visitors that travel to the Common from more than 2KM away and ignores also the fact that the highest proportion of dog walkers come from 3KM away; and
- b) the HRA is almost wholly reliant on the findings of the Footprint Report and does not contain anything approaching a full and precise analysis of measures capable of avoiding or reducing significant effects. Moreover, it asserts that the Footprint report contains significant new evidence whereas all it has added is some count and interview data that provides an incomplete picture of how the Common is used.– CYC assumed, when it produced the HRA for the submission Plan, that a development at QEB would increase recreational pressure on the SAC so the Footprint work actually adds very little; it fails to identify or robustly assess all available mitigation measures; it is inconsistent in the way that it assesses effects and mitigation; and it fails to adequately distinguish between the likely effects of ST35 and H59 and these allocations and others within the visitor catchment of the Common. It is of significant concern that CYC appears to be concluding that if there is any risk or threat to the integrity of the SAC, then proposed allocations must be deleted from the Plan, yet it proposes to retain a collection of allocations that are forecast to generate a 7% increase in visitor numbers. That cannot be sound.

- 4.18 The available evidence does not prove that the development of the QEB sites would adversely affect the integrity of the SAC and nor does it demonstrate that mitigation measures cannot be deployed that would both reduce existing pressures on the Common and alleviate any additional pressure generated by the QEB allocations. Reliance on the Footprint work and a poor HRA has resulted in decision-taking that is flawed.

#### **Impacts and Mitigation Measures Available**

- 4.19 The Footprint data does not tell us how many people are using the Common and nor does it give us precise information on how it is being used. That said, the data does not appear to indicate that the Common is being subjected to heavy or excessive levels of use and Footprint has not made such a claim.
- 4.20 Footprint has not identified issues in respect of trampling, fires, vandalism of infrastructure (other than some graffiti), contamination of ponds and fly tipping. Its primary concern is livestock worrying. It also appears to have a concern about dog fouling.
- 4.21 We understand that NE raised concerns about livestock worrying back in 2014 and although neither it nor Footprint has ever quantified or evidenced the issue, we are cognisant of the fact that there is always a risk of worrying where livestock and dogs are free to roam the same area. Accordingly, we acknowledge that in the absence of suitable controls, increased use of the Common by dog walkers has the potential to give rise

to an increased risk of worrying. In addition, although we know that there is some recreational use of the Common by residents of and visitors to the Barracks (which will cease in 2024), we cannot rule out the possibility of development at the QEB sites giving rise to a net increase in use of the Common for recreational purposes, including increased use by dog walkers.

4.22 With the above in mind, and accepting that it may be impossible to get a completely accurate / robust understanding of how the Common is used through the year, it is necessary to consider how possible effects might be mitigated. And in this respect, DIO is confident that it can put in place a range of measures that will not only mitigate any adverse effects that might be caused by the development of the QEB sites but will also reduce existing pressures on the Common. These are as follows:

- a) enforcement of existing laws and bylaws – it is an offence to wilfully disturb any animal; it is an offence to allow dogs to foul;
- b) working in partnership with Natural England, the provision of regular and frequent reviews of grazing regime and better grazing related information and signage, removing confusion for dog owners and reducing risk of conflicts;
- c) the provision of enhanced visitor information and signage;
- d) continued delivery of onsite management / habitat enhancement as per DIO stewardship obligations;
- e) monitoring of use, recreational pressures and impacts;
- f) a scheme or wardening to deal with monitoring and enforcement;
- g) if monitoring indicates that (a) and (b) are not proving effective) make new bylaws that introduce additional controls, for example a requirement to keep dogs on leads;
- h) the provision, on the QEB site, of a substantial area or areas of public open space, designed so as to deliver play and recreational benefits and be attractive to dog walkers with a semi-natural character and no dogs on lead restrictions;
- i) provision, on site, of suitably secure and well-designed perimeter fencing to guard against indiscriminate access to the Common and guide residents to the main access points; and
- j) if monitoring indicates that additional measures are required, the provision of a substantial area or areas of alternative green space to the immediate south and north of QEB with freedom for dog walkers to use the space without 'worrying' related limitations.

4.23 It is important to note that DIO occupies a unique position in Strensall. It owns the Common and has full control of it (all 'commoners rights' were removed when DIO acquired the land). Whilst ownership brings with it certain responsibilities and obligations (e.g. in respect of stewardship and habitat management / enhancement) which DIO takes very seriously and has plans / programmes for, it also gives it the ability to exert direct control over how the Common is used and, where necessary, introduce additional controls.

- 4.24 Insofar as (a) above is concerned, the Common is already subject to Bylaws which were made in 1972. These are in place to mitigate against inappropriate behaviour, including the making of fires, littering and disturbing or injuring any animal. It is also subject to the provisions of the Dogs (Fouling of Land Act) 1996. The introduction of wardening (as per (f) above) would enable DIO to enforce these existing rules and, therefore, address the two principal concerns that Footprint has highlighted without, it seems to us, the need for further intervention or action. However, if monitoring indicates that livestock worrying, for example, continues to be an issue, the Secretary of State for Defence has bye-law making powers which would allow her to introduce restrictions that required dogs to be kept on leads and which renders those in breach liable to a fine. We attach the opinion of James Maurici QC on this matter.
- 4.25 In relation to (j) above, we note that Footprint appears to doubt the efficacy of alternative green space when this is located close to the main receptor (in this case the Common). However, this appears to be at odds with its assertions in respect of the percentage of visitors that live within 0-500m and 500m – 1000m of the Common. If a significant percentage of visitors do indeed have homes within 1000m of the Common, and these visitors are responsible for a substantial amount of the dog related pressure that the Common is subjected to, it must be the case that there is a better chance of persuading these users (and the residents of any new development at QEB) to visit an alternative green space if this is at least as conveniently located as the Common. That means it needs to be close to Strensall. If it also offers freedoms that the Common does not (e.g. no bylaws or a dogs off leads environment), it is very likely to be effective in significantly reducing existing as well as future pressure. We do not subscribe to Footprint's view of the efficacy of the kind of alternative green space that DIO is able to offer in this instance.
- 4.26 Footprint does not appear to have given any consideration to the existing Bylaws, the Dog Fouling Act, DIOs current land owning obligations / programmes or its ability, through the Secretary of State, to make new Bylaws in respect of the Common. This is a major flaw in CYC's evidence base.
- 4.27 Overall, we are satisfied that this package of measures is absolutely capable of mitigating any effects that might be generated by development at QEB and would also reduce existing pressures, delivering a significant betterment. Furthermore, this is a package of mitigation measures that can be specified and procured through planning controls inserted into the development plan and deployed at the planning application stage. The level of detail now provided on behalf of DIO on these matters goes well beyond what would normally be required at the plan-making stage. Notwithstanding this, we will be making further submission on mitigation in due course.

#### **Conclusions on QEB**

- 4.28 In the light of the above, DIO considers that CYC has made errors in promoting PMs 13, 14, 18 and 19. The QEB allocations were sound elements of the Local Plan when it was submitted and remain sound in spite of the Footprint work and the revised HRA. The HRA must be re-cast and the Proposed Modifications withdrawn. If additional assurances are required in respect of mitigation measures then these may be built into relevant policies relating to the QEB allocations and those other allocations that lie within 7.5KM of the Common.

## 5. Imphal Barracks (PM15)

- 5.1 CYC is proposing to modify the explanatory text to SS20 such that it quotes a smaller site area for the allocation than appears in the submitted Plan. DIO objects to the Green Belt boundary proposed in the submitted Plan (see Section 8 below), which runs through the Barracks. The size of the allocation will need to be re-calculated when the correct boundary is assumed.

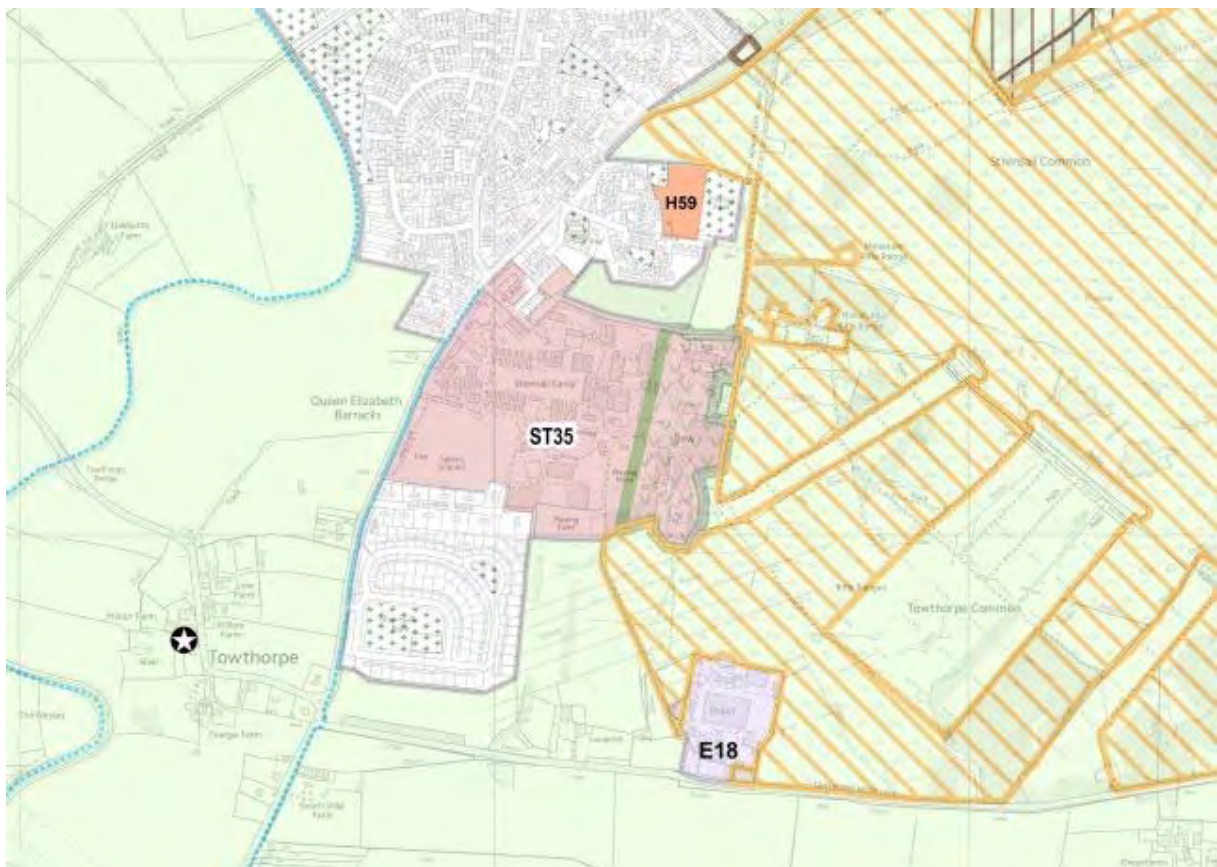
## 6. Towthorpe Lines (PM16, PM17)

- 6.1 CYC is proposing to modify the explanatory text to Policy EC1 by adding in words which describe the ecological evidence that CYC will require at the planning application stage in respect of proposals for Towthorpe Lines. The additional wording is not necessary. Applications for planning permission will be compiled in due course having regard to all relevant statutory requirements and relevant Government Policy, both of which set a clear framework for the assessment of ecological effects in circumstances like this. We note that the proposed text also asserts that the Common is under intense recreational pressure. This is not evidenced. Indeed, as indicated above, the available evidence does not in fact indicate that the Common is subject to heavy or excessive use.



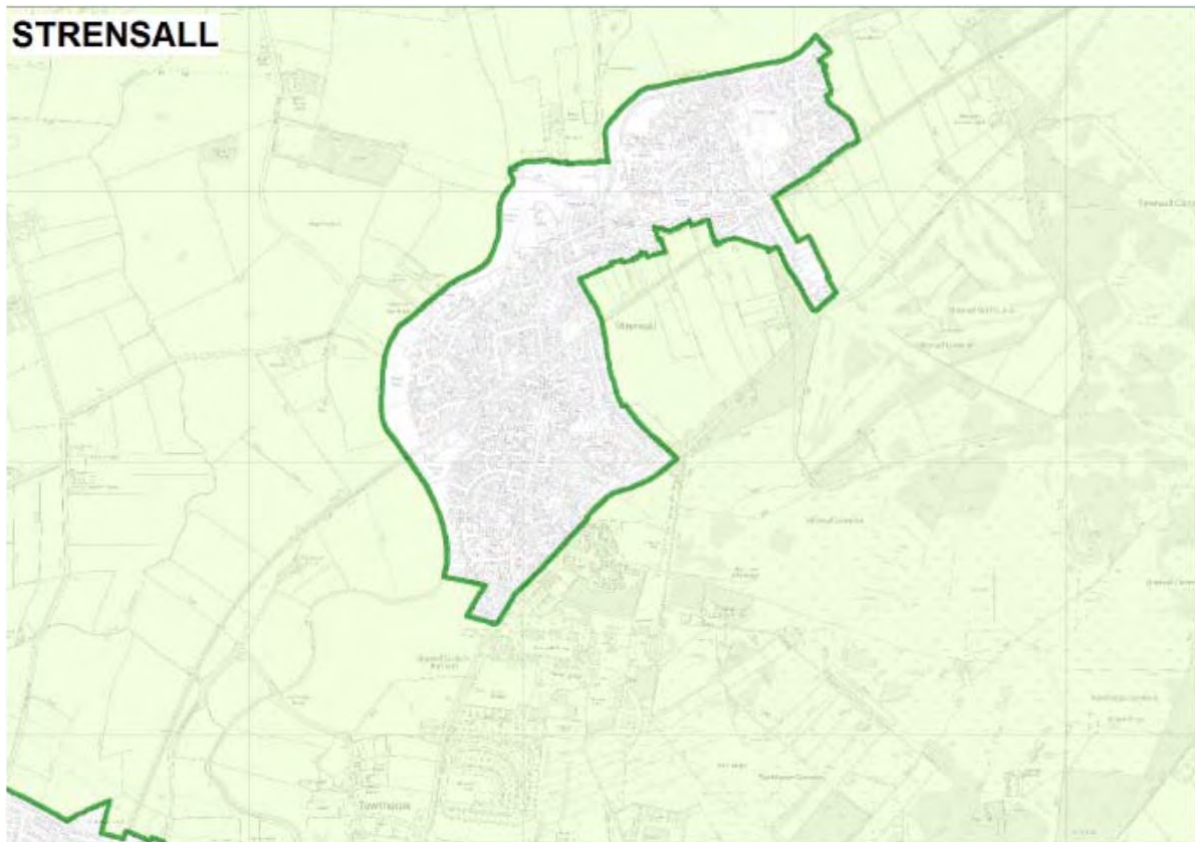
## 7. Green Belt (PM39)

- 7.1 There have been proposals for a Green Belt around York since the 1950s. However, it was not until the publication of the Yorkshire and Humber Regional Spatial Strategy (2008) that the 'general extent' of the Green Belt was first defined in a development plan document. Moreover, although CYC has attempted on numerous occasions to establish detailed Green Belt boundaries through local plan-making processes, none of these processes has resulted in the adoption of a Local Plan and so detailed boundaries have never been defined by the development plan. It is, therefore, an important function of this new Local Plan to define the precise extent of the Green Belt around the City and outlying settlements.
- 7.2 The submitted Plan includes Policies Maps which, amongst other things, indicate where CYC considers the detailed boundaries of the Green Belt should run. The boundary around the southern part of Strensall is defined in the submitted Plan as shown below. QEB and existing housing off Alexandra Way and Strensall Park (to the south of QEB) lie beyond the Green Belt in the submitted Plan.



- 7.3 For the reasons set out later in this Section, we are firmly of the view that the boundary defined in the submitted Plan is consistent with national planning policy requirements / objectives and is therefore sound.

- 7.4 Notwithstanding this, because CYC is now promoting the deletion of allocations ST35 and H59, it is also promoting a modification to the Green Belt boundary in the vicinity of QEB (PM39). This, if agreed and ultimately adopted, would result in QEB and the aforementioned existing housing being washed over by Green Belt as opposed to excluded from it (see below the proposed modified boundary):



- 7.5 It was not clear, at the point of Submission (or indeed prior to Submission), exactly how CYC had settled on the boundaries shown on the Policies Maps. So far as we can tell, there was no document available then that explained the policy and technical basis for the decisions that CYC had taken.
- 7.6 In May 2018 (post-Submission), CYC published "Topic Paper 1: Approach to Defining York's Green Belt". However, this failed to adequately explain the process that CYC had been through and failed also to describe how the approach it had taken reflected the requirements of national planning policy. Following questions from the Inspectors, in March this year, CYC published an "Addendum to TP1" which contained much of the information that we had expected to see in TP1. However, the Addendum is incomplete and internally inconsistent. It does not, for example, fully explain all of the analytical and decision-making stages that CYC has worked through and, insofar as QEB and the housing to the south is concerned, it, on the one hand, concludes that this does not comprise land that needs to be kept permanently open but, on the other, attempts to justify it now being washed over by Green Belt. CYC's analysis and justification is flawed and the Modification that it is promoting at Strensall is not sound. Nor is it required to be made in order to render the submitted Plan sound.

## Policy Context

7.7 The history of York's Green Belt is peculiar and has resulted in a situation where only the general extent of the designation has been formally defined. If adopted, this new Local Plan will be the first development plan document to define detailed inner and outer Green belt boundaries, and boundaries around settlements or development that lies between the City and the Green Belt's outer edge. This includes settlements such as Strensall.

7.8 The NPPF is clear that local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans and that these should set the framework for Green Belt and settlement policy (NPPF para 82). It is also clear about how local planning authorities should define their Green Belt boundaries. It states that:

*When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.*

*When defining boundaries, local planning authorities should:*

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is unnecessary to keep permanently open;*
- *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;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *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. (NPPF paras 84 and 85)*

7.9 It is not necessary, when defining Green Belt boundaries for the first time, to demonstrate that there are exceptional circumstances justifying proposed boundaries that might, on the face of it, be regarded as deviations from the 'general extent' of the Green Belt, however that has been defined. The NPPF is clear that 'exceptional circumstances' need only be demonstrated in cases where a local planning authority proposes to alter a Green Belt boundary that has already been established. At paragraph 83 it states that:

*Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. 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. (our emphasis)*

### Application of Policy at Strensall

- 7.10 As indicated above, it is within the Addendum to TP1 that we find CYCs fullest explanation of the approach that it has taken to defining detailed Green Belt boundaries. It is also where we find its justification for PM39 (see Addendum Annex 4). Insofar as the former is concerned, CYC indicates that it begun by assessing the entirety of the area falling within the general extent of the Green Belt for whether it satisfied one or more of the five purposes of Green Belt as defined in the NPPF. It then layered the results of each of its five assessments to define those parts of the City that it considered need to be kept permanently open. The Addendum confirms (rightly) that the QEB land is not land that it is necessary to keep permanently open. Accordingly, it is not land that should be included within the Green Belt (NPPF para 85).
- 7.11 The Addendum then goes on to explain how CYC moved to a finer grain assessment of the outer boundary of the Green Belt (its outer edge) and the inner boundary (around the City). It indicates that this, more detailed assessment, was also carried out having regard to the five purposes of Green Belts but also the need to select boundaries that are capable of enduring beyond the plan period and are permanent in their own right (i.e. defensible).
- 7.12 For the settlements that lie between the City and the outer edge of the Green Belt, the Addendum states that CYC applied a three-stage analysis. This began with the identification of built up areas and then went on to consider whether these areas need to be kept 'open' and therefore washed over by Green Belt before, finally, looking at the line the Green Belt boundary should take where built up areas are to be inset. CYC identified built up areas within the Green Belt using GIS and an assessment of the density of built form. This generated a list of 42 built up areas that CYC went on to assess. Stensall was identified as area 3. Each of the 42 built up areas was then, apparently, assessed for the extent to which it has an 'open character' and whether such character makes an important contribution to the openness of the Green Belt. This, the Addendum indicates, resulted in CYC identifying 18 built up areas for exclusion from the Green Belt (and 24 that CYC considered should be washed over). This included Strensall.
- 7.13 These 18 areas were then subject, according to the Addendum, to the same detailed boundary analysis as the inner and outer edges had been (i.e. having regard to the five purposes of Green Belts and factors of openness and permanence). The results of this analysis are contained within Annex 4 to the Addendum. Strangely, the results communicated in the Addendum fit CYCs Proposed Modifications and are not representative of the submitted Plan. We cannot find any evidence which describes the assessment that CYC undertook in respect of the Strensall boundary for the purposes of the submitted Plan. In any event, the Addendum asserts that the boundary around Strensall was assessed as follows:

#### *Character of the Area*

*Strensall is a typical linear street village. Interestingly, The acquisition of Strensall Common as a military training ground in the late 19th Century influenced the Strensall area. Strensall remained an agricultural village until well into the 20th Century, though it also had a brick and tile works, and the Tannery. The heart of the Village has an attractive and informal mixture of well-proportioned 18th Century and 19th Century detached houses and vernacular cottages. The more traditional areas of the Village demonstrate a sense of continuity of character. The boundaries of properties along The Village are boundaries that existed in the medieval period. Adjoining the River Foss, Strensall has retained its traditional outer edge. The line of Church Lane is important historically, though*

*'suburbanisation' of its character has resulted from infill development. The link to the past remains the sudden view of open landscape beyond the trees of St Mary's Churchyard contrasted with the small scale enclaves of buildings going through to Church View. This helps retain a valuable rural quality. Trees are also important to the setting of the Manor House.*

***This urban area exhibits a low degree of openness, and does not contribute to the openness of Green Belt. Therefore it is recommended not to keep this land permanently open but to inset it within the Green Belt.***

#### **Detailed Inner Boundary**

*The western and northern Green Belt boundary around Strensall largely follows the recognisable feature of the River Foss. An exception to this is at North Lane where the boundary abuts the recent housing development at the Tannery. Providing a clear distinction between built and open. The boundary moves to the east following rear property boundaries, continuing along Brecks Lane and south following the front and rear property boundaries of Lords Moor Lane, including the club house and car parking area of The York Golf Club. The isolated property to the south of the golf club is included within the Green Belt owing to it being detached from the built up club house and car park and being more open in nature. Crossing the railway line moving west the boundary follows rear property boundaries, crossing back over the railway line, down Moor Lane where the boundary then follows rear and side property boundaries before picking up the route of Ox Carr Lane which forms a defensible boundary down to the entrance of the village at Strensall Services on Strensall Road. Development to the south east of Strensall is more open, given the low density buildings with large areas of open space. The majority of the properties in this part of the village have a rural aspect. As such this area has been included within the Green Belt. The boundary continues to the west towards the River Foss following rear property boundaries. In following the recognisable feature of the River Foss to the west and north and road and property boundaries to the east and south an identifiable boundary is set around Strensall providing a clear distinction between built and open.*

#### **Strategic Performance**

*The long term strategic permanence of the Green belt is determined by its ability to endure over the lifetime of the Plan and beyond. The boundary illustrated and discussed on this proforma represents a position in advance of considering exceptional circumstances for the release of Green Belt (section 7 of the report). Where there is a proposed site allocation which removes land from the Green Belt, the impact and change to the boundary is considered in Annex 5." (our underlining)*

- 7.14 So far as we can tell, the text that we have underlined is the total extent of CYCs justification for PM32. There is no evidence here of CYC having had regard to the purposes of Green Belt or the policies contained within paragraphs 84 and 85 of the NPPF and no explanation as to why, Section 4 of the Addendum, CYC quite clearly find that QEB need not be kept permanently open and in Annex 4, it concludes that it must.
- 7.15 The reality of course is that the QEB land:
- a) is not 'open', it is developed, and so is not performing / cannot perform a role in checking unrestricted sprawl;
  - b) cannot be said to perform any strategic or local role in keeping neighbouring towns from merging. This is for two reasons: (i) the barracks is contiguous with the main built up part of the village and so forms part of a continuous built up area, defining its south eastern edge. So, if there were concerns about settlements merging to the east or south east of Strensall, the concern would be about the gap between the eastern edge of the Barracks and the adjacent settlement, not Ox Carr Lane and the adjacent settlement; and (ii) the open land to the immediate east and south east of Strensall is not forming part of

a sensitive gap between settlements - the nearest settlement to Strensall on its eastern and south eastern sides is Stockton on the Forest which is more than 2KM away;

- c) is developed and is not open countryside and so cannot be keeping the countryside free from encroachment;
- d) does not form part of the setting of an historic town and so cannot be said to be performing a role in preserving the setting of such a town; and
- e) is urban land (CYC regards Strensall as an urban area within the Green Belt and QEB is part of the Strensall urban area) and will soon be vacant. Therefore, washing it over with Green Belt would be completely counter intuitive and would serve to frustrate rather than further the Green Belt policy objective of encouraging the regeneration of such land.

7.16 Moreover, including QEB within the Green Belt:

- a) would frustrate the delivery of sustainable patterns of development and would be at odds with CYCs spatial strategy – Section 4 of the Addendum to TP1 confirms that this is the case (NPPF paras 84 and 85);
- b) would frustrate Government aims to ensure that surplus, brownfield public sector land is recycled;
- c) would frustrate Government aims to address the housing crisis; and
- d) would be likely to result in land being kept permanently open which does not need to be kept permanently open (for the reasons explained above and because it does not have an open, undeveloped character currently).

7.17 Finally, it would be wrong to assume that Ox Carr Lane represents the only clear, permanent boundary that is available on this south eastern edge of Strensall. The boundary of the Barracks is clear (as is the built up extent of the existing housing to the south) and there is no prospect of development occurring to the east on account of the presence of the SSSI and SAC. Ultimately, it makes no sense to include QEB within the Green Belt. It serves no Green Belt function, is not open and need not be limited to its current built state in order for strategic Green belt objectives to be satisfied. Accordingly, the Green Belt boundary defined in the submitted Plan is sound and should be maintained.

### **Imphal Barracks**

7.18 In reviewing its position as regards the Local Plan, DIO has noted what appears to be an error in the way in which the inner Green Belt boundary is defined in the vicinity of Imphal Barracks (Strategic Allocation ST36). The boundary in the submission Plan is drawn as follows:



- 7.19 CYCs justification for this part of the inner boundary is contained within Annex 3 to the Addendum to TP1. It is referred to as Section 7 Boundary 18. Whilst CYCs narrative appears, on the face of it, to be quite full, it actually contains almost nothing in the way of analysis of Green Belt purposes and the NPPF's policy on boundary definition. Critically, it says very little about why it believes that the part of the Barracks that lies to the immediate east of the proposed boundary performs a Green Belt function. The sum total of its analysis in this regard is as follows:

*Openness and Urban Fabric*

*There are a number of isolated buildings within the Imphal Barracks site which have been included in the green belt along with their surrounding green space; this land sits within Walmgate Stray, the importance of which is described under 'Strategic Openness'. As such, it is important to keep this land open.*

*Strategic Openness*

*Purpose 4 & 2 - Adjacent land sits within an area identified by "The Approach to the Green Belt Appraisal" (2003, and its subsequent updates) as important in preserving the setting and special character of York. Walmgate Stray has historical importance as common grazing, and is presently maintained as public open space. The green wedge helps protect the open setting of the City and open space adjacent to the Barracks. It provides a rural setting to the City affording good views of the Minster.*

*Purpose 1 - Land has access to 2 or more services.*

*Purpose 3 - Adjacent land forms part of a District level Green Corridor. It is not designated as public open space, but is currently in use as recreational sports pitches associated with Imphal Barracks.*

- 7.20 Apart from the reference to preserving the setting of York, which we return to below, this says nothing about the purposes of Green Belt and why land to the immediate east of this part of the boundary is performing a role that is consistent with these.

7.21 Again, a proper assessment of the land to the immediate east confirms that:

- a) the majority of the land is developed with military buildings and associated infrastructure – it is not ‘open’ and certainly does not have an open character. Where the land is open, for example to the immediate north of Bray Road, it is used by MoD as a sports pitch and the land has a clear physical and functional relationship with the Barracks. It is not part of Walmgate Stray which is an area of natural green space and is completely ‘open’;
- b) because it is already developed, it is not capable of playing a role in checking the unrestricted sprawl of the City. Besides, if the land were to be redeveloped, development here would not be unrestricted, the land has very clearly defined boundaries that separate the Barracks from the open land to the east (Walmgate Stray);
- c) the land plays no role in keeping neighbouring towns from merging – it forms part of the York urban area and other built development to the east, across Walmgate Stray also forms part of the York urban area. If land in this general vicinity is considered by CYC to be performing a separating role of some kind then (i) it is not the Barracks land that is performing this role (because it is already developed) but Walmgate Stray and (ii) it is separating different parts of the City and not neighbouring towns. The role, therefore, may be a strategic one in planning terms, but it is not a Green Belt role;
- d) the land is not countryside and so it is not performing a role in safeguarding the countryside from encroachment;
- e) neither the open nor the developed parts of the Barracks play a role in preserving the setting of historic York. It may be that Walmgate Stray plays such a role (and that is what Annex 3 to the Addendum alludes to) but the Barracks plainly does not / cannot;
- f) because the Barracks is already developed, using Green Belt policy to prevent the redevelopment of it would not encourage further urban regeneration but, as it would at QEB, it would do the opposite and frustrate the regeneration of part of the established urban area. That cannot be right.

7.22 Ultimately, as the NPPF confirms, the essential characteristics of Green Belts are their openness and their permanence and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This land is not open and it is not characteristic of Green Belt.

7.23 This part of the inner boundary requires amendment and should be drawn as follows:





#### Other Green Belt Matters

- 7.24 We note that CYC is suggesting that the Local Plan should make provision for development for a period of 5 years beyond the Plan period to 2033 (i.e. to 2038). It is doing so because it considers that this will enable it to define Green Belt boundaries that are permanent and endure beyond the Plan period (and so address NPPF paragraphs 79 and 83 in particular). What it does not do, however, is identify any 'safeguarded land' in accordance with NPPF paragraph 85. By not planning for more than 5 years beyond the Plan period and not identifying safeguarded land, we consider CYC's approach to be flawed and the Plan unsound. If the Plan does not, in Green Belt terms, look more than 5 years beyond the Plan period, it is very likely that the Green Belt boundary will have to be modified again when the Plan is next reviewed and in the light of the way in which the NPPF now operates, the Plan will almost certainly have to be reviewed in the very near future. Accordingly, if the Green Belt boundaries that are to be fixed through this Local Plan are to endure, CYC needs to set out its growth strategy for a period of at least 10 years beyond the Plan period, and make adequate provision for this in terms of boundary specification, allocations and safeguarded land.

## 8. Monitoring (PM45 and PM46)

- 8.1 PM45 and PM46 incorporates an additional target and indicator to "*respond to requirements for monitoring and review of recreational pressure at European designated nature conservation sites as a result of development in the plan.*" These read as follows:

*PM45*

*Target "No adverse increase in recreational pressure on Strensall Common SAC, Lower Derwent Valley SPA and Skipwith Common SAC."*

*PM46*

*Indicator "Change in visitor numbers at and condition of Strensall Common SAC, Lower Derwent Valley SAC and Skipwith Common SAC"*

- 8.2 We have several concerns about PMs 45 and 46. First, in order to measure increases in pressure, CYC needs full and accurate baseline data – data against which it can assess levels of use and inappropriate behaviours. It does not have this data at present and it has given no indication as to how it might procure it. Secondly, in order for these PMs to have any meaning or effect whatsoever, CYC must monitor how the Common is used going forward. It has no plans or proposals for monitoring, has not discussed this at all with the landowner (DIO), from whom it will need permission to run surveys. In addition, neither PM45 nor PM46 gives any indication as to what, exactly, CYC will be monitoring or looking for. The proposal are, therefore, unsound.
- 8.3 Of course, were the Inspectors to agree with DIO that the QEB allocations remain sound, assessment and monitoring of the use of the Common (as well as specific mitigation measures) could be procured on the back of developments proposed on these sites.

# Appendix I

## RPS Report on OAN Matters

# **CITY OF YORK LOCAL PLAN – OBJECTIVELY ASSESSED NEED REVIEW**

**RPS Consulting Services Ltd for Defence Infrastructure Organisation**

**July 2019**

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## EXECUTIVE SUMMARY

### Conclusions on the Council’s approach to Housing Need

The National Planning Policy Framework makes clear that Local Authorities should use their evidence base to ensure that they can meet the full Objectively Assessed Need for both market and affordable housing, as far as is consistent with the Framework. RPS has identified a number of technical areas that the Council should address in order to correctly review its Objectively Assessed Need for Housing, which have been considered as part of this report.

In summary, RPS considers that the housing need figure of 790 dwellings per annum proposed as part of the Council’s latest evidence, and subsequently the Proposed Modifications consultation, is not a robust or sound - position to take. As a transitional authority under the provisions of the 2019 National Planning Policy Framework, the York Local Plan is being assessed against the former 2012 Framework, and the supporting 2014 National Planning Practice Guidance. RPS proposes that the Council should apply an alternative figure of 997. This would be based on using the figure of 867 dwellings per annum in the Submission Local Plan as the starting point for the OAHN, but would also include an appropriate adjustment to account for market signals in York, and that this figure should be met as a minimum.

In arriving at this view, RPS identifies a number of overarching deficiencies in the approach to assessing OAHN as part of the City of York Local Plan (“CYLP”) process which currently prevent this process being found sound in accordance with Paragraph 182 of the Framework:

- The Council has shifted the demographic-based starting from the 2014-based to the 2016-based official projections. The 2016-based projections represent a significant reduction in the projected growth in population and households up to 2032. Relying on the 2016-based projections downgrades the demographic-based starting point, a position which is contrary to practice in recent Local Plan examinations elsewhere, and does not reflect the growth aspirations and objectives of the CYLP, which has remained broadly unchanged since the CYLP review process began in 2012. RPS considers that the use of the 2016-based projections does not inform a credible position and the demographic starting point should be rebased to the 2014-projections, as undertaken in earlier assessments of household growth. The Council’s own OAHN using the 2014-based projections generates a housing need of 867 dpa;
- Despite the use of more pessimistic projections of population growth for the City of York, the Council maintains the Plan strategy focused on recognising the District’s crucial role economically in the future of the District and also the wider sub-region. This is not reflected in the overall calculation of housing need;
- In terms of assessing the balance between housing need and jobs in the City of York, the Council only considers a single employment forecast specifically within the housing need calculation (650 jobs per annum, or 0.5% annual growth rate). It does not consider any evidence using alternative sources, notably past trends in jobs growth, as an input to the assessment of future employment growth (c 0.83% annual growth rate based on observed jobs growth between 2000 and 2017). The result is a job-led housing need

estimate that appears at odds with the economic-led strategy focus of the York Local Plan and which could under-estimate the need for additional homes to the detriment of the wider economy and sustainable development objectives;

- The Council's updated suggested adjustment for market signals (15% applied to the 2016/2014-blended projection) is not sufficient to address the worsening trends in house price and rental increases and widening affordability gap in York, as evidenced in this critique but also taking into account the Council's own evidence on market signals. The market signals adjustment also (wrongly) incorporates the adjustment for household suppression, which is a demographic-based adjustment rather than market/affordability-based, contrary to the PPG;
- Consequently, RPS concludes that the market signals adjustment of 15% should be applied to the 2014-based population and household projections and is considered reasonable based on current evidence. By applying the 15% market signals adjustment to the demographic starting point of 867 pda (using the 2014-based SNPPs/SNHPs), this would generate a full OAHN of 997 dpa for York;
- The Council has effectively ignored the pressing need for affordable housing in York (573 dpa) by subsuming the affordable housing allowance within the market signals adjustment. This is contrary to the PPG and is not soundly-based. RPS strongly suggests based on the Council's preferred approach to OAN a specific allowance is justified and should be applied over and above the market signal adjustment. Under the alternative approach advocated here, based on an OAN of 997 dpa, we consider that the adjustment for affordable housing would be captured within the 997 dpa figure as a means to significantly boost the overall supply of housing, consistent with the PPG, and so a separate adjustment over and above this figure would not be necessary; and
- In terms of future plan review, but also in context of the Council's preferred housing need figure, it is clear that the Council will need to respond to a significantly higher local housing need for York in the future (representing a 39% increase) derived from the standard method, currently estimated at 1,099 dpa.

The approach has evaluated the Council's approach in line with the steps set out in the Planning Practice Guidance (2014) and has suggested reasonable adjustments informed by relevant and up to date information.

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# 1 INTRODUCTION

## 1.1 Report Overview

- 1.1.1 This report has been prepared by RPS Consulting Services Ltd ('RPS') on behalf of Defence Infrastructure Organisation ('DIO'), in support the City of York Local Plan 2017-2032 ('CYLP') examination process.
- 1.1.2 The report responds to the City of York Council's ('the Council') evidence submitted to the CYLP examination in relation to its Objectively Assessed Housing Need ('OAHN'), set out in the following documents:
- City of York – Housing Needs Update, GL Hearn, January 2019 ('2019 HN Update') (examination document 'EX\_CYC\_9');
  - City of York Strategic Housing Market Assessment Addendum Update, GL Hearn, May 2017 ('2017 Addendum Update') (examination document 'SD050')
  - City of York Council Strategic Housing Market Assessment – Addendum, GL Hearn, June 2016 ('2016 SHMA Addendum') (examination document 'SD052');
  - City of York Council Strategic Housing Market Assessment, GL Hearn, June 2016 ('2016 SHMA') (examination document 'SD051');
- 1.1.3 The Council's Publication (Regulation 19) Plan (CD001), submitted in February 2018 proposed an OAHN of 867 dwellings per annum ('dpa') over the plan period 2017-2032, including shortfall from 2012. This was framed against evidence from the 2017 Addendum Update. Since this Plan was submitted, the Council's evidence base has again been updated (2019 HN Update), the consequence of this being that the OAHN is now proposed to be reduced to 790dpa. This equates to 16,590 dwellings across the Plan period 2012-2033<sup>1</sup>. The Council adopted this figure for plan-making purposes on 7<sup>th</sup> March 2019<sup>2</sup> based on the latest evidence submitted to the examination quoted above (EX\_CYC\_9), which has also been transcribed into 'Proposed Modification 5' of the Council's Main Modifications.
- 1.1.4 . RPS sets out a brief chronology on the Council's evidence base to date (section 3). In this context, RPS has reviewed in detail the key components of the City of York OAHN in respect of the following topics, which are cover the following elements, drawing from the National Planning Practice Guidance ('PPG') from 2014:
- The Demographic starting point;
  - Demographic adjustments to the starting point (including Household formation);
  - Employment Growth;
  - Market signals; and

<sup>1</sup> Reference to the plan period is taken from the *City of York Local Plan – Publication Draft* (February 2018), paragraph 3.13

<sup>2</sup> EX\_CYC\_12

- Affordable Housing.

1.1.5 The findings of this report provide up-to-date evidence in respect of the assessment and review of the OAHN for the City of York.

## 1.2 Requirement for Objectively Assessed Need

1.2.1 The requirement for Local Plans to meet OAN has been in place since the publication of the 2012 National Planning Policy Framework ('NPPF1'). The core planning principles of the NPPF1 are outlined in Paragraph 17, which requires that every effort should be made to objectively identify the need for housing, responding positively to opportunities for growth and market signals. Paragraph 47 of the NPPF1 requires Local Authorities to use their evidence base to meet the full objectively assessed need for market and affordable housing in the housing market area. Further guidance is set out in the supporting 2014 PPG, which is the National Planning Practice Guidance (PPG) relevant to this examination.

1.2.2 There is no single prescribed method for the calculation of OAHN for housing, however there are several principles set within national policy to ensure all pertinent issues are considered.

1.2.3 In terms of transitional arrangements, the Council has submitted its Local Plan prior to the 24 January 2019 deadline and so the policies in the NPPF1 are to be used for the purposes of examination, in accordance with paragraph 214 of the revised November 2018 NPPF (NPPF2) and February 2019 NPPF (NPPF3).

1.2.4 The OAHN figures quoted from the Council's evidence and reproduced here relates to the preferred OAHN corresponding to the City of York. This is because the preferred OAHN forming the basis for the Local Plan housing requirement covers this geographical area.

## 2 CHRONOLOGY OF EVIDENCE

This section presents a brief chronology of the Council’s published position regarding OAHN for the City of York area, informed by the various published evidence documents, to provide context for the subsequent critique later in this report.

### 2.1 Strategic Housing Market Assessment (June 2016)

2.1.1 The City of York Strategic Housing Market Assessment published in 2016, prepared by GL Hearn Ltd, represents the latest full SHMA that provides evidence consistent with the PPG 2014.

2.1.2 The main conclusion of the SHMA 2016 identified the overall full objectively assessed need of 841dpa for housing over the period 2012-32<sup>3</sup>. This comprised the following baseline and related assumptions:

- Demographic starting point using the 2012-based sub national population projections (2012-based SNPPs) published – 783dpa;
- Adjustments for updated population estimates (MYEs 2013 and 2014) – 833dpa<sup>4</sup>;
- This represents a 6% uplift on the baseline demographic projections;
- Adjustment to take account of household suppression (by returning the household formation rates of the 25-34 age group back to 2001 levels by 2025 (from 2015)). In other words, this assumes that headship rates will improve between 2015 and 2025 and then track the ‘trends’ suggested in the 2012-based CLG household projections thereafter<sup>5</sup> - 841dpa;
- The conversion rate from households to dwellings applied (for vacant properties) was 3.8%, based on the proportion of vacant dwellings taken from the Census 2011;
- This represents a 7.4% uplift on the baseline demographic projections, which would constitute an 8 dwelling increase to the starting point;
- No uplift applied to account for the expected growth in jobs during the plan period, as the assumed annual jobs growth forecasts for the City of York area (ranging from 609 to 868 jobs per annum) would only generate a need for between 780 and 814 dwellings pa, lower than the adjusted-demographic starting point of 833 dpa<sup>6</sup>;
- The adjustment made through improvements in household formation (constituting 8 dwellings) is considered sufficient to make a meaningful response to the affordability pressures facing the residents of the District. Consequently, the 8 dwelling ‘uplift’

<sup>3</sup> SD051, para 30

<sup>4</sup> SD051, para 13

<sup>5</sup> SD051, para 28

<sup>6</sup> SD051, para 5.12

represents a 1% uplift to the overall full OAHN for the City of York area, as acknowledged in the SHMA 2016 report<sup>7</sup>;

- No allowance is made to help deliver more affordable housing, despite the fact that the net need for affordable housing represents nearly 70% (or 573 dpa) of the overall claimed OAHN<sup>8</sup>.

2.1.3 In summary, the SHMA 2016 identifies a full objectively assessed housing need of 841 dpa, which incorporates an ‘uplift’ of 7.4%, around 6% of which constitutes an adjustment solely for household suppression (a ‘demographic adjustment’) with a less than minimal uplift to address local affordability pressures evident in the City of York area<sup>9</sup>.

## 2.2 Strategic Housing Market Assessment - Addendum Update (May 2017)

2.2.1 An update to the OAN elements of the SHMA 2016 was published by the Council in May 2017, which formed the basis for the housing growth figure of 867 dpa set out in the Publication Draft CYLP<sup>10</sup>, still covering the period 2012-32.

2.2.2 The main result stemming from the updated evidence was an increase in the full overall objectively assessed housing need from 841 dpa to 953 dpa<sup>11</sup>. This was based on the following updates to the baseline and related assumptions:

- Demographic starting point using the 2014-based sub national population projections (2014-based SNPPs) published – 867dpa;
- Adjustments for updated population estimates (MYEs 2015) – 866 dpa;
- This represents no uplift on the baseline demographic projections, rather a single dwelling decline (based on the change in age structure);
- Consistent with the SHMA 2016, adjustment applied to the 2014-based SNPPs (including the 2015 MYE update) to take account of household suppression (by returning the household formation rates of the 25-34 age group back to 2001 levels – 871dpa);
- The conversion rate from households to dwellings applied (for vacant properties) was 1.3%, based on Council Tax figures<sup>12</sup>;
- This represents a 4 dwelling increase over the baseline demographic-starting point (867dpa), or just 0.46% uplift;

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<sup>7</sup> SD051, Table 53

<sup>8</sup> SD051, paragraph 11.26

<sup>9</sup> SD051, paragraph 8.99

<sup>10</sup> Policy SS1

<sup>11</sup> SD050, paragraph 5.6

<sup>12</sup> SD050, paragraph 2.16

- Consistent with the SHMA 2016, no uplift applied to account for the expected growth in jobs during the plan period, relying on the previously assumed annual jobs growth forecasts for the City of York area produced by Oxford Economics (OE), which ranged from 609 to 868 jobs per annum). This would only generate a need for between 780 and 814 dwellings pa, lower than the adjusted-demographic starting point of 871 dpa;
- Unlike the SHMA 2016, an adjustment of 10% (87 dpa) is applied to the adjusted-demographic starting point (867dpa) in response to the affordability pressures facing the residents of York and to enhance affordable housing delivery<sup>13</sup> - 953 dpa;
- Consequently, the 'allowance' to address affordable housing need is incorporated into the overall 'affordability' uplift.

2.2.3 In summary, the 2017 Addendum Update recommends the use of the official projections as 'starting point' and that, on this basis, delivery of 867dpa would only meet the demographic growth of the City but would not address the City's affordability issues<sup>14</sup>. Furthermore, the update also clearly recognises that without an adjustment for market signals the City's younger population would fail to form properly, resulting in greater numbers [of young people] residing with parents or friends or in shared accommodation such as HMOs <sup>15</sup>.

## 2.3 City of York – Housing Needs Update (January 2019)

2.3.1 A further update to the OAN elements of the SHMA 2016 and, subsequently, the 2017 Addendum Update was published and submitted to the CYLP examination Inspectors by the Council in January 2019. This was done in response to the publication of more recent projections (2016-based) that were issued by ONS in September 2018, which suggested lower projected growth for York based on revised trends and revisions to the methodology used by ONS, particularly in terms of how household formation rates are calculated.

2.3.2 Based on the revised projections, the key conclusion of the 2019 HN Update was to recommend a revised OAHN of 790 dpa, a reduction of 163 dwellings annually compared to the recommended OAHN in the 2017 Addendum Update (953dpa), for the revised period 2012-37.

2.3.3 The shift in preference by the Council to a lower housing need for York is based on the following updates to the baseline and related assumptions:

- Demographic starting point using the 2016-based sub national population projections (2016-based SNPPs) published – 484 dpa;
- Adjustments for updated Mid-Year population estimates from 2017(MYE 2017) – 489 dpa;
- This represents a 5 dwellings uplift on the baseline demographic projections, or 1.0% increase;

<sup>13</sup> SD050, paragraph 3.13 and Figure 5

<sup>14</sup> SD050, paragraph 5.9

<sup>15</sup> SD050, paragraph 5.10

- An adjustment applied to the 2016-based SNPPs (including the 2017 MYE update) to take account of household suppression (by applying a ‘part return’ to previous rates seen in the 2008-based projections for 25-34 and 35-44 age groups and linked to the 2014-based SNHP household formation rates) – 679 dpa;
- The conversion rate from households to dwellings applied (for vacant properties) was 3%<sup>16</sup>;
- This represents a 195 dwelling increase to the 2016-based adjusted-demographic starting point (484 dpa);
- As move away from the previous evidence, greater consideration was given to an ‘economic-led’ projection based on an assumed jobs growth of 650 jobs per annum. This was derived from an updated Employment Land Review published in September 2017<sup>17</sup>. This constrained future household growth to the claimed growth in jobs, using the 2016-based SNPPs and 2014-SNHPs with a part return to trend – 790 dpa
- An adjustment of 15% (73 dpa) for market signals and affordable housing need is recommended as an appropriate uplift to address significantly worsening affordability in York<sup>18</sup> - 557 dpa. Therefore, consistent with the 2017 Addendum Update, the ‘allowance’ to address affordable housing need is incorporated into the overall ‘affordability’ uplift.

2.3.4 In summary, the Council’s approach and evidence base has now shifted away from the previous two published positions (2016 and 2017), which suggested higher levels of housing need for York up to 2032. Based on the current published position, informed by more recent published projections, the Council now prefers to base its Local Plan examination on an OAHN of 790 dwellings per annum, rather than the previously published need figures (841 dpa and 867 dpa).

2.3.5 Set out below is a summary of the Council’s approach to address the expected level of need in York up to 2032 through the CYLP, and how it has responded to the evidence base in the formulating the CYLP.

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<sup>16</sup> EX\_CYC\_9, paragraph 3.17

<sup>17</sup> SD063, paragraph 3.4 and Table 2 (Scenario 2)

<sup>18</sup> EX-CYC\_9, paragraph 5.9

### 3 CITY OF YORK LOCAL PLAN

#### 3.1 CYLP Preferred Options Document (June 2013)

3.1.1 The CYLP represents a 'post-NPPF' plan that was first consulted on in 2013. The *City of York Local Plan – Preferred Options (June 2013)* considered a range of options or scenarios that would underpin the Spatial Strategy, which reflected at the outset the critical importance of the York economy to the Sub Area and its role within the wider Leeds City Region and York and North Yorkshire Sub Region<sup>19</sup>. Preferred Options Policy SS1 (York Sub Area) sought to engrain this ambition within the emerging CYLP. Consistent with this ambition, the Council's preferred growth strategy at the time supported the delivery of 16,000 additional jobs between 2012 and 2030 (or 889 job per annum). In addition, a number of housing growth options ranging from 850 to 2,060 dwellings per annum. The lower option was a purely 'policy-off' figures based on analysis in the North Yorkshire Strategic Housing Market Assessment (NYSHMA) 2011, whilst the higher option would seek to meet the full affordable housing needs of York by 2032. The options set above 850 dpa (including 1,090 dpa and 1,500dpa) were put forward as alternative growth levels considered necessary to reduce in-commuting as well as support delivery of more affordable homes.

#### 3.2 City of York Pre-Publication Local Plan – Regulation 18 (September 2017)

3.2.1 Following the preferred options consultation, the Council issued the draft plan under regulation 18, in September 2017. This was informed by the 2017 Addendum Update to the 2016 SHMA and identified a growth strategy for York based on 867 homes and 650 jobs per annum<sup>20</sup>. The economic growth strategy based on 650 jobs (a reduction of 239 jobs per annum compared to the preferred options figure of 889 or 16,000 in total) was claimed to be consistent with the ambitions of the York Economic Strategy (2016), previously reflected on as evidence to the preferred options stage, and was as encapsulated in the Local Plan vision<sup>21</sup>. The aspirations within the Vision and Development Principles of the draft CYLP sought to establish a city whose special qualities and distinctiveness are recognised worldwide. The supporting text to the Vision reinforced the aspirations established at preferred options stage, which would enable York to realise its economic growth ambitions and fulfilling its role as a key driver in the Leeds City Region, York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area, and the functional York Sub Area. In doing so, York would have a key role in leading economic growth and job creation within the local area<sup>22</sup>.

3.2.2 Conversely, the draft Plan sought to progress a growth strategy broadly consistent with the minimum level of housing (867 dpa) and jobs (650 dpa) necessary to meet local needs. This is

<sup>19</sup> City of York Local Plan - Preferred Options (June 2013), paragraph 5.2

<sup>20</sup> Policy SS1

<sup>21</sup> City of York Local Plan - Pre-Publication Draft (Regulation 18 Consultation September 2017), paragraph 3.2

<sup>22</sup> City of York Local Plan - Pre-Publication Draft (Regulation 18 Consultation September 2017), paragraph 2.1

set against an emerging economic strategy and growth 'ambition' for the CYLP which was set at the preferred options stage and had remained effectively unchanged up to this point.

### **3.3 City of York Publication Local Plan - Regulation 19**

- 3.3.1 The Council then consulted on the Publication Draft CYLP in February 2018. The proposed growth strategy for homes and jobs in this document did not seek to change these figures following the Regulation 18 consultation, rolling forward the 867 homes and 650 jobs per annum figures into the regulation 19 version. However, these figures did not reflect the evidence base published in support of the CYLP at the time. Specifically, the 2017 Addendum Update recommended an uplift of 10% for market signals to reflect the worsening affordability in York. This would have increased the OAHN from 867 to 953 dpa (or 954 based on corrected arithmetic). The Council has presented no valid, justifiable reason, as to why it should have gone against its own evidence and not sought on plan to meet the OAHN in full, bearing in mind the acknowledged affordability issues facing people residing in York.

### **3.4 City of York Local Plan Proposed Modifications (June 2019)**

- 3.4.1 Following a meeting of the City of York Council Executive on 07 March 2019, further modifications to the submitted CYLP have been issued for consultation. This includes proposed modifications to the overall growth for housing, which would bring the CYLP in line with the recently updated evidence on housing needs (City of York Housing Needs Update, January 2019) summarised above.
- 3.4.2 The key modification seeks to adopt an OAHN of 790 dpa, reduced from 867 dpa (which itself was less than the full OAHN recommend by the evidence published in 2017; 953 dpa).
- 3.4.3 The Council has invited representations on the full set of main modifications, and the consultation will run until 22<sup>nd</sup> July 2019.



## 4 RPS CRITIQUE OF THE COUNCIL'S EVIDENCE ON HOUSING NEEDS IN YORK

### 4.1 Demographic-Starting Point

#### The Use of Sub-National Projections

- 4.1.1 Household projections published by Office for National Statistics ('ONS'), and previously by Government (now Ministry of Housing, Communities and Local Government), should provide the starting point for estimating overall housing need<sup>23</sup>.
- 4.1.2 At the time of reporting, it is recognised that more recent (2016-based) population and household projections are available having been published in 2018 by the ONS. The have been applied by City of York Council and underpin their revised position regarding future housing need in York currently out to consultation. However, these revised (lower) population and household projections have raised serious concerns in Government as to the impact such projections might have at the local level on its aspirations to increase the supply of housing to 300,000 homes per year by the mid-2020s. The Government consulted on this issue in the autumn of 2018<sup>24</sup>, which confirmed its continued support for this level of growth<sup>25</sup> and takes the view<sup>26</sup> that the 2014-based data provide the demographic baseline for assessment of local housing need "...for the short-term...". This is to ensure that such levels of growth can be adequately planned for and not undermined by the more recent ONS projections. The Government has given little credibility to the 2016-based projection figures, which should not feature in the housing need assessment calculation.
- 4.1.3 On 19th February 2019, the Government published its response to the consultation<sup>27</sup>. Having considered the submissions, the Government has not altered its aspirations for the housing market, and confirms its concerns that the most recent (2016-based) projections cannot be used to justify lower housing need<sup>28</sup>. Furthermore, the Government maintains its approach to providing the demographic baseline (using national and sub-national projections) as being the most appropriate for, " ...providing stability and certainty to the planning system in the short-term..."<sup>29</sup>.
- 4.1.4 Consistent with this, the Government has not sought to move away from the Planning Practice Guidance on assessing housing needs applicable to this 'transitional' examination, which clearly states that the demographic starting point should be the sub-national population and household

<sup>23</sup> Paragraph: 015 Reference ID: 2a-015-20140306 Revision date: 06 03 2014

<sup>24</sup> MHCLG (2018) *Technical consultation on updates to national planning policy and guidance*, OGL

<sup>25</sup> As footnote 24, paragraph 18

<sup>26</sup> As footnote 24, paragraph 19

<sup>27</sup> MHCLG (2019) *Government response to the technical consultation on updates to national planning policy and guidance; A summary of consultation responses and the Government's view on the way forward*, February 2019

<sup>28</sup> As footnote 27, response to Question 2

<sup>29</sup> As footnote 27, response to Question 1

projections<sup>30</sup>. Whilst it is acknowledged that the recent consultation was focused on the standard method approach, rather than covering those transitional authorities, the Government’s continued support for the use of nationally-prescribed demographic projections is relevant to the consideration of the Council’s approach to assessing the housing needs in York.

- 4.1.5 The 2017 Addendum Update indicates that the LPA starting point is the 2014-based projections, which we agree with. On the 2016-based projections, however, for the reasons above, RPS do not consider they are credible.

### Inspectors Findings on the 2016-based Projections in other examinations

- 4.1.6 The appropriateness of using the 2016-based projections since their publication in 2018 has been considered in a number of Local Plan examinations in light of the broader debate regarding plan-making going forward. We consider the findings from three recent Inspectors Reports (IR) issued after the projections were issued: Kirklees; Rugby; Guildford; and Nuneaton & Bedworth. These were all transitional authorities, as is the Council here.

#### *Kirklees Local Plan*

- 4.1.7 The Inspector’s Report on the Kirklees Local Plan, dated 30<sup>th</sup> January 2019, reasoned that it was not appropriate to revise the demographic-starting point using the 2016-based projections given the Council’s economic growth aspirations and employment-led OAHN (a clear parallel with the CYLP). The Inspector stated:

*“43. Since the Local Plan hearings the Ministry for Housing, Communities and Local Government (MHLG) has published new 2016-based household projections which indicate lower household growth for Kirklees compared to the 2014-based projections. However, this does not automatically mean that OAN should be revised downwards, as the projections represent a starting point and the case for uplifts linked to market signals, affordability and economic growth would need to be assessed. The Government’s recent consultation paper indicates that Council’s applying the standard methodology should continue to use 2014-based figures, but the Kirklees Plan is being considered under transitional arrangements. Nonetheless, the Council has confirmed that it wishes to continue to pursue the OAN identified in the SHMA 2016 in order to support economic growth and the delivery of jobs. Taking these factors into account, in the case of Kirklees I conclude that a revision to the demographic starting point and the approach to OAN is not necessary at this stage.” (RPS emphasis) (Kirklees Council Kirklees Local Plan, Inspector’s Report 30 January 2019)*

- 4.1.8 It can be seen that Kirklees Borough Council, and the Inspector, both recognised the importance of ensuring that the demographic-starting point remained consistent with the wider economic aspirations underpinning the Local Plan, and that a shift to a lower starting point would risk undermining the balance between homes and jobs needed to deliver that strategy. Such

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<sup>30</sup> PPG Paragraph: 015 Reference ID: 2a-015-20140306 Revision date: 06 03 2014

considerations appear to have been ignored by City of York Council in deciding to revise downwards its growth aspirations in the CYLP.

### *Rugby Local Plan*

- 4.1.9 The Inspector's Report on the Rugby Local Plan, dated 27<sup>th</sup> March 2019, also reflected on the Technical Consultation on Updates to National Planning Policy and Guidance launched in October 2018<sup>31</sup> (and now concluded on). Despite the 2016-based projections indicating a slowdown in population and household growth, the Inspector did not consider it justified to apply them in the OAHN for Rugby. The Inspector stated:

*"25. Concerns have been expressed in representations about the justification for continuing to base Rugby's housing requirement on 2012- and 2014-based demographic projections, when the most recent 2016-based projections indicate a slowing down of population and household growth over the next 10-15 years. This was also discussed at the hearings. Since then, the ONS has published the 2016-based household projections in September 2018. These forecast a reduction in the rate of household formation nationally in the period up to 2028 and, for Rugby, lower population and household growth than the 2012- and 2014-based projections.*

*"26. However, the Government expressed doubts about relying on the 2016-based projections as the demographic basis for assessing housing needs in the Technical Consultation on Updates to National Planning Policy and Guidance launched in October 2018. This is in part due to the 2016-based projections relying on past trends in household formation during a period of low household formation when the housing market was not supplying enough additional homes. The ONS states in the consultation document that the projections do not take account of how many people may want to form new households, but aren't able to, and therefore that they are not a measure of how many homes would need to be built to meet housing demand; rather they show what would happen if past trends in household formation continue. For these and other reasons, the updated PPG for Housing Needs Assessments<sup>7</sup> published in February 2019 now makes clear that the 2014-based household projections form the baseline for the standard method of calculating housing needs.*

*"27. Taking account of the 2016-based projections as part of this examination would also require a further update of the SHMA, which, given the sub-regional nature of the HMA, would need to be conducted on a joint basis for all of the LPAs in Coventry and Warwickshire. This would inevitably take time, resulting in a significant delay in the adoption of the Plan and the delivery of new housing in the borough. And there is no guarantee that an update to the SHMA using the 2016-based projections would lead to a significant change in the housing requirement for Rugby, when other factors affecting the housing requirement across the HMA are taken into account. For all of these reasons, I conclude that using the 2016-based household projections as the demographic starting point for Rugby's OAN*

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<sup>31</sup> Ministry of Housing, Communities and Local Government ISBN: 978-1-4098-5346-6

*and housing requirement would not be justified for this Plan.* (RPS emphasis)  
(Rugby Borough Local Plan - Inspector's Report – 27 March 2019)

- 4.1.10 RPS draw two broad observations based on the Inspector's findings. Firstly, that the Inspector was clearly mindful of general direction in which the Government policy was moving in terms of its (now confirmed) preference for the 2014-based projections due to the problems in using the 2016-based projections and the national policy objective of delivering 30000 homes by the mid-2020s, despite the acknowledgment that the Government's consultation related primarily to the standard method approach to calculating local housing need. And secondly, that the overall change in the OAHN resulting from the use of the 2016-based projections may not ultimately be significant once the other 'factors' (namely the adjustments to the starting point) also affecting the housing requirement are taken into account. This is relevant to City of York because of the Council's shift to an economic-led OAHN and recognition of the need for a larger market signals uplift (from 1% to 15% based on the submitted evidence). Consequently, this reduces the relevance or significance of using the lower starting point within the 2016-based projections given the Council does propose any modification to the CYLP economic strategy and employment growth aspirations previously set out in the Publication Plan 2018 submitted to this examination. RPS sets out an evaluation and critique of the Council's adjustments applied in the OAHN calculation later in this submission.

#### *Guildford Local Plan*

- 4.1.11 In Guildford, the Inspectors Report on the findings of the Guildford Local Plan (GLP) examination was published on 27<sup>th</sup> March 2019. Discussions at the examination relating to level of housing need in Guildford had originally been in the context of the 2014-based sub-national projections. However, during the examination, in May and then September 2018, the 2016-based population and household projections were published by ONS. In December 2018, the Inspector rightly invited submissions from both the Council and representors on what the implications of the more recent projections might be for Guildford's housing need and housing requirement. In February 2019, the Inspector issued his findings on the use of the 2016-based projections and accepted them as a sound basis for Guildford's objectively assessed housing need at this time. Nonetheless, in his final report on the examination he did raise concerns with their use, particularly in relation to household suppression:

*"26...the latest household projections indicate that the demographically-based starting point for housing need is 313 dpa. This projection is based on data points in 2001 and 2011, whereas previous projections were based on a longer time series starting in 1971. Social conditions have changed since 1971 and it is generally better to use more recent data, but the latest projections are rooted in a time of acknowledged deterioration in housing affordability, which is likely to have had a potential impact on household formation rates among younger people." (Guildford Borough Local Plan: strategy and sites, Inspector's Report 27 March 2019)*

- 4.1.12 Consequently, there is no doubt that the Inspector recognised the deficiencies inherent in the 2016-based projections but clearly found it appropriate to recommend adoption of the GLP nonetheless.

### *Nuneaton & Bedworth Local Plan*

- 4.1.13 In Nuneaton & Bedworth, the Inspector's Report on the Nuneaton & Bedworth Local Plan, dated 9th April 2019, also recognised the contradictions between the Government's stated objectives on housing delivery and the 2016-based projections. The Inspector stated:

*"72. The updated 2016-based population and household projections were published by the Office for National Statistics (ONS) in 2018. As raised through the MM consultation process, these show a reduction in projected housing need for the Borough such that the exceptional circumstances for Green Belt alterations are further disputed. The 2016-based projections have generated reflection on the appropriateness of the ONS' methodology for household projections and particularly the use of two historical points (2001 and 2011) rather than longer trends to project household formation rates. This feeds into wider considerations on how the 2016-based projections align with stated national objectives to deliver at least 300,000 homes a year to address housing affordability such that the Government has advised against the use of the 2016-based projections. On this basis, the 2014-based projections (and earlier) remain a valid starting point for assessing housing need. [RPS emphasis] Additionally, given that the Borough is part of a wider housing market area, it would be premature to consider adjustments in one authority area." (Nuneaton & Bedworth Borough Plan, Inspector's Report 09 April 2019)*

- 4.1.14 It is clear that the Nuneaton and Bedworth Inspector was not dissuaded to accept the 2014-based projections over the 2016-based projections, despite the clear implications for Rugby in terms of Green Belt release. RPS would strongly suggest that such a positive view on meeting the growth ambitions of the area are clearly relevant to CYLP, which now predicates itself on an economic-led strategy and OAHN.
- 4.1.15 Given the clear stance taken by Government (and in recent Inspectors Reports summarised above) on the matter of calculating local housing need in the context of the CYLP, RPS considers that the most appropriate approach should be one based on the 2014-based projections. This would be consistent with the previous approach taken in the 2017 Addendum Update, which also applied the published demographic projections as the appropriate basis for the projected growth in population and housing need in York for the purposes of this examination. RPS supports these projections as the 'demographic starting point' consistent with the PPG.

## **4.2 Mid-Year Estimates (MYEs)**

- 4.2.1 The PPG indicates household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography, including where new data on population estimates are available<sup>32</sup>.

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<sup>32</sup> PPG Paragraph: 015 Reference ID: 2a-015-20140306 Revision date: 06 03 2014

- 4.2.2 It is noted that Mid-Year Population Estimates ('MYEs') have been published at a local level for 2017. These estimates are published by the ONS and have recently been retrospectively amended in March 2018 to reflect refinements to the methodology, providing up to date estimates for the period 2012-2017.
- 4.2.3 In the latest OAHN update (EX\_CYC\_9) the Council seeks to use the comparison of MYEs along with the 2014-SNPPs since 2014, and 2016-SNPPs, as justification for preferring the 2016-SNPPs as the starting point for the OAHN calculation. It does so on the basis that the 2014-SNPPs suggest that net international migration (Table 3 of the update refers) was too high compared to recorded migration and that the 2016-based SNPPs are more reflective of the MYEs.
- 4.2.4 RPS does not agree with this rationale, for three reasons. Firstly, the comparison is based solely on international migration and therefore is only partial evidence of the difference in migration. Secondly, related to the first point, it is clear from figures presented on net internal migration that the 2014-SNPPs were an under-estimate of net internal migration for the years 2014/15 and 2016/17 (Figure 3 of the update refers) compared to the MYEs, rather than being too high. This provides a reasonable counter-argument to the Council's stated position, suggesting that the 2014-SNPPs on the whole broadly consistent with, and not higher than, the MYEs for certain components of change. And thirdly, given that the Council's conclusion on the credibility of the 2014-SNPPs is based on a single year of the 2016-SNPPs (2016/17), RPS suggest that this does not provide sufficient justification for the Council's suggestion that the 2016-SNPPs are more suitable than the 2014-SNPPs (para 2.12 of the update refers).

### 4.3 Adjustments for Migration Trends

- 4.3.1 It is recognised that the consideration of alternative migration trends is not unreasonable and is supported in the PPG, where justified. In the Council's latest update (EX\_CYC\_9), consideration has been given to an alternative longer-term trend in migration (10-years) alongside the trends built into the SNPPs (5/6 years).
- 4.3.2 The impact of this on the population projection (using the 2016-based projections) is shown in Table 5 of the 2019 HN Update. This shows that population in York would increase by 26,078 people between 2012 and 2037 based on a longer-term trend, compared to 24,468 which represents the Council's preferred population projection. This represents a difference of 1,610 people over the plan period. This difference is not insignificant, as suggested by the Council, and no credible justification is presented in the Council's evidence as to why the relatively higher assumption should be discounted so early on in the OAHN calculation without any consideration of how this increased migration assumption would feed through to households and dwellings in York. Consequently, there is a clear risk that by doing so the assessment could under-estimate the true housing need starting point for the York OAHN.

#### ONS Variant Projections

- 4.3.3 The criticism above is brought into sharper focus in light of recent variant sub-national household projections published by ONS on 16<sup>th</sup> May 2019. These variants, focusing on international migration assumptions, have been issued for consideration by policymakers in assessing housing needs as the local level in light of the recognised issues and concerns with the outputs from the 2016-based SNPP/SNHPs. Three variants were issued by ONS; low-migration variant;

high-migration; and a 10-year migration trend variant. Set out below is a summary of these outputs for York.

**Table 4.1: Variant ONS Projections for York (derived from the 2016-based National Household Projections 2012-37)**

Variant	Households		Households	Households	Dwellings (+3%)
	2012	2037	2012-2037	Per annum	Per annum
High Migration	85,534	100,019	14,485	579	596
Low Migration	85,534	94,587	9,053	362	373
10-Year Migration	83,521	95,543	12,022	481	495
2016-SNHPs* (Principal)	83,522	95,266	11,744	470	484

Note: A 3% allowance for vacant dwellings has been applied here as per the Council's assumption

\*Figures taken from Exam doc EX\_CYC\_9, Table 6

4.3.4 The figures above indicate that the projected growth of 579 households or 596 dwellings per annum (High-Migration Variant), whilst exceeding the Council's baseline preferred demographic-based starting point (484 dpa), is lower than the previously-preferred starting point set out in the 2017 Addendum Update (867 dpa) which was predicated on the 2014-based SNPPs. This raises clear issues regarding the credibility of the Council's approach to determining its preferred starting point derived from the 2016-based projections, which can be characterised as representing a very conservative and pessimistic view of future needs in York, and particularly given the 10-year migration trend scenario, quoted above, shows an increase over and above the level of migration assumed in the official projections.

4.3.5 Consequently, RPS suggests that the 'high migration' variant should be incorporated by the Council as a valid alternative scenario prior to considering any further adjustments for household suppression, employment growth, market signals, and affordable housing.

## 4.4 Adjustments for Household Formation

4.4.1 The PPG advises that the household projection-based estimates of housing need may need to be adjusted to account for local factors which may have led to a historic suppression of household formation, including an undersupply in delivery or worsening affordability issues (paragraph 2a-015-20140306 refers). The purpose of this is to consider the robustness of the household projections and adjust them to account for inconsistencies in past trends that have been carried forward as part of the future projections, particularly in those age cohorts most likely to the form separate households (i.e. those aged 25-34 years).

4.4.2 Turning to the Council's evidence, the Council accepts that household suppression has occurred in York and has sought to address this through an adjustment to the MYE-adjusted 2016-SNPPs, by applying the 2014-based Household Representative Rates (HRRs) (Table 6 of EX-CYC\_9 refers). The result is an increase to the Council's preferred starting point from 484 to 679dpa. Such an increase would suggest that the official projections have significantly under-estimated the demand for housing in York, primarily by building in past under-supply of housing amongst

those people forming households in the younger age groups, especially for those aged between 25 and 34 years old, as shown in the 2019 HN Update (figure 5 refers).

- 4.4.3 Once again, this raises a further concern with the credibility of the official 2016-based projections as the basis for calculating the true housing need for York up to 2032.

## 4.5 Economic Need

- 4.5.1 In terms of translating economic signals into the OAN, the PPG<sup>33</sup>, indicates that plan makers should assess the likely economic growth in the Housing Market Area based on evidence from past trends and/or economic forecasts considering changes in the working age population. RPS has concerns relating to how the Council has approached the relationship between the Economy and the future growth in housing need.

### Projecting Future Employment Growth

- 4.5.2 The PPG requires plan makers to, “...make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area”<sup>34</sup>. The important factor to bear in mind here is the specific reference made in the PPG to the ‘working age population’ rather than simply those people who are ‘economically active’. It is important because, in the context of ensuring that there is a balance between future jobs and workers, it is broadly accepted that those people who are more likely to migrate for economic reasons i.e. to access work will be those who are of working age (currently measured as those 16-64 in age).
- 4.5.3 As stated above, in a move away from the previous evidence base prepared in 2016 and 2017, the Council now prefers to apply an ‘economic-led’ projection based on an assumed jobs growth of 650 jobs per annum in York. This in turn is derived from the City of York Employment Land Review 2016<sup>35</sup> (SD064), and the updated Employment Land Review published in September 2017<sup>36</sup>. This constrained future household growth to the claimed growth in jobs, using the 2016-based SNPPs and 2014-SNHPs with a part return to trend, generating a need for 790 dpa to ensure sufficient workers are available to supply the projected growth in jobs.
- 4.5.4 RPS has concerns with the approach taken by the Council in projecting forward future expectations of jobs growth as a basis for the OAHN for York, for the following reasons.
- 4.5.5 Firstly, whilst it is broadly accepted that the Council has considered future jobs forecasts, in line with the PPG, RPS consider that it is not possible to conclude robustly that enough workers are likely to be available to support the potential future growth in jobs in York by considering employment forecasts alone. In particular, no comparator employment scenarios have been considered in assessing employment growth based on any benchmarking against past jobs growth trends to determine whether the 650 jobs growth figure is a credible measure or

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<sup>33</sup> Paragraph: 018 Reference ID: 2a-018-20140306 Revision date: 06 03 2014

<sup>34</sup> Paragraph: 018 Reference ID: 2a-018-20140306 Revision date: 06 03 2014

<sup>35</sup> SD064

<sup>36</sup> SD063



otherwise. Therefore, RPS question the credibility and validity of the Council’s assertion that no further uplift for jobs is necessary based on available evidence.

- 4.5.6 Data on past trends in jobs growth in York, taken from NOMIS<sup>37</sup> indicates that over the past 17 years (2000-17), there has been a 16,000 increase in jobs in York which, as indicated in the table below, represents an annual growth rate of 0.83%.

**Table 4.2: Past Job Growth in City of York - NOMIS**

Source:	2000	2017	CAGR
<b>NOMIS – Total Jobs</b>	106,000	122,000	+0.83%

- 4.5.7 Conversely, the Council’s preferred employment growth scenario (*Scenario 2 – reprofiled sector growth*) is based on Oxford Economics forecasts<sup>38</sup>, which assumes a growth rate of 0.54% per annum, equating to 11,050 jobs between 2014 and 2031, or 650 jobs per annum. However, the Council commissioned a number of alternative employment forecasts, in addition to scenario 2, including a scenario which assumed higher migration (Scenario 1). The alternative *Scenario 1 – Higher Migration and faster recovery* generated annual growth rate of 0.7%, or 15,464 jobs between 2014 and 2031, equating to 936 jobs per annum. This growth rate is consistent with, though slightly lower than, past trends in employment growth seen in York over an extended historical period (back to 2000). In addition, an assumed rate of 936 jobs per annum is also consistent with recent recorded changes in the number of jobs in York, based on figures from Business Register and Employment Survey data (BRES) collated by ONS, which indicate that between 2012-2014 the number of jobs in York increased by 1,950 or 975 jobs per annum (Table 2 of SD063 refers). Therefore, these figures have credibility and should be considered by the Council in the OAHN calculation.
- 4.5.8 RPS notes the use of Economic Activity Rates (EARs) derived from Office for Budgetary Responsibility 2018 figures (paragraph 3.12/Table 9 of EX-CYC\_9 refers). Based on these figures, a significant proportion of the additional workers needed to meet the 650 jobs per annum growth assumption (which we question elsewhere in this report) will come from people aged 60 and over (c. 40% or so in females, and c.25% amongst male workers) based on the figures presented. The implication here is that the economic strategy for York will be determined by an aging labour force that will grow both relatively and in absolute terms over the plan period. However, there is no corroborating evidence or testing of the assumption that so many elderly people are likely to be in employment in 2037, instead the forecasts have been applied uncritically.
- 4.5.9 Based on the foregoing analysis, it is clear that there exist at least two other reasonable alternative employment growth scenarios that could legitimately be incorporated into the assessment and calculation of OAHN for York. However, the assumed jobs growth of 650 jobs

<sup>37</sup> NOMISWEB, Jobs Density/Total Jobs data

<sup>38</sup> Oxford Economics’ forecast May 2015 and scenario 2: Re-profiled sectoral growth, (SD064)

per annum is the only ‘job-led’ scenario that has been tested in the modelling of housing need for York within the 2019 HN Update (EX\_CYC\_9). No other jobs-led projections are included in the Council’s evidence base at this time. This is a significant and pressing gap in the Council’s evidence base, which undermines its view that it has identified the full OAHN for York, given the clear potential for more jobs to be created in York than is being planned for.

- 4.5.10 Consequently, RPS does not agree with the Council that 790 dpa represents a suitably robust jobs-led projection of housing need for York, and could represent an under-estimate of the true housing need for York. RPS suggests that additional modelling work should be carried out based on the potential for greater levels of job growth in line with available evidence from alternative sources and evidence outlined above.

## 4.6 Market Signals

- 4.6.1 In addition to the demographic projections and employment trends, the assessment of housing need should take account of market signals, as set out in paragraph 17 of the NPPF. The PPG<sup>39</sup> suggests that the household projections should be adjusted to reflect market signals, if appropriate, to reflect imbalances in the supply and demand for housing. The PPG does not offer any precise way in which to make adjustments, however it indicates that where upward adjustments are required, a reasonable upward adjustment should be made at a level that could be expected *to improve affordability*<sup>40</sup>. In addition, the PPG sets out a series of relevant market signals<sup>41</sup> which should be included in the OAHN assessment, based on available data.
- 4.6.2 The Council’s latest evidence on market signals relies on data set out in the 2019 HN Update (Section 3 refers) but was also considered in the two previous iterations of the OAHN issued by the Council, summarised in section 2 of this submission. Based on an assessment of market indicators, the Council suggests that an uplift of 15% to the demographic-based OAHN (using the 2016/2014-blended projections) is sufficient to improve affordability of housing in York (paragraph 4.34 of 2019 HN Update refers). It is noted that the previous iteration of the OAHN calculation had recommended a 10% uplift, correctly applied the 2014-based demographic starting point (867dpa), but ignored its own evidence at the Publication Plan stage.
- 4.6.3 RPS supports, in principle, the incorporation of an uplift in response to worsening market signals in York. However, we argue that the uplift for market signals should be applied to the 2014-based demographic estimate of housing need in order to properly reflect the current evidence on market signals for York. In particular, RPS disputes some of the figures quoted by the Council in its evidence base (prices, ratios).

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<sup>39</sup> PPG Paragraph: 019 Reference ID: 2a-019-20140306 Revision date: 06 03 2014

<sup>40</sup> PPG Paragraph: 020 Reference ID: 2a-020-20140306 Revision date: 06 03 2014

<sup>41</sup> PPG Paragraph: 021 Reference ID: 2a-021-20140306 Revision date: 06 03 2014

## House prices

- 4.6.4 In terms of house prices, figures set out in the 2019 HN Update (figure 8 refers) show that York is a more expensive place to live than the rest of North Yorkshire and the Humber. For Yorkshire and The Humber, based on figures taken from Land Registry and presented by ONS<sup>42</sup>, the median price in 2018 was estimated to be £160,000, whilst the equivalent price in York was £235,000. In addition, the 2019 HN Update considers data on median house price change between 1998 and 2018 (figure 10 refers). Based on this, it is acknowledged that a gap in growth between York and the surrounding North Yorkshire County has widened over the last 10 years (2008-18), indicating prices in York have been more responsive to the economic upturn since the last recession than the wider locality.

## Rents

- 4.6.5 In terms of rents, the 2019 HN Update acknowledges that rental housing has overall become more unaffordable in the past five years (2013-18) and increasingly so amongst lower-value properties, suggesting a worsening of affordability and accessibility to suitably priced housing locally (paragraph 4.15 refers).

## Affordability

- 4.6.6 The official affordability ratios, published by ONS, are a significant market signals indicator as they capture the difficulties faced by first time buyers and households looking to step up the housing ladder. In terms of affordability of housing on York, the Council has looked at lower quartile and median affordability. This is entirely sensible as it allows for consideration of a wider income group covering the majority of those households looking to access property, which is becoming increasingly more difficult even for those households on median incomes.
- 4.6.7 Figures presented by the Council, in the 2019 HN Update, indicate that both lower quartile and median affordability ratios have worsened in York over the quoted five-year period (2012-17) (Table 12 refers). More recent data, published by ONS, indicate a further worsening of affordability up to 2018. This shows that the median affordability ratio for York now stands at 8.86, whilst the lower quartile ratio is even higher, at 9.41. These are the worst levels for affordability ever seen for York based on recorded figures going back to 1997.
- 4.6.8 Consequently, on this measure alone, there is a clear justification to give very careful consideration to applying a market signals uplift that can adequately address such a sustained worsening of housing affordability for those living in York.
- 4.6.9 It is worth noting in this regard that, whilst affordability pressures undoubtedly impact on the ability of people to access their own housing, the PPG is clear that a market signals uplift, based on analysis of market indicators, is a separate factor additional to other adjustments made for demographic reasons, including those made in response to migration trends and household suppression. This is because the market signals uplift is an attempt to improve affordability across the whole market, rather than simply being focused on future growth in additional households based solely on official projections.

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<sup>42</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/qmis/housepricestatisticsforsmallareasqmi>

## Past Rates of Development

- 4.6.10 The PPG<sup>43</sup> advises that Plan makers consider progress to deliver growth against supply targets and where the historic rate of development shows that actual supply falls below planned supply, future supply should be increased to reflect the likelihood of under-delivery of a plan. The 2017 Addendum Update concludes that, when comparing past delivery against adopted housing targets, there has been a sustained under-supply of housing since 2007 (figure 4 refers). In this evidence, the Council acknowledges that delivery was 20% below the required level necessary to meet its adopted targets, equating to 2,051 dwellings under-supply by 2015/16 (paragraph 3.13 refers).
- 4.6.11 Whilst it is accepted that this shortfall should not be directly inserted into the calculation of OAHN here, this does provide further evidence (alongside issues with the unaffordability of housing in York) for a significant uplift in local housing delivery in York.

## Benchmarking Against Other Local Authorities

- 4.6.12 A further consideration relevant to determining the market signals uplift in York is a comparison with other local authorities also seeking to adopt their local plans with a similar adjustment to their OAHN.
- 4.6.13 The Council, in preparing its evidence base, has gone to some considerable length to consider how other local authorities have sought to apply market signals adjustments in their OAHN calculations. In the Council's latest evidence, the 2019 HN Update, a simple comparison of affordability ratios and accepted uplifts has been used to justify the application of a 15% uplift to the 2016/2014-blended demographic-starting point. The Council has concluded, on the basis of a single year ratio (2017) observed in Waverley, Canterbury and Mid Sussex districts, that because these ratios are higher than York that an adjustment to the York OAHN comparable to those districts (between 20-25%) would be 'unnecessary' (paragraph 4.33-4.34 refers).
- 4.6.14 RPS does not agree with this approach. Firstly, the Council appears to be ignoring the weight of its own evidence, summarised in this submission, that demonstrate a clear worsening of market indicators in York over a considerable number of years. Secondly, it is not appropriate simply to apply a single year of data as this illustrates nothing in terms of worsening changes over time, as required by the PPG. Consequently, it is more reasonable to compare the change over time across those districts identified in the Council's evidence base.
- 4.6.15 Accordingly, set out below is a comparison of the change in affordability ratios over a five-year period (2013-2018) based on the most recent published figures.

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<sup>43</sup> PPG paragraph 2a-019-20140306 Revision date: 06 03 2014

**Table 4.3 Comparison of affordability over time (2013-18)**

LPA	LQ 2013	LQ 2018	5-yr change	Median 2013	Median 2018	5-yr change	Uplift	Notes
Canterbury	9.47	11.37	20.1%	8.1	10.96	35.3%	20%	Adopted
Waverley	13.11	16.23	23.8%	13.07	16.05	22.8%	25%	Adopted
Mid Sussex	10.69	13.06	22.2%	10.22	12.69	24.2%	20%	Adopted
Uttlesford	11.66	13.68	17.3%	11.22	13.67	21.8%	10%	Adopted
Eastleigh	8.75	11.06	26.4%	8.2	10.44	27.3%	10%	Adopted
York	7.86	9.41	19.7%	6.52	8.86	35.9%	15%	Proposed
England	6.57	7.29	11%	6.76	8.00	18.3%	-	-

Source: ONS, House price to workplace-based earnings ratio figures for the selected districts (and England)

4.6.16 Based on the figures above, it can be seen that York has more similarities with the first three districts (Waverley; Mid Sussex; and Canterbury) than is suggested by the Council in its evidence, in terms of the change in LQ and median affordability over a longer time frame. Consequently, RPS consider it highly appropriate to apply an uplift of at least 15% to the 2014-based population and household projections, based solely on evidence of worsening affordability in York.

### Market Signal Considerations

4.6.17 The Council concludes that an appropriate uplift would be 15% of the demographic-based estimate of housing need (using the 2016/2014-blended projection), representing 73 dpa. Based on the Council’s approach, this would increase the OAHN from 484 to 557dpa. This is lower than the claimed OAHN derived from the ‘economic-led’ housing need projection, of 790dpa. Consequently, the adjustment for market signals would not be sufficient to improve affordability in York, and so the 790 dpa figure now forms the basis for the Council’s revised preferred OAHN, and this has fed through into the proposed modifications now out for consultation which propose a reduction of the OAHN from 867 to 790 dpa.

4.6.18 On this basis, it is contended that the Council has sought to systemically ignore the affordability crisis that faces York in establishing the full OAHN, for the following reasons. Firstly, the Council has previously dismissed its own evidence submitted to this examination that recommended an OAHN of 953 dpa as able to make improvement to affordability in York (2017 Addendum Update refers). This is despite the evident worsening of affordability that underpinned that evidence, and the evidence subsequently produced by the Council. Secondly, as alluded to earlier in this submission, the Council has sought to apply the market signals ‘adjustment’ directly to the official projections produced by ONS (the 484 dpa figure). This approach clearly ignores the fact that the official projection in their base form are not adequate as a measure of projection household growth. This is because a number of demographic-based adjustments have been made to them, to account for updated populated estimates since the 2016 base year and suppression in household formation between 2001 and 2011 in age group 25-34. Consequently, the 15% market signals adjustment incorporates the demographic-based adjustments previously applied. RPS does not support this approach. The Council’s own evidence clearly demonstrates that the official projections in their basic form do not represent an appropriate starting point. This is because

their own adjustments have led to an increase in the demographic-based estimate of housing need from 484 to 679 dpa (2019 HN Update, Table 6 refers). Given the official (2016-based) projections are a clear underestimate of need, they should not be used as the basis for the market signals uplift. The PPG does not define or qualify what the starting point for the market signals adjustment should be beyond simply stating '*household projections (the starting point)*'<sup>44</sup>. It is our position that the Council has sought to downgrade the starting point in order to confirm its previously held view (contrary to the recommendations of the 2017 Addendum Update) that a market signals uplift is not applicable to the City of York area, essentially by arguing that such an adjustment is redundant as it would only increase the OAHN from 484 to 557dpa. This is clearly convenient for the Council, but is only as a result of applying the more recent, pessimistic outlook for population growth in York derived from the 2016-based projections. Our view is reinforced by the fact that the earlier iteration of the OAHN calculation, considered as part of the latest full SHMA document (2016 SHMA/SD051), advocated a 1% adjustment for market signals, a derisory measure at best in response to the situation at the time.

- 4.6.19 RPS' position is therefore that the adjustment for market signals should properly reflect the facts on the ground regarding the worsening affordability of housing in York, acknowledged by the Council in multiple evidence documents submitted to this examination. RPS' view is that 15% would be ineffective in improving affordability, particularly for those in the median household bracket but also for those on lower incomes. Consequently, an adjustment of at least 20% should be made to what we consider to be the true measure of demographic-based housing need (established before any market-based or economic-based adjustment) which, on the Council's own evidence currently stands at 679 dpa. This figure is 21.6% lower than the equivalent demographic-based starting point (866dpa) established in the 2017 Addendum Update and so represents a reasonable basis for considering the scale of any appropriate upwards adjustments. By applying the 20% uplift to the 679 demographic-based need, this would produce a market-signals-based OAHN of 815dpa, well within the limit of the Council's earlier preferred OAHN calculation based on the 2014-based projections (867 dpa), and broadly consistent with the economic-led OAHN figure of 790 now favoured by the Council.
- 4.6.20 Whilst a figure of 815dpa might represent a plausible alternative OAHN using the 2016-based projections as a starting point and taking into the various elements consistent with the PPG, as previously stated we do not support the use of those projections, given the substantial reduction in projected growth compared to the 2014-based projections, as well as other reasons outlined above. The downplaying of the starting point helps to reinforce the Council's view that the job-led OAHN should be preferred, but we are not convinced that the Council has adequately accounted for alternative employment growth factors as part of the jobs-led OAHN scenario, in particular the evident strength of the local economy in terms of jobs growth based on recent figures and longer-term trends. Therefore, the Council's position that a market signals uplift is somehow redundant and that a job-led approach adequately addresses future housing need is not, in our view, sufficiently justified by the evidence available, and thus risks under-estimating future needs to the detriment of the community.
- 4.6.21 Furthermore, it our view that the preferred OAHN does not reflect the evidence on affordable housing need in York, another matter the Council seems unwilling to recognise and respond to,

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<sup>44</sup> PPG Paragraph: 021 Reference ID: 2a-021-20140306 Revision date: 06 03 2014

despite the scale of need locally established in its own evidence. This we look at in the next section.

## 5 AFFORDABLE HOUSING

### 5.1 Summary of Affordable Housing Need in York

5.1.1 The Council's evidence of affordable housing need in York relies on figures presented in the 2016 SHMA (SD051). This document established a net need for an additional 573 affordable homes per annum by 2032 (Table 34 refers). The Council has maintains its view on the scale of affordable housing need in York, describing the need for affordable as 'notable' in the CYLP Publication Plan 2018 (para 1.46 refers).

5.1.2 The relevant PPG to this examination sates that:

***“What is the total need for affordable housing?”***

*The total need for affordable housing should be converted into annual flows by calculating the total net need (subtract total available stock from total gross need) and converting total net need into an annual flow.*

*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 the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.” (RPS emphasis) (Paragraph: 029 Reference ID: 2a-029-20140306)*

5.1.3 The PPG therefore recognises that Local Plans can greatly assist local areas in addressing the housing-related needs of specific groups, including those who cannot otherwise access open market housing, though the provision of more affordable housing. Given the 'notable' need for affordable housing in York, it is our view that the Council should take the opportunity to use the Local Plan to deliver more affordable housing in its area.

### 5.2 Council's position on Affordable Housing Need and the OAHN

5.2.1 Conversely, in preparing the 2016 SHMA, the Council has gone to great lengths in an attempt to justify why no specific allowance should, or needs to, be made to support the delivery of additional affordable housing in York (paragraphs 6.77-6.105 refers). The Council's position is summarised on page 115 of the 2016 SHMA (in the table *Affordable Housing Need: Implications*).To paraphrase their position, the Council suggests that the need for additional affordable housing relates predominantly to the housing needs amongst existing households who are already housed and, on that basis, are unlikely to generate the need for additional homes 'per se', thus negating the need for a specific allowance over and above the demographic-based housing projections. This, it states, '*...does not suggest that there is any strong evidence of a need to consider housing delivery higher than that suggested by demographic projections to help deliver more affordable homes to meet the affordable housing need.*'

5.2.2 The conclusion summarised above is not soundly-based as it does not reflect the clear evidence in York. The need for 573 affordable homes per annum represents some 73% of the Council's preferred OAHN of 790dpa. However, it also represents 118% of the official 2016-based



household projections. In our view, on both measures, the scale of need for affordable housing in York is far greater than acknowledged by the Council, and delivery of the preferred OAHN will still leave a significant shortfall in delivery of affordable housing against the overall need.

5.2.3 In response to the scale of need identified, the Council is seeking to adopt planning policies in the CYLP (Publication Plan, Policy H10, Table 5.4) to secure delivery of affordable homes as part of new development. These are based on the following proposed threshold targets (considered viable by the Council):

Threshold Target

- Brownfield sites = > 15 dwellings 20%
- Greenfield sites = > 15 dwellings 30%

5.2.4 At 30% on-site provision, a housing target of at least 1,910 dpa would be needed to deliver the affordable housing need in full. RPS does not suggest that this should be the full OAHN. However, the proposed policy seeking to secure affordable housing might only deliver around 40%<sup>45</sup> of the total affordable housing need in York (or 237 homes per year) by 2032, based on the preferred OAHN, subject to all sites delivering the threshold target in full on each qualifying site. Therefore, total delivery based solely on the official projections incorporating the proposed adjustments, is likely to be less than 40% of the total affordable need.

5.2.5 Consequently, RPS is not convinced that the Council's approach is sufficient to address the pressing need for affordable dwellings. In terms of addressing the scale of affordable housing in York, there is clearly a need to apply an uplift to the OAHN beyond adjustments to support increased household formation amongst younger households, which is (wrongly) subsumed into the Council's market signals adjustment. As such, we suggest that there is clear merit in adjusting the OAHN to assist in delivering additional affordable housing in York in line with the PPG. In relation to the Council's approach, an adjustment of 10% to the market signals-adjusted need (815) to facilitate additional affordable delivery would increase the OAHN to 896dpa, equating to an additional 81 dwellings per year. This would fall short of the full affordable housing need but would make a meaningful contribution towards the need overall.

5.2.6 Consequently, in relation to the alternative OAN advocated in this report, we consider that the adjustment for affordable housing would be captured within the 997 dpa figure as a means to significantly boost the overall supply of housing, consistent with the PPG, and so a separate adjustment over and above this figure would not be necessary.

5.2.7 The uplift to 896dpa would be broadly consistent with the Council's preferred OAHN using the 2014-based projections (867dpa), though lower than the recommended OAHN in the 2017 Addendum Update (953dpa). However, we would like to caveat that these figures are submitted subject to full consideration of the appropriateness of using the 2016-based projections in the first instance, and also whether the Council's assessment of employment growth can be shown to be soundly-based. However, the evidence presented in this submission regarding the individual adjustment factors (particularly the approach market signals and affordable housing) would apply regardless of which official projections are ultimately preferred.

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<sup>45</sup> 30% of 790 equates to 237, which is 40% of 573

## 5.3 Standardised Housing Need

- 5.3.1 As part of the calculation of OAN, RPS is also aware of an alternative methodology for calculating housing need, referred to in the NPP3, and explained in the 2018 PPG. This approach is known as the Government's Standard Method for calculating housing need.
- 5.3.2 The revised NPPF sets out that local authorities should use the Standard Method to calculate local housing need, only deviating from this method where there are exceptional circumstances for doing so. In the case of York, the Standard Method establishes an uncapped figure of 1,099 dwellings per annum using the ten-year average (2019-29)<sup>46</sup>. This incorporates a 34% increase in the household projection-based growth to account for affordability issues in York, and therefore no cap is to be applied.
- 5.3.3 The standard method-based minimum need is therefore 39% higher than the Council's now preferred OAHN figure of 790dpa and points strongly towards a future increase in the housing target that the District will need to be consider as part of a subsequent Local Plan review. This represents the direction of travel for any future Plan review and will need to be addressed in the context of the wider York housing market area.

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<sup>46</sup> Based on 2014-based projections, we calculate the household growth to be 820 hpa for the latest ten-year period (2019-29). By applying the Affordability adjustment factor of 1.34 (based on the 2018 affordability ratio of 9.41) to the household growth figure, this generates a standard method local housing need for York of 1,099.

## 6 CONCLUSIONS

### 6.1 Conclusions on the Council’s approach to Housing Need

- 6.1.1 The National Planning Policy Framework makes clear that Local Authorities should use their evidence base to ensure that they can meet the full Objectively Assessed Need for both market and affordable housing, as far as is consistent with the Framework. RPS has identified a number of technical areas that the Council should address in order to correctly review its Objectively Assessed Need for Housing, which have been considered as part of this report.
- 6.1.2 In summary, RPS considers that the housing need figure of 790 dwellings per annum proposed as part of the Council’s latest evidence, and subsequently the Proposed Modifications consultation, is not a robust or sound - position to take. As a transitional authority under the provisions of the 2019 National Planning Policy Framework, the York Local Plan is being assessed against the former 2012 Framework, and the supporting 2014 National Planning Practice Guidance. RPS proposes that the Council should apply an alternative figure of 997. This would be based on using the figure of 867 dwellings per annum in the Submission Local Plan as the starting point for the OAHN, but would also include an appropriate adjustment to account for market signals in York, and that this figure should be met as a minimum.
- 6.1.3 In arriving at this view, RPS identifies a number of overarching deficiencies in the approach to assessing OAHN as part of the City of York Local Plan (“CYLP”) process which currently prevent this process being found sound in accordance with Paragraph 182 of the Framework:
- 6.1.4 The Council has shifted the demographic-based starting from the 2014-based to the 2016-based official projections. The 2016-based projections represent a significant reduction in the projected growth in population and households up to 2032. Relying on the 2016-based projections downgrades the demographic-based starting point, a position which is contrary to practice in recent Local Plan examinations elsewhere, and does not reflect the growth aspirations and objectives of the CYLP, which has remained broadly unchanged since the CYLP review process began in 2012. RPS considers that the use of the 2016-based projections does not inform a credible position and the demographic starting point should be rebased to the 2014-projections, as undertaken in earlier assessments of household growth. The Council’s own OAHN using the 2014-based projections generates a housing need of 867 dpa;
- 6.1.5 Despite the use of more pessimistic projections of population growth for the City of York, the Council maintains the Plan strategy focused on recognising the District’s crucial role economically in the future of the District and also the wider sub-region. This is not reflected in the overall calculation of housing need;
- 6.1.6 In terms of assessing the balance between housing need and jobs in the City of York, the Council only considers a single employment forecast specifically within the housing need calculation (650 jobs per annum, or 0.5% annual growth rate). It does not consider any evidence using alternative sources, notably past trends in jobs growth, as an input to the assessment of future employment growth (c 0.83% annual growth rate based on observed jobs growth between 2000 and 2017). The result is a job-led housing need estimate that appears at

- odds with the economic-led strategy focus of the York Local Plan and which could underestimate the need for additional homes to the detriment of the wider economy and sustainable development objectives;
- 6.1.7 The Council's updated suggested adjustment for market signals (15% applied to the 2016/2014-blended projection) is not sufficient to address the worsening trends in house price and rental increases and widening affordability gap in York, as evidenced in this critique but also taking into account the Council's own evidence on market signals. The market signals adjustment also (wrongly) incorporates the adjustment for household suppression, which is a demographic-based adjustment rather than market/affordability-based, contrary to the PPG;
- 6.1.8 Consequently, RPS concludes that the market signals adjustment of 15% should be applied to the 2014-based population and household projections and is considered reasonable based on current evidence. By applying the 15% market signals adjustment to the demographic starting point of 867 pda (using the 2014-based SNPPs/SNHPS), this would generate a full OAHN of 997 dpa for York;
- 6.1.9 The Council has effectively ignored the pressing need for affordable housing in York (573 dpa) by subsuming the affordable housing allowance within the market signals adjustment. This is contrary to the PPG and is not soundly-based. RPS suggests a specific allowance is justified and should be applied over and above the market signal adjustment. Under the alternative approach advocated here, based on an OAN of 997 dpa, we consider that the adjustment for affordable housing would be captured within the 997 dpa figure as a means to significantly boost the overall supply of housing, consistent with the PPG, and so a separate adjustment over and above this figure would not be necessary.
- 6.1.10 In terms of future plan review, but also in context of the Council's preferred housing need figure, it is clear that the Council will need to respond to a significantly higher local housing need for York in the future (representing a 39% increase) derived from the standard method, currently estimated at 1,099 dpa.
- 6.1.11 The approach has evaluated the Council's approach in line with the steps set out in the Planning Practice Guidance (2014) and has suggested reasonable adjustments informed by relevant and up to date information.



# Appendix II

## Opinion of James Maurici QC

## IN THE MATTER OF STRENSALL COMMON

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### OPINION

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#### Introduction

1. I am asked to for my opinion on whether the Secretary of State for Defence (“**the Secretary of State**”), as owner of the land known as Strensall Common, has the ability to impose a ban on people walking their dogs without a lead, or to impose fines for dog fouling, or impose other similar measures.

#### Background

2. The context for this advice is the current consultation on proposed modifications to the draft City of York Local Plan (“**the Draft Plan**”). The proposed modifications, dated June 2019, are backed by an updated “appropriate assessment” under the Conservation of Habitats and Species Regulations 2017, dated February 2019 (“**the HRA**”). One of the proposed modifications is to delete draft policy SS19, which seeks to allocate land known as the Queen Elizabeth Barracks (“**QEB**”) for the development of 500 homes. QEB is near Strensall Common, and is also owned by the Secretary of State. The reason for the proposed modification is as follows:

“Site removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).”

3. The HRA at para. 3.60 notes in respect of Strensall Common:

“Of particular concern is the worrying of livestock by dogs, especially when off the lead and the degree to which. Given the importance of the grazing regime to site management and the achievement of the conservation objectives, this represents a considerable threat should the number of visitors and their dogs increase.”

4. At para. 4.20, the HRA noted the key findings of Footprint Ecology, who were commissioned by the City of York Council (“**the Council**”) to undertake a visitor assessment in respect of Strensall Common. These findings included that 70% of interviewed visitors brought dogs, and 45% of dogs accompanying interviewees were off the lead, and recreational impacts including “*eutrophication from dog fouling*” were evident, though limited and generally concentrated in fairly close proximity to the car parks. The report of Footprint Ecology stated:

“... [the] worrying of livestock by dogs ... is already resulting in a loss of animals and may jeopardise future grazing. Appropriate grazing will be a vital tool in restoring the SAC to favourable condition.”

5. At paras. 4.29-4.37, the HRA considers the proposed wardening activities for Strensall Common, in part with a view to “securing better behaviour from dog-walkers and their dogs”, but raises concerns over their reliability and effectiveness as mitigation against increased recreational pressures. The recommendation of the HRA at para. 4.40 is as follows:

Given the doubts surrounding the effectiveness of mitigation, the only reliable mechanism to avoid an adverse effect on the integrity of the European site is to REMOVE ... SS19 ... FROM THE PLAN.”

6. Appendix D to the HRA is the Footprint Ecology report. Potential mitigation measures are considered at para. 10.6 onwards. At para. 10.13, the role of wardening is said to include:

“Directly influencing the behaviour of any visitors likely to cause problems, for example dogs off leads around livestock”

7. Much of what is said in the HRA is disputed; but for these purposes that does not matter. It is relevant only by way of background.

### Analysis

8. In my view, the Secretary of State does have the power to impose the additional measures envisaged to mitigate against recreational pressures.
9. Strensall Common is governed by the Strensall Common Act 1884 (“**SCA**”). As noted in the first recital to the SCA, the “*soil in the common known as Strensall Common*” was purchased by agreement pursuant to the Military Forces Localisation Act 1872. The mere purchase of the land by agreement did not itself deal with any rights of common. Therefore, the SCA provided for the ascertaining and acquisition of, and compensation for, “*all commonable and other rights existing in or over Strensall Common*”: see section 2 and the preamble. Upon payment of compensation for the compulsory purchase of the commonable and other rights, “*all such commonable and other rights shall cease and be extinguished*” by operation of section 2.
10. I have been provided with a plan annotated in the bottom right hand corner: “*Strensall Common as copied from the plan in County Hall Archivists office. As attached to Strensall Common Act 1884*”. The land within the red line boundary is identified as Strensall Common (attached).



11. The preamble to the SCA also indicates that the Act additionally provided for “*the use of the said Common and adjoining land for military and other purposes*”.
12. Section 5 is concerned with the powers of the Secretary of State in relation to using the land for military purposes.
13. Section 6(1) goes on to provide that:
 

“Whenever the open portion of Strensall Common, and also any land held by the Secretary of State which adjoins or is near to Strensall Common and is for the time being unenclosed, is not required to be used for any military purpose, the Secretary of State shall permit the same to be used by Her Majesty’s subjects for exercise and recreation, and such portion of the said common or land as is so permitted to be used is in this Act referred to as the recreation ground land.”
14. Section 6(2) makes provision for the times when the recreation ground land is required for military purposes.
15. Critically for the purposes of this Opinion, section 6(3) provides as follows:
 

“The Secretary of State may from time to time make, and when made revoke and vary, byelaws for the government of the recreation ground land when not used for any military purpose, and the preservation of order and good conduct thereon, and for the prevention of nuisances, obstructions, encampments, and encroachments thereon, and for the prevention of any injury to the same, or to anything growing or erected thereon, and for the prevention of anything interfering with the orderly use thereof by the public for the purpose of exercise and recreation.”
16. Section 6(4) provides that a person committing an offence against any such byelaw shall be liable to a fine and may be removed from Strensall Common. Section 6(5) sets out the procedure for making byelaws, which includes publicising any proposals, inviting objections, and considering any objections before making the decision.
17. The byelaws currently in force – the Strensall Common Byelaws 1972 – were made on 14 February 1972 (SI 1972/246) (“**the Byelaws**”). They govern the land of Strensall Common when not used for military purposes. Byelaw 3 sets out a number of prohibited acts, which include:
 

“(6) any act which pollutes or is likely to pollute any water  
 ...  
 (10) wilfully disturbing, injuring or taking any animal, bird or egg”
18. Under Byelaw 4, there are further acts which require written permission, including:
 

“(13) cutting, digging, damaging or removing any grass, turf or growing crops;  
 (14) cutting, defacing or damaging any growing tree or shrub or removing any timber, tree, shrub or wild flower roots”

19. Doing anything prohibited under Byelaw 3 or without permission under Byelaw 4 is an offence: see Byelaw 5.
20. In my view, the Byelaws could be varied to introduce, for example, a ban on dog walking without a lead, or a fine for dog fouling, or other such similar measures. Such measures fall within the wide scope of the power to make byelaws in section 6(3) of the SCA: see, in particular, the words “*the preservation of order and good conduct thereon*”, the “*prevention of nuisances*”, “*the prevention of injury*” to the recreation ground land and to “*anything growing ... thereon*”, and “*for the prevention of anything interfering with the orderly use thereof by the public*”.
21. It is notable that the Byelaws already contain measures which are aimed at protecting the land and wildlife on Strensall Common.
22. The proposed additional mitigation measures – i.e. expressly prohibiting certain activities (backed with sanctions) rather than simply encouraging good behaviour – go beyond the wardening proposal considered by the HRA and by Footprint Ecology. Para. 4.39 of the HRA specifically notes the possibility that alternative mitigation measures might come forward, and that the recommendation to remove policy SS19 from the Draft Plan is contingent on “*the absence of further mitigation at this stage*”. Therefore, in my view it is necessary for the HRA to be updated to consider the newly proposed mitigation because the deletion of the QEB allocation can be justified.

### **Conclusion**

23. For reasons given above, the Secretary of State has a wide power under the SCA to make byelaws which would prohibit certain activities as a means of mitigating against recreational pressures upon Strensall Common.
24. I have nothing to add as presently instructed, but remain happy to advise further if required.

**JAMES MAURICI QC**  
**LANDMARK CHAMBERS**  
**180 FLEET STREET**  
**LONDON**  
**EC4A 2HG**

Tuesday, 09 July 2019

# Contact Details

---

## Enquiries

Craig Alsbury



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[avisonyoung.co.uk](http://avisonyoung.co.uk)

**From:** Jason Tait [Jason.Tait@planningprospects.co.uk]  
**Sent:** 22 July 2019 21:29  
**To:** localplan@york.gov.uk  
**Subject:** Representation to Modifications, York Local Plan  
**Attachments:** Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019.pdf

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Please see attached representation

Jason M Tait, MRTPI - Director  
**planningprospects**  
planning and development consultancy

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# 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		Jason
Last Name		Tait
Organisation (where relevant)	Miller Homes	Planning Prospects
Representing (if applicable)		Miller Homes
Address – line 1		4 Mill Pool
Address – line 2		Nash Lane
Address – line 3		Belbroughton
Address – line 4		Worcestershire
Address – line 5		
Postcode		DY9 9AF
E-mail Address		jason@planningprospects.co.uk

Telephone Number		01562 734090
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# 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:

Addendum to Topic Paper 1; Green Belt

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)

<b>Positively prepared</b>	<b>x</b>	<b>Justified</b>	<b>X</b>
<b>Effective</b>	<b>x</b>	<b>Consistent with national policy</b>	<b>X</b>

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

The updated evidence base which sets out the comprehensive approach to and considerations associated with defining the York Green Belt for the first time is effective, justified and consistent with national policy. The document provides a sound basis for identifying the precise inner boundary of the Green Belt, assessing and justifying the chosen boundary by reference to wider studies which speak to the purposes of Green Belt in the York context. The Topic Paper provides a robust piece of evidence to support the plan and provide a clear assessment and rationale for the Green Belt boundary as set out in the 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.**

The evidence base in respect of Green Belt is supported

**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 22/7/19

**From:** Grundy, Simon [REDACTED]  
**Sent:** 22 July 2019 13:50  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan – Proposed Modifications consultation – response on behalf of Picton Capital [CJ-WORKSITE.FID414879]  
**Attachments:** 190722 - Picton Consultation Reps Form.pdf; 190722 - Picton Reps- 2019 modifications - final.pdf; Appendix 1 - 2018 Picton reps - final.pdf

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Further to the above, please find enclosed completed response form and associated representations statement and appendices.

I look forward to receiving acknowledgement of receipt.

With best wishes,  
**Simon Grundy**  
 Partner

## Carter Jonas

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

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ID reference:

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## 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		Simon
Last Name		Grundy
Organisation (where relevant)	Picton Capital – c/o agents	Carter Jonas LLP
Representing (if applicable)		L&Q Estates
Address – line 1	– c/o agents	Carter Jonas
Address – line 2		First Floor
Address – line 3		9 Bond Court
Address – line 4		Leeds
Postcode		LS1 2JZ
E-mail Address	– c/o agents	████████████████████
Telephone Number	– c/o agents	██████████

# Guidance note

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# Part B -Your Representation

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



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

Proposed Modification  
References:

PM3-PM5 & proposals map

Document:

EX/CYC/14a - GL Hearne Housing Need Update 2019

Page Number:

N/A

## What does 'legally compliant' mean?

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## 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 Carter Jonas statement of representations and appendices.

## What does 'Sound' mean?

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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 Carter Jonas statement of representations 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.**

Please see attached Carter Jonas statement of representations 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:

Given the significant issues under consideration by Picton Capital it is appropriate for them to participate directly by attending the relevant 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 July 2019**

**CITY OF YORK LOCAL PLN  
PROPOSED MODIFICATIONS  
(JUNE 2019)  
REGULATION 19 CONSULTATION  
RESPONSE**

**REPRESENTATIONS**

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## 1.0 INTRODUCTION

1.1 Carter Jonas LLP (CJ) welcomes the opportunity to make representations in respect of the June 2019 City of York Local Plan Proposed Modifications (the PMs) on Picton Capital (Picton). These representations are submitted in support of their interest in housing provision and need across the city and premises at Kettlestring Lane, Clifton Moor, SHLAA Site Reference 959. These representations are pursuant to and cross-reference with previous representations by Carter Jonas at Publication Draft (Regulation 19) stage (as enclosed at Appendix 1 for ease of reference).

1.2 We have significant concerns over the PMs currently proposed and the overall soundness of the plan which will impact upon the timetable and prolong the continued failure to plan for the development needs of the City of York. Our specific concerns arising from this PMs consultation (along with the Plan as submitted) relate to the following, with cross-reference to the modifications main document and/or evidence base where appropriate:

- PPM3-PM5 and associated amendments – The January 2019 Housing Needs Update and the Revised Objectively Assessed Housing Need (OAHN)
- The associated 'Garden Village' strategy for delivery of sufficient land to meet the OAHN

1.4 Our representations in response to the PMs consultation are structured as follows:

- Section 2 covers spatial strategy and the housing requirement
- Section 3 summarises our conclusions

1.5 We have completed a representation form to which this statement is attached and includes the request to participate in the examination.

## 2.0 SPATIAL STRATEGY AND THE HOUSING REQUIREMENT

### PM3 – PM5 and Policy SS1: York Housing Needs and Delivering Sustainable Growth for York

- 2.1 Policy SS1 is not considered sound as it is not positively prepared, effective or consistent with national policy. The PMs and updated/new supporting evidence do nothing to resolve this – quite the contrary as the proposed reduction to the minimum annual provision of new dwellings of 790 dwellings per annum pushes in the opposite direction. In short summary, the council is seeking to use the more favourable and up-to-date household projection figures on the one hand and the ‘old rules’ methodology for calculating OAHN on the other (i.e. prior to the 2018 NPPF revisions).
- 2.2 We consider that by adhering to the ‘old rules’ and despite the new 2108 NPPF methodology having been known for a significant length of time (2 years), this represents a negative approach to plan-making. Pursuant to the CJ Housing Needs and Supply Report at Appendix 1, Picton objects to the housing requirement being set at 790 dwellings per annum (dpa) and concludes that the OAN should be at a baseline minimum of 1,066 dpa. Taking into account acute need for affordable housing provision the most appropriate figure is circa 1,226 dpa.
- 2.3 The Council's previous evidence base, in the form of the GL Hearn Strategic Housing Market Assessment (May 2017 - the SHMA) clearly recommends that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum. The revised OAN ignores previous supporting evidence base conclusions and provides no clear or sound justification for not making a 10% affordable housing and adjustment for market signals in light of Government guidance. The Publication Draft Plan text at paragraph 3.3: Housing Growth is silent on the methodology behind the selection of the 867dpa figure.
- 2.4 There are significant issues of housing affordability within the city which needs to be addressed and there is no evidence of any recent improvement in this respect. This is in breach of the NPPF core planning principle at paragraph 17, bullet point 4. The decision makers at City of York Council Local Plan Working Group and Executive meetings in January 2018 had every opportunity to aim for a more reasonable, justified and positive target for housing delivery. This would have been fully supported and justified by the SHMA evidence base, officer recommendations (including suggested additional housing sites) and statements of case by many representors. However, the members of those committees failed to take this opportunity, choosing a figure based on only part of the GL Hearn findings.
- 2.5 That approach was wholly unjustified and in breach of the aims and objectives of draft Policy DP1 as noted above and a key indicator of the Council's unreasonable and unrealistic approach to assessing housing need. As such, the previous housing requirement of 867 dpa and the currently suggested 790 dpa under PM3 and PM4 fail to comply with Planning Practice Guidance and as a result the Plan fundamentally fails to provide for the evidenced housing growth requirement and is therefore demonstrably unsound.
- 2.6 Given the real prospects of the plan being found unsound at pre-examination or EiP stage, the council should allow for a significant increase from the 867 figure towards the bare minimum of 1,066 dpa confirmed within the

attached Housing Needs and Supply Report. To help address acute shortages in affordable housing provision the 1,226 dpa figure noted above should be used in the interests of meeting extreme and historic housing need and planning positively for the future development needs of the city.

- 2.7 We note that PM3 includes the statement that *“in addition the plan will optimise the delivery of affordable housing to meet identified need subject to not compromising viability of development sites; and address the needs of specific groups”*. The Carter Jonas Housing Needs and Supply Report at Appendix 1 has identified that York has a severe shortfall in the delivery of new affordable housing in recent years and this is illustrated by the delivery figures since 2015-16, set against Right to Buy losses to affordable housing stock:

	2015-16	2016-17	2017-18	Total
<b>New-build</b>	100	135	67	302
<b>RtB Sales</b>	68	79	72	219
<b>Nett delivery</b>	32	56	-5	83

- 2.8 The statistics are taken from Live Table 1011C: Additional Affordable Housing Supply; detailed breakdown by Local Authority, Completions 1, 2 and Table 685: Annual Right to Buy Sales: Sales by Local Authority: 1979-80 to 2017-18 12345
- 2.9 The proposed modifications at PM3 – PM5 are therefore based upon an unrealistically low OAN and as a result Policy SS1 remains wholly unsound. The Council should therefore consider additional sites to allow flexibility. Sites on the urban area of York such as our client’s site at Kettlestring Lane, Clifton Moor. SHLAA Site Reference 959 should be considered for allocation.



## 3.0 CONCLUSION

3.1 These representations highlight that the Proposed Modifications fail to make the Proposed Plan sound nor do they meet the requirements of paragraph 157 of the NPPF.

3.2 Our concerns relate to:

- the proposed even lower annual housing provision with an OAN of 790;
- a severe shortfall of affordable housing and lack of measures to address this issue; and
- insufficient land allocated for housing in general

3.3 These would combine to hold back growth to unreasonably low levels and exacerbate the existing significant housing delivery and affordability issues further.

3.4 We expect that further main modifications will be needed and in particular additional housing land allocations to meet a significantly higher OAN. In this we consider that our client's site at Kettlestring Lane, Clifton Moor is fully deliverable and represents an appropriate site allocation for housing when considered against reasonable alternatives. The land should be allocated for housing within the plan period for the extensive reasons noted within these representations and in particular to supplement draft housing allocations to meet an objectively assessed need for housing that will increase significantly during the progress toward local plan adoption.

**CARTER JONAS**  
**JULY 2019**

**CITY OF YORK LOCAL PLAN  
PUBLICATION DRAFT (FEB 2018)  
REGULATION 19 CONSULTATION**

**REPRESENTATIONS**

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### Appendices

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Appendix 1: October 2017 representations for Picton Capital

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## 1.0 INTRODUCTION & EXECUTIVE SUMMARY

- 1.1 Carter Jonas LLP welcomes the opportunity to make representations upon the February 2018 City of York Local Plan Publication Draft (the PDP) on behalf of Picton Capital Ltd.). These representations are pursuant to and cross-reference with previous representations by Carter Jonas at Pre-Publication Draft (Regulation 18) stage (as enclosed at Appendix 1 for ease of reference).
- 1.2 Picton owns land and premises at Kettlestring Lane, which we again propose for allocation for housing. The land is now Site Reference 959: Land at Kettlestring Lane, Clifton Moor within the Strategic Housing Land Availability Assessment (SHLAA) (2017). Our client is keen to work with the City of York Council to help ensure a sound Local Plan can be adopted as soon as possible. We will be pleased to engage with the Council upon matters of housing need and delivery, and site-specific matters to facilitate swift progress.
- 1.3 We note that the Minister for Housing, Communities and Local Government (HCLG) has confirmed (as of 23 March 2018) the council is not one of those selected for local plan intervention. However, a watching brief will be maintained by HCLG to ensure the Council continues to meet the published timetable set out within the Local Development Scheme. Notwithstanding this, we have major concerns over the soundness of the plan as currently proposed which will impact upon the timetable for Plan and prolong the continued failure to plan to meet the needs of the City of York.
- 1.4 In summary our main representations are as follows:

### Vision, Spatial Strategy and the Housing Requirement

- The Vision and Outcomes are not justified or effective as they are not backed by evidence and positive policies to meet the identified housing need.
- The housing requirement and the predicted housing supply is not justified, effective or consistent with national planning policy or even the council's own evidence base.
- In particular, the minimum annual provision of 867 new dwellings per annum is not based upon any robust objective assessment of need – even the council's own evidence base gives an OAN of 953dpa.
- As a result, the draft plan will not deliver sufficient new housing or the much needed boost to the level of supply indicated by the available evidence.
- Based on the available evidence, the plan should provide for a minimum of 1,000 new dwellings per annum.
- Even founded on a figure of 867dpa the plan proposes insufficient housing land to meet its proposed requirement.
  - The spatial strategy relies too heavily on a number of key large and/or complex sites and over-optimistic and unsupported assumptions over both timing and number of dwellings to be delivered.

- The draft plan also includes over-optimistic assumptions over the predicted level of windfall.
- Indicative densities are too high, giving unrealistic yield per hectare assumptions and potentially resulting in poor quality development and lack of new housing choice.

**Site selection and the case for Land at Kettlestring Lane, Clifton Moor**

- Our client's land at Land at Kettlestring Lane, Clifton Moor is fully deliverable and represents one of the most appropriate sites for allocation when considered against reasonable alternatives and our client and the relevant landowners are willing parties.
- We demonstrate that:
  - The site occupies a highly sustainable location within close proximity to the existing facilities and services of Clifton District Centre;
  - It is well connected via existing sustainable transport network, including bus stops nearby providing access to the City Centre;
  - The development will deliver new and much needed affordable housing;
- Site ref. 959 should be allocated for housing.

1.5 We have completed a representation form which is attached to this statement and request to participate in the examination.

## 2.0 THE OVERALL DOCUMENT & GENERAL POLICIES

### Background

- 2.1 Within this response, our comments are directed at specific parts of the Publication Draft Plan, which we consider make the document 'unsound'. Our response addresses the issues of soundness set out in paragraph 182 of the National Planning Policy Framework (NPPF) (2012). These require that the Plan should be: -
- Positively Prepared;
  - Justified;
  - Effective and
  - Consistent with national planning policy.
- 2.2 We have some initial comments in regards the document as a whole. Principally the concerns are as follows: -
- Following a long and troubled preparation over many years and as a result of recent Council decisions on growth the Publication Draft Plan is not sufficiently strategic in focus and fails to provide a clear strategic direction for the City;
  - In view of the unreasonably low level of housing growth proposed recent it fails to respond to the direction of travel contained within CLG's White Paper 'Fixing our Broken Housing Market' (Feb 2017), 'Planning for the Right Homes in the Right Places: Consultation Paper' (September 2017) and the recent draft National Planning Policy Framework and Planning Policy Guidance issued in March 2018 and associated documents.
- 2.3 It is considered that a significant amount of work still needs to be done to make the Local Plan sound. As it stands, the document is:
- Not justified because is not based on an robust and credible evidence base, and is not the most appropriate strategy when considered against reasonable alternatives;
  - Not effective due to issues of flexibility and does not plan properly to meet the identified needs; and
  - Not consistent with current and emerging national planning policy.
- 2.4 Our specific comments are set out below on a section-by-section basis.

## Section 2: Vision and Development Principles

- 2.5 The Vision and Outcomes at p16 are fairly generic and fail to say anything about the need for housing growth to help both deliver and underpin the sustainable development aims and objectives.
- 2.6 Paragraphs 2.1 and 2.2 promote the key role of York in leading Sub-Regional economic growth and new job creation whilst as safeguarding existing employment provision. The aim is to deliver 650 new jobs per annum. Paragraph 2.5 acknowledges the need to provide new homes in the form of “sufficient land for 867 dwellings per annum. Specific reference is made to ‘garden village’ developments at three locations plus “major sustainable urban extensions such as British Sugar and York Central.”
- 2.7 Policies DP1 and DP2 of the Publication Draft Plan acknowledge the need for development to meet housing needs. DP1 aims to ensure:
- The housing needs of the City of York’s current and future population including that arising from economic and institutional growth is met within the York local authority area.*
- 2.8 We wholeheartedly welcome this aim, although for the Vision to be ‘sound’ it should also explicitly acknowledge the need to provide affordable housing and diversify the housing market.
- 2.9 We have significant concerns that the Plan will not effectively meet the development principles of Policy DP1 aims, as set out above. It is well documented that the housing target set out within the publication Plan is not appropriately justified and should be increased to seek to meet the housing needs and economic growth in the area

### 3.0 SPATIAL STRATEGY AND THE HOUSING REQUIREMENT

#### Policy SS1: Delivering Sustainable Growth for York

- 3.1 Policy SS1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the following reasons. Our client objects to the housing requirement being set at 867 dwellings per annum. The GL Hearn Strategic Housing Market Assessment (May 2017 - the SHMA) clearly recommends that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum.
- 3.2 There is no justification for not making an adjustment for market signals. The Publication Draft Plan text at paragraph 3.3: Housing Growth is silent on the methodology behind the selection of the 867dpa figure. There are significant issues of housing affordability within the city and no evidence of any recent improvement in this respect. This is in breach of the NPPF core planning principle at paragraph 17, bullet point 4. The decision makers at City of York Council Local Plan Working Group and Executive meetings in January 2018 had every opportunity to aim for a more reasonable, justified and positive target for housing delivery, including the potential housing allocation of Site 959. This would have been fully supported and justified by the SHMA evidence base, officer recommendations (incorporating suggested additional housing sites, including Site 959) and statements of case by many representors. However, the members of those committees failed to take this opportunity, choosing a figure based on only part of the GL Hearn findings. This approach is wholly unjustified and in breach of the aims and objectives of draft Policy DP1 as noted above.
- 3.3 As such, the housing requirement of 867 fails to comply with Planning Practice Guidance and as a result the Publication Draft Plan fundamentally fails to provide for the evidenced housing growth requirement and is therefore patently unsound.
- 3.4 Furthermore, an additional uplift based upon representations from businesses and bodies such as the York Chamber of Commerce should reflect the confirmed role of York as a “key economic driver”. The York Economic Strategy 2016 to 2020 also indicates the need for a further uplift. The lack of reasonable explanation for not including economic uplift is contrary to PPG advice at Paragraph: 004 Reference ID: 2a-004-20140306, as follows:

*...the use of this standard methodology set out in this guidance is strongly recommended because it will ensure that the assessment findings are transparently prepared. Local planning authorities may consider departing from the methodology, but they should explain why their particular local circumstances have led them to adopt a different approach where this is the case.*



- 3.5 The Publication Draft Plan housing requirement of 867 dwellings per annum wholly fails to meet the requirements of NPPF paragraph 182 in that it is not positively prepared, justified, effective and consistent with national planning policy.
- 3.6 Given the real prospects of the plan being found unsound at the earliest juncture, the council should allow for a significant increase from the 867 figure towards the 1,070dpa confirmed within the Planning for the Right Homes Publication Data spreadsheet. As a result, we consider the OAN figure for York is closer to 1,000 dwellings per annum to meet demographic needs and provide reasonable necessary response to market signals, which should be planned for in the dual interests of flexibility of supply and positive planning.

### **Spatial Strategy: Key Housing Sites - Policies SS4 – SS20**

- 3.7 Whilst we do not go into detail on each of the key sites set out between pages 32-69 of the Publication Draft Plan we have deep-seated concerns in respect of (1) the over-reliance on large, strategic sites (including new settlements) and (2) the unrealistic yields being suggested.

### **Policy SS4: York Central**

- 3.8 Whilst we do not go into the details behind Policy SS4 at this stage we note that the suggested yield includes a significant degree of optimism in terms of programme and delivery rates on the one hand and an unreasonably broad range of potential housing yield, spanning a potential 850 dwellings on the other. In particular, the suggested “1,700 – 2,500 dwellings, of which a minimum of 1,500 dwellings will be delivered in the plan period” represents a lack of clear understanding of true site potential and likely yield during the plan period.
- 3.9 It is worth noting that the suggested range of 1,700 – 2,500 dwellings doesn’t correlate with the council’s own York Central webpage which states:

*The current proposals are subject to further technical work and consultation, but current suggestions include 1,000 to 2,500 homes...*

### **Policy SS6: British Sugar/Manor School**

- 3.10 As with SS4 above we do not go into the details behind Policy SS6 at this stage. However, consider the suggested 1,200 dwelling yield includes a significant degree of over-optimism. This is highlighted through the October 2017 Planning Committee report for the undetermined planning application ref. 15/00524/OUTM which refers to “up to 1,100 dwellings” and then with the subsequent January 2018 Design and Access Statement setting out a range of scenarios resulting in as few as 675 units (Option A, at 35dph), up to a maximum of 1,076 units (Option C, at 45dph).

## 4.0 HOUSING

### Policy H1: Housing Allocations

- 4.1 This section of the plan seeks to set out *the “policies and allocations to positively meet the housing development needs of the city”*. We maintain for the reasons given above, the proposed housing allocations will not meet the appropriate level of OAN for the City over the plan period. In this respect the plan is not sound, justified, effective or in accordance with national policy.
- 4.2 It is vital the Council produces a plan which can deliver against its full housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period and that the plan allocates more sites than required to meet the housing requirement as a buffer. To meet NPPF requirements for the plan to be positively prepared and flexible the buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. We suggest a contingency of at least 10% to the overall housing land supply to provide sufficient flexibility for unforeseen circumstances and in acknowledgement that the housing requirement is proposed as a minimum not a maximum figure.
- 4.3 As far as we are aware, the Council has not provided a robust assessment of trajectory for the housing allocations and therefore it is difficult to provide a detailed analysis of the likely delivery rates of the individual sites. However on the limited information available it is considered that the Publication Draft Plan significantly underestimates the length of time it will take for the housing allocations to start delivering completions. A significant amount of supply is based upon the regeneration sites and large strategic allocations set out within Section 3: Spatial Strategy and therefore are likely to take a number of years to achieve detailed planning permission given the requirements for, *inter alia*, remediation, Environmental Impact Assessment and complexities of the likely Section 106 Agreements involving the delivery of new schools, local centres and significant pieces of infrastructures etc.
- 4.4 Furthermore, a number of the sites are under multiple ownerships and therefore may take many years for land assembly to take place and the drawing up contractual agreements with developers. These combined factors mean that a large number of the housing allocations are unlikely to start delivering completions within the first 5 years of the plan period.
- 4.5 Our client is concerned that the methodology used for determining the capacity of the proposed allocations has overestimated the amount of housing that will be delivered on the sites and as such the reliance on these sites could render the Plan ineffective due to more realistic lower yields. It is considered that the build out rates and density levels contained in the SHLAA are not realistic or robust. To illustrate this it is worth noting the very broad estimated 1-10 year phasing within Table 5.1 for key sites such as H1: Heworth Green Gas Works and H7: Bootham Crescent. In addition, the SHLAA overestimates gross to net site ratios, which is a particular problem for large sites which will require substantial on-site infrastructure and ancillary uses such as public open

space, schools, local services and facilities, flood attenuation ponds and swales, significant adoptable road networks etc. The assumptions used in the SHLAA do not appear to be supported by any local evidence.

- 4.6 As evidenced by the Windfall Technical Paper, the housing supply makes an allowance for windfall sites of 169 dwellings per annum from plan year 4. As noted above, previously developed land is a finite resource and, similarly, historic rates of windfall are most unlikely to be maintained for the plan period. Furthermore, we note the allocation of smaller sites (e.g. Site H53 Land at Knapton Village for 4 dwellings). In the past these smaller sites for only a handful of units might otherwise have been considered as windfall should they come forward and as a result their allocation would detract from projected windfall based on historic rates. As a result, Picton therefore objects to the inclusion of over 2,000 units of windfall within supply to be wholly unsupported, unsound and lacking justification.
- 4.7 The above will necessitate additional housing allocations being identified. Failure to identify additional housing will impact upon the overall delivery of the Local Plan aims and objectives to meeting housing need.

### **Policy H2: Density of Residential Development**

- 4.8 We envisage that the high housing densities within Policy H2 represent part of the council's case to minimise housing land allocations and thus the need to remove land from the General Extent of Green Belt. Development densities of 100 dwellings per hectare within the city centre and 50 dwellings per hectare within the wider urban area are unrealistically high and would lead to lack of choice and poor standards. As currently drafted, Policy H2 is not considered to be sound as it is not effective, justified or consistent with national policy.
- 4.9 Whilst the NPPF, paragraph 47, does indicate local authorities can set out their own approach to housing density this should be based upon local circumstances and not harm the overall objective of boosting significantly housing supply.

## **5.0 THE CASE FOR THE ALLOCATION OF LAND AT KETTLESTRING LANE, CLIFTON MOOR**

5.1 These representations are pursuant to the previous representations for Picton and seek to establish that the site is suitable for allocation and represents the most appropriate option for allocation when considered against reasonable alternatives.

5.2 In all planning respects the proposal is sustainable and addresses all planning policy, environmental and technical considerations.

### **The Proposal - Summary**

5.3 The site is 3.2 ha hectares in size and could readily accommodate up to 100 dwellings (at a net density of 32dph). There is sufficient land to enable the delivery of a high quality and sustainable development, relating well to the surrounding context. The site is currently comprised of one large commercial building and one smaller employment unit. The buildings are under-occupied because of their nature, layout and location makes them unattractive to modern commercial occupiers.

5.4 These representations seek to establish that the site is suitable for allocation and represents the most appropriate option for allocation when considered against reasonable alternatives. In doing so, the representations will provide details of the sites' deliverability, suitability for development and achievability in terms of its ability to be brought forward to meet the city's housing requirement.

5.5 The site is encircled by a highway and is surrounded by a range of commercial and residential uses. The commercial uses include B1a offices, retail warehousing, storage and distribution, and light industrial uses. As a result, none of these uses represent a significant constraint on the residential use of the site. Furthermore there has been a significant amount of residential development immediately neighbouring site in Pioneer Business Park and Clifton Technology Centre. As a result, the residential re-use of the site is clearly compatible with surroundings and context.

2.4 The scheme will provide a mixture of house types, sizes, and tenures including affordable housing. The proposed scheme will provide public open space and additional landscaping.

### **The Deliverability of the Land at Kettlespring Lane, Clifton Moor**

2.5 The land at Kettlespring Lane, Clifton Moor is fully 'deliverable' in accordance with Paragraph 47 of the Framework. Our comments have been framed by the Council's published Residential and Employment Site Selection Methodology. In summary it is: -

- a) Available now;
- b) A suitable location for development now; and

c) Is achievable with a realistic prospect that housing will be delivered on the site.

## 6.0 CONCLUSION

6.1 These representations set out fundamental flaws in the Publication Draft Plan and explain why it is unsound. In particular, the Plan fails to meet the NPPF paragraph 157 requirement to

*...plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework...*

6.2 The most significant concerns are the proposed low annual housing provision, tightly drawn Green Belt boundaries and insufficiency of housing land allocation would combine to hold back growth to unreasonably low levels and exacerbate the existing significant affordability issues further.

6.3 Our client's land at Kettlestring Lane, Clifton is fully deliverable and represents one of the most appropriate sites for allocation when considered against reasonable alternatives.

6.4 Picton respectfully maintains that Land at Kettlestring Lane, Clifton, SHLAA ref. 959 should be designated as a housing allocation.

**From:** Grundy, Simon [REDACTED]  
**Sent:** 22 July 2019 13:57  
**To:** localplan@york.gov.uk  
**Subject:** RE: City of York Local Plan – Proposed Modifications consultation – response on behalf of Picton Capital [CJ-WORKSITE.FID414879]  
**Attachments:** Appendix 2 - 190719 - City of York OAN - Housing Needs & Supply.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** This is additional info to earlier Rep

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Please find enclosed Appendix 2 of the representations under the email below I sent.

Simon Grundy  
 Partner

# Carter Jonas

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**From:** Grundy, Simon  
**Sent:** 22 July 2019 13:50  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan – Proposed Modifications consultation – response on behalf of Picton Capital [CJ-WORKSITE.FID414879]

Further to the above, please find enclosed completed response form and associated representations statement and appendices.

I look forward to receiving acknowledgement of receipt.

With best wishes,

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**CITY OF YORK LOCAL PLAN  
CONSULTATION ON 'PROPOSED MODIFICATIONS'**

**HOUSING NEEDS AND SUPPLY REPORT**

**JULY 2019**

**Carter Jonas**



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## 1.0 INTRODUCTION & EXECUTIVE SUMMARY

- 1.1 This report is submitted in relation to the proposed modification of the City of York Local Plan (“the plan”). City of York Council (“the Council”) has released a range of proposed modification one of which is to seek to reduce the Objectively Assessed Housing Need (OAHN) figure to 790 dwellings per annum.
- 1.2 In undertaking this assessment of objectively assessed need and associated issues, Carter Jonas LLP is instructed by various clients.
- 1.3 This report is in the context of continued review and updating of housing evidence on behalf of the Council from 2016 (and before) through 2017, and again in 2019. As such, it tracks the headlines in those reviews and updates. This tracking reveals that there has been under reporting and suppression of the housing needs.
- 1.4 It is recognised that the plan was submitted in May 2018 – under the 2012 National Planning Policy Framework (NPPF) – but there were strong indications of changes to national policy prior to this. Furthermore, the correspondence between the Inspectors and the Council makes it clear that we are in a changing and dynamic policy position and this latest consultation is being conducting post the publication of a new revised NPPF and supporting practice guidance in 2019.
- 1.5 There is an inherent conflict in the Council’s approach to attempt to use the most up-to-date data, but not the most recent national policy and guidance. The flaws in the SHMA and the tensions created by the Council’s approach can all be disregarded if the SHMA is set aside in preference for the ‘Standard Methodology’ for identifying housing need.
- 1.6 Notwithstanding this, should the Inspectors consider it reasonable to retain a SHMA based OAHN figure in the Local Plan it is respectfully suggested that the 2017 update and the GL Hearn conclusion that includes a 10% uplift to reflect market signals and engage with acute Affordable Housing need should be used as the starting point. This would ensure an OAHN of at least 953 dpa is included in the Local Plan. It is considered, however, that this is still under reporting the needs in the City of York.
- 1.7 The housing need figure should be a **minimum** of 1,066 dpa and the most appropriate figure is likely to be **1,226 dpa** to engage with the significant and acute need for Affordable Housing in York.

## 2.0 EVOLUTION OF THE CITY OF YORK STRATEGIC HOUSING MARKET ASSESSMENT

2.1 The submitted City of York Local Plan was supported by three assessments of housing need all produced on behalf of the Council by GL Hearn:

- City of York Strategic Housing Market Assessment (SHMA): (June 2016) – Examination reference: SD051;
- City of York SHMA Addendum (June 2016): Examination reference: SD052; and,
- City of York SHMA Update (2017): Examination reference: SD050.

2.2 Subsequently, the Council has published a further ‘Housing Needs Assessment Update’ again produced by GL Hearn in January 2019.

### **The SHMA (June 2016)**

2.3 The SHMA (June 2016) Identified:

- A demographic baseline projected need of 833 dwellings per annum (dpa);
- An economic growth assessment to support 780-814 dpa;
- An affordable housing need of 573dpa (although no uplift was applied); and,
- A modest adjustment for household formation rates in the 25-34 age group.

2.4 The conclusion was that the Objectively Assessed Housing Need amounted to: 841 dpa (over the period 2012 – 2032)

### **The SHMA Addendum (June 2016)**

2.5 The SHMA Addendum (June 2016) updated the ‘full’ SHMA in response to the publication of new demographic data: The 2014 based household projections. This iteration of the SHMA identified:

- An increased demographic baseline projected need of 889 dpa;
- No further assessments were made for economic growth;
- An increased affordable housing need of 627dpa (although no uplift was applied); and,
- A retention of the modest adjustment for household formation rates in the 25-34 age group.

2.6 The conclusion was that the Objectively Assessed Housing Need (OAHN) did not need to change from the 841 dpa (over the period 2012 – 2032).

2.7 Pausing at this stage, it is reasonable to reflect on the fact that the 2014 household projections published by the Department for Communities and Local Government show that the figures for the period 2012 – 2032 are 84,271 to 101,389 dwellings, or 856 per year, and this projection figure is higher than that identified as the OAHN for the City of York.

2.8 Furthermore, in order to meet the affordable housing needs in full (as a policy compliant ‘maximum’ of 30%) a total annual figure of 1,910 or 2,090 dwellings would be necessary, respectively, for each SHMA iteration. Therefore to conclude that no uplift was necessary to attempt, or go ‘some way,’ to meeting affordable housing needs is surprising at least, if not unsound.

- 2.9 The purpose of this report is not to analyse the 2016 versions of the SHMA in detail. However, the two observations above are sufficient to raise some concerns about the inputs and assumptions contained within them and, critically the conclusion drawn that 841 dpa is in fact a robust OAHN.

### **The SHMA Update (2017)**

- 2.10 Turning to the City of York SHMA Update (2017), this identified that the latest mid-year population projections had – once again – increased the baseline demographic needs. The 2017 iteration of the SHMA also concluded that there was a need for an uplift in the housing needs figures to reflect the acute need for Affordable Houses. Reported at paragraphs 5.6 and 5.7 is the following:

*“In response to both market signals and affordable housing need we have advocated a 10% uplift to the OAN. In line with the PPG this was set against the official starting point of 867dpa. The resultant housing need would therefore be 953dpa for the 2012-32 period.*

*“The level of housing need identified is somewhat higher than the previous SHMA reflecting the increased starting point but also the inclusion of a market signals uplift. This OAN would meet the demographic growth in the City as well as meet the needs of the local economy.”*

- 2.11 However, the council added a preface to this report which stated:

*“Members of the Council’s Executive at the meeting on 13th July 2017 resolved that on the basis of the housing analysis set out in paragraphs 82 - 92 of the Executive Report, the increased figure of 867 dwellings per annum, based on the latest revised sub national population and household projections published by the Office for National Statistics and the Department of Communities and Local Government, be accepted.*

*“Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure for market signals (to 953 dwellings per annum), is not accepted on the basis that 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.”*

- 2.12 Observations of the conclusions in the SHMA include:

- First, that there is an apparent conflation of ‘market signals’ and ‘affordable housing’ to create a suggested uplift of 10%. The now superseded planning practice guidance suggested that this was a two-step and sequential process, albeit each element was a matter of judgement, so to combine the two considerations would not conform to the guidance.
- Second, the 2107 SHMA update reported (para. 3.17) the calculation of affordable housing need (573 dpa) against the proposed policy proportion of 30% requiring a plan target of 1,910 dwellings a year. Whilst it was correctly noted that there is no requirement to meet all of this need a 10% uplift to meet a significant challenge is derisory at best. The figure of 573 is 66% of the demographic baseline figure of 867 and moreover, there is no mention of the

increased Affordable Housing need identified in the 2016 addendum of 627 dpa.

- Third, it is surprising that it took three iterations of the SHMA (not including any previous versions created by 'Arup') to conclude that an uplift to engage with the challenge of affordable housing was necessary, but it is positive to see this assessment within the evidence base.

2.13 The Council Executive's response, however, to the SHMA 2017 is disappointing. The particular concern is the attempt to place a 'policy-on' assessment on the OAHN through the comment that the conclusions "*attach little or no weight to the special character and setting of York and other environmental considerations.*" It was not in the gift of the Council to make this decision as part of setting of objectively assessed needs, clearly this should have been part of the plan making exercise.

2.14 It is in the context of the SHMA published in 2016; its two 'updates' and, the council's response to them, that we must now consider the latest iteration of housing needs assessment.

### 3.0 HOUSING NEEDS ASSESSMENT UPDATE JANUARY 2019

- 3.1 At the beginning of 2019 the Council published a further update to its housing needs assessments. The purpose of this report was to support the submitted plan and its use of the 'latest' evidence, including the use of 2016 base population projections.
- 3.2 The plan was submitted under the 2012 version of the National Planning Policy Framework (NPPF). Therefore the relevant guidance to consider, in the first instance, is that associated with the first version of the NPPF. The now archived National Planning Practice Guidance (PPG) advised that Objectively Assessed Housing Need (OAHN) should be:
- a) Unconstrained (ID 2a-004-20140306); and,
  - b) Assessed in relation to the relevant functional area known as the Housing Market Area (HMA) (ID 2a-008-20140306).
- 3.3 Regarding point a), there appears to be no attempt to constrain the OAHN in this iteration of the SHMA. This is unlike the 2017 update, as reported above. The HMA (point b) is not changed from the original drafts of the SHMA so it is assumed that this is still relevant and appropriate.
- 3.4 The PPG methodology to identify the OAHN figure is a four stage process comprising:
- I. Demographic (based on past population change and Household Formation Rates (HFR)) (ID 2a-014-20140306 to 2a-017-20140306) ;
  - II. Economic (in order to accommodate and not jeopardise future job growth) (ID 2a-018-20140306) ;
  - III. Market signals (to counter-act worsening affordability caused by undersupply relative to demand) (ID 2a-019-20140306 & 2a-020-20140306).
  - IV. Whilst affordable housing need is separately assessed (ID 2a-022-20140306 to 2a-028-20140306). The delivery of affordable housing can be a consideration for increasing planned housing provision (ID 2a-029-20140306).
- 3.5 As mentioned above, the demographic baseline for the 2019 update is the 2016 based population projections. This results in a 'baseline' growth of 484 dpa. The economic growth assessment suggests a need for 790 dpa. Finally, the 'market signals' and 'affordable housing need' assessment suggests an uplift of 15% to 557 dpa.
- 3.6 The conclusion drawn is that 790 dpa is the most appropriate OAHN figure.

#### **Use of 2016 Sub National Population Projections**

- 3.7 As is explored in section 4.0 hereunder, Government's intention has long been to see the delivery of 300,000 new homes a year across the country by the mid-2020s. As part of this commitment it was signposted that a 'streamlined' approach to understanding housing need would be introduced: the 'Standard Methodology' and that the changes to demographic modelling and projections would mean that the use of the 2016 based numbers would not allow the Government to reach its target.
- 3.8 It is accepted that the plan was submitted under the 2012 NPPF but significant time has elapsed since then and indeed, the current consultation is being conducted against the backdrop of a revised and further reviewed NPPF in 2018 and 2019, with associated PPG also updated. It is therefore suggested that the baseline should be the 2014 based population projections and also that the standard methodology



should be adopted. The standard methodology is considered in more detail at section 6.0 of this report.

### **Economic uplift**

- 3.9 The economic assessments presented in the 2019 update rely on the reports and conclusions drawn from documents drafted and published in 2016 and 2017. Whilst these assessments appear to be reasonably robust it is a concern that there has been no attempt to update the conclusions. It is difficult to fully assess the impacts of housing needs that are presented against demographic projections published two years after the associated job growth assessments. It is therefore suggested that, if the SHMA is to continue to be used as the evidence to underpin the City of York Local Plan that an associated update to economic need is undertaken.

### **Affordable housing need uplift**

- 3.10 The Affordable Housing need has not been reassessed since the publication of the SHMA in 2016. The figure of 573 dpa is reapplied to the 2019 calculation update. There is no mention of the 627 dpa identified in the 2016 SHMA addendum. The same under appreciation of the scale of the challenge is applied to the OAHN figures in this latest iteration of the SHMA as with the version in 2017. Against a potential admittedly 'theoretical' need for 1,910 dpa a 15% uplift to only 557 dpa is suggested. This will not go far enough to either:

- *"...meet the full, objectively assessed needs for market and affordable housing"* of the NPPF (2012); or
- *"...make sufficient provision for: a) housing (including affordable housing)..."* of the NPPF (2019).

- 3.11 There is also a continued concern that the matters of 'market signals' and 'Affordable Housing need' are conflated into a single issue to provide only one suggested uplift to the OAHN figure and this is not in conformity with the four stage approach from the PPG as outline above.

### **Conclusion regarding SHMA**

- 3.12 Whilst the plan was submitted under the previous – 2012 version – of the NPPF there was sufficient known at that time that there was due to be a change in understanding housing need and how figures were to be include in Local Plans. There has been sufficient concern raised about the content of the City of York SHMA; the subsequent updates; and, the Council's obvious attempts to apply unjustified constraints to the OAHN figure that it is considered reasonable to move away from these SHMA and instead rely on the new 'streamlined' approach.

- 3.13 Notwithstanding this, should the Inspectors consider it reasonable to retain a SHMA based OAHN figure in the Local Plan it is respectfully suggested that the 2017 update and the GL Hearn conclusion that includes and uplift to engage with acute Affordable Housing need should be used as the starting point. This would ensure an OAHN of at least 953 dpa is included in the Local Plan. It is considered, however, that this is still under reporting the needs in the City of York.

#### 4.0 CHANGES TO NATIONAL POLICY

- 4.1 It is reasonable to consider the changes in national policy that have occurred before, during and since the regulation 19 consultation for the City of York Local Plan (Feb. – April 2018) and its submission (May 2018).
- 4.2 In **March 2016** the Local Plan Experts Group published a report that include a proposed methodology for calculating housing need. This was a four stage process summarised as:
- Official projections used to determine baseline demographic need;
  - Mandatory uplift of Household Formation Rates (HFR) in younger age groups;
  - Using absolute measures of affordability a prescribed market signal uplift (additional to HFR uplift) is applied;
  - Further 10% uplift applied if affordable housing need exceeds figures calculated in preceding stages.
- 4.3 Although there is no economic uplift it may still be incorporated as a policy on consideration to increase the housing requirement.
- 4.4 In **February 2017** the Government’s Housing White Paper was critical of any Council not undertaking an ‘honest assessment’ of housing needs. And it was at this stage that a standard methodology for the OAHN was proposed (subject to further consultation in September 2017).
- 4.5 Both of these were prior to the Regulation 19 publication consultation for the City of York Local Plan.
- 4.6 In **March 2018** Government responded to the Planning for the right homes in the right places consultation, and indicated its intention to require the use of the Standard Methodology using on the 2014 based housing projections to ensure meeting the target of 300,00 home per year.
- 4.7 This occurred during the Regulation 19 consultation.
- 4.8 In **July 2018** the revised NPPF was published including the Standard Methodology for identifying housing need.
- 4.9 In **October 2018** the Government conducted a consultation regarding the necessary use of the 2014 based demographic figures
- 4.10 In **February 2019** the NPPF and PPG were revised to include the 2014 figures.
- 4.11 These three later adjustments to national policy and guidance were post the submission of the Local Plan, but in advance of the current consultation and a relevant consideration in the situation at York, where the appropriate level of housing need is unclear.

## 5.0 CORRESPONDENCE BETWEEN THE COUNCIL AND INSPECTORS

- 5.1 The publication of the revised NPPF was a material consideration in the examination of the Local Plan and as such there was dialogue and communication between the appointed inspectors and the city council. One of the conclusions drawn from this dialogue appears to be that the housing needs require reassessment. This the council duly undertook and in a letter of 29 January 2019 (examination ref: EX CYC 8) and reached the following conclusion (with our emphasis):

*“The enclosed SHMA Update report advises that York’s OAN is 790 dwellings per annum. This is based on a detailed review of the latest published evidence including the national population and household projections and the latest mid-year estimate. The review has been undertaken based on applying the requirements of the National Planning Practice Guidance in relation to the assessment of housing need, under the 2012 NPPF. This confirms to the Council that the 867 dwellings per annum proposed in the submitted Plan can be shown to robustly meet requirements.”*

- 5.2 The decision in January appears to have been to retain the originally submitted housing target to support the then assumed economic growth assumptions (but no increase for Affordable Housing need). This decision, however, has since been reversed in a letter of March 2019 (EX CYC 13) and the main modifications consultation is now proposing the reduced figure of 790 dwellings per year, which is referenced in the quote above and is a result of the latest update to the York SHMA.
- 5.3 There is an inherent tension or conflict in the letters from the Council, and the subsequent updates to the SHMA. This conflict is the continued reference to the need to update the needs figures to ‘reflect the most up-to-date’ data but there is scant regard given to updated national policy. Furthermore, as is outlined above, whilst the baseline demographic have been updated, the economic trends and Affordable Housing needs have not been updated.
- 5.4 A simple approach that avoids this tension and could well enable the Council to manage its resource use in the near future, is to consider the ‘Standard Methodology’ and what it shows for housing need in York. Identifying the correct housing need figure, is after all, the first step and the ability to plan for and deliver that need is secondary.

## 6.0 STANDARD METHODOLOGY FOR HOUSING NEED

6.1 In the 2018 revision of the NPPF (and the subsequent changes in 2019) Government introduced a 'simpler' standardised approach to understanding local housing needs. This revision to national policy is supported by updated planning practice guidance.

6.2 The relevant guidance is reference ID: 2a-004-20190220: *How is a minimum annual local housing need figure calculated using the standard method?* This guidance has three steps, and each is taken in turn for York in the following paragraphs (with our emphasis in guidance when necessary).

### Step 1 - Setting the baseline

6.3 Using the 2014 mid-year projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period):

(a) Current year (2019)	= 90,829
(b) Ten years hence (2029)	= 99,027
(c) Annual average	= 820 (b – a / 10)

### Step 2 - An adjustment to take account of affordability

6.4 The most recent median workplace-based affordability ratios, published by the Office for National Statistics at a local authority level, should be used. No adjustment is applied where the ratio is 4 or below. For each 1% the ratio is above 4 (with a ratio of 8 representing a 100% increase), the average household growth should be increased by a quarter of a percent. To be able to apply the percentage increase adjustment to the projected growth figure we then need to add 1.

$$\text{Adjustment factor} = ((8.86 - 4) / 4) \times 0.25 + 1 = 1.303$$

6.5 The adjustment factor is therefore 1.303 and is used as:

Minimum annual local housing need figure = (adjustment factor) x projected household growth

$$\text{Minimum annual local housing need figure} = 1.303 \times 820$$

The resulting figure is **1,069**.

6.6 For a plan period of 19 years (i.e. 2019 – 2038) this would equate to a minimum of 20,311 dwellings.

### Step 3 - Capping the level of any increase

6.7 A cap is then applied which limits the increases an individual local authority can face. How this is calculated depends on the current status of relevant strategic policies for housing.

6.8 Where these policies were adopted within the last 5 years (at the point of making the calculation), the local housing need figure is capped at 40% above the average annual housing requirement figure set out in the existing policies.

6.9 Where the relevant strategic policies for housing were adopted more than 5 years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of:

a. the projected household growth for the area over the 10 year period identified in step 1; or

b. the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).

6.10 The extant housing target for York was adopted more than five years ago in 2005. Therefore the 40% increase cap described above is engaged. The housing target is identified in the chapter 7 of the City of York Local Plan at 8,775 dwellings or 675 dwellings per annum.

Scenario a:  $820 \times 1.4 = 1,148$

Scenario b:  $675 \times 1.4 = 945$

6.11 The guidance suggests that the cap should be set at the higher of the two scenarios above, which would be scenario a. The figure of 1,148, however, is higher than the minimum set out in the standard methodology.

6.12 There is no guidance for what to do in this situation. Therefore, the more reasonable approach could be to adopt the original minimum standard figure of **1069 dwellings per annum**.

6.13 It is accepted, however, that the PPG also references the ‘submission’ of the Local Plan at ID: 2a-008-20190220. Therefore, considering the information that was available at submission of the Local Plan:

(a) Current (*Submitted*) year (2018) = 89,966

(b) Ten years hence (2028) = 98,239

(c) Annual average = 827 (b – a / 10)

Adjustment factor =  $((8.62 - 4) / 4) \times 0.25 + 1 = 1.289$

Minimum annual local housing need figure =  $1.289 \times 827$

The resulting figure is **1,066**.

6.14 The PPG also indicates that the standard method for assessing housing need provides a minimum starting point in determining the number of homes needed in an area. It also indicates that there may be circumstances – such as economic growth and Affordable Housing need – where it is appropriate to consider whether actual housing need is higher than the standard method indicates. It is also worth noting that the new guidance continues makes clear the distinction between ‘affordability’ and Affordably Housing need and that they are considered separately.

### **Economic uplift**

6.15 It is clear from the data explored in the SHMA that the economic led housing need scenarios using 2014-based projections generate a need for an uplift to the minimum starting point established through that document. It is vitally important that economic trends and household formation are aligned if a Local Plan is to successfully achieve sustainable growth.

- 6.16 The PPG confirms that the standard method does not attempt to predict changing economic circumstances that may affect demographic behaviour at ID: 2a-010-20190220.
- 6.17 The figures calculated in the SHMA suggest a range (variously) between 780-814 dpa. On the face of it this **does not** require an uplift to the minimum starting point of the Standard Methodology. However, as previously cited, the council's evidence is somewhat dated in this respect.

#### Affordable housing need uplift

- 6.18 The need for affordable housing in the City is significant.
- 6.19 The SHMA 2019 Update confirms the need at least 573 dpa, which is some 73% of the total local OAHN figure proposed by the Council of 790 dpa.
- 6.20 This is an unsustainable level of affordable housing need and the Council has made no adjustment to its local housing need figure to accommodate this. To exacerbate matters, the recent trend in 'Right to Buy' sales shows a significant increase in take-up, which means further Affordable Homes are being lost.
- 6.21 The ONS statistics (Live returns Table 685) show that sales of homes through the 'Right to Buy' in York, which were negligible from 2008 – 2012 (presumably because of the recession), have steadily increased to an average of 73 a year in the last three years. This latter period alone has resulted in the loss of 219 Affordable Houses and if this trend continues the supply of homes will decrease as the need continues to become more and more acute.
- 6.22 Looking further at Table 685 one can also draw a comparison with the surrounding districts where 'Right-to-buy' (RtB) sales have remained reasonably low and collectively, between 7 districts, at around 50 homes a year. This trend suggests that there is a pull towards York for Affordable Homes. This pull is reflective of people's desire to live there meaning the need to supply these homes, in the right place where people want to live is a social and NPPF imperative.
- 6.23 Comparative RtB losses to affordable housing stock for York UA and N Yorkshire authorities since 2010 are as follows:

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	Total
York UA	10	6	24	53	52	68	79	72	364
Craven	..	..	..	..	..	..	..	..	
Hambleton	..	..	..	..	..	..	..	..	
Harrogate	5	1	10	13	17	12	26	24	108
Richmondshire	2	1	5	7	9	7	8	11	50
Ryedale	..	..	..	..	..	..	..	..	
Scarborough	..	..	..	..	..	..	..	..	
Selby	3	3	10	16	25	13	22	21	113
N Yorkshire (total)	10	5	25	36	51	32	56	56	271

- 6.24 We consider this is in no small part reflective of the strong housing market across the city which has been fuelled by under-delivery of new-build homes in recent years, both general market and affordable housing.
- 6.25 The NPPF 2019 places great emphasis on addressing affordable housing needs as part of the Plan making process. The Council's current policy approach to affordable housing delivery will see, at the highest level of the spectrum set out in draft Policy H10, 30% provision. Even if the 30% provision was to be applied to every residential scheme coming forward in York over the Plan period, which certainly will not be the case, the Council will only achieve 237 dpa. This will lead to a shortfall of at least 336 dpa.
- 6.26 To address the affordable housing need in full based on draft Policy H10 the OAHN would need to be increased to 1,910 dpa.
- 6.27 This clearly demonstrates a need to increase the OAN above the 790 dpa proposed by the Council and could be an indication to increase the minimum starting point established through the standard methodology.
- 6.28 At stages GL Hearn has suggested a 10% and 15% uplift to the demographic baseline. Taking these suggestions would provide the following OAHN figure (against the 2018 baseline calculation of 1,066):
- 10% uplift: 1,172 dpa or 23,440 homes across 20 years
  - 15% uplift: 1,226 dpa or 24,518 homes across 20 years

**7.0 LAND CAPACITY IN YORK**

- 7.1 The Council's latest Strategic Housing Land Availability Assessment (2018 – reference: SD049) suggests that there are '250 land parcels' that were deemed reasonable alternatives to be taken forward for Sustainability Appraisal. However, there does not appear to be a total land capacity assessment within the assessment to realistically understand if there is a prospect for the delivery of the housing need.
- 7.2 From 'Figure 6' the Plan Trajectory of page 38 there is a quoted number of "Cumulative Completions" that includes a windfall allowance. This totals 21,436 dwellings. This demonstrates that there is a reasonable expected capacity in York, which with addition of a limited number of additional sites could be elevated to achieve the 24,518 figure.
- 7.3 Should the Council not be able to identify the land capacity for its identified needs, of course, then the appropriate action is to work with its neighbours under the Duty to Co-operate and look to meet unmet needs elsewhere.



## 8.0 FIVE YEAR HOUSING LAND SUPPLY

- 8.1 A change to the identified housing need, will of course, have an impact on both the whole plan development trajectory but also the five year housing land supply.
- 8.2 The purpose of this report is not to analyse the deliverability of proposed allocated sites, or others identified in the five year supply. However, to take the Council's assessment (from page 39 of document SD049) at face value, but applying need figure scenarios resulting from applying the standard methodology provides the following:

Annual housing target across the Plan period	1,066	1,069	1,172	1,226
Cumulative Housing target (2017/18 - 2022/23)	5,330	5,345	5,860	6,130
20% Buffer required for flexibility	6,396	6,414	7,032	7,356
Total dwellings estimated to be complete within 5 years (2017/18-2022/23)	6,877	6,877	6,877	6,877
Under/over-supply of housing	+481	+463	-155	-479
<b>Five year land supply</b>	<b>5.38</b>	<b>5.36</b>	<b>4.89</b>	<b>4.67</b>

\*NB under the standard methodology there is no need to consider previous under supply.

- 8.3 A review of the currently stated land supply position in York suggests that in the next five years, at least, there is capacity to set a housing target that reflects the standard methodology minimum. There could well be opportunities to support the uplifted figure to support the delivery of Affordable Housing.

## 9.0 CONCLUSION

- 9.1 This report has reflected on the evolution of housing needs assessments in York. The SHMA iterations that have been produced have conflated issues and under-represented need or indeed have been deliberately suppressed. The latest 2019 'update' to the SHMA uses data produced from those previous iterations and can only be considered to be flawed.
- 9.2 There is an inherent conflict in the Council's approach to attempt to use the most up-to-date data, but not the most recent national policy and guidance. The flaws in the SHMA and the tensions created by the Council's approach can all be disregarded if the SHMA is set aside in preference for the 'Standard Methodology' for identifying housing need.
- 9.3 Notwithstanding this, should the Inspectors consider it reasonable to retain a SHMA based OAHN figure in the Local Plan it is respectfully suggested that the 2017 update and the GL Hearn conclusion that includes and uplift to engage with acute Affordable Housing need should be used as the starting point. This would ensure an OAHN of at least 953 dpa is included in the Local Plan. It is considered, however, that this is still under reporting the needs in the City of York.
- 9.4 The housing need figure should be a **minimum** of 1,066 dpa and the most appropriate figure is likely to be **1,226 dpa** to engage with the significant and acute need for Affordable Housing in York.
- 9.5 The stated land supply of the 2018 SHLAA appears to suggest that the Council has the ability to identify sites (and include a windfall allowance) that is close to achieving the need figures. It should also be possible, with a review of the SHLAA, to update the plan and include a limited number of additional sites to fully meet the needs.

**From:** Peter Vernon [peter.vernon@vernon.co.uk]  
**Sent:** 22 July 2019 12:37  
**To:** localplan@york.gov.uk  
**Subject:** Consultation on City of York Local Plan Proposed Modifications (June 2019)  
**Attachments:** Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019.pdf; Additional Paper Vernon & Co Poppleton.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.

Peter Vernon



m [REDACTED]  
t 01756 748000  
e [peter.vernon@vernon.co.uk](mailto:peter.vernon@vernon.co.uk)  
w [www.vernon.co.uk](http://www.vernon.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	
First Name	Peter	
Last Name	Vernon	
Organisation (where relevant)	Vernon & Co	
Representing (if applicable)		
Address – line 1	58 High Street	
Address – line 2	Gargrave	
Address – line 3	Skipton	
Address – line 4	North Yorkshire	
Address – line 5		
Postcode	BD23 3LX	
E-mail Address	peter.vernon@vernon.co.uk	

Telephone Number	[REDACTED]	
------------------	------------	--

# 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:

Topic Paper 1 and Addendums

Document:

City of York Local Plan Proposed Modifications (June

Page Number:

n/a

## 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 documents fail to recognise the correct status of the land to the south of the Poppleton Park & Ride, as 'White Land' (without any designation), and therefore if it was to be included in the Green Belt, there has been no mention of this or consideration of any of the tests that would need to be considered should this be the case.

## 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 sheet.



**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.**

Given that the land to the south of Poppleton Park & Ride is now allocated as 'White Land' (without any designation), the land should properly be considered as a housing allocation given the objectively assessed need for housing. As a matter of principle therefore, the allocation of this site for housing must be preferred.

**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 ✓ YES

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 be able to explain the deliverability of this site and require that it is considered as a housing allocation, by virtue of its unallocated and situation outside the Green Belt.

**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>

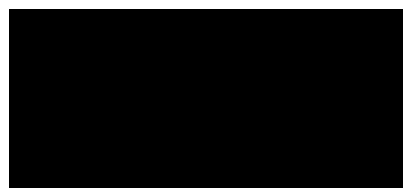
## Retention of Information

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



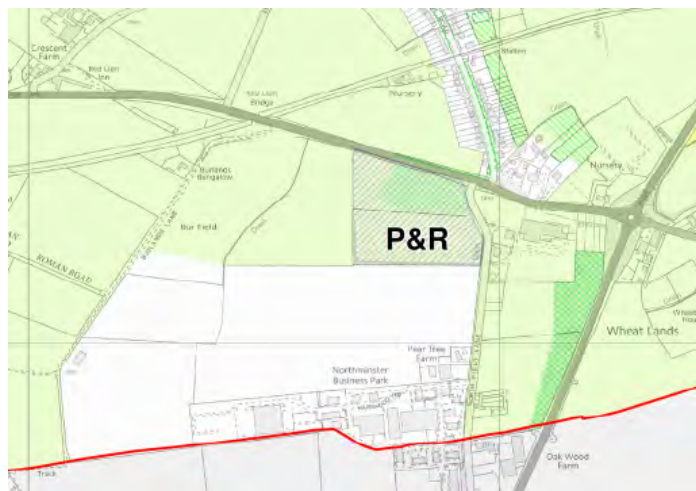
## City of York Local Plan Proposed Modifications (June 2019)

### Proposed Modifications Consultation June 2019

The York Green Belt has never been identified in an adopted plan but that the saved RSS key diagram provides a firm basis for showing the general extent of the Green Belt.

This representation is about the proposed changes to the Green Belt boundary, the associated evidence and other proposed modifications to the submitted Local Plan. This includes the 'Addendum to Topic Paper 1 – The approach to defining York's Green Belt', dated March 2019.

The purpose of these representations relates to a site to the south of the Poppleton Park & Ride, as shown on this plan.



Extract from Upper and Nether Poppleton Neighbourhood Plan  
CYC Executive 'made' the Neighbourhood Plan on 19th October 2017

The Council 'made' the Upper and Nether Poppleton Neighbourhood Plan on 19th October 2017. It was made after the saved RSS policies (by some very considerable number of years) and therefore are to take precedence given that the plan now defines the area. Any inconsistency in any event must be resolved in favour of the Neighbourhood Plan having regard to Section 38(5).

Given that the land to the south of Poppleton Park & Ride is now allocated as 'White Land' (without any designation), the land should properly be considered as a housing allocation given the objectively assessed need for housing. As a matter of principle therefore, the allocation of this site for housing must be preferred.

The site could be considered for employment or mixed use purposes but given the proposed employment allocation to the south of the Northminster Business Park, and proximity to the Poppleton Bar Park and Ride, its most appropriate predominant use is residential.

Given that the site is therefore allocated as 'White Land' (without any designation) it would need to be taken into the Green Belt, but there has been no mention of this or consideration of any of the tests that would need to be considered should this be the case.



**From:** Peter Vernon [peter.vernon@vernon.co.uk]  
**Sent:** 22 July 2019 12:39  
**To:** localplan@york.gov.uk  
**Subject:** Consultation on City of York Local Plan Proposed Modifications (June 2019)  
**Attachments:** 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 Sirs

Please see attached.

Peter Vernon



m [REDACTED]  
t 01756 748000  
e [peter.vernon@vernon.co.uk](mailto:peter.vernon@vernon.co.uk)  
w [www.vernon.co.uk](http://www.vernon.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	
First Name	Peter	
Last Name	Vernon	
Organisation (where relevant)	Vernon & Co	
Representing (if applicable)		
Address – line 1	58 High Street	
Address – line 2	Gargrave	
Address – line 3	Skipton	
Address – line 4	North Yorkshire	
Address – line 5		
Postcode	BD23 3LX	
E-mail Address	peter.vernon@vernon.co.uk	



Telephone Number	[REDACTED]	
------------------	------------	--

# 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?

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## Do I have to use the response form?

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

Yes, you can. Where there are groups who share a common view, 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.

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# Part B -Your Representation

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



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

Proposed Modification Reference:

PM12 - Policy SS18

Document:

City of York Local Plan Proposed Modifications (June

Page Number:

12

## 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 proposed amendment appears appropriate provided it is necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development.

## 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)**

**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 ✓

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 be able to explain the deliverability of this site and comment on any discussion about changes to Modification Reference number PM12, on Policy SS18.

**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>

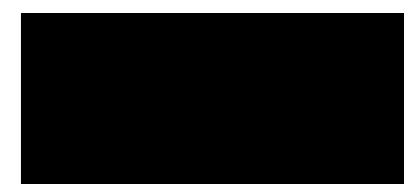
## Retention of Information

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

Representations must be received by Monday 22 July 2019, up until midnight

Representations received after this time will not be considered Page 19 of 48









**From:** Rachel Flounders [Redacted]  
**Sent:** 18 July 2019 09:45  
**To:** localplan@york.gov.uk  
**Subject:** York Local Plan Proposed Modifications - Response From on Behalf of Green Developments  
**Attachments:** York Proposed Modifications Consultation Response Form.pdf

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Dear Sir / Madam

Please find attached our proposed modifications consultation response form which has been completed on behalf of Green Developments.

Should you have any queries in relation to the attached comments, please do not hesitate to contact me.

Kind regards

Rachel

**Rachel Flounders MRICS AssocRTPI**

Associate – Strategic Planning

t: 0113 243 6116

a: 9 York Place, Leeds, LS1 2DS

w: [www.idplanning.co.uk](http://www.idplanning.co.uk)

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ID Planning is the trading name of ID Town Planning Consultancy Limited (Company registration number : 05271142)

# 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		Richard
Last Name		Irving
Organisation (where relevant)	Green Developments	ID Planning
Representing (if applicable)		
Address – line 1	c/o agent	9 York Place
Address – line 2		Leeds
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		LS1 2DS
E-mail Address		richard@idplanning.co.uk

Telephone Number		0113 2436116
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# 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 / PM4 / PM5 / PM22 / PM44

Document:

City of York Plan (Proposed Modifications) June 2019

Page Number:

Various (but all of the modifications listed relate to the proposed reduction in the OAN)

## 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)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

We object to the proposed reduction in the OAN from 867 to 790 dwellings per annum referred to at proposed modifications 2, 4, 5, 22 and 44. The Housing Needs Update Paper (January 2019) proposes a reduction in the OAN is based on using a partial return to trend of headship rates and adjusting the population projections to achieve the expected growth in jobs. From this a figure of 790 dwellings is derived.

The justification for the proposed OAN of 867 dpa in the submitted plan is set out in the SHMA Update 2017, this figure is based solely on 2014 based household projections and would therefore meet only demographic growth. A 10% uplift for market signals was also recommend (which would have resulted in a figure of 953 dpa) but this was not accepted by Council members. Nowhere in the January 2019 Housing Needs Update is there a table which uses the method by which 867 dpa figure was derived with a comparison as to what figure the 2016-based projections would derive. This should surely have be the most logical place to start given the reason for the update was the publication of the 2016-based household projections. It is clear the OAN figure in the submitted plan and the new figure proposed have been derived using completely different approaches with a demographic starting point and then uplift to meet economic needs and market signals because the demographic starting point using the 2016-based figure is clearly insufficient.

The January 2019 report does reference the fact there is criticism of the 2016-based household projections, notably that use of the 2016-based household projections would not deliver the Government's housing target of 300,000 homes per annum. It is on this basis that the Government has reverted to using the 2014-based figure, that York's submitted OAN figure was based on, when applying it to the standard method for calculating housing need. The 2016-based figure is clearly not fit for purpose and therefore its use to support a lower OAN figure for York is unjustified.

Based on the available evidence and given the approach the Government has taken in disregarding the latest projections, it is maintained the submitted OAN figure of 867 dpa should remain as the starting point for deriving the OAN, but the figure should be increased to respond to market signals as recommended in the 2017 SHMA Update and therefore the minimum OAN should be 953 dpa.

**(this response is continued on a separate page)**

Continued...

Whilst the 2019 Update report considers a number of different scenarios, one important scenario that is not set out at all is the figure that would be derived if the standard method were applied. Whilst it is appreciated the plan has been submitted under transitional arrangements, the standard method figure shows the direction of travel the OAN is likely to take, and it is the figure that would be applied when the plan is five years old). Based on current data the OAN using the standard method would be 1,057 dwellings per annum and therefore higher than the OAN in the submitted plan and significantly higher than the figure now being proposed. The direction of travel going forward for the OAN figure is therefore upwards, not downwards and this provides further evidence that the new lower figure proposed is unjustified.

Of critical concern to my client is the impact a reduced figure will have specifically on meeting the housing needs of older people in York. Whilst the emerging plan includes a policy to support the delivery of Older Persons Specialist Housing (Policy H9), the policy is reliant on sites being brought forward speculatively by developers, as the plan itself only has one allocation for specialist housing (Allocation H6). Yet the plan clearly identifies that York has a population that is older than the national average, with the SHMA identifying a need for 84 specialist units per annum (sheltered or extra-care) and a potential need for a further 37 bedspaces per annum for people aged 75 and over). Any reduction in the OAN will therefore have a consequential impact on the likelihood of the need for older persons housing being met.

The Government has recently published new planning practice guidance specifically relating to housing for older and disabled people which stresses the importance of establishing the need for older persons housing and the need to provide clear policies to address the housing needs of this group. Whilst it is acknowledged the Council has included a policy relating to older persons housing, the onus is very much on the market to bring such developments forward and for developers to be able to acquire an allocated housing site.

Paragraph 012 Ref ID: 63-012-20190626 clearly states that plans need to provide for specialist housing for older people where a need exists. The plan clearly identifies a need for 84 specialist units per annum yet the plan does not specifically provide for this need to be met. As highlighted, the proposed reduction in the OAN will only serve to reduce the likelihood of this need being met and therefore the plan will be ineffective.



**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.**

For the plan to be positively prepared, justified, effective and consistent with national policy the OAN should revert to the figure in the submitted plan of 867 dpa but with the addition of the recommended market signals adjustment, taking the OAN figure to 953 dpa.

The proposed reduction in the OAN is unjustified in the context of the available evidence including the Government's decision not to use the 2016-based projections for the standard method of calculating housing need. There is a clear risk the plan will be ineffective if a lower OAN is used given the direction of travel when the standard method is used results in an OAN figure higher than proposed in the submitted plan.

If the OAN is not increased to reflect the evidence, then it is maintained that additional sites should be identified specifically to meet the need for older persons housing as the plan is relying on specialist developers being able to acquire proposed housing allocation sites to meet this specific need. (continued on a separate sheet)

**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:**

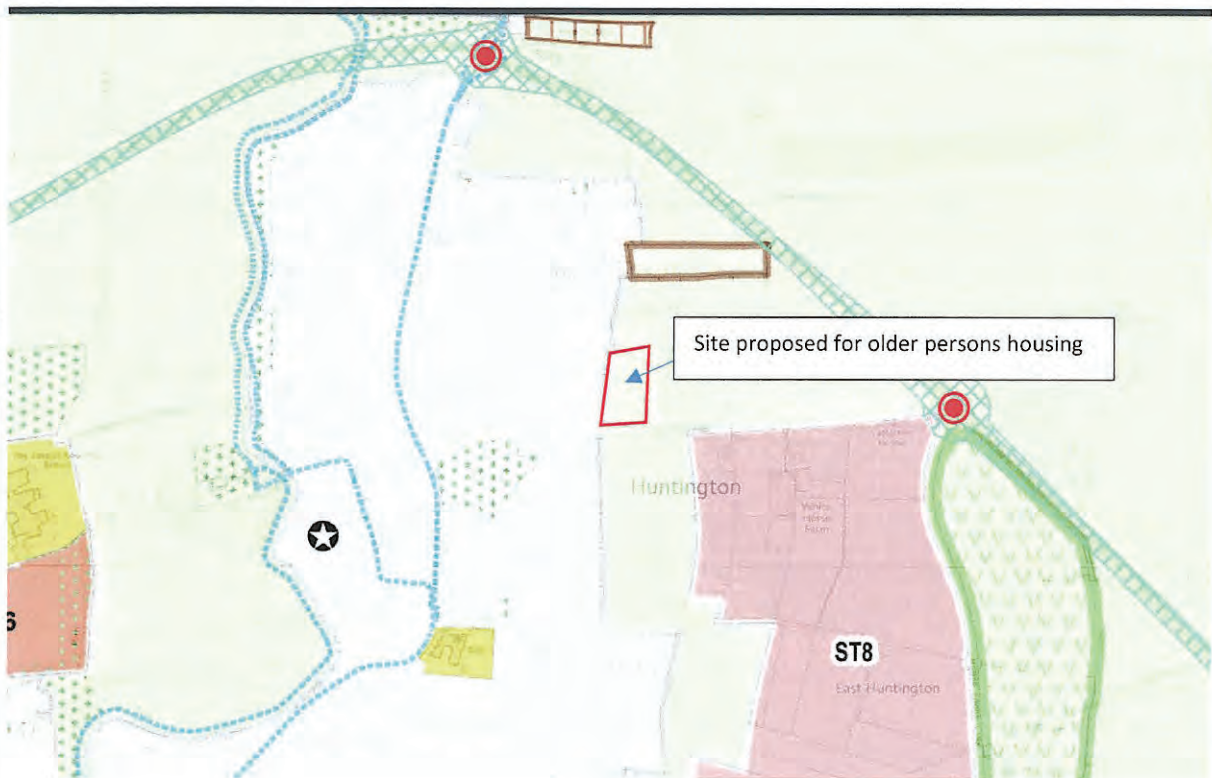
To be able to participate in the discussions regarding the OAN and its impact on the delivery of older persons housing

**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.

Continued...

My client has a site which they would like to develop to meet the needs of older people (land to the east of Cotswold Way and north of North Lane, Huntington) which has been promoted through the Local Plan preparation process.

This site is not currently proposed for allocation, but as the plan only seeks to allocate one site for specialist use alongside the proposed reduction in the OAN, it is maintained for the plan to be positively prepared, justified and effective that additional sites should be allocated to ensure this need can be met. This site is available for development, suitable for older persons housing and is achievable.



# 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



**From:** Tricia Richards [REDACTED]  
**Sent:** 22 July 2019 15:23  
**To:** localplan@york.gov.uk  
**Subject:** Consultation on modifications to proposed York Local Plan  
**Attachments:** M30TR001.MS.DB - modifications to proposed York Local Plan.pdf

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

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FAO: Mr Slater

Please find attached correspondence from David Bowe regarding NYCC's comments on the modifications to the proposed York Local Plan.

An acknowledgement of receipt by return email would be appreciated.

Yours sincerely

Tricia Richards

---

**Tricia Richards, Leadership Support Officer/PA to David Bowe, Corporate Director - BES**

☒ North Yorkshire County Council, East Block, County Hall, Northallerton, DL7 8AH

[REDACTED] [REDACTED]

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North Yorkshire County Council.

FAO: Mr Slater  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA  
Email: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

**David Bowe**  
Corporate Director  
Business & Environmental Services  
County Hall  
NORTHALLERTON  
North Yorkshire  
DL7 8AH

**Your ref:**  
**Our ref:** M30TR001.MS.DB  
**Contact:** David Bowe

Tel: [REDACTED]  
Email: [REDACTED]  
Web: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

22 July 2019

Dear Mr Slater

### **Consultation on the Proposed Modification York Local Plan (June 2019)**

Thank you for consulting North Yorkshire County Council (NYCC) on the Proposed Modifications to the City of York Council Local Plan. We welcome the opportunity to engage with the City Council and consider this part of the Duty to Co-operate on strategic matters.

As well as providing the opportunity to comment at all formal stages of consultation on the York Local Plan, North Yorkshire County Council has worked jointly with the City of York Council, and the North York Moors National Park Authority, on the preparation of the Minerals and Waste Joint Plan to address cross boundary strategic issues relating to these matters.

York is an important driver for growth both within the York, North Yorkshire and East Riding LEP area and the Leeds City Region. It is important that the City has a robust and high quality Local Plan in place that best enables it to unlock economic growth and prosperity for the benefit of its communities and those of its wider hinterland.

Officers from across our service areas have reviewed the consultation documentation and have the following comments to make. Please note this response includes comments by the County Council in its capacity as Local Highways Authority.

#### **Strategic Policy and Economic Growth**

The County Council has in its previous written representations welcomed the City of York's stated objectives to *'fulfil its role as a key economic driver within both the Leeds City Region and the York, North Yorkshire and East Riding LEP areas'* and that *'The housing needs of City of York's current and future population including that arising from economic and institutional growth is met within the York local authority area'*; and that

/cont'd...

*'Development within the City of York area will not lead to environmental problems... and transport congestion for adjacent local authority areas.'* It is essential that these priorities are met in order that the City of York is able to fully meet its own identified needs and full potential without placing pressure on the services and infrastructure within neighbouring areas. It is important that the Proposed Modifications do not detrimentally impact on the delivery of these objectives and associated delivery, including in relation to essential upgrades to the outer ring road which is a key strategic network within the area that is a vital to services and communities within the City and its wider hinterlands.

*PM3: Explanation of City of York Housing Needs*

It is acknowledged that following additional evidence base work that the proposed housing requirement has reduced from 867 dwellings per annum to 790 dwelling per annum. As we commented in our previous representations to the Draft Submission version of the Local Plan we do not wish to question the overall annual provision, however we do note that that this housing figure is also lower than the figure identified within the emerging Government Standard Methodology for calculating housing requirement. The County Council acknowledges the York Local Plan is being examined under transitional arrangements, applying NPPF 2012 and therefore the standard method is not relevant. However, in this policy context it is important that the York Local Plan provides sufficient flexibility to ensure the Plan is sufficiently robust to enable the City of York to deliver its objectives and to fulfil its role as set out in the paragraph above over the plan period and beyond to ensure that York can continue to meet its identified housing needs above over the plan period and beyond.

*Section 10: Managing Appropriate Development in the Green Belt*

We note that the proposed amendments to the Green Belt boundary are proposed to provide clarity to the boundary. If the Green Belt boundary is drawn too tightly it could reduce flexibility for future growth beyond the plan period and result in pressure for growth being exerted on adjacent areas in North Yorkshire. Once established, Green Belt boundaries should only be altered in exceptional circumstances to ensure that they can endure with a degree of permanence. As reflected in our earlier representations, recognising that the Plan makes allocations for five years beyond the Plan period up to 2037/37, it is important to ensure that the York plan makes sufficient provision to safeguard land needed to meet the City's growth needs well beyond the current plan period and prevent any future growth detrimentally impacting upon the services and infrastructure within the County.

Closing comments

The comments set out above have been endorsed by the County Council's Business and Environmental Services Executive Members.

We trust that you find the comments helpful. If you would like to discuss any aspect of this response please do not hesitate to contact me and I will be happy to assist.

Yours sincerely



DAVID BOWE

Corporate Director – Business and Environmental Services



**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 12:54  
**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: 122920
- Date submitted: 22/07/2019
- Time submitted: 12:54:04

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 Dominic Stevens

**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. Our Elvington Parish Council have not been included sufficiently in the process, 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 using tactics of confusion, preying on the residents inability to understand the information provided, which is deliberately vague, or difficult to parse. 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 during the entire consultation process. CYC deliberately make sourcing information difficult to find and place barriers upon responses such as imposing 10 minute time outs when inputting data, making reference documents difficult to locate, and being purposefully vague with the explanation of sites proposed for development. Constantly resubmitting the same sites to develop over and over, being rejected, and then trying to circumvent these decisions by asking to remove the land proposed for development from the Green Belt seems like a shady, if not illegal, tactic to me. I do not understand why these sites are continuously being proposed for development when the planning inspectors have given their decisions. Stop trying to push your own agenda through.

---

## **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):**

We've answered these questions over and over again, providing detailed responses to each and every one time and time again. We should not have to go through the exact same process again and again just to satisfy your illegal planning proposals, which have now ended up with you trying to have designated Green Belt areas removed from this designation so that you can develop what you want when you want. This whole process is a farce and needs to be legally investigated. We as residents shouldn't have to keep raising our concerns each and every time. The inspector's have deemed the proposals illegal and against national policy, and working around that is a breach.

There are many reasons as to why these sites shouldn't be developed. Infrastructure is one, road access and road congestion is another, utilities another, flooding (the Green Belt land is waterlogged for most of the winter and after particularly rainy periods, and as we live in England, it rains a lot). It's used by wildlife as a safe area to hunt and live. I could go on. Developing on these sites will be detrimental to the environment and the village as a whole.

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## **Your comments - necessary changes**

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

Stop trying to propose the same sites over and over again in the hope that we'll become complacent. It's a shady tactic and an abhorrent practice. Also, trying to remove designated Green

Belt sites from the Green Belt is unacceptable as a workaround to furthering your proposals. Stop this practice.

You should consult with our Elvington Parish Council properly, and also involve our local Councillor, Cllr Vassie on these proposed changes. I'm sure they'd have much to say about your tactics.

**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:**

I don't believe the concerns of myself or of other residents are being relayed to the planning inspector by the Council. We're having to cover the same issues time and time again and enough is enough.

---

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 16:13  
**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: 122953
- Date submitted: 22/07/2019
- Time submitted: 16:12:37

The following is a copy of the details included.

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### About your comments

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

Own comments

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### About you (individual response)

**Name:** Mr Dominic Stevens

**Address:** [REDACTED]

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### 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:** , , , ,

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**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

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**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. Our Elvington Parish Council have not been included sufficiently in the process, 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 using tactics of confusion, preying on the residents inability to understand the information provided, which is deliberately vague, or difficult to parse. 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 during the entire consultation process. CYC deliberately make sourcing information difficult to find and place barriers upon responses such as imposing 10 minute time outs when inputting data, making reference documents difficult to locate, and being purposefully vague with the explanation of sites proposed for development. Constantly resubmitting the same sites to develop over and over, being rejected, and then trying to circumvent these decisions by asking to remove the land proposed for development from the Green Belt seems like a shady, if not illegal, tactic to me. I do not understand why these sites are continuously being proposed for development when the planning inspectors have given their decisions. Stop trying to push your own agenda through.

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## 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

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## 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):**

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## 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 consistent with national policy

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

We've answered these questions over and over again, providing detailed responses to each and every one time and time again. We should not have to go through the exact same process again and again just to satisfy your illegal planning proposals, which have now ended up with you trying to have designated Green Belt areas removed from this designation so that you can develop what you want when you want. This whole process is a farce and needs to be legally investigated. We as residents shouldn't have to keep raising our concerns each and every time. The inspector's have deemed the proposals illegal and against national policy, and working around that is a breach.

There are many reasons as to why these sites shouldn't be developed. Infrastructure is one, road access and road congestion is another, utilities another, flooding (the Green Belt land is waterlogged for most of the winter and after particularly rainy periods, and as we live in England, it rains a lot). It's used by wildlife as a safe area to hunt and live. I could go on. Developing on these sites will be detrimental to the environment and the village as a whole.

Stop trying to propose the same sites over and over again in the hope that we'll become complacent. It's a shady tactic and an abhorrent practice. Also, trying to remove designated Green Belt sites from the Green Belt is unacceptable as a workaround to furthering your proposals. Stop this practice.

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**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 16:46  
**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

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**Submission details**

- Web ref: 122958
- Date submitted: 22/07/2019
- Time submitted: 16:45:46

The following is a copy of the details included.

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**About your comments**

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

Own comments

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**About you (individual response)**

**Name:** Mr Dominic Stevens

**Address:** 

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**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:** , , , ,

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**Contact details (individual or group)**

Email address: [REDACTED]

Telephone number: [REDACTED]

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**Document:** Topic Paper 1 Addendum - Annex 4 - Urban Areas within the General Extent

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**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):**

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## **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:**

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

We've answered these questions over and over again, providing detailed responses to each and every one time and time again. We should not have to go through the exact same process again and again just to satisfy your illegal planning proposals, which have now ended up with you trying to have designated Green Belt areas removed from this designation so that you can develop what you want when you want. This whole process is a farce and needs to be legally investigated. We as residents shouldn't have to keep raising our concerns each and every time. The inspector's have deemed the proposals illegal and against national policy, and working around that is a breach.

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Stop trying to propose the same sites over and over again in the hope that we'll become complacent. It's a shady tactic and an abhorrent practice. Also, trying to remove designated Green Belt sites from the Green Belt is unacceptable as a workaround to furthering your proposals. Stop this practice.

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---

**From:** localplan@york.gov.uk  
**Sent:** 22 July 2019 15:06  
**To:** localplan@york.gov.uk  
**Subject:** FW: Objections to New Local Plan proposed modifications from York Labour Party  
**Attachments:** City of York Local plan Part B Jul 2019.pdf; City of York Local Plan Revision July 2019 Annex 1 OHT.pdf; YLP 2019 finresp annex 2 individual housing sites.docx; YLP 2019 finresp annex 2 individual housing sites.docx; City of York Local Plan Revision July 2019 - Annex 3 Employ Allocs.pdf

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

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**From:** Dave Merrett [REDACTED]  
**Sent:** 21 July 2019 14:08  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Subject:** Objections to New Local Plan proposed modifications

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 a joint submission from York Labour Party, City of York Council Labour Group, Rachael Maskell, MP for York Central.

Yours Sincerely,

Dave Merrett  
Chair - York Labour Party

City of York Local plan  
Publication Draft 2018  
Modifications 2019  
Consultation Response Form  
10th June – 22<sup>nd</sup> July April

Joint Response from York Constituency Labour Party/Labour Group  
York City Council/Rachael Maskell MP York Central

## Part B – Your Representation

5(1) Do you consider the document sound - No

5(2) Please tell us which tests of soundness the document fails to meet

Positively prepared - fail  
Justified - fail  
Effective - fail  
Consistent with national Policy - fail

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

paragraph No. plan sections 2.5.,pages 26,27,63-65,5.9 Policy  
reference SS1, PM2 –PM5,PM13-  
15,PM22 ,SS19,SS20,H1,PM16/17,Policy EC1,Allocation E18

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

York Labour Party last year consulted its thousands of local members on our first draft response to this plan, and we made a researched and informed final response supported by the Party Executive and members of the Local Party. The 2019 modified Local Plan proposals make a bad situation worse, disregarding not only the housing needs of the population of York but also government policy. This response is from York Labour Party (which covers the whole City Council area, and both the York central and York Outer constituencies), the Labour Group on the Council and York Central MP Rachael Maskell. We repeat the general assertions we made in April last year and comment on how far the Council has responded to our points especially as they relate to the modifications.

1. Policy SS1 states that it will deliver Sustainable Growth for York and is the most important single strategy in the Local Plan because it ties together the City vision, the economy, housing and transport. We are extremely concerned that the plan fails to address the major challenges facing the city over the plan period. We believe the plan will exacerbate many of the problems York faces, particularly the housing / affordable housing crisis.

## 2. Vision

2.1 The stated vision for the city is to secure a prosperous city for all and to achieve sustainable development. We believe the plan fails to deliver on the overriding objective of prosperity for all. It lacks any analysis of how different groups in the community are affected by the proposals. It fails to heal the highly unequal conditions of, or deliver opportunities for, all the residents of York. The plan also fails to follow up on the implications of sustainability. It chooses employment and housing options without referencing how they impact on community or environmental sustainability. There is no credible and comprehensive transport strategy to address existing transport and access problems, leaving aside those arising from the proposed new developments.

## 3. The Economy

3.1 The plan has a complacent and incorrect assessment of the state of the economy in the city. The city is the 8<sup>th</sup> most unequal city in the UK\*. In both employment income and housing, the city is split between the comfortably off and struggling households. The city is failing to attract good quality office jobs, and has the fastest rate of office loss of any UK city. The plan not only fails to address this divide but also will oversee a worsening of this situation over the plan period.

3.2 The plan fails to deliver an economic strategy that will reverse the slide away from better quality jobs, loss of offices in the city, and the drift towards low wage insecure employment.

3.3 The Council has not responded to any of our concerns.

#### 4. Housing provision

4.1 The City also faces one of the highest increases in house prices and rents in the country and the plan fails to deal either with the failure to meet objective (government led) targets for new housing, nor makes any serious attempt to deal with affordability. Despite the warnings and legitimate concerns of many groups and individuals in the City the Council is proposing in the modifications to the Publication draft to reduce future housing provision further in the face of the economic, housing and social difficulties in the city. This is totally unsound public policy.

#### 5. Transport

5.1 The Transport Section's policies are not grounded in any comprehensive analysis of the challenges facing York now, or over the lifetime of the Plan. It relies on an out of date Local Transport Plan and an incomplete Transport Topic paper which only focused on motorized transport. Planned developments and normal traffic growth are projected to result in a 30% general increase in travel time across the network and a staggering 55% increase in peak delay. This will severely impact on residents, businesses and the economy. It will further contribute to air quality problems and will exceed EU emission limits. It is unacceptable. The Council has not responded to any of our points.

#### 6. Sustainable Communities

6.1 The plan states that it will achieve sustainable development. The only way to achieve genuine sustainability is to cluster new developments. Clusters can work (1) around existing facilities that can take expansion or (2) when new developments are built on a scale that means new facilities and transport linkages can be provided.

6.2 The plan fails in both ways because it supports over-development in the urban core where balanced and sustainable provision is not



possible. Developments proposed on the periphery are too small and will not sustain an appropriate range of new facilities. This is true about community facilities, including green space, and transport equally.

6.3 The Council has not responded to any of our points.

Our detailed comments on the modifications are contained in 3 annexes

Annex 1 Overall Housing Target

Annex 2 Individual housing sites

Annex 3 Employment allocations

<p>York Local Plan Publication Draft 2018 :  York Labour Party Response to the Local Plan 2019 Modifications  Annex 1 Overall Housing target</p>	
Policy	Why the plan is unsound
SS1 Delivering Sustainable Growth for York	
Sections PM3/City of York Housing Needs PM4 Sustainable Growth for York PM5 Explanation PM18 Housing Allocations Overall housing target	Plan proposal: To provide enough land for at least 790 dwellings per annum over the plan period
2.1 Positively prepared	Our response to the modifications must be read in conjunction with our various comments made in response to the Publication Draft 2018 section SS1 Sustainable growth for York section 3 Overall housing targets. As we stated then the City of York has a serious housing shortage. There are many ways in which this can be measured and much of this was shown in our previous submission. However the dominant indicator of need is the index of affordability. York has the highest affordability ratio in Yorkshire and Humberside which currently stands at 10 times median incomes. This has been consistently high over the last 5-10 years. York has had the fastest house price growth in the region in the last 15 years. Current supply is not tackling this problem. The previous administration approached the calculation of homes target not on an objective basis but to provide the lowest figure possible. At the time of publication of the 2018 Publication Draft MHCLG were advocating future supply of 1070 homes a year for York. We

supported the government figure. The administration chose to take the most conservative estimates of need and settled on a figure of 867 i.e. 203 homes less than the government recommendation.

Government then produced a response to the technical consultation on updates to national planning policy and guidance

A summary of consultation responses and the Government's view on the way forward was set out in February 2019

**“Taking into account these responses, 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 the 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.”**

CYC chose to ignore this advice and to ask consultants GL Hearn to recalculate the target knowing it would give them an opportunity to reduce the target further which they have now done. The new target is 280 homes a year less than the government yardstick in 2018. In order to do this the administration has chosen to apply the lowest market uplift possible. In the face of the critical shortage of affordable homes this plan has clearly been prepared according to political priorities and not to meet government expectations nor the needs of local people. The Plan has clearly not been positively prepared.

2.2 Justified	<p>The current plan neither offers nor assesses alternative strategies.</p> <p>Almost all of the recent trends would indicate that these figures are underestimates e.g. the supply of Council relets is declining because of right to buy changes. In the National Housing Federation annual assessment of housing issues between 2017 and 2018 (the most recent published) average house prices in York were still rising from £243K - £264K which was £74k more than the regional average, and affordability rose from 9.6 times to 10 times incomes. York has a serious problem with low wages. The 2018 national survey of earnings showed that over 25% of the York workforce earned less than the living wage of £8.75 per hour. This wages trap affects people occupying around 23,000 jobs. These are some of the current realities which have led the Centre for Cities to identify York consistently as being one of the top 10 most unequal cities in the UK and the most unequal in the North.</p> <p>The Council housing needs assessment demonstrates no concern about this situation and clearly has no intention to try and reverse it. The table below shows the scale of the Council's retreat from a satisfactory level of provision.</p> <p>The Arup consultant's report informing the draft 2014 Local Plan did look at alternative scenarios unlike the current plan. The constant reduction of annual homes targets since that properly evaluated work looks as follows:</p>

Source :	Year	Annual homes target
CYC Local Plan modification	2019	790
York Local Plan proposed	2018	867
GL Hearn	2017	954
MHCLG White Paper	2017	1070
York Local Plan proposed	2014	1100
Target reduction	2014 - 17	-310 (-28%)

The Council’s rejection of the previous government recommendations and decision to opt for an absolute minimum figure of 790 per annum is the result of narrow political interest. In Council meetings in late 2017 and early 2018 the Council rejected or reduced in scale perfectly viable sites making them no longer viable or sustainable a fact we evidenced in our previous submission.

The advice from the Council officers as recently as January 2018 to the Council Local Plan Working Group clearly indicates that any figures would probably need to be in the 1070 range to be considered “sound”. The officers report stated :

*The DCLG November 2017 consultation included a proposed methodology for calculating housing need. This is based on three principles: simplicity, using publicly available data and producing realistic targets. The document applies this methodology to City of York and indicated a minimum of 1,070 dwellings p/a for the period 2016 to 2026<sup>1</sup>*

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<sup>1</sup> An uplift of 23.4%

(York Local Plan working Party January 2018 agenda item 3, Para 10).

And went further :

*Members must be satisfied that they consider the Submission Draft Plan meets the test of “soundness”. This is a statutory duty. Officers' advice is that the direction of travel in national policy indicates that, if the site proposals previously consulted on were increased, this would be a more robust position.*

(York Local Plan Working Group January 2018 agenda item 3, Para 26)

In order to show that their behaviour since then is justified the administration must be able to demonstrate that the housing shortage in York and housing needs in York are already improving. There is no evidence that this is the case with housing prices remaining at a very high level. York has approximately 1500 families and individuals on the council waiting list of whom over 1000 are in the gold and silver priority groups. The rate of council house building in recent years has not made a significant reduction in this number. There is a particular shortage of larger homes with the emphasis on 2, 3 and 4 bed properties especially houses. The focus of the administration on brownfield developments is leading to an emphasis on 1 and 2 bed apartments that do not meet the priority needs.

Any assessment of housing need should include the evidence of how the needs of the most vulnerable in society are being met which can only be achieved by an increase in the number of affordable homes being built. Households are being forced to share or move out of York to find affordable accommodation in cheaper surrounding areas. This is having social economic and environmental impacts.

	<p>The overall homes target clearly does not meet the national direction of travel and is an artificial constraint on development. Given the shortage of homes of all types and York's position as the unaffordability capital of Yorkshire and Humberside these proposals are totally unjustified.</p>
2.3Effective	<p>The plan is not effective either in the short or long term. The programme of sites is heavily dependent on brownfield land and in the case of sites like York Central (ST5) there are severe development constraints or risks associated with all these sites. Planning permission has recently been granted for York Central (ST5) so some progress has been made but many hurdles remain. We commented at length on this in our previous submission.</p> <p>There are strong reasons for thinking the overall housing number is unreliable because the nature of brownfield developments is producing homes which do not meet the Council's identified priorities. In the Planning Committee March 2019 which considered York Central (ST5) the CYC Executive Director Neil Ferris said that the housing provision at York Central did not meet priority needs and that the requisite homes would be provided on other sites. As the other homes are being heavily concentrated on brownfield sites this is virtually impossible to deliver.</p>

The proposal state that “ a minimum annual provision of (867) 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38 will enable the building of strong, sustainable communities through addressing the housing and community needs of York’s current and future population.”

There is considerable evidence that sustainable communities are not assisted by the nature of the developments favoured by the Council with large volumes of unaffordable homes of the wrong type. There is no change to the policy of giving preference to brownfield sites over greenfield sites. These are characterized by high rent/short lets/second homes/air bnb and investor purchases, and/or by specialist student accommodation that is not available to the general market. The report to the Council Executive on 18<sup>th</sup> July 2019 shows that the Council is concerned about this problem but has not led it to amend its policies nor has any solution been found.

At the CYC Planning Committee meeting into York Central (ST5) City Officers said that they had no idea what proportion of recent developments were vacant or not in permanent full time occupation. This means that a significant proportion of the proposed 790 homes that are to be built on brownfield sites and which will be predominantly flatted developments are notional as they incorrectly assume 100% occupancy. This is not a sound assumption.

CYC policy is to give preference to, and only target 20% affordable on, brownfield sites (in contrast to 30% on greenfield). An analysis of 9 recent brownfield developments in the city shows the following level of affordable provision:



Site	Total Homes	Affordable
St Leonards Place	40	5%
Oliver House	34	12%
Fox and Hounds, Copmanthorpe	28	8%
The Cocoa Works, Haxby Road	258	2%
Groves Chapel	16	8%
Grove House	32	6%
The Barbican	187	9%
Terry's factory conversion	173	0%
British Sugar	1100	3%
<b>Total</b>	<b>1868</b>	
<b>Affordable Total</b>	<b>69</b>	
<b>Affordable Total %</b>	<b>4</b>	
<p>The contribution to the City's housing needs is far below the 100% assumed in the plan. The greenfield supply is being artificially depressed in this plan and as a result the affordability problems particularly around family homes/houses will be maximized</p>		

continuing to drive lower income households out of York. The inability of CYC to give figures on voids in new developments and to continue to represent the affordable target as 20% despite the evidence shows that the proposals are completely unjustifiable and fail to meet evidenced need.

It is not possible to separate the overall housing target from the target for affordable homes. The GL Hearn report maintains the shortage of affordable homes at 570 per annum as in 2018 (itself massively lower than the previous draft local plan figure). To meet this target CYC would have to make 72% of new developments affordable. This is plainly ludicrous given the dependence on privately owned land and the figures above showing that current brownfield developments are yielding less than 5%. The position on all sites is scarcely better as the table below shows:

	<b>Affordable completions</b>	<b>Total completions</b>	<b>% affordable</b>
2015/16	109	1171	9.3%
2016/17	91	996	9.1%
2017/18	74	1336	5.5%
2018/19	60	481	12.5%
<b>Total</b>	<b>334</b>	<b>3984</b>	<b>8.3 %</b>

This clearly indicates that the Local Plan targets for affordable homes at 20% brownfield and 30% greenfield are missed across all developments and particularly on brownfield sites that are the Council's preferred option.

	<p>What the figures do mean is that the city will be developing large numbers of homes for full market sale and relatively few for local needs. If the city were to retain the target at the previous government recommended level of 1070 and produced a better balance of brownfield/greenfield provision could mean a significant additional number of affordable homes could be provided. The Council shows no will to change the housing strategy, the target nor the approach to procurement and partnership. There is no evidence even of the will to try neither to reach these kinds of levels nor to establish different kinds of partnership despite the crisis levels in house prices and affordability. This plan is ineffective in the extreme and will not remotely meet the needs of the population of York.</p>
<p>2.4 Agreed with national policy</p>	<p>Paragraph 47 of the NPPF states that local plans must meet the full objectively assessed needs for market and affordable housing in the housing market area.</p> <p>The government made it absolutely clear in its response to consultation in February 2019 that it did not want Local Authorities to follow the guidance slavishly nor to use the data as an excuse to reduce supply. Critically they called for Local Authorities to make a consistent approach to supply. A call that CYC has ignored completely. The government response to questions 1 and 2 of the consultation with all Local Authorities is reported in full below.</p> <p><b>“Q1 Government response</b> Having taken the responses into account, the Government considers that its proposed approach to providing the demographic</p>

baseline for the standard method is the most appropriate approach for providing stability and certainty to the planning system in the short-term. This decision has been taken in the context that the standard method does not represent a mandatory target for local authorities to plan for, but the starting point for the planning process. Local planning authorities may decide that exceptional circumstances justify the use of an alternative method, but they will need to identify these reasons and can expect them to be tested by the Planning Inspectorate during the examination of their plans. Local authorities may also not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area and it may be that need is better met elsewhere. The proposed approach does not change this. Over the next 18 months we will review the formula and the way it is set using National Statistics data with a view to establish a new approach that balances the need for clarity, simplicity and transparency for local communities with the Government's aspirations for the housing market. 7 A key consideration of the standard method is to provide a degree of continuity between assessments of housing need over time. 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. For the avoidance of doubt, the Government is clear that this does not mean that it doubts the methodological basis of the 2016-based household projections. It welcomes the work of the Office for National Statistics (ONS) following the transfer of the projections from the Ministry of Housing, Communities and Local Government and the steps they have taken to explain the projections, for example in their recent blog.<sup>4</sup> The Government looks forward to the further work programme of the ONS to develop even greater confidence in the projections and is committed as the key customer to supporting the ONS ahead of the publication of the next projections. "

**“Q2 Government response** Taking into account these responses, the Government continues to think that the 2016- based household projections should not be used as a reason to justify lower housing 4 <https://blog.ons.gov.uk/2018/10/19/what-our-household-projections-really-show/> 8 need. We understand respondents’ concerns about not using the latest evidence, but for the 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.”

The NPPF has a strong presumption in favour of development. The former and current Council has not responded to this guidance which has now been in place for 8 years and will be enshrined as a central principle in the new NPPF. CYC has resisted the government indications of the need to build more housing consistently over the last few years despite clear guidance and warnings. This is opening the residents of the City to risk and failing the younger generations in the city and those most in need.

The Council continues to resist Government/NPPF pressure which not only fails the local population but leaves the Council at the mercy of developers who have been exploiting the absence of an approved Local Plan.

<p>York Local Plan Publication Draft 2018 :  York Labour Party Response to the Local Plan 2019 Modifications  Annex 2 – individual housing sites</p>	
Policy	Why the plan is unsound
SS19 Strensall Barracks SS20 Imphal Barracks ST15 Land West of Elvington lane “Garden Village” ST14 Land North of Clifton Moor	
Sections PM13-15 Addendum 5	Plan proposal : To remove ST19 from the plan To retain ST20 in the plan at 739 homes To redesignate ST15 a garden village and increase the supply outside the plan period To retain the target at ST14 as 1200 homes
2.1Positively prepared	Our response to the modifications must be read in conjunction with our comments made in response to the publication draft 2018. As we stated then the City of York has a serious housing shortage. These amendments show that the CYC does not have a strategic approach to provision.We support the removal of ST35 Strensall Barracks from the Plan which we advocated in 2018. However we also advocated caution around ST36 Imphal barracks because of uncertainty; this has been ignored.

	<p>Together these two sites create a 1200 home hole in the possible future provision which is so badly needed as shown in our previous comments. In addition we advocated that sites ST15 and ST14 should be expanded as part of a bold plan to create a small number of sustainable green village developments to meet both quantity and quality of provision. These are adhoc changes which have been reactively prepared.</p>
<p>2.2 Justified</p>	<p>The current plan neither offers nor assesses alternative strategies. Several medium size cities elsewhere in the UK have produced detailed strategies/plans to integrate the development of brownfield and greenfield developments into a coherent whole. These strategies have been driven not just by housing need but by the need to meet sustainability targets and goals. None of the changes here represent this and there has been no work carried out by the Council to explore the options for future development. Specifically the Council has not evaluated the impact of its brownfield policies nor evaluated the potential to create a small number of truly sustainable “green villages”. Renaming the land to the West of Elvington lane a Green Village is tokenism of the worst kind.</p>

2.3 Effective	<p>We repeat the arguments made earlier. The plan is not effective either in the short or long term. The programme of sites is heavily dependent on brownfield land and in the case of sites like York Central (ST5) there are severe development constraints or risks which mean that delivery is likely to be slow despite the recent planning approval. The reliance on delivery of a site where there is a variation of 45% between the minimum and the maximum reveals the lack of robustness in the plan. We commented at length on this in our previous submission.</p> <p>Removing SS19 Strensall Barracks (which we support ) reduces supply by 500 homes from the previous draft and leaving SS20 Imphal Barracks in means that another 739 homes are of doubtful deliverability. There are no replacement sites added to the plan. As there are no alternative strategies considered to meet housing need and affordability problems it is hardly surprising the plan is not effective nor robust.</p>
2.4 Agreed with national policy	<p>We repeat the contention made in the previous section. Paragraph 47 of the NPPF states that local plans must meet the full objectively assessed needs for market and affordable housing in the housing market area. As recently as July 2018 the examiners were questioning the Council's approach to this objective.</p> <p>The NPPF has a strong presumption in favour of development. The former and</p>



	<p>current Council has not responded to this guidance which has now been in place for 8 years and will be enshrined as a central principle in the new NPPF. CYC has resisted the government indications of the need to build more housing consistently over the last few years despite clear guidance and warnings. This is opening the residents of the City to risk and failing the younger generations in the city and those most in need.</p> <p>The Council continues to resist Government/NPPF pressure which not only fails the local population but leaves the Council at the mercy of developers who are exploiting the absence of an approved Local Plan.</p> <p>The Council decisions on the individual sites here point up further the lack of both strategy and will to meet the needs and challenges of the current housing crisis in the City, and that they are doing so in defiance of Central Government policy and guidance.</p>
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<p>York Local Plan Publication Draft 2018 :  York Labour Party Response to the Local Plan 2019 Modifications  Annex 3 :Employment Allocations</p>	
Policy	Why the plan is unsound
EC1 Employment Allocations	
Sections PM16/17 Policy EC1 Allocation E18	Plan proposal : To amend the employment allocations at Strensall (E18)
2.1Positively prepared	We referred at length in our response last year that there were insufficient land allocations to employment uses of all kinds. It is symptomatic of this plan that an adjustment is made to the employment allocation of one site without reference to the whole. The plan is silent on the employment needs of the city, has not responded to our previous comments and makes the adjustments to this site in isolation to the wider picture.
2.2 Justified	Since the consultation last year the Council and the York Central partnership have confirmed that York Central (ST5) will not meet its Local Plan target. It is even possible that there will be 30% shortfall of provision. There is no reference to this in the modifications to the Plan and reaction to it when considering the question of the change

	<p>at PM16. We have no objection to this change but this does not justify the wider economic/employment provision.</p>
<p>2.3Effective</p>	<p>We repeat the arguments made earlier. The plan is not effective either in the short or long term.</p> <p>No replacement sites have been added to the plan. As there are no alternative strategies considered to meet economic and employment needs the plan cannot be considered effective or robust. The probable shortfall at ST5 York Central has been recognized as a threat to the economic future of the city. Yet there is no contingency planning or amended strategy to take account of this.</p> <p>The shortage of appropriate sites leaves the city vulnerable in several ways. The city is likely to miss out on inward investment opportunities but risks the loss of industries like the railway hub where the key decision makers have choices of several local authorities offering relevant inducements to secure a major relocation.</p> <p>In addition several key employer groups have been calling for additional start up business space for the city and far more sites are being offered by neighbouring authorities leaving the City behind into the business future.</p> <p>This plan does not meet these challenges at all and is as a result ineffective.</p>

2.4 Meeting National Policy	The Local Authority is required to provide enough land to meet the employment needs of the City. As we stated last year the plan fails to do this and fails to respond to changes in previous plans as at ST5 and E18.

**From:** localplan@york.gov.uk  
**Sent:** 22 July 2019 15:07  
**To:** localplan@york.gov.uk  
**Subject:** FW: Objections to New Local Plan proposed modifications from Rachel Maskell MP  
**Attachments:** City of York Local plan Part B Jul 2019.pdf; City of York Local Plan Revision July 2019 Annex 1 OHT.pdf; YLP 2019 finresp annex 2 individual housing sites.docx; YLP 2019 finresp annex 2 individual housing sites.docx; City of York Local Plan Revision July 2019 - Annex 3 Employ Allocs.pdf

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

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**From:** Dave Merrett [REDACTED]  
**Sent:** 21 July 2019 14:08  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Subject:** Objections to New Local Plan proposed modifications

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 a joint submission from York Labour Party, City of York Council Labour Group, Rachael Maskell, MP for York Central.

Yours Sincerely,

Dave Merrett  
Chair - York Labour Party

City of York Local plan  
Publication Draft 2018  
Modifications 2019  
Consultation Response Form  
10th June – 22<sup>nd</sup> July April

Joint Response from York Constituency Labour Party/Labour Group  
York City Council/Rachael Maskell MP York Central

## Part B – Your Representation

5(1) Do you consider the document sound - No

5(2) Please tell us which tests of soundness the document fails to meet

Positively prepared - fail  
Justified - fail  
Effective - fail  
Consistent with national Policy - fail

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

paragraph No. plan sections 2.5.,pages 26,27,63-65,5.9 Policy  
reference SS1, PM2 –PM5,PM13-  
15,PM22 ,SS19,SS20,H1,PM16/17,Policy EC1,Allocation E18

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

York Labour Party last year consulted its thousands of local members on our first draft response to this plan, and we made a researched and informed final response supported by the Party Executive and members of the Local Party. The 2019 modified Local Plan proposals make a bad situation worse, disregarding not only the housing needs of the population of York but also government policy. This response is from York Labour Party (which covers the whole City Council area, and both the York central and York Outer constituencies), the Labour Group on the Council and York Central MP Rachael Maskell. We repeat the general assertions we made in April last year and comment on how far the Council has responded to our points especially as they relate to the modifications.

1. Policy SS1 states that it will deliver Sustainable Growth for York and is the most important single strategy in the Local Plan because it ties together the City vision, the economy, housing and transport. We are extremely concerned that the plan fails to address the major challenges facing the city over the plan period. We believe the plan will exacerbate many of the problems York faces, particularly the housing / affordable housing crisis.

## 2. Vision

2.1 The stated vision for the city is to secure a prosperous city for all and to achieve sustainable development. We believe the plan fails to deliver on the overriding objective of prosperity for all. It lacks any analysis of how different groups in the community are affected by the proposals. It fails to heal the highly unequal conditions of, or deliver opportunities for, all the residents of York. The plan also fails to follow up on the implications of sustainability. It chooses employment and housing options without referencing how they impact on community or environmental sustainability. There is no credible and comprehensive transport strategy to address existing transport and access problems, leaving aside those arising from the proposed new developments.

## 3. The Economy

3.1 The plan has a complacent and incorrect assessment of the state of the economy in the city. The city is the 8<sup>th</sup> most unequal city in the UK\*. In both employment income and housing, the city is split between the comfortably off and struggling households. The city is failing to attract good quality office jobs, and has the fastest rate of office loss of any UK city. The plan not only fails to address this divide but also will oversee a worsening of this situation over the plan period.

3.2 The plan fails to deliver an economic strategy that will reverse the slide away from better quality jobs, loss of offices in the city, and the drift towards low wage insecure employment.

3.3 The Council has not responded to any of our concerns.

#### 4. Housing provision

4.1 The City also faces one of the highest increases in house prices and rents in the country and the plan fails to deal either with the failure to meet objective (government led) targets for new housing, nor makes any serious attempt to deal with affordability. Despite the warnings and legitimate concerns of many groups and individuals in the City the Council is proposing in the modifications to the Publication draft to reduce future housing provision further in the face of the economic, housing and social difficulties in the city. This is totally unsound public policy.

#### 5. Transport

5.1 The Transport Section's policies are not grounded in any comprehensive analysis of the challenges facing York now, or over the lifetime of the Plan. It relies on an out of date Local Transport Plan and an incomplete Transport Topic paper which only focused on motorized transport. Planned developments and normal traffic growth are projected to result in a 30% general increase in travel time across the network and a staggering 55% increase in peak delay. This will severely impact on residents, businesses and the economy. It will further contribute to air quality problems and will exceed EU emission limits. It is unacceptable. The Council has not responded to any of our points.

#### 6. Sustainable Communities

6.1 The plan states that it will achieve sustainable development. The only way to achieve genuine sustainability is to cluster new developments. Clusters can work (1) around existing facilities that can take expansion or (2) when new developments are built on a scale that means new facilities and transport linkages can be provided.

6.2 The plan fails in both ways because it supports over-development in the urban core where balanced and sustainable provision is not



possible. Developments proposed on the periphery are too small and will not sustain an appropriate range of new facilities. This is true about community facilities, including green space, and transport equally.

6.3 The Council has not responded to any of our points.

Our detailed comments on the modifications are contained in 3 annexes

Annex 1 Overall Housing Target

Annex 2 Individual housing sites

Annex 3 Employment allocations

<p>York Local Plan Publication Draft 2018 :  York Labour Party Response to the Local Plan 2019 Modifications  Annex 1 Overall Housing target</p>	
Policy	Why the plan is unsound
SS1 Delivering Sustainable Growth for York	
Sections PM3/City of York Housing Needs PM4 Sustainable Growth for York PM5 Explanation PM18 Housing Allocations Overall housing target	Plan proposal: To provide enough land for at least 790 dwellings per annum over the plan period
2.1 Positively prepared	Our response to the modifications must be read in conjunction with our various comments made in response to the Publication Draft 2018 section SS1 Sustainable growth for York section 3 Overall housing targets. As we stated then the City of York has a serious housing shortage. There are many ways in which this can be measured and much of this was shown in our previous submission. However the dominant indicator of need is the index of affordability. York has the highest affordability ratio in Yorkshire and Humberside which currently stands at 10 times median incomes. This has been consistently high over the last 5-10 years. York has had the fastest house price growth in the region in the last 15 years. Current supply is not tackling this problem. The previous administration approached the calculation of homes target not on an objective basis but to provide the lowest figure possible. At the time of publication of the 2018 Publication Draft MHCLG were advocating future supply of 1070 homes a year for York. We

supported the government figure. The administration chose to take the most conservative estimates of need and settled on a figure of 867 i.e. 203 homes less than the government recommendation.

Government then produced a response to the technical consultation on updates to national planning policy and guidance

A summary of consultation responses and the Government's view on the way forward was set out in February 2019

**“Taking into account these responses, 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 the 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.”**

CYC chose to ignore this advice and to ask consultants GL Hearn to recalculate the target knowing it would give them an opportunity to reduce the target further which they have now done. The new target is 280 homes a year less than the government yardstick in 2018. In order to do this the administration has chosen to apply the lowest market uplift possible. In the face of the critical shortage of affordable homes this plan has clearly been prepared according to political priorities and not to meet government expectations nor the needs of local people. The Plan has clearly not been positively prepared.

2.2 Justified	<p>The current plan neither offers nor assesses alternative strategies.</p> <p>Almost all of the recent trends would indicate that these figures are underestimates e.g. the supply of Council relets is declining because of right to buy changes. In the National Housing Federation annual assessment of housing issues between 2017 and 2018 (the most recent published) average house prices in York were still rising from £243K - £264K which was £74k more than the regional average, and affordability rose from 9.6 times to 10 times incomes. York has a serious problem with low wages. The 2018 national survey of earnings showed that over 25% of the York workforce earned less than the living wage of £8.75 per hour. This wages trap affects people occupying around 23,000 jobs. These are some of the current realities which have led the Centre for Cities to identify York consistently as being one of the top 10 most unequal cities in the UK and the most unequal in the North.</p> <p>The Council housing needs assessment demonstrates no concern about this situation and clearly has no intention to try and reverse it. The table below shows the scale of the Council's retreat from a satisfactory level of provision.</p> <p>The Arup consultant's report informing the draft 2014 Local Plan did look at alternative scenarios unlike the current plan. The constant reduction of annual homes targets since that properly evaluated work looks as follows:</p>

Source :	Year	Annual homes target
CYC Local Plan modification	2019	790
York Local Plan proposed	2018	867
GL Hearn	2017	954
MHCLG White Paper	2017	1070
York Local Plan proposed	2014	1100
Target reduction	2014 - 17	-310 (-28%)

The Council’s rejection of the previous government recommendations and decision to opt for an absolute minimum figure of 790 per annum is the result of narrow political interest. In Council meetings in late 2017 and early 2018 the Council rejected or reduced in scale perfectly viable sites making them no longer viable or sustainable a fact we evidenced in our previous submission.

The advice from the Council officers as recently as January 2018 to the Council Local Plan Working Group clearly indicates that any figures would probably need to be in the 1070 range to be considered “sound”. The officers report stated :

*The DCLG November 2017 consultation included a proposed methodology for calculating housing need. This is based on three principles: simplicity, using publicly available data and producing realistic targets. The document applies this methodology to City of York and indicated a minimum of 1,070 dwellings p/a for the period 2016 to 2026<sup>1</sup>*

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<sup>1</sup> An uplift of 23.4%

(York Local Plan working Party January 2018 agenda item 3, Para 10).

And went further :

*Members must be satisfied that they consider the Submission Draft Plan meets the test of “soundness”. This is a statutory duty. Officers' advice is that the direction of travel in national policy indicates that, if the site proposals previously consulted on were increased, this would be a more robust position.*

(York Local Plan Working Group January 2018 agenda item 3, Para 26)

In order to show that their behaviour since then is justified the administration must be able to demonstrate that the housing shortage in York and housing needs in York are already improving. There is no evidence that this is the case with housing prices remaining at a very high level. York has approximately 1500 families and individuals on the council waiting list of whom over 1000 are in the gold and silver priority groups. The rate of council house building in recent years has not made a significant reduction in this number. There is a particular shortage of larger homes with the emphasis on 2, 3 and 4 bed properties especially houses. The focus of the administration on brownfield developments is leading to an emphasis on 1 and 2 bed apartments that do not meet the priority needs.

Any assessment of housing need should include the evidence of how the needs of the most vulnerable in society are being met which can only be achieved by an increase in the number of affordable homes being built. Households are being forced to share or move out of York to find affordable accommodation in cheaper surrounding areas. This is having social economic and environmental impacts.

	<p>The overall homes target clearly does not meet the national direction of travel and is an artificial constraint on development. Given the shortage of homes of all types and York's position as the unaffordability capital of Yorkshire and Humberside these proposals are totally unjustified.</p>
2.3Effective	<p>The plan is not effective either in the short or long term. The programme of sites is heavily dependent on brownfield land and in the case of sites like York Central (ST5) there are severe development constraints or risks associated with all these sites. Planning permission has recently been granted for York Central (ST5) so some progress has been made but many hurdles remain. We commented at length on this in our previous submission.</p> <p>There are strong reasons for thinking the overall housing number is unreliable because the nature of brownfield developments is producing homes which do not meet the Council's identified priorities. In the Planning Committee March 2019 which considered York Central (ST5) the CYC Executive Director Neil Ferris said that the housing provision at York Central did not meet priority needs and that the requisite homes would be provided on other sites. As the other homes are being heavily concentrated on brownfield sites this is virtually impossible to deliver.</p>

The proposal state that “ a minimum annual provision of (867) 790 new dwellings over the plan period to 2032/33 and post plan period to 2037/38 will enable the building of strong, sustainable communities through addressing the housing and community needs of York’s current and future population.”

There is considerable evidence that sustainable communities are not assisted by the nature of the developments favoured by the Council with large volumes of unaffordable homes of the wrong type. There is no change to the policy of giving preference to brownfield sites over greenfield sites. These are characterized by high rent/short lets/second homes/air bnb and investor purchases, and/or by specialist student accommodation that is not available to the general market. The report to the Council Executive on 18<sup>th</sup> July 2019 shows that the Council is concerned about this problem but has not led it to amend its policies nor has any solution been found.

At the CYC Planning Committee meeting into York Central (ST5) City Officers said that they had no idea what proportion of recent developments were vacant or not in permanent full time occupation. This means that a significant proportion of the proposed 790 homes that are to be built on brownfield sites and which will be predominantly flatted developments are notional as they incorrectly assume 100% occupancy. This is not a sound assumption.

CYC policy is to give preference to, and only target 20% affordable on, brownfield sites (in contrast to 30% on greenfield). An analysis of 9 recent brownfield developments in the city shows the following level of affordable provision:



Site	Total Homes	Affordable
St Leonards Place	40	5%
Oliver House	34	12%
Fox and Hounds, Copmanthorpe	28	8%
The Cocoa Works, Haxby Road	258	2%
Groves Chapel	16	8%
Grove House	32	6%
The Barbican	187	9%
Terry's factory conversion	173	0%
British Sugar	1100	3%
<b>Total</b>	<b>1868</b>	
<b>Affordable Total</b>	<b>69</b>	
<b>Affordable Total %</b>	<b>4</b>	
<p>The contribution to the City's housing needs is far below the 100% assumed in the plan. The greenfield supply is being artificially depressed in this plan and as a result the affordability problems particularly around family homes/houses will be maximized</p>		

continuing to drive lower income households out of York. The inability of CYC to give figures on voids in new developments and to continue to represent the affordable target as 20% despite the evidence shows that the proposals are completely unjustifiable and fail to meet evidenced need.

It is not possible to separate the overall housing target from the target for affordable homes. The GL Hearn report maintains the shortage of affordable homes at 570 per annum as in 2018 (itself massively lower than the previous draft local plan figure). To meet this target CYC would have to make 72% of new developments affordable. This is plainly ludicrous given the dependence on privately owned land and the figures above showing that current brownfield developments are yielding less than 5%. The position on all sites is scarcely better as the table below shows:

	<b>Affordable completions</b>	<b>Total completions</b>	<b>% affordable</b>
2015/16	109	1171	9.3%
2016/17	91	996	9.1%
2017/18	74	1336	5.5%
2018/19	60	481	12.5%
<b>Total</b>	<b>334</b>	<b>3984</b>	<b>8.3 %</b>

This clearly indicates that the Local Plan targets for affordable homes at 20% brownfield and 30% greenfield are missed across all developments and particularly on brownfield sites that are the Council's preferred option.

	<p>What the figures do mean is that the city will be developing large numbers of homes for full market sale and relatively few for local needs. If the city were to retain the target at the previous government recommended level of 1070 and produced a better balance of brownfield/greenfield provision could mean a significant additional number of affordable homes could be provided. The Council shows no will to change the housing strategy, the target nor the approach to procurement and partnership. There is no evidence even of the will to try neither to reach these kinds of levels nor to establish different kinds of partnership despite the crisis levels in house prices and affordability. This plan is ineffective in the extreme and will not remotely meet the needs of the population of York.</p>
<p>2.4 Agreed with national policy</p>	<p>Paragraph 47 of the NPPF states that local plans must meet the full objectively assessed needs for market and affordable housing in the housing market area.</p> <p>The government made it absolutely clear in its response to consultation in February 2019 that it did not want Local Authorities to follow the guidance slavishly nor to use the data as an excuse to reduce supply. Critically they called for Local Authorities to make a consistent approach to supply. A call that CYC has ignored completely. The government response to questions 1 and 2 of the consultation with all Local Authorities is reported in full below.</p> <p><b>“Q1 Government response</b> Having taken the responses into account, the Government considers that its proposed approach to providing the demographic</p>

baseline for the standard method is the most appropriate approach for providing stability and certainty to the planning system in the short-term. This decision has been taken in the context that the standard method does not represent a mandatory target for local authorities to plan for, but the starting point for the planning process. Local planning authorities may decide that exceptional circumstances justify the use of an alternative method, but they will need to identify these reasons and can expect them to be tested by the Planning Inspectorate during the examination of their plans. Local authorities may also not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area and it may be that need is better met elsewhere. The proposed approach does not change this. Over the next 18 months we will review the formula and the way it is set using National Statistics data with a view to establish a new approach that balances the need for clarity, simplicity and transparency for local communities with the Government's aspirations for the housing market. 7 A key consideration of the standard method is to provide a degree of continuity between assessments of housing need over time. 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. For the avoidance of doubt, the Government is clear that this does not mean that it doubts the methodological basis of the 2016-based household projections. It welcomes the work of the Office for National Statistics (ONS) following the transfer of the projections from the Ministry of Housing, Communities and Local Government and the steps they have taken to explain the projections, for example in their recent blog.<sup>4</sup> The Government looks forward to the further work programme of the ONS to develop even greater confidence in the projections and is committed as the key customer to supporting the ONS ahead of the publication of the next projections. "

**“Q2 Government response** Taking into account these responses, the Government continues to think that the 2016- based household projections should not be used as a reason to justify lower housing 4 <https://blog.ons.gov.uk/2018/10/19/what-our-household-projections-really-show/> 8 need. We understand respondents’ concerns about not using the latest evidence, but for the 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.”

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The Council continues to resist Government/NPPF pressure which not only fails the local population but leaves the Council at the mercy of developers who have been exploiting the absence of an approved Local Plan.

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Sections PM13-15 Addendum 5	Plan proposal : To remove ST19 from the plan To retain ST20 in the plan at 739 homes To redesignate ST15 a garden village and increase the supply outside the plan period To retain the target at ST14 as 1200 homes
2.1Positively prepared	Our response to the modifications must be read in conjunction with our comments made in response to the publication draft 2018. As we stated then the City of York has a serious housing shortage. These amendments show that the CYC does not have a strategic approach to provision.We support the removal of ST35 Strensall Barracks from the Plan which we advocated in 2018. However we also advocated caution around ST36 Imphal barracks because of uncertainty; this has been ignored.

	<p>Together these two sites create a 1200 home hole in the possible future provision which is so badly needed as shown in our previous comments. In addition we advocated that sites ST15 and ST14 should be expanded as part of a bold plan to create a small number of sustainable green village developments to meet both quantity and quality of provision. These are adhoc changes which have been reactively prepared.</p>
<p>2.2 Justified</p>	<p>The current plan neither offers nor assesses alternative strategies. Several medium size cities elsewhere in the UK have produced detailed strategies/plans to integrate the development of brownfield and greenfield developments into a coherent whole. These strategies have been driven not just by housing need but by the need to meet sustainability targets and goals. None of the changes here represent this and there has been no work carried out by the Council to explore the options for future development. Specifically the Council has not evaluated the impact of its brownfield policies nor evaluated the potential to create a small number of truly sustainable “green villages”. Renaming the land to the West of Elvington lane a Green Village is tokenism of the worst kind.</p>

2.3 Effective	<p>We repeat the arguments made earlier. The plan is not effective either in the short or long term. The programme of sites is heavily dependent on brownfield land and in the case of sites like York Central (ST5) there are severe development constraints or risks which mean that delivery is likely to be slow despite the recent planning approval. The reliance on delivery of a site where there is a variation of 45% between the minimum and the maximum reveals the lack of robustness in the plan. We commented at length on this in our previous submission.</p> <p>Removing SS19 Strensall Barracks (which we support ) reduces supply by 500 homes from the previous draft and leaving SS20 Imphal Barracks in means that another 739 homes are of doubtful deliverability. There are no replacement sites added to the plan. As there are no alternative strategies considered to meet housing need and affordability problems it is hardly surprising the plan is not effective nor robust.</p>
2.4 Agreed with national policy	<p>We repeat the contention made in the previous section. Paragraph 47 of the NPPF states that local plans must meet the full objectively assessed needs for market and affordable housing in the housing market area. As recently as July 2018 the examiners were questioning the Council's approach to this objective.</p> <p>The NPPF has a strong presumption in favour of development. The former and</p>



	<p>current Council has not responded to this guidance which has now been in place for 8 years and will be enshrined as a central principle in the new NPPF. CYC has resisted the government indications of the need to build more housing consistently over the last few years despite clear guidance and warnings. This is opening the residents of the City to risk and failing the younger generations in the city and those most in need.</p> <p>The Council continues to resist Government/NPPF pressure which not only fails the local population but leaves the Council at the mercy of developers who are exploiting the absence of an approved Local Plan.</p> <p>The Council decisions on the individual sites here point up further the lack of both strategy and will to meet the needs and challenges of the current housing crisis in the City, and that they are doing so in defiance of Central Government policy and guidance.</p>
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<p>York Local Plan Publication Draft 2018 :  York Labour Party Response to the Local Plan 2019 Modifications  Annex 3 :Employment Allocations</p>	
Policy	Why the plan is unsound
EC1 Employment Allocations	
Sections PM16/17 Policy EC1 Allocation E18	Plan proposal : To amend the employment allocations at Strensall (E18)
2.1Positively prepared	We referred at length in our response last year that there were insufficient land allocations to employment uses of all kinds. It is symptomatic of this plan that an adjustment is made to the employment allocation of one site without reference to the whole. The plan is silent on the employment needs of the city, has not responded to our previous comments and makes the adjustments to this site in isolation to the wider picture.
2.2 Justified	Since the consultation last year the Council and the York Central partnership have confirmed that York Central (ST5) will not meet its Local Plan target. It is even possible that there will be 30% shortfall of provision. There is no reference to this in the modifications to the Plan and reaction to it when considering the question of the change

	<p>at PM16. We have no objection to this change but this does not justify the wider economic/employment provision.</p>
<p>2.3Effective</p>	<p>We repeat the arguments made earlier. The plan is not effective either in the short or long term.</p> <p>No replacement sites have been added to the plan. As there are no alternative strategies considered to meet economic and employment needs the plan cannot be considered effective or robust. The probable shortfall at ST5 York Central has been recognized as a threat to the economic future of the city. Yet there is no contingency planning or amended strategy to take account of this.</p> <p>The shortage of appropriate sites leaves the city vulnerable in several ways. The city is likely to miss out on inward investment opportunities but risks the loss of industries like the railway hub where the key decision makers have choices of several local authorities offering relevant inducements to secure a major relocation.</p> <p>In addition several key employer groups have been calling for additional start up business space for the city and far more sites are being offered by neighbouring authorities leaving the City behind into the business future.</p> <p>This plan does not meet these challenges at all and is as a result ineffective.</p>

2.4 Meeting National Policy	The Local Authority is required to provide enough land to meet the employment needs of the City. As we stated last year the plan fails to do this and fails to respond to changes in previous plans as at ST5 and E18.

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 22 July 2019 12:40  
**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: 122916
- Date submitted: 22/07/2019
- Time submitted: 12:40:16

The following is a copy of the details included.

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### 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:** Parliamentary Assistant to Rachael Maskell MP for York Central Laura Outhart

**Name of your organisation (if applicable):** Rachael Maskell MP for York Central

**Name of the organisation, group or other individual you represent:** Rachael Maskell MP for York Central

Contact address: [REDACTED]

---

**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):** SS1, PM2 –PM5,PM13-15,PM22,SS19,SS20,H1,PM16/17,Policy EC1,Allocation E18

**Document:** Section 2.5

**Page number:** 26,27,63-65,5.9

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**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:**

This is a supplementary note to accompany and made in addition to note submitted on behalf of York Constituency Labour Party, Labour Group York City Council & Rachael Maskell MP for York Central. York Constituency Labour Party, Labour Group York City Council & Rachael Maskell MP for York Central.

Please take response to this question from previous joint submission.

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**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

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## **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):**

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## **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):**

Response from Rachael Maskell MP York Central – note this is a supplementary note to accompany and made in addition to note submitted on behalf of York Constituency Labour Party, Labour Group York City Council & Rachael Maskell MP for York Central.

On Economy

York Central sits at the intersection of the East Coast Main Line, the Transpennine Routes, on Cross Country routes and will receive HS2. York will be one of the most significant rail stations in the North on completion of these infrastructure upgrades, and has the potential of securing significant economic investment. The number of jobs which are being planned at equivalent rail interchanges are significantly more than that of York. In the light of the economic inequality, it is vital that York Central is prioritised for economic development over housing. This has not happened. Economic planning should not just be seen as an issue for York, but the wider region and the Northern Powerhouse project.

It is vital that a comprehensive economic audit is undertaken to understand the potential of the site to create inward investment opportunities before further decisions are made. This work has not been undertaken.

The power of the site is the transport connectivity, and the site could deliver long term revenue opportunities over a more sustained period of time, rather than a rapid capital receipt for housing. This must be looked at in a far more sustained way.

York Central has also been earmarked as an Enterprise Zone. This results in 100% of business rates being returned to the local authority. Under current proposals the Council will not return its economic potential.

Within the local plan there is talk of further development out of the city centre for economic development. While this may be important for some industries, this should not be at the expense of the York Central site.

An economic investment strategy therefore needs undertaking to determine how York can maximise economic opportunities in the right locations, taking advantage of transport connectivity.

## On housing

There needs to be a renewed focus on place making in order to deliver the kind of housing and communities that have been proved to generate high quality living and social environments. York has been developed on these principles from the creation of New Earswick to Derwenthorpe today.

Housing planning cannot be developed in isolation from a skills analysis. Currently the skills our city requires is out of balance with those available. Part of this has resulted from poor housing planning and the lack of affordable and social housing.

A full skills analysis must be undertaken to understand the future housing needs of the city. In parallel there must be understanding of the future changes in population including how York residents are supported in their accommodation through to care models for the future.

Finally, there is a high volume of people who are currently displaced and in housing need, from overcrowding to people living in unsuitable housing or who are homeless. There needs to be provision, as a priority to meet local unmet need.

## Transport

Old data was used in the development of the local plan. This needs to be reviewed in the light of the Council and Government's new priority to create a Carbon Neutral City. The current plans do not sustain this objective.

This requires an ambitious analysis of how public transport and active travel can lead the local transport infrastructure and operations.

## Sustainable Communities

In order to support a growing population, there needs to be an analysis of the public services which need to expand to support these ambitions. Already our health service is overstretched, including in Primary Care, and schools are full, therefore there needs to be a future needs analysis for York.

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## Your comments - necessary changes

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

- Comprehensive Economic audit (as detailed in comments above) for York Central site
- Economic investment strategy for the city (as detailed in comments above)
- Skills analysis (as detailed in housing section above)
- Review of transport data in light of Council and Government priority on delivering Carbon Neutral city
- Analysis of public service future capacity and need

**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:**

As per note previously submitted.

Ability to provide evidence and context to inspector based on constituency work and knowledge.

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**From:** Matthew Stocks [matthew.stocks@indigoplanning.com]  
**Sent:** 16 July 2019 08:55  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan proposed modifications consultation  
**Attachments:** York Local Plan Proposed Modifications Consultation Response Form 2019.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

Please find enclosed out representations to the New Local Plan proposed modifications consultation, submitted on behalf of Novus Investment Ltd.

Please could you confirm receipt?

Kind regards

Matthew Stocks

**Matthew Stocks** | Associate

**M:** [REDACTED] **E:** matthew.stocks@indigoplanning.com



Indigo is now part of WSP.

Toronto Square, Toronto St, Leeds, LS1 2HJ  
**T:** 0113 380 0270 **W:** www.indigoplanning.com



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If you are not a named recipient, please contact the sender and delete the e-mail from the system.

# 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		Matthew
Last Name		Stocks
Organisation (where relevant)	Novus Investment Ltd c/o Agent	WSP   Indigo
Representing (if applicable)		Novus Investment Ltd
Address – line 1		WSP   Indigo
Address – line 2		Toronto Square
Address – line 3		Leeds
Address – line 4		
Address – line 5		
Postcode		LS1 2HJ
E-mail Address		matthew.stocks@indigoplanning.com
Telephone Number		0113 380 0270

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:

PM41

Document:

City of York Local Plan Proposed Modifications  
Consultation Document

Page Number:

42 and 68

## 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)**

Novus Investment Ltd own the land at the junction of Main Street and Back Lane, Knapton, which is a proposed housing allocation (Allocation Ref: H53). Proposed modification PM41 proposes that Knapton village should be ‘washed over’ by the Green Belt rather than excluded from the Green Belt. Novus support the retention of Allocation Ref H53 but oppose the proposed inclusion of Knapton within the Green Belt, which is unsound. In order to make the Local Plan sound, Knapton should be excluded from the Green Belt.

The Proposed Main Modifications document (June 2019) states that “the village of Knapton is open and not densely developed. It is surrounded by areas that are identified to be of importance for the historic character and setting of York, particularly for preventing coalescence. The village is thereby considered to contribute to openness and should be included within the Green Belt”.

We disagree with this reasoning. The houses within the previously proposed boundaries of the village are close knit. The only ‘open’ parcel of land is proposed to be allocated for development (Allocation Ref: H53). Whilst individual houses or small settlements may be appropriate to be located within the Green Belt, Knapton features circa 100 households, centred on Main Street with development on either side. The tightly drawn boundary maintains the areas which prevent coalescence and contribute to York’s historic character and setting. The open land surrounding the settlement therefore meets the Green Belt purposes and its retention in the Green Belt is sound. However, the built form itself does not meet the Green Belt purposes and should be excluded from the Green Belt. This approach would continue to restrict development beyond the village, maintaining the character of the village and preventing coalescence or encroachment.

The inclusion of Knapton within the Green Belt potentially presents a policy conflict in respect of Allocation Ref: H53. Whilst this would maintain that housing would be permissible on the site, the Green Belt designation would typically seek to resist development. Allocation Ref: H53 is the only proposed allocation in Knapton, and one of only two proposed allocations in the Rufforth and Knapton parish. The Rufforth and Knapton Neighbourhood Plan was adopted in December 2018. This does not allocate any sites for development, on the basis that the Plan could not define Green Belt boundaries, but only amend them. In the absence of an adopted Local Plan in York, the proposed allocations in Knapton and Rufforth were omitted from the Neighbourhood Plan, to be reinstated following the adoption of the emerging Local Plan. It is paramount that the allocations be retained in order to ensure an appropriate level of development can be delivered in the parish.

Whilst it is important that the character of the village and surrounding areas are preserved, this can be ensured through development management policies, in line with NPPF paragraph 140, rather than Green Belt designation. Further, the Rufforth and Knapton Neighbourhood Plan and Knapton Village Design Guide can guide development within the village and aid in the protection of the character and historic value of the village and surrounding areas. The designation of Knapton as Green Belt may restrict the opportunity for development within the village going forward, for example the redevelopment of brownfield land or vacant buildings.

**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.**

We propose that the Green Belt extends to Knapton village boundary only, and the 'washing over' of the village by the Green Belt is removed. This will still ensure coalescence is prevented, and will ensure surrounding areas that are identified to be of importance for the historic character and setting of York are safeguarded, without affecting further development opportunities within 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:**

**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



**From:** STURDY, Julian [julian.sturdy.mp@parliament.uk]  
**Sent:** 22 July 2019 16:15  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan proposed modifications submission  
**Attachments:** Local plan consultation submission.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.

Dear Sir/Madam,

I attach Julian's submission to the Local Plan proposed modifications.

Thank you for your time and assistance with this.

Julian would appreciate confirmation of receipt.

Best wishes,

**Office of Julian Sturdy MP**  
**House of Commons, London**

E: [REDACTED]

 | [www.juliansturdy.co.uk](http://www.juliansturdy.co.uk) | [Privacy Policy](#)

**Serving the people of York Outer**

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**Submission to the Consultation on the City of York Council's Local Plan**  
**Proposed Modifications**

**July 2019**

**PM13/PM14 Queen Elizabeth Barracks, Strensall**

I consider the Local Plan to be legally compliant and to comply with the Duty to Cooperate. I agree with the removal of the site from the Local Plan following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).

However, I do believe it is important that the Queen Elizabeth Barracks site is not left abandoned in the long-term if the Ministry of Defence leave. Protective measures should be put in place to ensure the site is not left derelict and a target for vandalism.

If this is not possible, and the Council can offer a workable plan to redevelop the site with good quality local facilities and necessary infrastructure, all of which complies with the Habitat Regulations Assessment, then it may be a useful contribution to our future housing need.

Based on the proposed modification, I consider the Local Plan to be sound because the document is justified through its compliance with the Habitat Regulations Assessment (Feb 2019).

**From:** Craig Barnes [Craig.Barnes@gladman.co.uk]  
**Sent:** 19 July 2019 08:33  
**To:** localplan@york.gov.uk  
**Cc:** Nicole Burnett  
**Subject:** York Local Plan Modifications - Gladman Reps  
**Attachments:** Gladman Reps York Local Plan Modifications final.pdf

**Follow Up Flag:** Follow up  
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Dear Sir/Madam

Please find attached the representations of Gladman made in response to the current consultation on modifications to the York Local Plan.

I would be grateful if you could confirm receipt.

Could I request that you also add my details to your consultation database and keep me informed of any future events relating to plan making in York.

Kind Regards

Craig Barnes

Senior Policy Planner  
Gladman

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**By email only to [localplan@york.gov.uk](mailto:localplan@york.gov.uk)**

18th July 2019

Dear Sir/Madam

## **York Local Plan Modifications Consultation**

### Introduction

This letter provides the representations of Gladman made in response to the consultation on modifications to the York Local Plan. Gladman is promoting Land South of Tadcaster Road, Copmanthorpe (the Site) for housing through the Local Plan process. The Site is proposed as an allocation for 158 dwellings (see Policy ST31) within the submitted Local Plan (and as intended to be modified). Gladman has maintained an active interest throughout the preparation of the York Local Plan, with detailed representations submitted at the Publication stage. Gladman is keen to secure the adoption of a “sound” Local Plan in York at the earliest opportunity.

The York Local Plan was submitted for examination in May 2018. However subsequent changes to supporting evidence has led City of York Council (the Council) to reconsider the soundness of the submitted Local Plan with modifications now sought in response. Further evidence, especially in relation to how the Council has sought to define the boundaries of the Green Belt, has also been requested by the appointed Inspectors.

Gladman consider that the Inspectors have acted pragmatically and positively in permitting the Council to propose and make these changes without necessitating the withdrawal of the submitted Local Plan. The length of time that the City has been without an up-to-date Local Plan is well documented. Whilst the City is a success in terms of its economy, retail offer and tourism draw, the Local Plan is necessary to address key issues in the City such as the availability and affordability of housing and to define the York Green Belt.

In summary, the Council propose to make the following modifications to the Local Plan:

- Revision to the housing requirement from 867 dpa downwards to 790 dpa with associated changes to text, figures and the policies map;
- The removal of allocations previously identified at the Queen Elizabeth Barracks in Strensall (Site references ST35 and H59); and
- Minor alterations to policy wording and requirements for several sites.

Alongside these modifications, the Council has also published the following:

- An Addendum to the Sustainability Appraisal;
- An Updated Habitats Regulation Assessment;
- The City of York Housing Needs Update;
- An Updated Housing Trajectory; and
- An Addendum to Topic Paper 1 Approach to Defining York's Green Belt.

In this representation comments are limited to respond to proposed changes to the housing requirement and supporting evidence, the updated housing trajectory, and the Addendum to Topic Paper 1 relating to the Green Belt. No comments are made in relation to the Council's wider modifications.

### Revised Housing Requirement and Housing Needs Update

Through this consultation, the Council propose to modify the housing requirement downwards from 867 dwellings per year to 790 dwellings per year. The proposed modification to the housing requirement is being sought by the Council to reflect updated demographic evidence as provided by the 2016-based household projections which illustrate a much lower demographic need in the City than set out within 2014-based household projections. The implication of this updated data in defining the Objectively Assessed Needs figure for York is assessed through the "City of York – Housing Needs Update" published by GL Hearn in January 2019.

#### *Demographic Need*

The role and use of the 2016-based household projections in assessing housing needs is subject to some debate. Current Planning Practice Guidance (PPG) makes clear that the earlier 2014-based household projections are to be used by local planning authorities when applying the Standard Methodology for assessing local housing need<sup>1</sup> with the use of any other methodology to be subject to rigorous testing at examination<sup>2</sup>. This follows concerns that the 2016-based household projections underestimate demographic need in some areas largely owing differences in data and methodology used to define this projection in contrast to previous iterations, and the implications this has on meeting the Government's policy objective to deliver a significant boost to the supply of homes. Gladman share these concerns.

The York Local Plan was however submitted ahead of the 25<sup>th</sup> January deadline as set out in Annex 1 of the 2019 National Planning Policy Framework (NPPF 2019), and as such will be assessed for its soundness under the policies of the 2012 National Planning Policy Framework (the 2012 NPPF). The 2012 NPPF requires plan makers to adopt an objective assessment of housing needs, however is silent on the use of specific data, simply setting out that the Local Plan is based on adequate, up-to-date and relevant evidence<sup>3</sup>... with SHMAs prepared to

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<sup>1</sup> See Paragraph 005 Reference ID: 2a-005-20190220

<sup>2</sup> See Paragraph 003 Reference ID: 2a-003-20190220

<sup>3</sup> See Paragraph 158 of the 2012 NPPF

identify the scale and type of housing required to meet household and population projections<sup>4</sup>. The use of and reference to the 2016-based household projections for the purposes of the examination of the York Local Plan is therefore considered to be consistent with relevant national planning policy. There is however a need for these projections to be subject to interrogation, reflecting advice provided in PPG<sup>5</sup> and in response to the Government's response to the capacity of the 2016-based household projections to respond to objectives to boost housing land supply.

Whilst Gladman holds concerns with the general robustness of the 2016-based household projections and its capacity to deliver 300,000 dwellings per year nationally in line with Government objectives, it is noted that, following scrutiny of the data underpinning the projections, a 37.5% increase to the demographic starting point is proposed by GL Hearn. This takes the demographic needs of the City to 660 dwellings per year. This is still below the demographic need as set out by the 2014-based household projections but marks a significant improvement to the position set out 2016-based household projections as published.

### *Further Adjustments*

It is noted and welcomed by Gladman that the Council propose to adopt an economic-led housing requirement. This aligns with Paragraph 158 of the 2012 NPPF which sets out that the assessment of and strategies for housing, employment and other uses should be integrated. It also responds to PPG which discusses how the absence of a sufficient local working age population may constrain economic growth<sup>6</sup>. The objectively assessed need is uplifted to 790 dwellings per year to reflect the amount of housing assessed to be required to meet Scenario 2 as set out in the Employment Land Review. This uplift represents a 20% increase to the defined demographic starting point of 660 dwellings per year.

The Housing Update Note moves onto consider what response is necessary to market signals. This is responsive to Paragraph 159 of the 2012 NPPF which sets out the need to cater for housing demand and the scale of housing supply necessary to meet this demand, as well as guidance set out in PPG which requires policy makers to apply an uplift to the housing requirement where there is evidence of worsening market signals<sup>7</sup>.

The Housing Update Note illustrates that there are significant market pressures in York, which are particularly acute for those entering the market and on a lower income. Key findings from the Note to highlight include:

- In 2017 median house prices in York (at £230,000) were higher than the county (£210,000) and regional average (£157,500);
- In 2017 Lower quartile house prices in York (£180,000), outstripped the county (£155,000), regional (£112,500), and national average (£150,000);

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<sup>4</sup> See Paragraph 159 of the 2012 NPPF.

<sup>5</sup> As set out in Paragraph 015 Reference ID 2a-015-20140306

<sup>6</sup> See Paragraph 018 Reference ID: 2a-018-20140306

<sup>7</sup> See Paragraph 020 Reference ID: 2a-020-20140306



- Median and Lower Quartile Monthly rents (in 2018) are significantly higher than the regional and national average;
- Rents in York are higher than the regional and national average;
- Median rental growth in York has been higher than the regional average over the past year and 5-year period; and
- Rental growth for lower quartile property has outstripped both the regional and national average.

Evidence of market pressure in York is further illustrated by ONS data reported in Table 5c<sup>8</sup> which sets out the median house price to median gross workplace-based earnings ratio. This Table is of some significance as it forms the basis for affordability uplift applied to calculate minimum housing need utilising the Standard Methodology<sup>9</sup>.

Table 5c illustrates that this affordability ratio has increased in York from a low point in 2013 of 6.52 to a new high point of 8.86 in 2018 (higher than prior to the recession). The rate of increase experienced in this affordability ratio is the highest in the Yorkshire and Humber Region, outstripping changes in affordability experienced in neighbouring Harrogate, Hambleton, and Ryedale which all show a higher affordability ratio than York overall. The rate at which the affordability ratio has increased in York over this recent period is the highest since the early 2000s. A clear response is therefore required when establishing the housing requirement for the City which marks a step change from previous delivery.

Reflecting on this evidence, Gladman is concerned and disagrees with the recommendation made within the Housing Update Note not to apply a further increase to the objectively assessed needs figure for the City in addition to the adjustment already made for economic growth. Gladman does not therefore agree with the Council's decision to reduce the housing requirement to 790 dwellings per year in response to this recommendation.

It is agreed that there is no defined one size fits all solution required by national policy to address and respond to market signals. Arbitrary uplifts have been grappled with by Inspectors in response to market signals in Local Plan Examinations across the country. Examples of the conclusions reached are set out in the Housing Update Note. Whilst there may be no solution to this engrained in policy against which the Local Plan is to be tested, Gladman consider that local circumstances must be taken into account when arriving at what this uplift is.

Completions data provided by the Council illustrate that over the previous 20-years (1998 to 2018) an average of 652 net dwellings per year have been delivered in the City (broadly aligning to the adjusted demographic need). Over the same period the Median House Price to Median Gross Annual Workplace-based earnings ratio has increased from 3.56 to 8.86 in the City. Clearly the adoption of a housing requirement aligned to the adjusted demographic needs of York would further compound the local affordability crisis.

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<sup>8</sup> See: <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

<sup>9</sup> See Paragraph 004 Reference ID: 2a-004-20190220

Indeed, the recommended figure of 790 dwellings per year is notably lower than the average rate of delivery achieved in York over the period 2013 to 2018 (at 849 dwellings per year) in which affordability has worsened by more than a third. As set out above, over the same period, affordability in York worsened at a rate which has outstripped its neighbouring authorities

The proposed increase of 20% to the adjusted demographic starting point as applied through the Housing Needs Update pales into insignificance when this uplift is contrasted to the position of nearby authorities to York which experience similar market demand challenges:

- The emerging Harrogate Local Plan (at examination) includes a near 60% uplift from the adjusted demographic starting point (of 410 dwellings per year) in response to affordability issues and economic growth needs (to 669 dwellings per year). The examining Inspector, Richard Schofield, has signaled his endorsement of this position; and
- The Publication Draft of the Hambleton Local Plan proposes a requirement of 315 dwellings per year in support of economic growth and to address affordability issues. This is 325 dwellings in excess of the adjusted demographic starting point representing around a 35% uplift on this baseline position, and a 40% increase against the Standard Methodology requirement for the District.

Reflecting on the above, Gladman do not support proposals to reduce the housing requirement to 790 dwellings per year. Gladman consider that the housing requirement should at the very least be maintained at 867 dwellings per year in response to market signals and to promote a higher level of affordable housing delivery against significant affordable housing need.

### Revised Housing Trajectory

Gladman confirm the availability of Land south of Tadcaster Road, Copmanthorpe for housing. Gladman further confirm the delivery rate as set out by the Council in the revised housing trajectory. Gladman remain confident that the Site is deliverable (as demonstrated by the current outline planning application<sup>10</sup>) and will contribute to the Council's five-year land supply. Gladman would be willing to enter a Statement of Common Ground with the Council to this effect.

### Green Belt Boundaries and Sites for Release Justification

Annex 5 of the Addendum to Topic Paper 1 sets out the Council's assessment of each site proposed for release from the Green Belt against the Green Belt functions and justifies the identified revised boundaries for the Green Belt as set out on the Policies Map. Comments provided in this section relate solely the assessment made of Site ST31 which is being promoted by Gladman for housing through the Local Plan.

Gladman firstly welcome the publication of this additional evidence. This enhances the transparency of the Local Plan process making it clearer as to how the Council has arrived at its preferred position.

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<sup>10</sup> Council Ref: 18/00680/OUTM

Gladman hold general concerns with the findings of the 2003 Green Belt Review in terms of the identified role that Land South of Tadcaster Road is deemed to hold within the Green Belt. Gladman consider that this assessment should have been updated as part of the plan preparation process. These concerns will be set out in greater detail in our hearing statement in relation to this matter.

Gladman largely agree with the assessment undertaken by the Council regarding the role that the Site fulfils within the Green Belt. This is provided through assessment A5.25 within Annex 5 of the Addendum to Topic Paper 1. Gladman's comments in relation to the assessment undertaken by the Council is provided below:

- In terms of purpose 1, Gladman agree with this assessment but would add that the contained nature of the Site would mean that its development would not place further pressure on further releases from the Green Belt in this locality;
- In terms of purpose 2, Gladman accept that there would be minor harm in this sense, but question whether on the ground, both visually and perceptively, that the development of the Site would promote coalescence between York and Copmanthorpe. The Site is separated from the City by the A64 by-pass, at this point a dual carriageway and on a raised embankment, and further by Pike Hills Golf Course and Askham Bogs. Thus, whilst the distance between the built extremities of York and Copmanthorpe is relatively limited, the settlements will remain separate given these significant and long-lasting physical features which are located between the Site and York;
- In terms of purpose 3, Gladman accept that there would be minor harm in this sense given that the Site is undeveloped and currently subject to an active countryside use. The same is true for any of the strategic sites identified by the Council elsewhere in the authority which is currently Green Belt. Gladman would add that the development of the Site would however respect the wider settlement pattern of Copmanthorpe with its northern and eastern boundaries largely defined by the A64 and East Coast Mainline respectively. Again, these are substantial barriers which cannot be easily jumped by development and are major pieces of infrastructure which have an urbanising influence on the Site; and
- In terms of purpose 4, Gladman again agree with the finding of minor harm, however consider, for the reasons previously discussed above, that the effects of developing the Site will be minimal. The Site itself holds no visual connection to the City of York or its historic landmarks. It is not located within the setting of a listed building or would harm any designated conservation area. Gladman will make further submissions in this regard within the relevant hearing statement to the examination.

Gladman agree with the Council's conclusions regarding the boundary of the Site being clearly defined, recognisable, and permanent. This is consistent with Paragraph 85 of the NPPF which sets out how local planning authorities should define new boundaries to the Green Belt. Moreover, the Site provides a sustainable location for housing development within walking distance of essential daily services and is accessible to the City Centre by way of high-quality bus services and cycle provision. As set out above, the Site respects the settlement form of Copmanthorpe, reflecting how the settlement has grown over time, and will not lead to further pressures for Green Belt releases in this location in the future.

The proposed release of Land south of Tadcaster Road, Copmanthorpe from the Green Belt and its allocation for housing through the York Local Plan is therefore considered to be sound as illustrated by the Addendum produced by the Council to Topic Paper 1.

### Concluding Comments

Gladman welcome the opportunity to provide comments on proposed modifications to the Local Plan by the Council, and the invitation by the Inspectors to do so.

Gladman do not reject the use of the 2016-household projections in defining the objectively assessed needs of the City under the policies of the 2012 NPPF. It is however a necessity for the findings to be subject to sensitivity testing with sufficient adjustments made as a result.

Gladman is supportive of the Council's approach to adopt an economic-led housing requirement. The successful economy of York is an important position to safeguard and build-upon over the plan period. Sufficient housing is therefore needed through the Local Plan to support the achievement of this.

Gladman is however concerned that an insufficient response is made to market signals in arriving at the proposed housing requirement of 790 dwellings per year and object to the Council's proposal to decrease the housing requirement in response. Gladman consider that, at the very least, a housing requirement of 867 dwellings per year should be maintained through the Local Plan.

In terms of the housing trajectory, Gladman maintain that Land South of Tadcaster Road, Copmanthorpe remains available and deliverable for housing. Gladman confirm the delivery rate set out in the revised Housing Trajectory. Gladman would welcome engaging with the Council in a Statement of Common Ground in relation to the Site and Policy ST31.

Gladman welcome the publication of the Council's justification for its Green Belt boundaries and sites selected for release from the Green Belt for development.

Gladman largely agree with the assessment made of Land South of Tadcaster Road, Copmanthorpe in relation to the role the current site fulfills within the Green Belt. It is clear that the integrity of the Green Belt in the wider area to the Site would not be compromised by the Site's release and development. The boundaries identified for the Site and amended Green Belt, reflect the requirements of National Planning Policy. The Site is therefore suitable for development and would not lead to further pressure on the Green Belt in this location.

Whilst Gladman hold some concerns with the approach taken by the Council through Local Plan in relation to several matters, Gladman consider that the Local Plan and its evidence is now at a sufficient position to allow for the examination to proceed towards hearings. Gladman would welcome the direction from the Inspectors in this regard and is keen to participate at the relevant hearing sessions.

In the meantime, should the Council or Inspectors wish to discuss the content of this representation ahead of these hearing sessions, please do not hesitate to contact one of the Gladman team.

Kind Regards

Craig Barnes  
Senior Policy Planner

Gladman



**From:** localplan@york.gov.uk  
**Sent:** 22 July 2019 18:08  
**To:** localplan@york.gov.uk  
**Subject:** FW: Modifications representations - Taylor Wimpey UK Ltd in relation to Alt Site at Galtres Farm  
**Attachments:** Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 - PM4&5 - TWUK - Galtres Farm.pdf;  
Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 - PM20 - 22 - TWUK - Galtres Farm.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** Steven Longstaff [REDACTED]  
**Sent:** 22 July 2019 16:28  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Cc:** [REDACTED]  
**Subject:** Modifications representations - Taylor Wimpey UK Ltd

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,

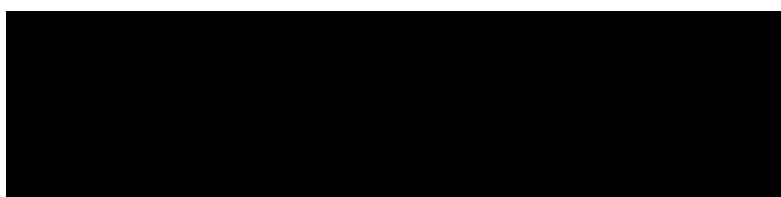
Please find attached modifications representations made on behalf of Taylor Wimpey UK Ltd in relation to **Land at Galtres Farm** and Land at **Manor Heath Road, Copmanthorpe**.

I would be grateful if you could confirm receipt.

Kind Regards

Steven

Steven Longstaff, MRTPI  
Associate



# 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	Mr
First Name	Jonathan	Steven
Last Name	Abbott	Longstaff
Organisation (where relevant)	Taylor Wimpey (UK) Ltd	ELG Planning
Representing (if applicable)		Taylor Wimpey (UK) Ltd
Address – line 1	C/O Agent	Gateway House
Address – line 2		55 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		Co. Durham
Postcode		DL3 7EH
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 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 & 5

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)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

These representations are made by ELG Planning on behalf of Taylor Wimpey UK Ltd. ELG Planning are representing Taylor Wimpey UK Ltd in relation to Land at Galtres Farm. Representations will also be submitted by others on behalf of Taylor Wimpey (UK) Ltd relating to other sites.

As set out in our publication draft representations in April 2018, Taylor Wimpey UK Ltd strongly object to Policy SS1, as the approach being undertaken by the Council is unsound. It is not justified, consistent with national planning policy, effective nor is it positively prepared.

Therefore, Taylor Wimpey UK Ltd strongly object to PM4 and 5 for the same reasons. The proposed modification to policy SS1 and its supporting text to further reduce the housing requirement is unsound.

Further detailed representations have been made by Lichfields on these matters on behalf a number of housebuilders (including Taylor Wimpey UK Ltd) and their detailed assessment concludes that York's OAHN should be a minimum of 1,300 dwellings per annum with an annual housing target rising to between 1,453 dpa and 1,585 dpa to deal with unmet need from between 2012 – 2017. A copy of the representations is appended with a summary of their conclusions set out below:

- ***“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.*

- 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**.*
- 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;*
- 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**.*
- 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).*
- 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*
- 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.*

*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."*

Lichfields have raised significant concerns over the way the Council have calculated their 5 year housing land supply as outlined in their representations and based on their analysis, the Council would not have a 5 year housing land supply on adoption of the Plan.

The Strategic Housing Land Availability Assessment Fig. 6 Updated March 2019 - Objectively Assessed Need projects a supply over the plan period of 20,891 dwellings (inc. windfalls) or 19,106 if a 10% non-implementation rates is applied. When the Lichfield figures are applied, there are insufficient sites identified to meet the both the OAHN and the suggested housing target to address the shortfall in housing delivery between 2012 and 2017, both in the first five years of the plan and over the plan period. Indeed, the Lichfields analysis suggests that the Council can only demonstrate a 2.18 year supply. It is therefore clear that further sites must be identified, and further land released from the Green Belt to meet the shortfall and also ensure that there is sufficient flexibility to ensure that the plan is deliverable.

### **Additional Sites**

#### Land at Galtres Farm

To assist in meeting the Council's significant shortfall in housing allocations as outlined above, Taylor Wimpey UK Ltd seek the release of the Land at Galtres Farm (as set out in our Publication Draft representations on Policy H1) from the Green Belt and its allocation for residential development within the emerging Local Plan.

The site has been promoted previously and was considered in the 2017 SHLAA (sites 891 & 922) alongside land to the north and east but was not taken forward as a housing allocation in the Publication Draft Local Plan.

The Land at Galtres Farm represents a suitable, sustainable location for residential development, with no physical or environmental constraints that would fundamentally prevent its viable development. Furthermore, the site is available now and could come forward in the short term to deliver a range of much needed market and affordable housing.

There are no ownership constraints to development; the landowner is willing to dispose of the land for residential purposes; the site is available now.

Taylor Wimpey are willing developers with a proven track record of delivering housing that can meet the identified needs of the City.

**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.**

Taylor Wimpey UK Ltd suggest that the proposed housing requirement must be significantly increased in line with the recommendations of Lichfields representations summarised above and appended.

The supporting text to Policy SS1 (PM5) should also be amended accordingly.

**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:**

TW have fundamental objections to Policy SS1 and the proposed modifications as set out above on matters which need to be addressed as part of a Hearing session

**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

22/07/19



# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



**LICHFIELDS**

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## 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.

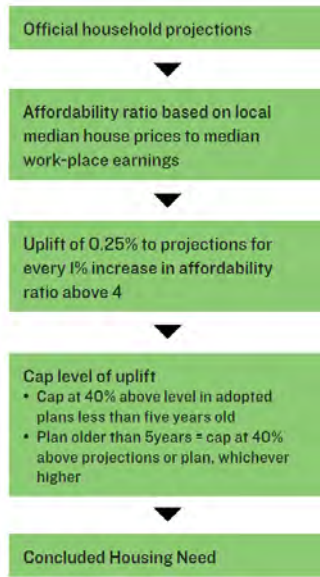
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples' 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]*

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<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

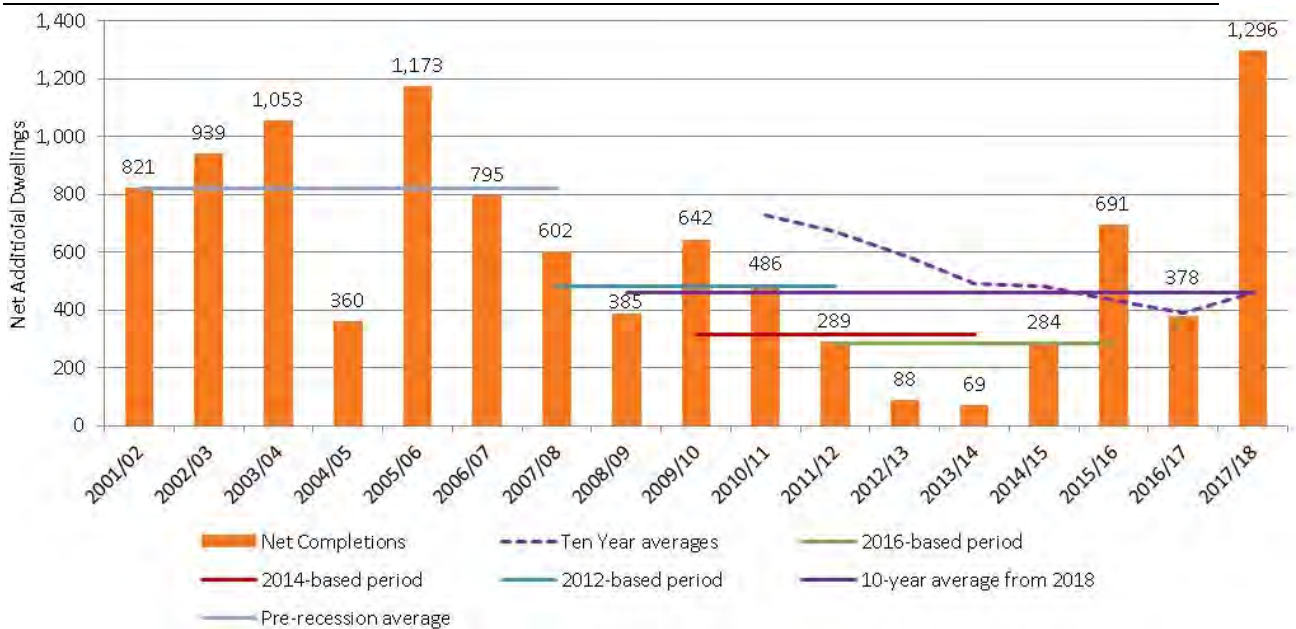
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<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

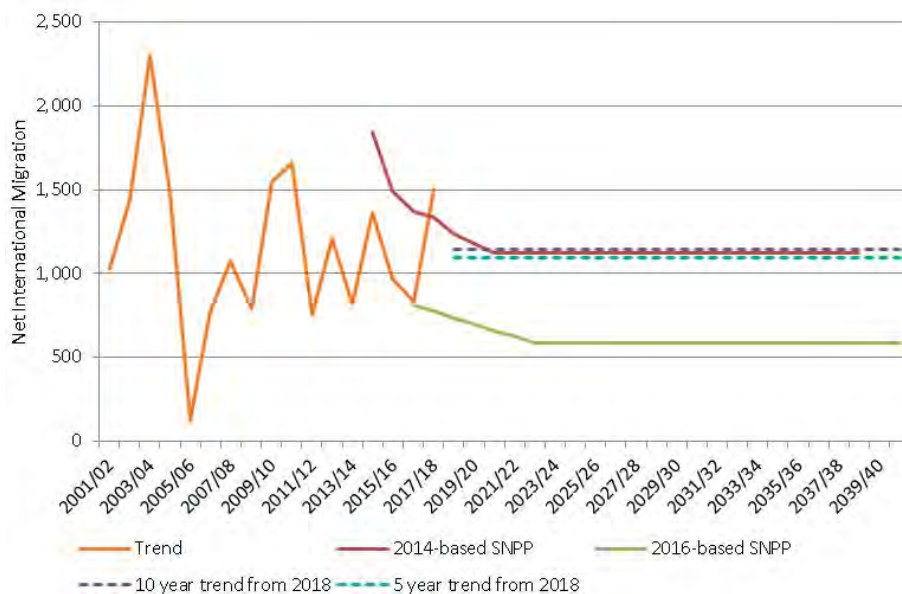
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**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.

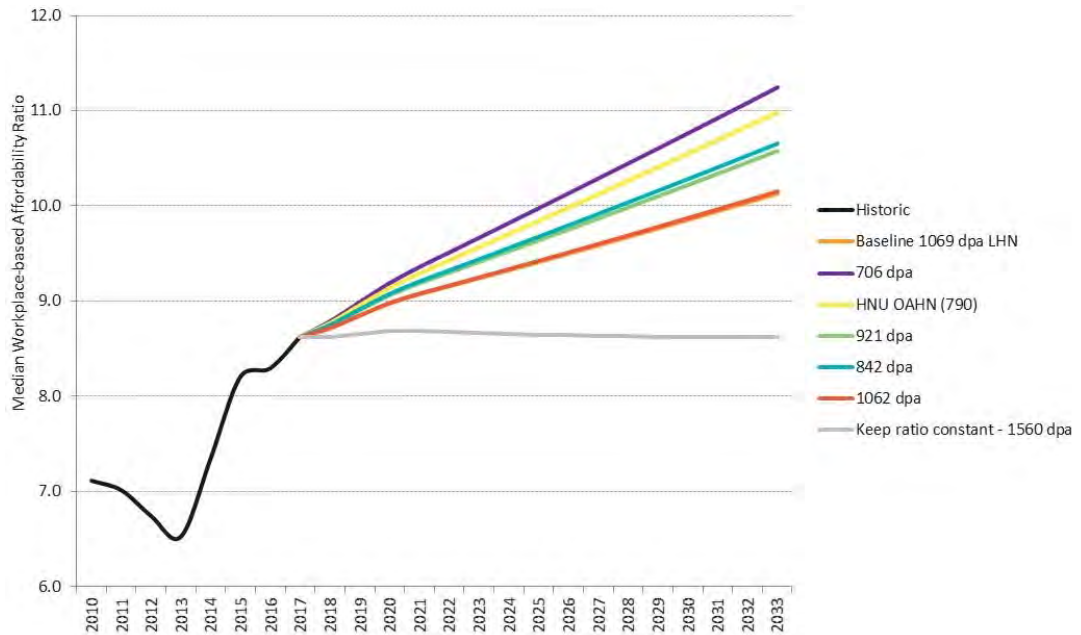
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- 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.

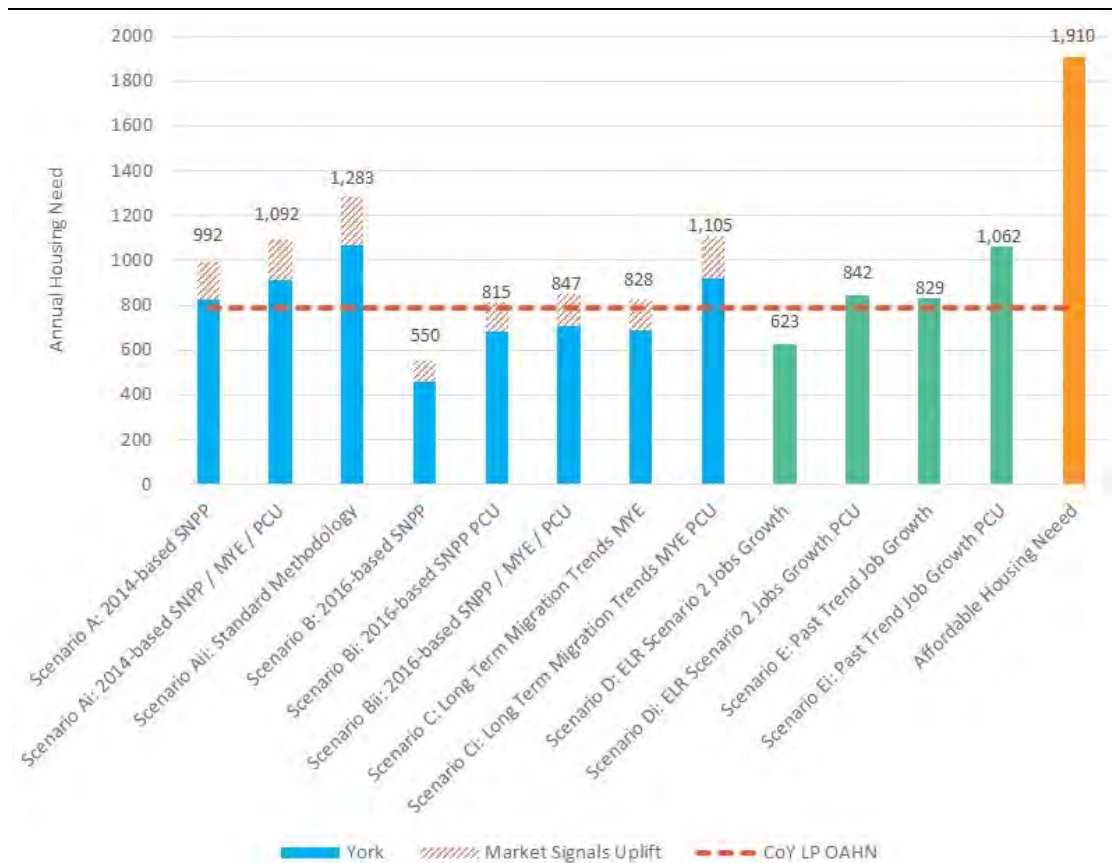
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

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).**

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<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).

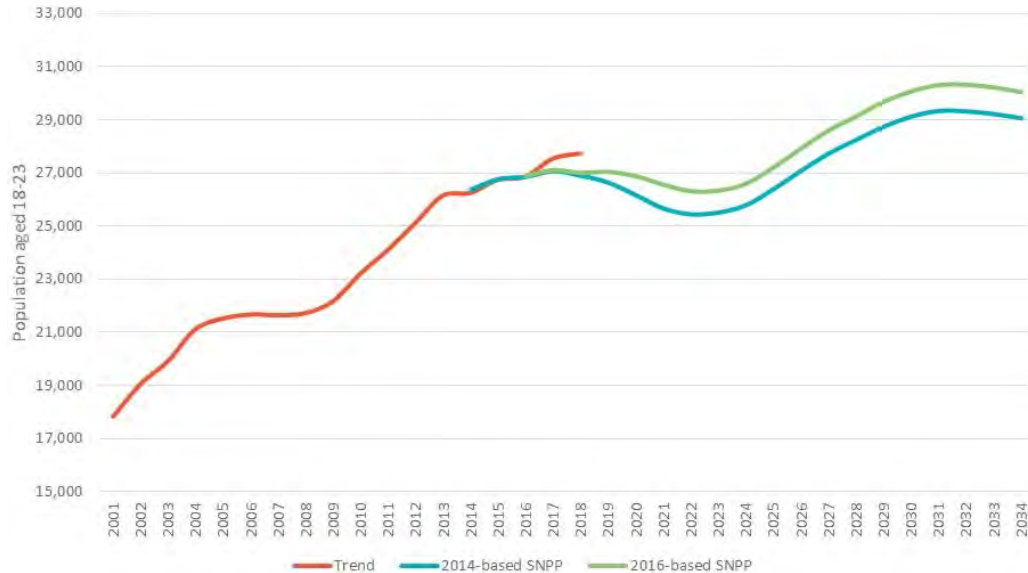
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<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

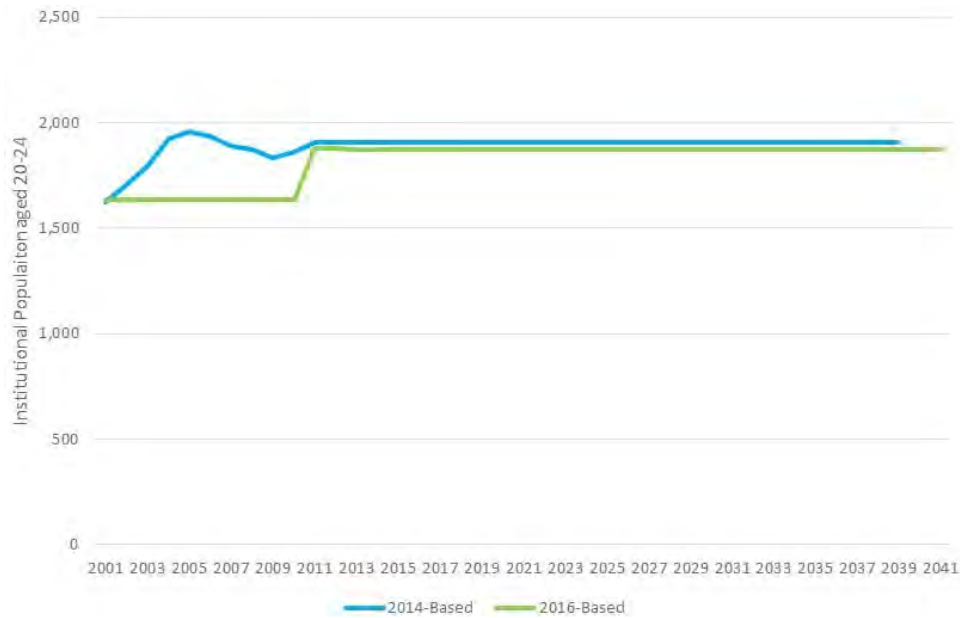
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal 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.

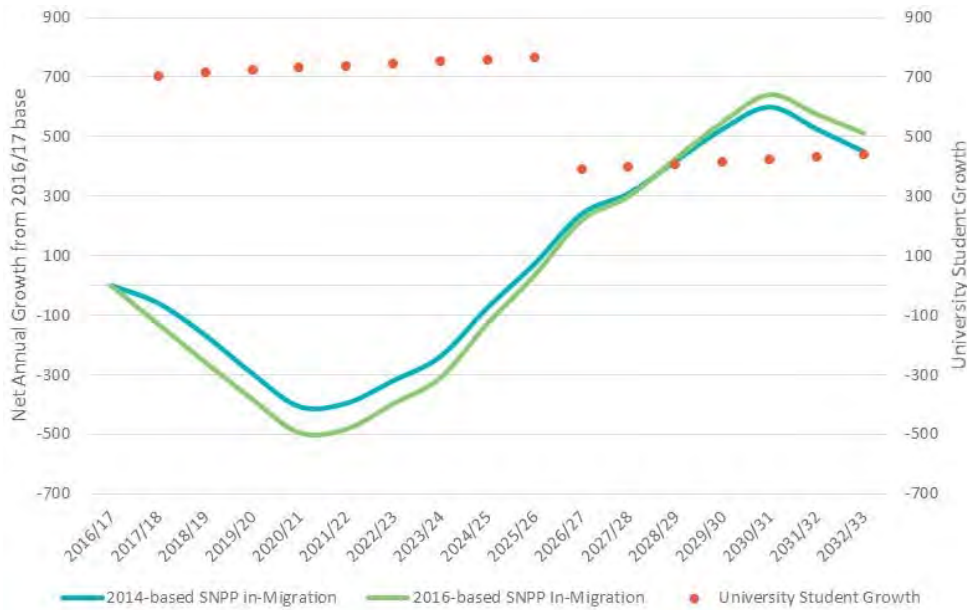
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



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**

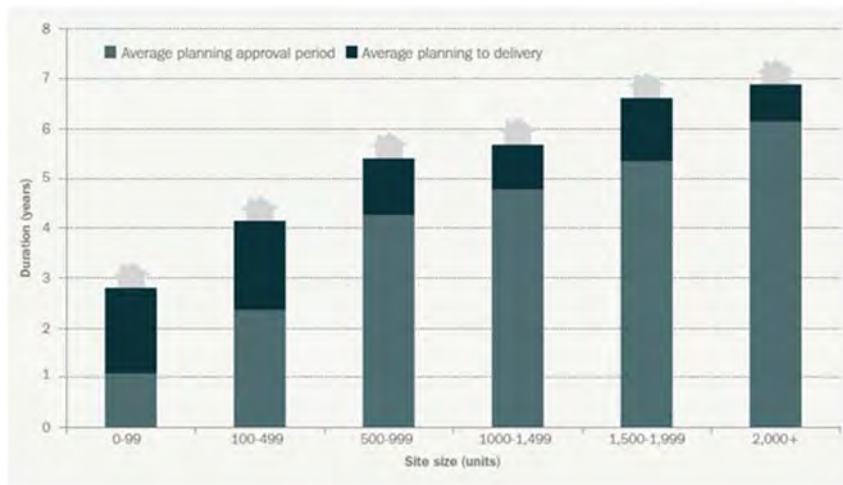
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. 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.

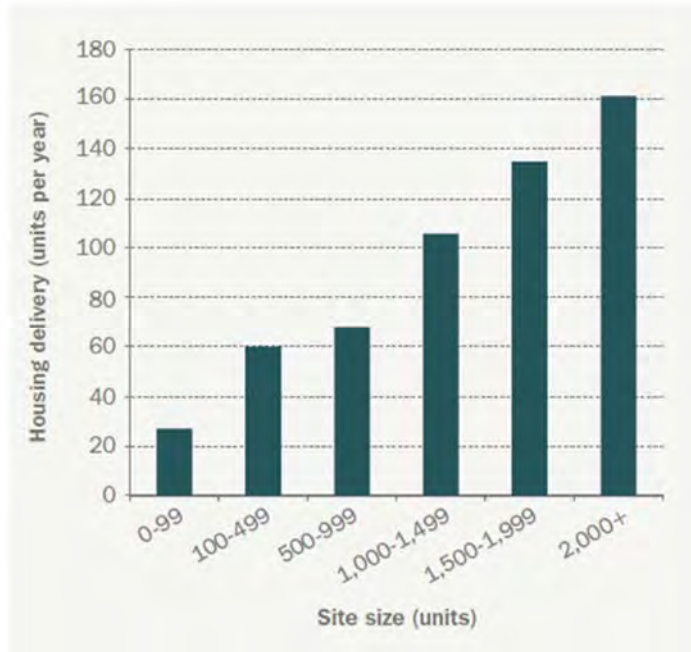
Table 15 Annual Delivery Rates

	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.





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# 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	Mr
First Name	Jonathan	Steven
Last Name	Abbott	Longstaff
Organisation (where relevant)	Taylor Wimpey (UK) Ltd	ELG Planning
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# 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:

PM20 to 22

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)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

Proposed Modifications 20 to 22 propose to amend the supporting text to Policy H1 (Housing Allocations) in line with the Council's revised position on its housing requirement.

For the reasons outlined in our representations on PM4&5, Taylor Wimpey UK Ltd strongly object to the Council's suggested housing requirement and consider that further housing allocations must be identified in Policy H1, and further land released from the Green Belt to meet the Council's properly calculated housing requirement (see Lichfields representations) and also ensure that there is sufficient flexibility to ensure that the plan is deliverable.

**Additional Sites**

Land at Galtres Farm

To assist in meeting the Council's significant shortfall in housing allocations as outlined above, Taylor Wimpey UK Ltd seek the release of the Land at Galtres Farm (as set out in our Publication Draft representations on Policy H1) from the Green Belt and its allocation for residential development within the emerging Local Plan.

The site has been promoted previously and was considered in the 2017 SHLAA (sites 891 & 922) alongside land to the north and east but was not taken forward as a housing allocation in the Publication Draft Local Plan.

The Land at Galtres Farm represents a suitable, sustainable location for residential development, with no physical or environmental constraints that would prevent its viable development. Furthermore, the site is available now and could come forward in the short term to deliver a range of much needed market and affordable housing.

There are no ownership constraints to development; the landowner is willing to dispose of the land for residential purposes; the site is available now.

Taylor Wimpey are willing developers with a proven track record of delivering housing that can meet the identified needs of the City.

**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.**

To make policy H1 sound sufficient housing allocations should be identified to meet the housing requirement outlined in the Lichfields representations including the land which Taylor Wimpey UK Ltd have an interest in at Galtres Farm (as shown in figure 1 appended to our Publication Draft 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:**

TW have fundamental objections to Policy H1 and the proposed modifications as set out above on matters which need to be addressed as part of a Hearing session

**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

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Signature

Date

22/07/19



**From:** localplan@york.gov.uk  
**Sent:** 22 July 2019 18:06  
**To:** localplan@york.gov.uk  
**Subject:** FW: Modifications representations - Taylor Wimpey UK Ltd in relation to Former ST12 Manor Heath Copmanthorpe  
**Attachments:** Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 - PM4&5 - TWUK - Copmanthorpe.pdf;  
Local\_Plan\_Proposed\_Modifications\_Consultation\_Response\_Form\_2019 - PM20 - 22 - TWUK - Copmanthorpe.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

---

**From:** Steven Longstaff [REDACTED]  
**Sent:** 22 July 2019 16:28  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Cc:** [REDACTED]  
**Subject:** Modifications representations - Taylor Wimpey UK Ltd

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,

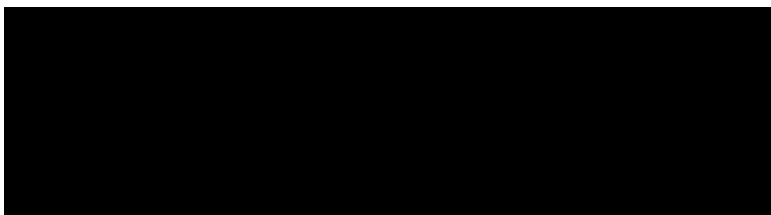
Please find attached modifications representations made on behalf of Taylor Wimpey UK Ltd in relation to Land at Galtres Farm and Land at Manor Heath Road, Copmanthorpe.

I would be grateful if you could confirm receipt.

Kind Regards

Steven

Steven Longstaff, MRTPI  
Associate



# 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	Mr
First Name	Jonathan	Steven
Last Name	Abbott	Longstaff
Organisation (where relevant)	Taylor Wimpey (UK) Ltd	ELG Planning
Representing (if applicable)		Taylor Wimpey (UK) Ltd
Address – line 1	C/O Agent	Gateway House
Address – line 2		55 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		Co. Durham
Postcode		DL3 7EH
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 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 & 5

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)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

These representations are made by ELG Planning on behalf of Taylor Wimpey UK Ltd. ELG Planning are representing Taylor Wimpey UK Ltd in relation to Land at Manor Heath Road, Copmanthorpe.

Representations will also be submitted by others on behalf of Taylor Wimpey (UK) Ltd relating to other sites.

As set out in our publication draft representations in April 2018, Taylor Wimpey UK Ltd strongly object to Policy SS1, as the approach being undertaken by the Council is unsound. It is not justified, consistent with national planning policy, effective nor is it positively prepared.

Therefore, Taylor Wimpey UK Ltd strongly object to PM4 and 5 for the same reasons. The proposed modification to policy SS1 and its supporting text to further reduce the housing requirement is unsound.

Further detailed representations have been made by Lichfields on these matters on behalf a number of housebuilders (including Taylor Wimpey UK Ltd) and their detailed assessment concludes that York's OAHN should be a minimum of 1,300 dwellings per annum with an annual housing target rising to between 1,453 dpa and 1,585 dpa to deal with unmet need from between 2012 – 2017. A copy of the representations is appended with a summary of their conclusions set out below:

- ***“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.*

- **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**.*
- **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;*
- **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**.*
- **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).*
- **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*
- **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.*

*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."*

Lichfields have raised significant concerns over the way the Council have calculated their 5 year housing land supply as outlined in their representations and based on their analysis, the Council would not have a 5 year housing land supply on adoption of the Plan.

The Strategic Housing Land Availability Assessment Fig. 6 Updated March 2019 - Objectively Assessed Need projects a supply over the plan period of 20,891 dwellings (inc. windfalls) or 19,106 if a 10% non-implementation rates is applied. When the Lichfield figures are applied, there are insufficient sites identified to meet the both the OAHN and the suggested housing target to address the shortfall in housing delivery between 2012 and 2017, both in the first five years of the plan and over the plan period. Indeed, the Lichfields analysis suggests that the Council can only demonstrate a 2.18 year supply. It is therefore clear that further sites must be identified, and further land released from the Green Belt to meet the shortfall and also ensure that there is sufficient flexibility to ensure that the plan is deliverable.

### **Additional Sites**

#### Land at Manor Health Road, Copmanthorpe

Since making representations on the Publication Draft Local Plan in April 2019, Taylor Wimpey UK Ltd have acquired an interest in Land at Manor Health Road, Copmanthorpe (land in red on plan below).

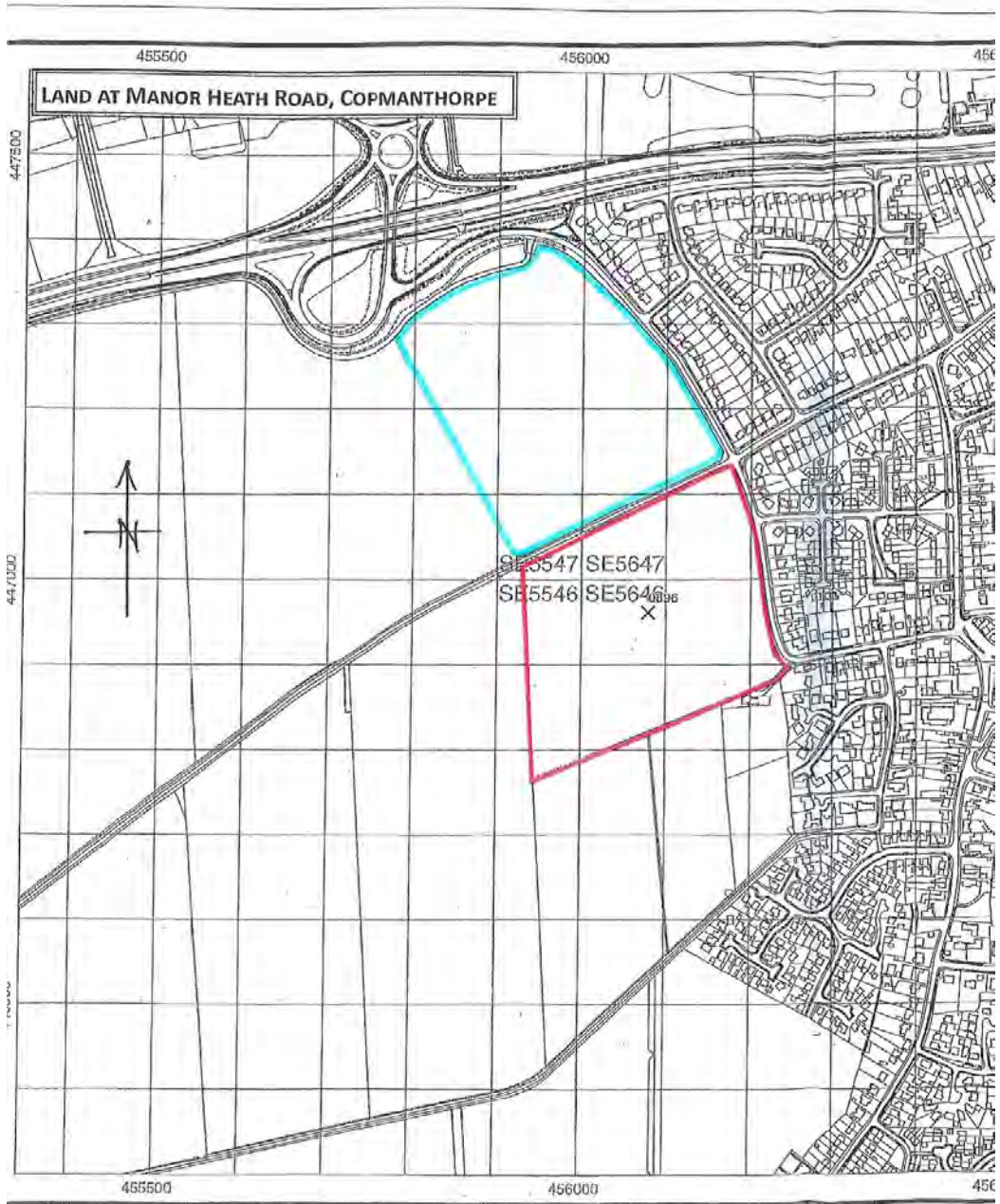
Representations were submitted in relation to the site and the land at the north at Publication Draft stage on behalf of another developer which demonstrated that the site is a deliverable proposition for housing development and that there are no technical constraints to delivery.

Moreover, the site was identified as a draft housing allocation in earlier iterations of the new Local Plan along with land to the north (Site reference ST12) and therefore deemed suitable for residential development by the Council themselves.

The Land at Manor Heath Road, Copmanthorpe presents a suitable, sustainable location for residential development, with no physical or environmental constraints that would fundamentally prevent its viable development. Furthermore, the site is available now and could come forward in the short term to deliver a range of much needed market and affordable housing.

There are no ownership constraints to development; the landowner is willing to dispose of the land for residential purposes; the site is available now.

Taylor Wimpey are willing developers with a proven track record of delivering housing that can meet the identified needs of the City.



**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.**

Taylor Wimpey UK Ltd suggest that the proposed housing requirement must be significantly increased in line with the recommendations of Lichfields representations summarised above and appended.

The supporting text to Policy SS1 (PM5) should also be amended accordingly.

**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.

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Signature

Date

22/07/19



# **City of York Local Plan**

## **Proposed Modifications Version**

### **Representations on Housing Matters**

Taylor Wimpey; Wakeford Properties; Persimmon Homes; Bellway Homes

July 2019



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## 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.

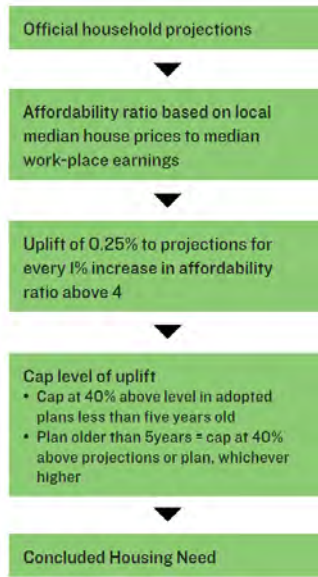
- 2.14 Regarding housing delivery, the PPG sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ 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]*

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<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

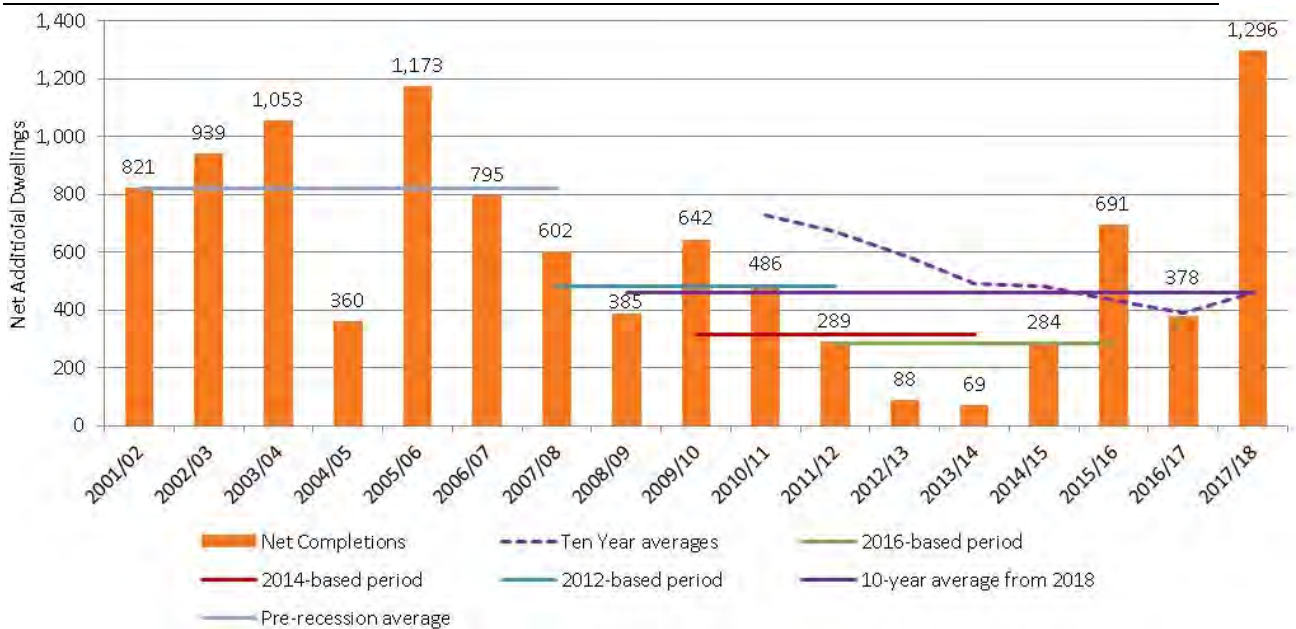
<sup>19</sup> Practice Guidance - ID: 2a-015-20190220

<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

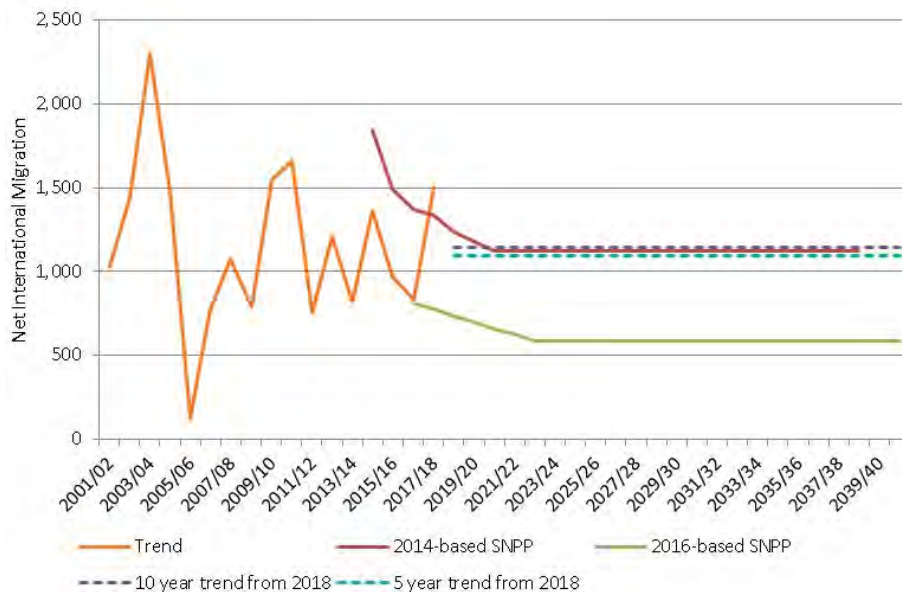
3.20 Whilst the link between housing completions and population growth is complex, it is worth noting that the latest 2018 Mid-Year population estimates suggest that the City of York’s grew by 1,730 residents, in the year in which 1,296 new dwellings were completed.

**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.

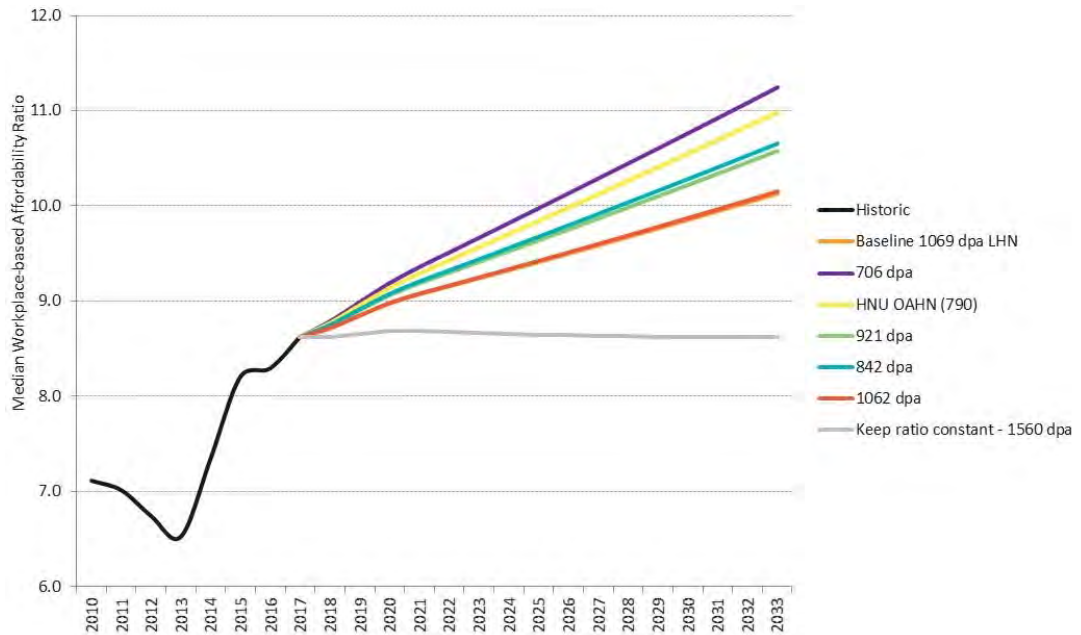
4.27 There are a number of examples elsewhere of where this affordability modelling has informed the scale of market signals uplift applied. In Mid Sussex, the Inspector’s interim conclusions on the housing requirement (published February 2017) concluded that:

- 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.

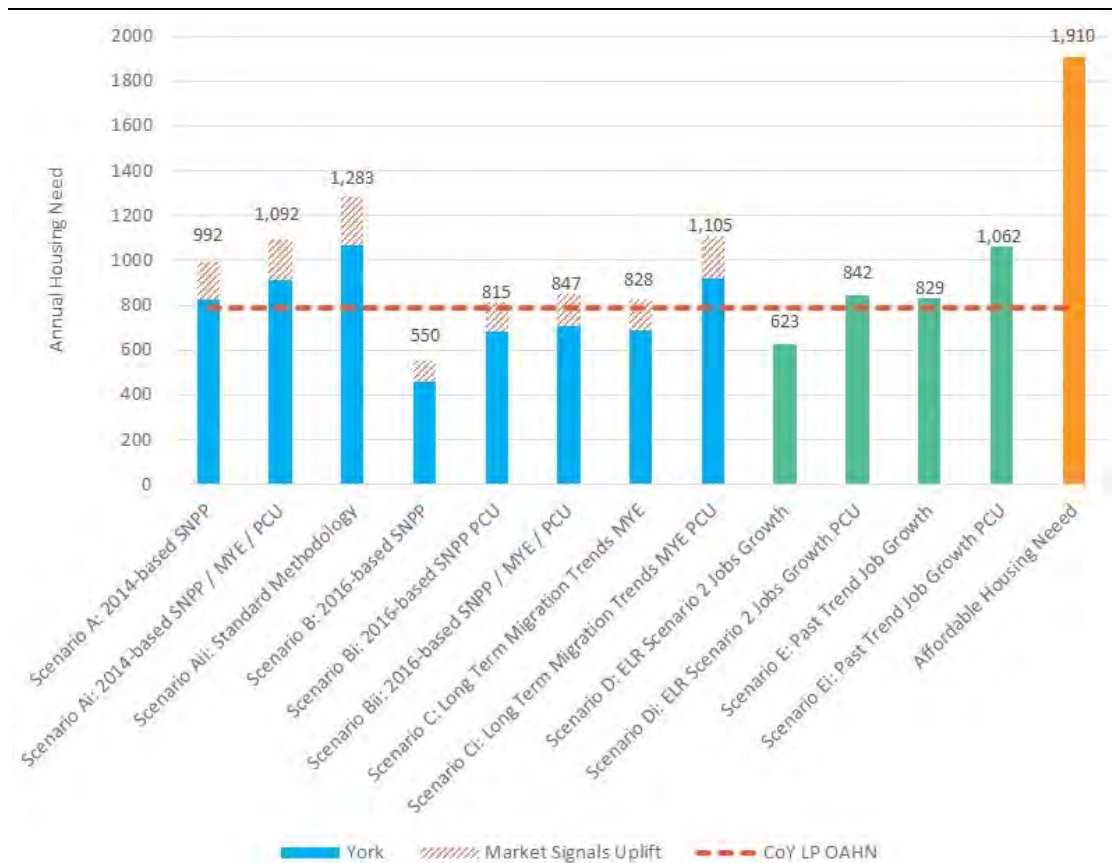
4.40 A number of scenarios have been modelled to demonstrate the impact of a range of likely growth scenarios based on existing trends, forecasts and economic strategies. These scenarios also show the scale of change that would be required if demographic trends were to be reversed.

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).**

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<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).

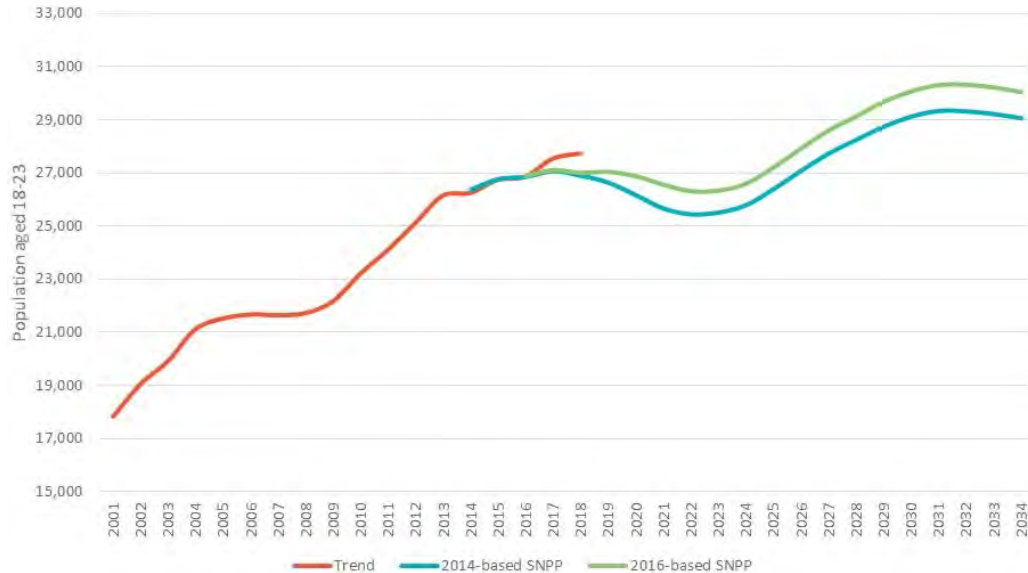
<sup>43</sup> York St John University (2019): *2026 Strategy: Make the Possible Happen*, page 26

<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

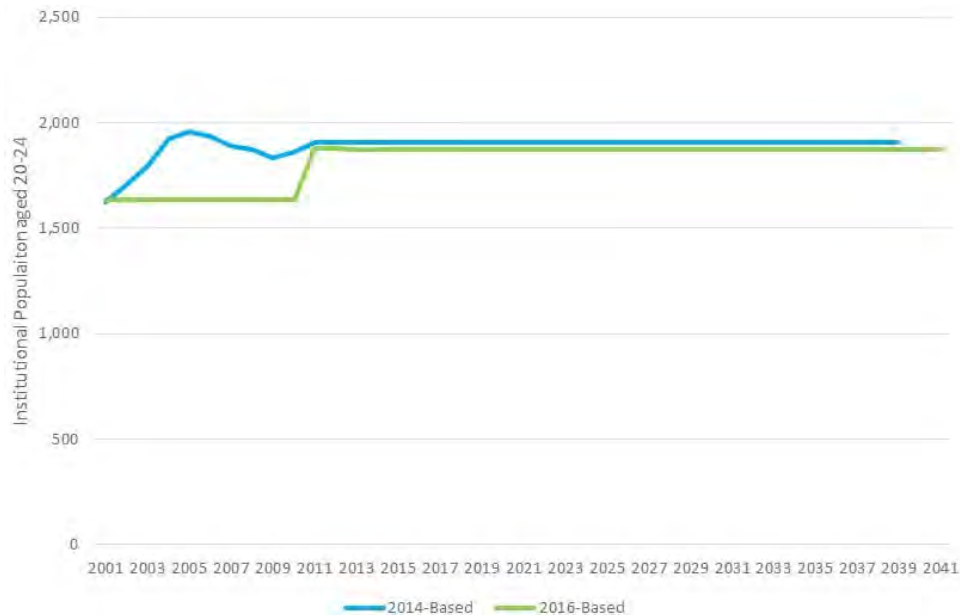
- 5.22 The Figure above includes growth in new student residents and also existing residents who are not in Higher Education. In an attempt to separate out the anticipated growth in students alone in the projections, Figure 7 presents the growth of residents aged 20-24<sup>45</sup> living in communal 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.

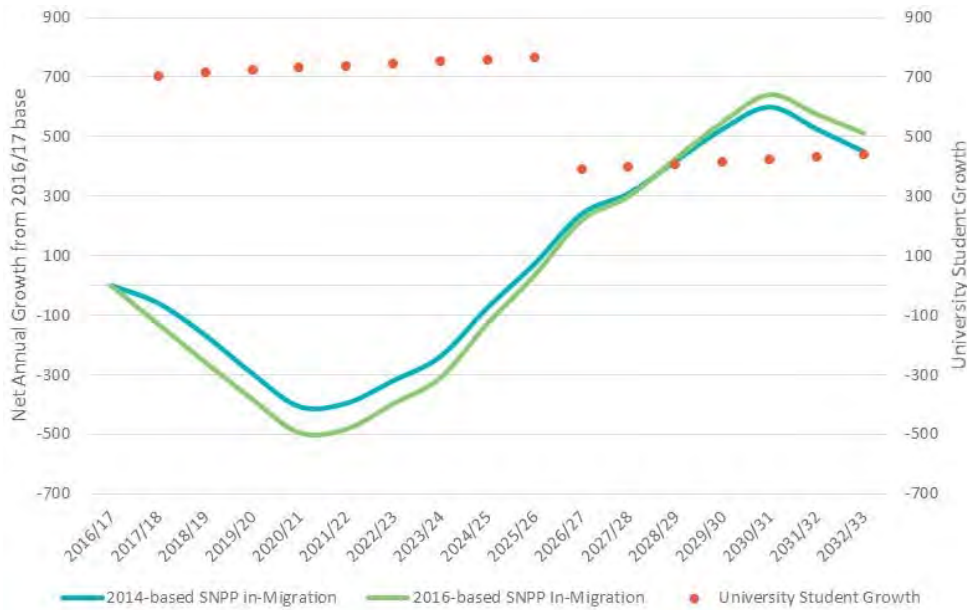
Figure 7 Communal establishment population in York, aged 18-23, 2001-2035



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.

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<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**

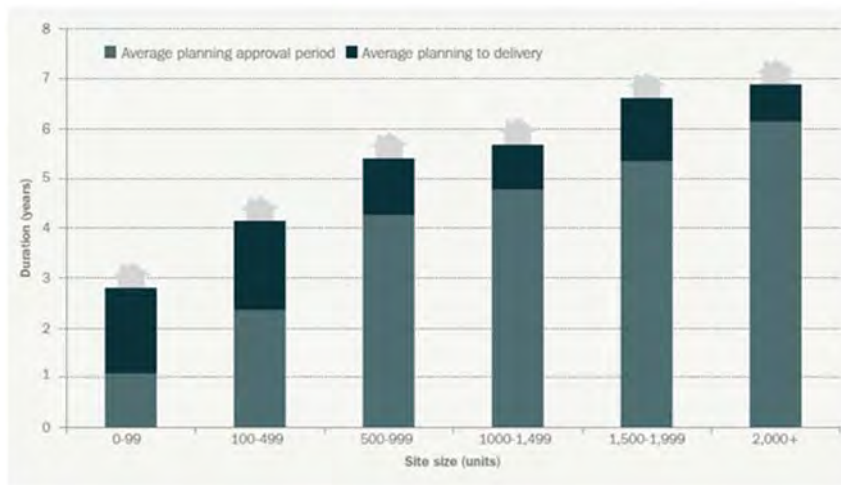
- 8.3 Whilst housebuilders aim to proceed with development on sites as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. 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.

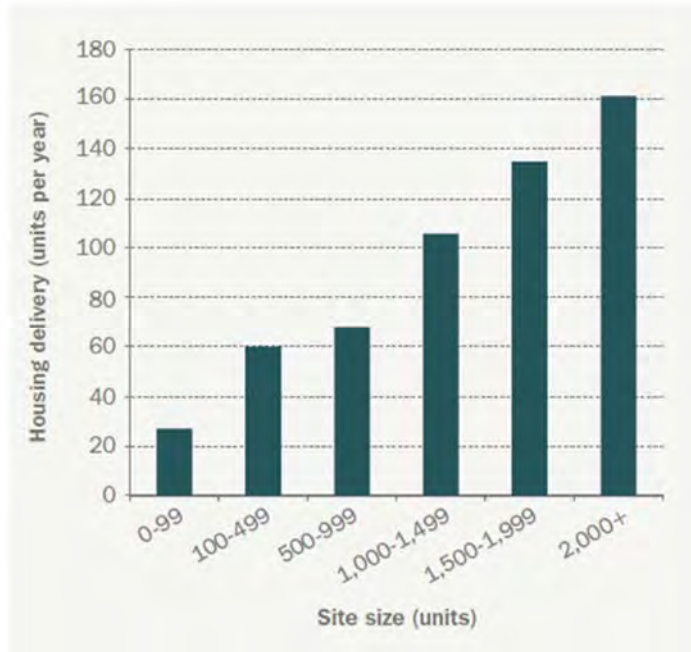
Table 15 Annual Delivery Rates

	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.





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**Thames Valley**

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# 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	Mr
First Name	Jonathan	Steven
Last Name	Abbott	Longstaff
Organisation (where relevant)	Taylor Wimpey (UK) Ltd	ELG Planning
Representing (if applicable)		Taylor Wimpey (UK) Ltd
Address – line 1	C/O Agent	Gateway House
Address – line 2		55 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		Co. Durham
Postcode		DL3 7EH
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)

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## Do I need to attend the Public Examination?

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# Part B -Your Representation

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



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

Proposed Modification Reference:

PM20 to 22

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)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below.

## 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)**

Proposed Modifications 20 to 22 propose to amend the supporting text to Policy H1 (Housing Allocations) in line with the Council's revised position on its housing requirement.

For the reasons outlined in our representations on PM4&5, Taylor Wimpey UK Ltd strongly object to the Council's suggested housing requirement and consider that further housing allocations must be identified in Policy H1, and further land released from the Green Belt to meet the Council's properly calculated housing requirement (see Lichfields representations) and also ensure that there is sufficient flexibility to ensure that the plan is deliverable.

**Additional Sites**

Land at Manor Health Road, Copmanthorpe

Since making representations on the Publication Draft Local Plan in April 2019, Taylor Wimpey UK Ltd have acquired an interest in Land at Manor Health Road, Copmanthorpe (land in red on plan below).

Representations were submitted in relation to the site and the land at the north at Publication Draft stage on behalf of another developer which demonstrated that the site is a deliverable proposition for housing development and that there are no technical constraints to delivery.

Moreover, the site was identified as a draft housing allocation in earlier iterations of the new Local Plan along with land to the north (Site reference ST12) and therefore deemed suitable for residential development by the Council themselves.

The Land at Manor Heath Road, Copmanthorpe presents a suitable, sustainable location for residential development, with no physical or environmental constraints that would prevent its development. Furthermore, the site is available now and could come forward in the short term to deliver a range of much needed market and affordable housing.

There are no ownership constraints to development; the landowner is willing to dispose of the land for residential purposes; the site is available now.

Taylor Wimpey are willing developers with a proven track record of delivering housing that can meet the identified needs of the City.



**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.**

To make policy H1 sound sufficient housing allocations should be identified to meet the housing requirement outlined in the Lichfields representations including the land which Taylor Wimpey UK Ltd have an interest in at Manor Heath Road, Copmanthorpe (site ST12).

**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:**

TW have fundamental objections to Policy H1 and the proposed modifications as set out above on matters which need to be addressed as part of a Hearing session

**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



**From:** Gillian Lodge [gillian.lodge@quod.com]  
**Sent:** 12 July 2019 11:12  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** REPRESENTATIONS TO CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (JUNE 2019)  
**Attachments:** Representations to CYC Local Plan Proposed Modifications - July 2019.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** Green 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 Sirs

Please find attached documentation from Tim Waring in relation to the above.

I would be grateful if you could acknowledge receipt of this.

Regards



Gillian Lodge  
Office Manager/PA  
gillian.lodge@quod.com

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Mobile: 07711372942  
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**Our ref:** Q70385/tw/gl  
**Your ref:**  
**Email:** Tim.waring@quod.com  
**Date:** 12 July 2019



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

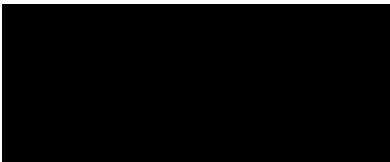
By email

Dear Sirs

## **Representations to City of York Local Plan Proposed Modifications (June 2019) and Associated Background Documents**

On behalf of our clients, Langwith Development Partnership Limited, please find attached representations in relation to the above.

Yours sincerely



Tim Waring  
Director

Enc

cc J Irwin Esq Langwith Development Partnership Limited  
P James Esq Langwith Development Partnership Limited  
R France Esq Langwith Development Partnership Limited





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

OFFICE USE ONLY:

ID reference:

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## 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		Tim
Last Name		Waring
Organisation (where relevant)	Langwith Development Partnership	Quod
Representing (if applicable)		Langwith Development Partnership
Address – line 1	c/o Quod	Quod
Address – line 2		Capitol
Address – line 3		Bond Court
Address – line 4		Leeds
Address – line 5		
Postcode		LS1 5SP
E-mail Address		<a href="mailto:tim.waring@quod.com">tim.waring@quod.com</a>
Telephone Number		0113 245 1243

# Guidance note

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# Part B -Your Representation

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



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

Proposed Modification Reference:

PM3, PM4, PM5, PM10, PM20, PM21, PM22, PM44

Document:

- **EX/CYC/20** - City of York Local Plan Proposed Modifications (June 2019).
- **No EiP Reference** - Sustainability Appraisal Addendum (June 2019).
- **EX/CYC/14a** - Updated Habitats Regulations Assessment of the City of York Local Plan (February 2019).
- **EX/CYC/9** - City of York Housing Needs Update (January 2019).
- **EX/CYC/16** - Strategic Housing Land Availability Assessment Figure 6: Updated to 790 dwelling per annum Objectively Assessed Need.
- **EX/CYC/18 (including Annexes 1 to 6 inclusive)** - Topic Paper TP1: Approach to defining York's Green Belt Addendum (March 2019), including the various annexes.

Page Number:

Please refer to enclosed representations

## What does 'legally compliant' mean?

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## 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 refer to enclosed representations prepared by Quod.

#### 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 refer to enclosed representations prepared by Quod, which in summary set out:

- The Modifications which propose to reduce the Plan's housing requirement are unsound, as the recent assessment of the City's OAN (ie the City of York Housing Needs Update (January 2019)) is unsound.
- The City of York Housing Needs Update (January 2019) adopts 2016 based population projections, and it is unsound to rely upon these projections.
- Draft Allocation Reference ST15 is not demonstrated, by reference to any appropriate evidence, to be sound – it is not positively prepared, justified or effective.
- Continued on following page...

- ST15 is not supported by evidence to demonstrate that it is effective since the required access (to the A64) is not technically deliverable.
- With these representations is a Sustainability Appraisal ('SA') for Langwith (Appendix 1). Notwithstanding the fact that ST15 is not deliverable and, therefore, the SA of it is entirely hypothetical, it is demonstrated that Langwith is more sustainable than ST15, by comparison to the SA for that site (CD008, as a subsequent Addendum, CD011 and the current Addendum – no EiP reference).
- The housing delivery trajectory (EX/CYC/16) for ST15 is not sound, in that it is not justified nor effective, as it is unrealistic (and undeliverable) even if the draft allocation was proven to be viable. An alternative delivery trajectory for Langwith is provided in these representations (Appendix 5), which demonstrates that Langwith can deliver more housing at a greater rate over the Plan Period.
- The general approach to defining York's Green Belt is considered sound by LDP, although the boundary for Allocation ST15 is unsound, as it is not positively prepared (ie, it does not meet, in conjunction with other allocations, the true objectively assessed development needs). Neither is it justified nor effective for the reasons outlined above. The boundary of Langwith is however demonstrated to meet the four tests of soundness.
- Appendix 2 to Quod's representations notes that under the original Habitat Regulation Assessment ('HRA') (**SD025**), ST15 has the potential to have likely significant effects on the Lower Derwent Valley SPA, although these were capable of mitigation through policies. SD025 also noted that ST15 had uncertain effects on Heslington Tillmire SSSI.
- The updated HRA (**EX/CYC/14a**) has implications for both ST15 and Langwith. Appendix 2 of the enclosed representations maintains there is insufficient detail provided for ST15 to determine the likely significant effects on the Lower Derwent Valley SPA as well as the Heslington Tillmire SSSI. In the alternative, Langwith has been assessed and has provided this detail (see Appendix 2 enclosed, alongside Appendix 7 of the Regulation 19 representations), and it is proven that there will be no unacceptable biodiversity impact on the Lower Derwent Valley SPA nor the Heslington Tillmire SSSI.

**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 refer to enclosed representations prepared by Quod. In summary:

- In order to make the Plan sound, the housing requirements within the Plan (Policy SS1) need to be increased substantially over the plan period (and the post plan period to 2037/2038). This equates to a minimum of 1,025 dpa over the plan period (and post the plan period to 2037/38), rising to 1,425 dpa when accounting for appropriate adjustments to reflect employment growth.
- The boundary of Langwith is demonstrated to meet the four tests of soundness compared to Allocation ST15, and the boundary should be revised accordingly. The enclosed representations outline the significant merits arising from Langwith when compared to ST15, and how Langwith would ensure that the plan is sound in this regard.

**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 refer to the enclosed representations prepared by Quod. LDP wish to discuss the enclosed representations further, alongside those made to the draft Local Plan (Regulation 19, February 2019), at the examination hearings. This is necessary due to the strategic implications of these representations on the Local Plan.

**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

11 July 2019



# **REPRESENTATIONS TO THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (JUNE 2019) AND ASSOCIATED BACKGROUND DOCUMENTS**



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# 1 Introduction

1.1 These representations follow previous objections to the emerging York Local Plan ('emerging Plan') by Langwith Development Partnership ('LDP'), including the following:

1.1.1 Site Promotion – Planning Document (September 2016).

1.1.2 Site Promotion – New Garden Village at Elvington Airfield and Adjoining Land – October 2017

1.1.3 Representations to the Draft Local Plan (2017) (Regulation 18) – October 2017

1.1.4 Representations to the City of York Local Plan – Publication Draft February 2019 (Regulation 19) – March 2018

1.2 These representations are made on behalf of LDP. LDP has been formed by Sandby and the Oakgate/Caddick Group who control all the land required to deliver the new garden village known as Langwith. LDP's purpose is to ensure that the proposed Langwith project will be delivered through the planning process culminating in the creation and development of a new garden village for York.

1.3 These representations comment on the following documents which are being consulted upon as part of the City of York Council's ('CYC') Proposed Modifications:

1.3.1 *EX/CYC/20 - City of York Local Plan Proposed Modifications (June 2019).*

1.3.2 *No EiP Reference - Sustainability Appraisal Addendum (June 2019).*

1.3.3 *EX/CYC/14a - Updated Habitats Regulations Assessment of the City of York Local Plan (February 2019).*

1.3.4 *EX/CYC/9 - City of York Housing Needs Update (January 2019).*

1.3.5 *EX/CYC/16 - Strategic Housing Land Availability Assessment Figure 6: Updated to 790 dwelling per annum Objectively Assessed Need.*

1.3.6 *EX/CYC/18 - Topic Paper TP1: Approach to defining York's Green Belt Addendum (March 2019), including the various annexes:*

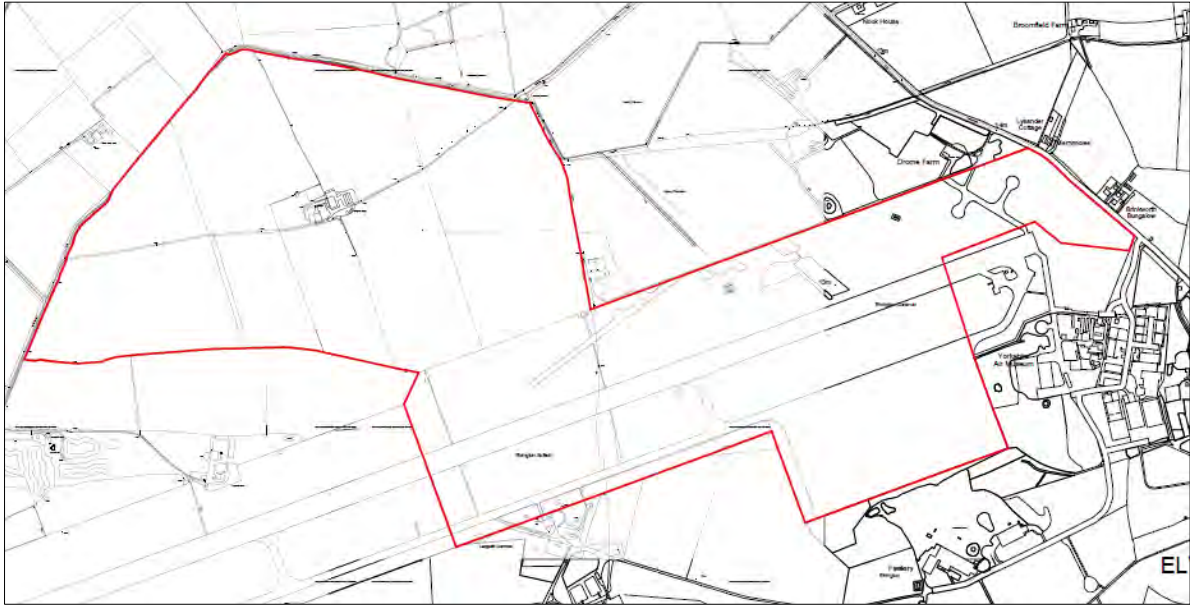
- *EX/CYC/18f - Annex 1 – GIS Map Evidence*
- *EX/CYC/18e - Annex 2 – GB Outer Boundary Descriptions and Justifications*
- *EX/CYC/18d - Annex 3 – GB Inner Boundary Descriptions and Justifications*
- *EX/CYC/18c - Annex 4 – Urban Areas within the General Extent*
- *EX/CYC/18b - Annex 5 – Sites Proposed in the General Extent*
- *EX/CYC/18a - Annex 6 – Proposed GB Modifications.*

- 1.4 The City of York Local Plan is being examined under the original National Planning Policy Framework, published March 2012 ('NPPF1'). A new NPPF was published in July 2018, with revisions in February 2019 ('NPPF2'). NPPF2 includes a transitional arrangement (paragraph 214) whereby, for the purpose of examining this Local Plan, the policies in the 2012 NPPF (NPPF1) will apply.
- 1.5 Similarly, where the Planning Practice Guidance ('PPG') has been updated to reflect NPPF2, the previous versions of the PPG (herein referred to as 'PPG1') apply for the purposes of this Examination under the transitional arrangement. Unless stated otherwise, references in this report are, therefore, to the NPPF1 and the versions of the PPG which were extant prior to the publication of NPPF2.
- 1.6 NPPF1 makes it clear at paragraph 182, that in order to be sound, a Local Plan should be (i) positively prepared, (ii) justified, (iii) effective and (iv) consistent with National Policy.
- 1.7 The fundamental case made by LDP previously as part of the representations to the Regulation 19 Local Plan were:
  - 1.7.1 The objectively assessed needs for housing in the emerging Plan fails to adequately meet the full objectively assessed housing need in York. The Plan is, therefore, not positively prepared, justified, effective and is inconsistent with National Planning Policy.
  - 1.7.2 The proposed spatial strategy to meeting housing need, which recognises the need and appropriateness of meeting this in part via a new settlement in the south east of the City is soundly based and supported.
  - 1.7.3 The proposed allocation for a new garden village in the south east of the City (draft Allocation Ref ST15) is unsound, given it has not been demonstrated by any appropriate evidence to be effective since the access (to the A64) is not technically achievable. Nor is there any evidence to demonstrate it is deliverable. It is, therefore, not demonstrated to be viable<sup>1</sup>, nor environmentally sustainable or deliverable through an appropriate evidence base.
  - 1.7.4 Modifications to Allocation ST15, in the form outlined in the Plan at Figure 2 below (ie, Langwith Garden Village), present a deliverable and sustainable new settlement, and provide a sustainable allocation, capable of meeting the City's housing need in part.

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<sup>1</sup> There is no site-specific viability evidence presented by CYC to the Examination of the Local Plan which deal with the viability of ST15.

Figure 2: Langwith Boundary



- 1.8 York is a City where exceptional circumstances (in terms of Green Belt policy)<sup>2</sup> prevail. CYC have demonstrated that in order to meet the City’s housing, employment and other development needs in a sustainable manner, the City’s Green Belt will need to accommodate some of the City’s needs. These representations demonstrate that Langwith performs well against the five purposes of Green Belt, and in the context where there is a proven need for housing in the City that cannot be accommodated outside the Green Belt, the allocation is both appropriate and sustainable.
- 1.9 In view of CYC’s proposed Modifications, and the documents subject to this further consultation, LDP maintain their views that the Plan is unsound in the same respects but is capable of being made sound through various modifications (including modifications to ST15). These representations address on the following matters:
- 1.9.1 The Modifications which propose to reduce the Plan’s housing requirement are unsound, as the recent assessment of the City’s OAN (ie the City of York Housing Needs Update (January 2019)) is unsound.
- 1.9.2 In order to make the Plan sound, the housing requirements within the Plan (Policy SS1) need to be increased substantially over the plan period (and the post plan period to 2037/2038). This equates to a minimum of 1,025 dpa over the plan period (and post the plan period to 2037/38), rising to 1,425 dpa when accounting for appropriate adjustments to reflect employment growth.

<sup>2</sup> Paragraph 83 of NPPF1 notes that “Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan...”

- 1.9.3 With these representations is a Sustainability Appraisal ('SA') for Langwith (**Appendix 1**). Notwithstanding the fact that ST15 is not deliverable and, therefore, the SA of it is entirely hypothetical, it is demonstrated that Langwith is more sustainable than ST15, by comparison to the SA for that site (CD008, as a subsequent Addendum, CD011 and the current Addendum – no EiP reference).
- 1.9.4 The housing delivery trajectory (EX/CYC/16) for ST15 is not sound, in that it is not justified nor effective, as it is unrealistic (and undeliverable) even if the draft allocation was proven to be viable.
- 1.9.5 An alternative delivery trajectory for Langwith is provided in these representations (**Appendix 5**), which demonstrates that Langwith can deliver more housing at a greater rate over the Plan Period.
- 1.9.6 The general approach to defining York's Green Belt is considered sound by LDP, although the boundary for ST15 is unsound, as it is not positively prepared (ie, it does not meet, in conjunction with other allocations, the true objectively assessed development needs). Neither is it justified nor effective for the reasons outlined above.
- 1.9.7 The boundary of Langwith is however demonstrated to meet the four tests of soundness.
- 1.9.8 **Appendix 2** (Note from Environment Bank) notes that under the original Habitat Regulation Assessment ('HRA') (**SD025**), ST15 has the potential to have likely significant effects on the Lower Derwent Valley SPA, although these were capable of mitigation through policies. SD025 also noted that ST15 had uncertain effects on Heslington Tillmire SSSI.
- 1.9.9 The updated HRA (**EX/CYC/14a**) has implications for both ST15 and Langwith. **Appendix 2** maintains there is insufficient detail provided for ST15 to determine the likely significant effects on the Lower Derwent Valley SPA as well as the Heslington Tillmire SSSI. In the alternative, Langwith has been assessed and has provided this detail (see **Appendix 2** enclosed, alongside Appendix 7 of the Regulation 19 representations), and it is proven that there will be no unacceptable biodiversity impact on the Lower Derwent Valley SPA nor the Heslington Tillmire SSSI.
- 1.10 LDP wish to appear at the forthcoming Examination of the emerging Plan in order that these representations, and those made to the draft York Local Plan (Regulation 19, February 2019), can be discussed further.

## 2 Objectively Assessed Housing Need in York

- 2.1 As expressed in previous representations to both the Regulation 18 and Regulation 19 Local Plan, LDP remain firmly of the view that the OAN for York is substantially higher than that being planned for in the emerging Local Plan. It is, therefore, concerning that as part of the proposed Modifications to the Local Plan, CYC are seeking to reduce their housing requirement further (they have proposed a reduction of almost 10%).
- 2.2 The reduction in the housing delivery requirement is contradictory to the indicators of housing need in the City, most notably, an increasing affordability gap, growing need for affordable homes and the City's growing economic base.
- 2.3 LDP have commissioned further work on housing needs within the City and attached at **Appendix 3** is a report by Understanding DATA that addresses the true and fully assessed objective assessed housing need.
- 2.4 Government Policy<sup>3</sup> seeks to boost significantly the supply of housing, and requires Local Plans to meet the full, objectively assessed needs for market and affordable housing in the relevant housing market area.
- 2.5 NPPF1 (as well as NPPF2) is a direct response to the Nation's housing crisis, which has arisen as a direct consequence of too few houses being built to keep pace with both household formation rates and a growing population.
- 2.6 The solution to address this crisis is for every Local Authority to identify objectively, their housing need, provide a sound Plan for delivery, and ensure that there is a strong supply of housing sites to achieve this.
- 2.7 The House of Lords Select Committee on economic affairs reported<sup>4</sup> that:
- “To address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future. 1,000,000 homes by 2020 will not be enough”*
- 2.8 In recognition of the national housing crisis, the Government responded in the 2017 Autumn Budget with a commitment to deliver 300,000 new homes a year. Whilst delivery has been increasing, it has not come close to delivering the nationally recognised need. See **Table 2.1**:

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<sup>3</sup> Paragraph 47 of NPPF1 sets out the policy imperative of the need to “boost significantly the supply of housing”, as part of the Government's agenda to deliver a wider choice of high quality homes. The same imperative of “significantly boosting the supply of homes” is carried through to NPPF2.

<sup>4</sup> House of Lords Select Committee on Economic Affairs, First Report of Session 2016-2017, HL Paper 20 (Building More Homes).

Table 2.1: National House Delivery

Year	Net Additional Dwellings <sup>5</sup>
2007/2008	223,534
2008/2009	182,767
2009/2010	144,870
2010/2011	137,394
2011/2012	134,896
2012/2013	124,722
2013/2014	136,605
2014/2015	170,693
2015/2016	189,645
2016/2017	217,345
2017/2018	222,194

- 2.9 There is clear evidence, based on past completions throughout England that there needs to be a step change in the delivery of new homes in order to get close to meeting the requirements and ensuring that the current parlous housing situation is not exacerbated.
- 2.10 Recently, Kit Malthouse MP, Minister of State of for Housing, Communities and Local Government, noted in an article in The Times that “...if we can to achieve 300,000 homes a year, we need to have 1,000,000 homes in production and 4-5,000,000 in planning”.<sup>6</sup>
- 2.11 It is fundamentally important therefore, for Plans to provide enough land (both in terms of capacity and variety) which it is capable of delivery.
- 2.12 The proposed Modifications to the Local Plan in relation to housing needs are based upon an updated housing needs assessment by CYC’s consultants (City of York – Housing Needs Update, January 2019) (‘HNU’).
- 2.13 The HNU adopts the latest ONS published sub-national household projections (2016 based).
- 2.14 These 2016 based projections differ significantly from the 2014 based projections, and as a consequence it is not in the interests of good planning if York determine it is appropriate to adopt those projections.

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<sup>5</sup> Ministry of Housing Communities & Local Government *Table 122: housing supply; net additional dwellings, by local authority district, England 2001-02 to 2017-18* (Accessed January 2019).

<sup>6</sup> The Times, 4 January 2019

- 2.15 Whilst it is noted in NPPF1 that the latest, most up to date information on population and household projections should be used, that evidence should be *“relevant...[to] the economic, social and environmental characteristics and prospects of the area”*.<sup>7</sup>
- 2.16 It is demonstrated in analysis at **Appendix 3** that the 2016 projections are not representative of the economic and social characteristics and prospects of York, and that the 2014 projections are a more reliable base of assessing the City’s OAN.
- 2.17 There has been considerable debate over the reliability of the 2016 projections, as explained in **Appendix 3**. The Government have, in fact, recommended for the purpose of assessing housing needs under current Government Policy (NPPF2) that the previous 2014 based household projections should be used, as these will ensure that historic under delivery and declining affordable are reflected, as well as being consistent with the Government’s objective of significantly boosting the supply of homes<sup>8</sup>.
- 2.18 In the case of York, the difference between the 2014 and 2016 projections is significant and the HNU fails to properly explain both the reason and implications for this significant difference.
- 2.19 Understanding DATA demonstrate in their report that it would place a major and inappropriate constraint on housing delivery, given the specific characteristics and prospects of York.
- 2.20 Moreso, in recent Examinations of Local Plans, inspectors have endorsed the use of 2014 based projections for local plans, even though they are being examined under the original NPPF (2012).
- 2.21 There is a significant uncertainty with the veracity of the 2016 projections, and Understanding DATA demonstrate that they do not warrant use in the case of York<sup>9</sup>.
- 2.22 The HNU fails to explain, or provide any justification, why it is appropriate to use the 2016 projections, against a clear backdrop of evidence that points to a housing need in York that is not falling but needs to be significantly boosted. In the case of York, it is not appropriate to slavishly adopt the 2016 projections without a critical understanding of whether these are appropriate or not.
- 2.23 Understanding DATA demonstrate that the 2016 projections are highly erroneous in the case of York given the City’s housing needs, and notably:
- 2.23.1 The demographic starting point of the 2016 projections for determining household growth is inexplicably low, when compared to the 2014 projections. The starting point is 44% lower (expressed as a dpa between 2016 and 2014 projections).
- 2.23.2 Understanding DATA demonstrate that the methodological changes contained in the 2016 based projections have inexplicably depressed the expectation of new housing formations (both nationally and in York – see below).

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<sup>7</sup> Paragraph 158 of NPPF1

<sup>8</sup> Paragraph: 005 ref ID: 2a-005-20190220 of PPG2

<sup>9</sup> Despite Understanding DATA’s suggestion that the 2016 projections are not appropriate to use in the case of York’s housing needs, they have undertaken a 2016 based projection model, but adjusted with market signal and economic uplifts to reflect local market circumstances.



- 2.23.3 In York, the levels of household formation has been increasing, not decreasing, as is suggested by using the 2016 projections rather than the 2014 projections.
- 2.23.4 Similarly, the average population growth has been increasing in the City, whereas the implications of the 2016 based projections is that growth is falling.
- 2.23.5 The delivery of new housing has also been on the increase in the City, with CYC's annual monitoring reports suggesting that household completions over the past 3 years have been 1,179 homes, 996 homes and 1,336 homes per annum respectively, ie, significantly in excess of the 790 dpa the HNU suggests is required.
- 2.23.6 Economic trends in the City are higher than that adopted in the HNU. There is no attempt within the HNU to set out the context of either wider economic performance (GVA or jobs), economic investment and expected outcomes from either the Local Enterprise Partnership (LEP) or Council, or to reference Leeds City region initiatives and investments.
- 2.23.7 The HNU fails to account for an appropriate market uplift, given the current evidence on market signals in York.
- 2.24 In summary, in the case of York, where the evidence clearly points to a housing need that is greater than that suggested by the recent 2016 based household projections, it would be unsound to rely upon those projections.
- 2.25 Understanding DATA demonstrate that adopting the standard methodology set out in the latest NPPF, would demonstrate a need of 1,069 dpa, ie, 35% greater than that currently suggested using the 2016 projections (and the methodology from NPPF1).
- 2.26 It is clear that seeking to provide for OAN that is evidently substantially in excess of the slavish use of the 2016 projections, and a methodology for assessing housing need that is clearly now out of date, is not in the interests of good planning for York.
- 2.27 Adopting the level of housing delivery now suggested in the Modifications (as well as that in the Regulation 19 Local Plan) will simply perpetuate the rising levels of affordability and suppress the delivery of housing needed to meet the new household's arising in the City.
- 2.28 Without prejudice to our strong view that the use of the 2016 projections is unsound, should the Inspector's deem it appropriate to adopt these as the starting position for calculating York's OAN, then they must be subject to appropriate adjustments to reflect economic growth (above the level that the HNU does); they must be seriously adjusted to reflect the worsening trends of affordability (both house prices and renting); and they may need further adjustment to reflect worsening trends of household formation in the 25-44 age group.
- 2.29 We therefore reserve the right to comment further on the use of the 2016 based projections, and the appropriate adjustments that are necessary, in light of the above reservations.

### 3 Green Belt Review

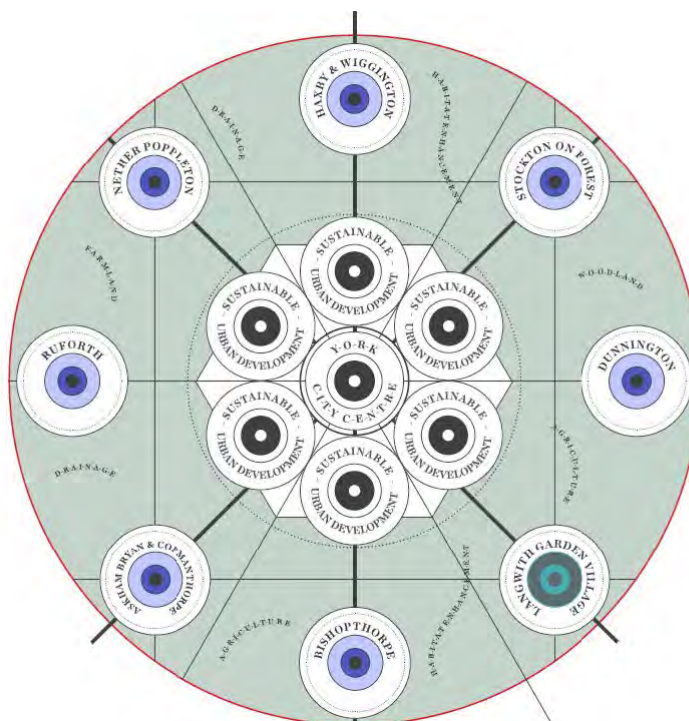
- 3.1 Set out below is a review of the CYC’s approach to defining York’s Green Belt, followed by an analysis of Government policy on Green Belt definition, in order to determine if CYC’s approach is consistent with Government policy.

#### Defining York’s Green Belt (TP1)

- 3.2 CYC prepared a Topic Paper in 2018 that outlined the Approach to Defining York’s Green Belt (TP1). CYC have recently produced an Addendum to TP1 which is the subject of current consultation (ref. EX/CYC/18).
- 3.3 The Addendum explains, amongst other matters, the exceptional circumstances that justify alterations to the general extent of the Green Belt in order to bring forward sites (principally strategic) to meet development needs.
- 3.4 Section 7 of the Addendum outlines the exceptional circumstances in the case of York. These are based on the simple premise that the development needs of the City (which are explained in Policy DP1 of the draft Local Plan) cannot be met outside the Green Belt.
- 3.5 It notes that a range of options (four in total) have been considered by CYC for the spatial distribution of growth which concluded that the preferred option is to prioritise development within and/or as an extension to the urban area and through the provision of a single new settlement.
- 3.6 It found (paragraph 7.58 of the Addendum) that this will help to refine the role and economic priorities of the York sub-area, and the spatial distribution and development expected to meet the overall housing and employments for the City.
- 3.7 York’s heritage is sensitive to change (see the Heritage Topic Paper prepared by CYC and Local Plan Examination Documents SD101, SD102, SD103, SD104, SD105 and SD106) and there is only a finite capacity for development within the City’s boundaries.
- 3.8 There are a range of specific characteristics identified in the Heritage Topic Paper (SD101). The “special” characteristics of York’s heritage are six fold (paragraph 7.2 of SD101), including strong urban form, compactness, landmark monuments, architectural character, archaeological complexity and landscape/setting. Individually, and in combination, these place a constraint on development.
- 3.9 It has been concluded that there would be harmful effects on York’s historic character and setting through large urban extensions in some parts of the City. Consequently, CYC deemed it appropriate to identify a new free-standing settlement in the south east of the City to help meet the City’s development needs. Indeed, in their representations to the Preferred Sites Consultation, Historic England (HE) welcomed the reduction in the amount of growth proposed around the periphery of the built-up area of the City. HE notes that this would help to safeguard a number of key elements identified by SD103 which contribute to the special setting and character of the historic City.
- 3.10 CYC specifically responded to HE’s concerns that some of the large urban extensions were harmful to York, to instead propose freestanding settlements. This is recognised in CYC’s Green Belt Topic Paper Addendum (EX/CYC/18, Paragraphs 7.59 & 7.60).

- 3.11 CYC have sought to identify, and make as much use as possible of appropriate, previously developed land, as well as under-utilised land, outside the Green Belt<sup>10</sup>.
- 3.12 In consultation with Historic England ('HE'), CYC refined their development strategy to ensure that York's urban area remained compact and strategic sites were identified to fit with the existing settlement pattern. The objective of the spatial distribution is, therefore, to accommodate as much development within the urban area, but within the environmental capacity of the City, and limit the amount of growth which is proposed around the periphery of the built-up area of the City.
- 3.13 This strategy was adopted as it will ensure the key elements which have been identified in the heritage evidence (outlined above) which contribute to the special character and setting of the historic City will not be harmed. The City's compact nature, the views towards the City from the Ring Road, and the relationship of the City to its surrounding settlements, are a major contribution to the City's special elements.
- 3.14 The strategy to meet part of York's development needs in a new free-standing settlement, beyond the Ring Road will, help to safeguard the size and compact nature of the historic City fits well with the existing settlement pattern of York.
- 3.15 York has a distinctive settlement form, comprising a compact City surrounded by rural villages. This is demonstrated in figure 3.1 below, and how the Langwith Garden Village will fit within this settlement pattern.

Figure 3.1: York Settlement Pattern



<sup>10</sup> See paragraphs 7.62-7.94 EX/CYC/18.

- 3.16 Section 7 of the Addendum to TP1 (EX/CYC/18) outlines the systematic approach taken by CYC in seeking to meet the development needs of the City, by:
- 3.16.1 Identifying development opportunities within the built-up area of the City, and other land outside the Green Belt; this involved reviewing as many sites as practical, by analysing sites smaller than are normally analysed (see paragraph 7.62 of EX/CYC/18).
  - 3.16.2 Determining the optimum density for development on those sites having regard to a range of environmental criteria (see paragraph 7.64 of EX/CYC/18).
  - 3.16.3 Making a qualified allowance for windfalls (paragraph 7.70 of EX/CYC/18).
  - 3.16.4 Holdings discussions with neighbouring authorities to determine whether they could accommodate the City's needs (which concluded that the City would have to meet its own housing requirements).
- 3.17 Following the above exercise, it has been concluded by CYC that there remains a substantial shortfall in the supply of land to meet the established needs for both housing and employment growth over the Plan period, and that consequently there are exceptional circumstances for Green Belt release.
- 3.18 There are many recent Local Plans where Green Belts have been reviewed, and altered, in order to satisfy unmet development needs. These include those outlined in **Table 3.1** below, covering those plans adopted in the period January 2018 to present.

**Table 3.1: Local Plans where development needs have been determined as exceptional circumstances**

Local Plan	Date of Adoption/Date of Inspector's Report	Weblink to the Inspector's Report
Guildford Borough Council – Local Plan Strategy and Sites.	Adopted 25 April 2019. Report issued 27 March 2019.	<a href="#">Link</a> . See paragraphs 78-89.
Rugby Borough Council – Local Plan.	Adopted 4 June 2019. Report issued 27 March 2019.	<a href="#">Link</a> . See paragraphs 173, 178, 183, 192, 196, 203 & 213.
Kirklees Council – Local Plan (i) Strategy and Policies; and (ii) Allocations and Designations.	Adopted 27 February 2019. Report issued 30 January 2019.	<a href="#">Link</a> . See paragraphs 47 & 49.
Barnsley Metropolitan Council - Local Plan.	Adopted 3 January 2019. Report issued 14 December 2018.	<a href="#">Link</a> . See paragraphs 92, 118 & 239.
Rotherham Metropolitan Borough Council – Sites and Policies Document.	Adopted 27 June 2018. Report issued 4 April 2018.	<a href="#">Link</a> . See paragraphs 106 & 117.
London Borough of Redbridge – Local Plan.	Adopted 15 March 2018. Report issued 24 January 2018.	<a href="#">Link</a> . See paragraphs 73 & 87.

- 3.19 The exceptional circumstances of York are founded on the fact that failure to meet the required level of new homes would exacerbate affordable housing issues, increase unsustainable commuting patterns and adversely impact on the City's ability to build a strong, competitive economy.
- 3.20 LDP support the Council's spatial approach, and CYC's recognition that the City is incapable of meeting all of their development needs outside the Green Belt.
- 3.21 Moreso, for the reasons outlined in Section 2 of these representations, the housing development needs (as well as the economic needs), when assessed objectively (on relevant and robust evidence), demonstrates that the Local Plan needs to provide more housing (and employment) than the Modifications promote. This is an important matter in the case of Langwith, given that it has the potential to deliver housing in larger numbers (and choice) than ST15 (even if it was viable), and in a viable and suitable manner.
- 3.22 In view of the above approach, it is important to determine its consistency with national policy.

### National Planning Policy

- 3.23 Government Policy on Green Belt is set out in Chapter 13 of NPPF2.
- 3.24 Given this Plan is considered under the transitional arrangements, it is relevant to consider the context of the spatial strategy and the approach to Green Belt in the context of NPPF1. That said, NPPF2 is clearly material and cannot be disregarded given that the Green Belt in York is being set for an enduring period of nearly 20 years.
- 3.25 Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation of the Local Plan. Paragraph 83 of NPPF1 notes that Green Belt boundaries should be set *... "having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the Plan period"*. This advice is the same as contained in NPPF2 (paragraph 136).
- 3.26 NPPF1 is clear that when drawing up or reviewing Green Belt boundaries, it is necessary to take account of the need to promote sustainable patterns of development. It is stated that they should consider, therefore, *... "the consequences for sustainable development for channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary"* (Paragraph 84).
- 3.27 Paragraph 84 of NPPF1 chimes with paragraph 138 of NPPF2. NPPF2 notes (at paragraph 137) that in prioritising development within a Local Plan containing Green Belt, it is important, before considering Green Belt release, to:
- 3.27.1 Make as much use as possible of suitable brownfield sites and underutilised land.
  - 3.27.2 Optimise development density on such sites.
  - 3.27.3 Determine if neighbouring authorities can accommodate some of the identified need for development.
- 3.28 It is clear that CYC have adopted this approach, as confirmed in TP1 (and the Addendum), and outlined above.

- 3.29 It is noteworthy that in the case of York, there are limited brownfield opportunities and are major constraints on high density, high rise development due to the especial environmental heritage constraints in the City.
- 3.30 Whilst this Plan is being assessed under NPPF1, current Government guidance is informative in this matter; NPPF2 explains that in Plan making, optimising the use of land may be constrained, and there may be good planning reasons why this would be inappropriate (see paragraph 123a of NPPF2). In the particular case of York, there are strong reasons why increasing development capacity within the urban area of the City would not be appropriate.
- 3.31 CYC have clearly sought to optimise the density of development (as explained in paragraph 7.79-7.83 of EX/CYC/18) by setting challenging density targets despite the heritage constraints.
- 3.32 In view of the above exercise, and the CYC's systematic approach to identifying available and suitable housing land, (see paragraph 3.16 above) it was rightly determined by CYC that the Green Belt is the only available source of land that could realistically address the shortfall.
- 3.33 LDP strongly agree that CYC have demonstrated they have undertaken an exhaustive exercise of seeking to identify suitable sites within the urban area, capable of meeting the housing need, and whilst a host of sites have been identified, there remains a significant shortfall (even on the CYC's revised OAN, which LDP challenge for the reasons previously outlined). LDP believe that the shortfall is significantly greater than that suggested by CYC in EX/CYC/18, as the supply is fixed, but the need is greater than that purported in the HNU.
- 3.34 It is clear from the discussions with neighbouring authorities, outlined in the Addendum, that adjoining Authorities cannot accommodate any of the City's identified need for development.
- 3.35 NPPF2 is clear that where it is *"concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed (Quod emphasis) and/or is well served by public transport..."* (paragraph 138).
- 3.36 LDP's representations to the Regulation 19 Local Plan clearly demonstrates the main focus of Langwith is on previously developed land, with in excess of 50% (103 ha) of the allocation on the former Elvington Airfield. This compares much more favourably in terms of brownfield landtake of ST15 (which is only 46 ha).
- 3.37 Paragraph 138 of NPPF2 goes on to state that plans should also *"...set out ways in which the impact of removing land from the Green Belt can be off-set through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*.
- 3.38 Furthermore, whilst the Langwith allocation would be largely made up of previously developed land, it is LDP's intention to create on the remainder of the Airfield (55 ha) an ecological mitigation area that will provide further compensatory improvements to the local environment in this area. This area falls outside the allocation, ie, it will remain Green Belt. This will involve giving over the rest of the previously developed land of the Airfield to greenfield.

- 3.39 Consequently, 158 ha of brownfield land will be used, with 55 ha (of the 158 ha) put back to greenfield. This will help to compensate for the existing greenfield land (101 ha) incorporated into the Langwith boundary. Please refer to Section 4 of the LDP representations to the Regulation 19 Local Plan. Through management agreements, the improves access will also be provided to the Green Belt in this part of York.
- 3.40 Appendix 3 of the Regulation 19 Local Plan representations demonstrate that the Langwith Garden Village is also capable of being well served by public transport, given the ability to create high quality transit routes (for all modes of transport, other than the car). Clearly, Langwith has the ability to satisfy the second limb of paragraph 138 of NPPF2.
- 3.41 Appendix 7 of LDP's representations to the Regulation 19 Local Plan demonstrates that the provision of an ecological mitigation area, and Habitat Enhancement Area, will create a significant bio-diversity resource that, through managed access, can provide a City-wide (and beyond) amenity for existing communities, as well as the new community that will develop in Langwith.
- 3.42 Paragraph 85 of NPPF1 (which chimes with paragraph 139 of NPPF2) notes that boundaries for sites excluded from the Green Belt should be defined clearly, using readily recognisable permanent physical features. For the reasons set out in the Green Belt Appraisal at **Appendix 4** of these representations Langwith has well-defined and recognisable boundaries that are formed of physical and permanent features. In the alternative, ST15 boundaries on its south west and south east are arbitrary, ie, they dissect the former runway on an arbitrary alignment.
- 3.43 It has been demonstrated in LDP's representations to the Regulation 19 Local Plan that MHCLG has indicated a strong level of support for delivering a new garden village in the south east of York, through their previous funding of work into the feasibility of a new settlement in this area.
- 3.44 More recently, following an invitation from MHCLG to make a bid to join the garden communities programme, CYC bid for Government support for the delivery of a new garden community in south east York, principally in terms of resource funding, capacity funding, delivery advice and support and cross-Government brokerage, in order to assist in understanding the delivery of a new settlement in this area. CYC have recently (27 June 2019) been awarded funding following this bid.

## Summary

- 3.45 In summary, the spatial option adopted in TP1 (and further expanded on in the Addendum) is entirely consistent with the approach advocated in NPPF1, as well as that in NPPF2.
- 3.46 Similarly, Langwith is, in the circumstances where it is necessary to release Green Belt land for development, entirely appropriate in light of paragraph 138 of NPPF2. For the reasons outlined previously, ST15 is not demonstrated, by reference to any appropriate evidence, to be sound – ie, it is not positively prepared, justified or effective. Even if it was considered to be so, it involves a lesser amount of brownfield land (ie, only 46 ha of 159 ha) and retains large tracts of brownfield land on the eastern and western most ends of the Airfield.
- 3.47 In the alternative, Langwith is focussed on an area that is primarily previously development land and create greenfield land from that which was previously developed, whilst providing compensatory improvements that are proven to have environmental and bio-diversity quality (**Appendix 2**). It is also an allocation that is proven to have the ability to be highly accessible by a range of modes of travel.

## 4 Housing Land Supply and Delivery

- 4.1 CYC have provided an updated housing trajectory at EX/CYC/16 which includes ST15. It remains LDP's view that the necessary evidence to demonstrate the deliverability of ST15 is not presently available, and consequently it is not viable. However, even if ST15 was proven to be viable (i.e. through public funding to explore its viability further), CYC's updated housing trajectory at EX/CYC/16 similarly lacks clarity on how the delivery trajectory can be achieved for ST15.
- 4.2 The Table enclosed at **Appendix 5** summarises on the first line CYC's updated housing trajectory<sup>11</sup> for ST15, and currently being consulted upon (EX/CYC/16).
- 4.3 Notably, LDP have the following observations on this trajectory:
- 4.3.1 To begin delivery of ST15, planning permission will need to be in place. No planning application has yet been made for ST15, and LDP are unaware of any party who are preparing such a planning application.
  - 4.3.2 It is anticipated that the preparation of a planning application for the delivery of ST15 would take a considerable period of time, and upwards of 12 months due to its scale.
  - 4.3.3 Determination of a planning application of this nature would be unlikely to be made within less than six months.
  - 4.3.4 The delivery of the access infrastructure onto the A64 would need to be consented and the technical details agreed thereafter with Highways England, before it could commence.
  - 4.3.5 These access works have not yet been designed by CYC and would take in the order of 5-6 years to be designed, secure the necessary consents and be constructed before any houses could be delivered.
- 4.4 Given that no party is promoting ST15, and the above observations, the delivery trajectory is evidently unrealistic.
- 4.5 Even if ST15 was deliverable, ie, viable, LDP would not expect the first houses delivered until 2022/2023 at the earliest, assuming that the current draft allocation is confirmed, and the Local Plan is adopted in 2020. This is due to the need to obtain planning permission, even if there was a willing applicant, and the need to deliver a major new link road and junction on the A64.
- 4.6 It is also noteworthy that Policy SS13 requires (criteria vii) for ecological mitigation and compensation measures to be delivered five years prior to commencement of any development. LDP have objected to this requirement, given it is unnecessary (see representations to the Regulation 19 Local Plan). Natural England have confirmed to LDP that they do not consider it necessary to delay commencement of development for a period of five years, post-delivery of the mitigation (ecological) measures. However, in the event that this requirement remains, the delivery of ST15 would be delayed even further.

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<sup>11</sup> Please note that the trajectory in Figure 6 of [SDO49A] shows a delivery of 3,439 homes, rather than 3,339.



- 4.7 The second row of the Table at **Appendix 5** therefore demonstrates the impact of the requirement to deliver this mitigation five years prior to the commencement of any development assuming the same circumstances as outlined in paragraph 4.6 above.
- 4.8 LDP have sought advice from Bidwells on the delivery trajectory, and this is contained in **Appendix 6**. Notably, they consider that the trajectory is overly ambitious, relying on an average annual delivery of 200 units per annum over 11 years, from a single point of access<sup>12</sup> (ie, a new junction onto the A64).
- 4.9 Bidwells also note that there are significant upfront costs required to open up the site, which will delay the productive development of the site, along with the need to make the necessary commercial arrangements with third party landowners to enable ST15 to be delivered.
- 4.10 Bidwells further note that the assumed delivery rates in the trajectory require ST15 to operate four outlets simultaneously from a single access point that is remote from any road frontage. It would be highly unusual to deliver housing at pace, on a site that is remote from any road frontage.
- 4.11 In the alternative, Langwith has the prospect of delivering at a much quicker pace. This is because immediate access can be achieved to the Langwith settlement from Elvington Lane (which the allocation adjoins directly), and for which there is capacity for delivering up to 1,000 homes, using existing infrastructure.
- 4.12 The Elvington Lane access would provide road frontage and allow early delivery of housing (up to 1,000 homes) and opening up a second access to the site from the A64 (later in the delivery trajectory (ie, 2028/2029) will open up the opportunity for additional sales outlets.
- 4.13 The Table at **Appendix 5** shows the delivery rates expected for Langwith, allowing an appropriate time for planning consent to be established (2021), with delivery of housing starting in 2022 and a build-up of delivery as the site's infrastructure is put in place.
- 4.14 The advice of Bidwells is that a delivery rate of 300 homes per annum is a reasonable assumption at the peak delivery period of a development with two alternate access points. If this delivery rate is achieved, then during the Plan period 2275 units would be delivered, with the remainder delivered by 2038/2039. Even on a more conservative assumption of delivering 223 units per annum, almost 2,000 units would be constructed by the end of the Plan period, and the entire settlement completed by 2042/2043.
- 4.15 The above scenarios are shown in rows 3 and 4 of the Table at **Appendix 5**.

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<sup>12</sup> It is understood from discussions with CYC that this will be the only point of access into the site, unlike Langwith which will be accessed by Elvington Lane in the initial phases of development.

## Summary

- 4.16 In view of the above, even if ST15 was viable, LDP consider the delivery trajectory to be unrealistic. In the alternative, Langwith has the ability to deliver more housing earlier in the Plan period and thereby make a greater contribution to meeting the City's housing needs. This is important, in light of the evident housing need within the City.

## 5 The Case for Langwith

- 5.1 LDP, in their previous submission to the Regulation 19 Local Plan, have demonstrated that Langwith is a sustainable new garden village that is entirely consistent with the spatial approach adopted in the draft Local Plan. It is demonstrated that it is deliverable, unlike ST15, where there is a lack of any tangible evidence that demonstrates that allocation is viable, and, therefore, deliverable.
- 5.2 In comparison with ST15, Langwith has the following merits, and represents a sound planning allocation:
- 5.2.1 It will assist CYC in better meeting their acute housing needs (including affordable housing) which are greater than that identified in the Modifications.
  - 5.2.2 Providing a greater number and choice of homes will ensure a sustainable community can be created.
  - 5.2.3 A greater number of new homes can be delivered within the plan period than ST15 (even if that allocation was proven to be viable, which at present is not proven to be viable).
  - 5.2.4 The garden village will deliver a mix of uses, including retail, services, community and employment uses which will improve the quality of the settlement and the overall 'sense of community'.
  - 5.2.5 It will provide a significant area of public open space on-site, and a major ecological area off site (see below).
  - 5.2.6 Enabling viable and deliverable access to the site at the start of the settlement's development (via Elvington Lane), will ensure the scheme has good prospects of delivery.
  - 5.2.7 It will increase patronage of public transport infrastructure, ensuring both viable and frequent public transport infrastructure can be supported. Walkable neighbourhoods will be provided where a significant proportion of homes are within 400m of a bus stop.
  - 5.2.8 It will support community infrastructure, such as health facilities, and generating sufficient population to warrant onsite provision of two primary schools (totalling up to 5 forms of entry – "FE").
  - 5.2.9 It will deliver contributions to secondary schooling elsewhere within the City.
  - 5.2.10 It will deliver major biodiversity enhancement areas, with a long-term management of almost 200 ha of specially established habitat, which combined with the 46 ha Heslington Tillmire SSSI, will create a major ecological asset for the City.
  - 5.2.11 It will increase the brownfield land-take (more than twice that of ST15) and deliver a net gain in greenfield land.
  - 5.2.12 It will generate retail and leisure expenditure by the new resident population, which will benefit local businesses and support community uses within the new garden village to reinforce its identity and function in its own right.

- 5.2.13 It will ensure the viability of on-site combined heat and power, making the site energy sustainable.
  - 5.2.14 It will create links with the Airfield Museum and ensuring its legacy for the future with LDP working in collaboration with the Air Museum to enhance the museum and secure its future legacy, including the delivery of an arboretum.
  - 5.2.15 It will create links with the University of York (“the University”) and Elvington Business Park, with the opportunity for synergies with them. There is the potential for shared public transport routes, as well as electric and autonomous vehicle, between the University and Langwith.
  - 5.2.16 It will provide appropriate and safe highway access from the A64, which will benefit all users of the local highway network in this area.
  - 5.2.17 Respect the heritage assets of the area, and most notably the setting of York City.
- 5.3 In view of the City’s housing need, and the inability to satisfy this need outside the Green Belt, Langwith, having regard to the spatial approach of the Local Plan, is entirely appropriate and with strong merit for allocation. In the alternative ST15 is unsound, being not justified, effective and this part of the Local Plan has not been positively prepared.

## 6 Summary of Representations to the City of York Local Plan Proposed Modifications (June 2019) and Associated Background Documents

- 6.1 These representations have demonstrated that CYC's proposed modifications to reduce housing provision in York are contrary to the evidence that demonstrates that York is no different to the rest of the Country and suffers from an inadequate supply of housing which needs to be remedied.
- 6.2 It is demonstrated that the housing evidence underpinning the proposed modifications which reduce the housing provision is not objective. On the other hand, the evidence presented by LDP in these representations demonstrate that on whatever calculation the objective assessed housing need is made, it is substantially above that in the proposed modifications as well as the submitted Regulation 19 Plan.
- 6.3 In this respect, the housing provision of the Plan means that it is not positively prepared, is unjustified, and the Plan as a consequence is not effective.
- 6.4 Furthermore, these representations as well as those submitted at the time of the Regulation 19 Plan, demonstrate that ST15 has not been justified by appropriate evidence, and as a consequence is has not been proven to be deliverable.
- 6.5 In this respect, the Plan, as proposed to be modified, has not been positively prepared, and the allocation is neither justified nor effective.
- 6.6 As a consequence of the above, the Plan is not consistent with National Policy.
- 6.7 Langwith on the other hand is justified by an appropriate and proportionate evidence and is proven to be a sustainable allocation. It has the propensity to deliver new housing at pace, and of a scale and range that is broader than that which could be accommodated on ST15 if ST15 was justified. Given the objectively assessed housing need demonstrated by LDP, the promotion of Langwith as an alternative to ST15 would mean the plan is positively prepared, in that the allocation is justified and effective.
- 6.8 The allocation of Langwith would be consistent with National Policy.

## APPENDIX 1

### SUSTAINABILITY APPRAISAL LANGWITH

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## NOTE

### LANGWITH: SUSTAINABILITY APPRAISAL

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#### 1 Introduction

- 1.1 This note provides a Sustainability Appraisal (SA) of Langwith, which is being promoted for a sustainable garden village of c. 4,000 homes by Langwith Development Partnership (LDP).

#### 2 Relevant Background

- 2.1 The City of York Council (CYC) have promoted a new settlement in this part of York since June 2013. The latest draft of their Local Plan allocates a new settlement for 3,339 new homes (reference ST15).
- 2.2 LDP have made representations to the Local Plan, stating that ST15 is not a deliverable or viable proposition. Rather, an alternative boundary (known as Langwith) is more appropriate and can deliver a new settlement in the order of 4,000 homes.
- 2.3 CYC recommended to their Local Plan Working Group (LPWF) in January 2018 that that the ST15 boundary be revised to a boundary that was almost identical to Langwith. However, members opted to retain the current ST15 allocation as they did not consider additional housing to be required across the City.
- 2.4 This note provides an accurate SA of Langwith.

#### 3 Langwith Sustainability Appraisal

- 3.1 CYC's SA outlines 15 assessment criteria against which all sites are assessed, and each of which is considered for Langwith below. Many of these criteria are prescriptive and do not always provide an assessment of all relevant circumstances to a site. Any additional circumstances are noted in this SA.
- 3.2 The below analysis applies CYC's SA scoring system, as follows:

Key	Likely effect on SA objective
++	The option is likely to have a <b>very positive</b> impact
+	The option is likely to have a <b>positive</b> impact
0	No significant effect / no clear link
?	Uncertain or insufficient information on which to determine impact
-	The option is likely to have a <b>negative</b> impact
--	The option is likely to have a <b>very negative</b> effect
I	The option could have a positive or a negative impact depending on how it is implemented

#### 4 Summary

- 4.1 In summary, this SA demonstrates that Langwith is a sustainable location for a new settlement it can, therefore, make a significant contribution towards meeting CYC's objectively assessed housing need (OAN).

Importantly, when compared to the SA for ST15 it demonstrates that Langwith is a more sustainable allocation.

## NOTE continued



4.2 The following table summarises the SA of Langwith. Detailed commentary and an assessment against each criteria is included in the following sections.

Site name	Size (gross ha.)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
Langwith	204	++	++	++	++	++	++	+	-	-	+	-	-	0	0	0	-	-



## NOTE continued

### SA Objective 1

SA Objective	Relevant Assessment Criteria Indicator	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
1: To meet the diverse housing needs of the population in a sustainable way.	No. of dwellings proposed/estimated.	n/a	n/a	100 + 1-99 0	  0

Langwith Score:







Commentary:

Langwith would provide c. 4,000 homes as part of a new garden village. This is exceptionally important to meeting CYC's overall housing need and would make a significant positive effect on this SA objective.

## NOTE continued

### SA Objective 2

SA Objective	Relevant Assessment Criteria Indicator	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
2: Improve the health and well-being of York's population.	Access to:		10	6-10	
	- Doctors	5		3-5	
	- Open space	5		1-2	
				0	

#### Langwith Score:



#### Commentary:








A new garden village would generate facilities commensurate with its size and population. Langwith would support a new health centre within the garden village to serve its residents.

The Langwith masterplan incorporates strategic green infrastructure throughout the garden village, offering a legible and strong network. This will permeate the residential areas and form part of the movement network for pedestrians and cyclists.

Approximately 82ha of dedicated open space can be accommodated within the site, including sports pitches, allotments, equipped and informal play areas, and amenity open space. This equates to c. 40% of the site area.

## NOTE continued

### SA Objective 3

SA Objective	Relevant Assessment Criteria Indicator	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
3: Improve education, skills development and training for an effective workforce.	(Housing) Access to:			11-20	
	- Nursery provision	5	20	5-10	
	- Primary schools	5		1-4	
	- Secondary schools	5		0	
	- Higher education facilities	5			
	(Employment) Access to:			4-5	
	- Nursery provision	5	5	1-2	
				0	

#### Langwith Score:



#### Commentary:



Langwith would provide two primary schools within the settlement, each with the potential for inclusive nursery provision. Secondary school provision would be improved and mitigated through commensurate developer contributions.

Langwith would be required to meet its education requirements through either on-site provision or off-site contributions, in order to be deemed acceptable by CYC. Applying the above scoring method, it therefore achieves the maximum score for education.

Alongside this, there would be construction and associated trade jobs over a considerable construction period, which would have positive impacts in the short and medium term and increase opportunities for training and skills development.

## NOTE continued

### SA Objective 4

SA Objective	Relevant Assessment Criteria	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
4: Create jobs and deliver growth of a sustainable and inclusive economy.	No. of jobs potentially created.	n/a	n/a	100+ 1-99 0	  0

#### Langwith Score:



#### Commentary:

Langwith achieves a critical mass that allows it to deliver significant employment benefits and support a considerable amount of additional uses within the settlement. These include convenience retail, food/beverage, offices, a health centre, community centres and primary schools. It would not be possible to sustain this level of additional uses as part of a smaller settlement.





The representations submitted by Quod to CYC's Regulation 19 consultation included an estimation of employment generation on-site by Langwith, adopting the Employment Density Guidance produced by the Homes and Communities Agency (HCA). This estimates a total employment provision in the order of 528 full time equivalent (FTE) jobs.

There are also a number of employment opportunities within the generally accepted cycle distance (8km), and with improved cycle/pedestrian routes more facilities are likely to become accessible to Langwith residents. It is estimated that there is a minimum of 8,350 jobs within this cycle catchment. This calculate excludes York City Centre, which will be easily accessible by public transport.

The draft Local Plan also identifies several allocations that will generate additional employment growth within close proximity to Langwith, including expansions to the University of York and Elvington Industrial Estate (estimated at 1,600 jobs in total).

## NOTE continued

### SA Objective 5

SA Objective	Relevant Assessment Criteria	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
5: Help delivery quality and access to all.	Access to:		38	21-38	
	- Non-frequent bus routes	3		11-20	
	- Frequent bus routes	5		1-10	
	- Park and ride bus stops	5		0	
	- Railway station by walking	5			
	- Railway station by cycling	5			
	- Adopted highways	5			
	- Cycle routes	5			
	- Supermarket/convenience stores	5			

#### Langwith Score:



#### Commentary:





Langwith would contribute towards a significant number of affordable homes (30%) and provide local facilities within the settlement itself. This would be within a reasonable walking distance of all homes. Indeed, all parts of Langwith would be within 400m of a public transport route.

It is estimated that 4,000 homes would provide for a bus service every 20 minutes, which would equate to an increase in public transport patronage of c. 15%. Increased cycle and pedestrian routes would also be provided in the site.

Langwith also has the potential for automated electric shuttle services with the University of York and would connect with the existing park and ride facility adjacent to the University, as well as providing public transport to York City Centre (including the railway station).

## NOTE continued

### SA Objective 6

SA Objective	Relevant Assessment Criteria Indicator	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
6: Reduce the need to travel and deliver a sustainable integrated transport network.	Access to:		38	21-38	
	- Non-frequent bus routes	3		11-20	
	- Frequent bus routes	5		1-10	
	- Park and ride bus stops	5		0	
	- Railway station by walking	5			
	- Railway station by cycling	5			
	- Adopted highways	5			
	- Cycle routes	5			
	- Supermarket/convenience stores	5			

Langwith Score:



Commentary:


It is estimated that 4,000 homes would provide for a bus service every 20 minutes, which would equate to an increase in public transport patronage of c. 15%. All parts of Langwith would be within 400m of a public transport route. In addition, increased cycle and pedestrian routes would also be provided both within and surrounding the site. There is also the potential to support electric and autonomous vehicle links, including between Langwith and both the University and park and ride. Two local centres each supporting convenience shopping, amongst other local facilities, can be sustained by a settlement of Langwith's scale.

As well as a new primary access to the A64 (which is required for both ST15 and Langwith), Langwith would also provide a secondary access to the east via upgrades to Elvington Lane. This would disperse vehicular movements and assist in a reduction in traffic congestion. Provision of a secondary access also assists with delivery of the development and improves the scheme viability; in turn, this will allow the early delivery of public transport to the site.

Applying CYC's SA scoring method (above), Langwith would therefore score within the highest bracket.

## NOTE continued

### SA Objective 7

SA Objective	Relevant Assessment Criteria	Maximum Score		Indicative SA Scoring	
		Per Indicator	Total	Points Scored	SA Symbol
7: To minimise greenhouse gases that cause climate change and deliver a managed response to its effects.	Potential to incorporate/connect to District Heating and Combined Heat and Power Networks.	n/a	n/a	10 + dwellings / 1,000sqm floorspace  < 10 dwellings / 1,000sqm floorspace	  0

#### Langwith Score:




#### Commentary:

Emissions are likely to increase during the construction phase for Langwith, albeit this would be the case for any development of this extent. Langwith’s construction can feasibly be undertaken to minimise emissions e.g. via a low carbon Construction Environmental Management Plan (CEMP), incorporating CEEQUAL and BREEAM standards.

Likely emissions associated with additional trip generation can be minimised through the provision of sustainable transport modes (discussed in SA objective 7), which include electric and autonomous vehicle links, cycle and pedestrian routing, the provision of two local convenience centres within walking distance and the introduction of frequent public transport services.




The delivery of a CHP system could be delivered for Langwith, alongside the use of other sustainable measures such as solar panels on commercial units or individual residences. There are economies and additional benefits/outcomes as a result of developing such a system for a new garden village of Langwith’s scale, including:

- It could offer approximately a 200% increase on the amount of annual carbon savings from CHP.
- It could offer approximately a 200% increase on the value of fuel cost savings from the CHP.
- It could achieve payback over a period of c. 2/3 of the time that ST15 could.
- It would provide a 20% increase in the annual electrical energy generated.

SA objective 7 does not allow a higher scoring than applied above. However, there is a strong prospect that Langwith would have a “very positive” impact in this aspect and could score  as a consequence.

## NOTE continued

### SA Objective 8

Relevant Assessment Criteria		Maximum Score		Indicative SA Scoring	
SA Objective	Indicator	Per Indicator	Total	Points Scored	SA Symbol
8: Conserve and enhance green infrastructure, biodiversity, geodiversity, flora and fauna for high quality and connected natural environment.	- Statutory nature conservation designations (SPA, SCA, SSSI, Ramsar and LNR).	n/a	n/a	Includes/is adjacent to a non-statutory designated site.	
	- Regional Green Infrastructure Corridor.			500m from a statutory site.	
	- Site of Interest for Nature Conservation (SINC).			250m from a statutory designated site.	
	- Area of Local Nature Conservation (LNC) Interest.			No designations affecting site.	0
	- Ancient Woodland				


#### Langwith Score:



#### Commentary:

Langwith is within 250m and 500m of a statutory designated site, and the SA scoring is factual in this regard. However, Langwith is informed by detailed surveys, an application of the metric to calculate biodiversity unit losses, calculation of gains delivered by specific land parcels and a full design of mitigation and compensation outcomes.


This will deliver a specified extend of net gain related to Langwith, and is more positively prepared, justified, effective and compliant with national policy. There is a strong prospect, therefore, that Langwith will have a positive impact.

The above scoring criteria does not reflect that the fact that Langwith has demonstrated, and provided the means to deliver, c. 200ha of compensation land making the development achieve 25% net gain in biodiversity. There is, therefore, a strong prospect that Langwith would have a “*very positive*” impact in this aspect and could score  as a consequence.



## NOTE continued

### SA Objective 9

SA Objective	Relevant Assessment Criteria		Maximum Score		Indicative SA Scoring	
	Indicator		Per Indicator	Total	Points Scored	SA Symbol
9: Use land resources efficiently and safeguard their quality	-	Brownfield / greenfield / mixed.	n/a	n/a	Brownfield. Mixed BF/GF. GF not Grade 1/2/3. GF and Grade 1/2/3.	

#### Langwith Score:



#### Commentary:

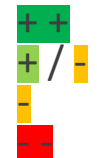
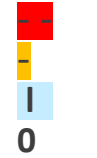
Langwith comprises a site of 204ha in total, split 101 ha greenfield and 103ha brownfield land.

This is a significant increase in the brownfield land take of 57ha, and a reduction in greenfield land take of 20ha, compared to CYC's current draft allocation reference ST15 – it is therefore inherently more sustainable in this regard, although the SA criteria is factual and does not allow a reflection of this.

In addition to this, Langwith would return 55ha of brownfield land back to greenfield use on the western part of the airfield, resulting in a net greenfield land take of just 46ha. This is just 38% of the total greenfield land take of ST15.

## NOTE continued

### SA Objective 10

Relevant Assessment Criteria		Maximum Score		Indicative SA Scoring	
SA Objective	Indicator	Per Indicator	Total	Points Scored	SA Symbol
10: Improve water efficiency and quality	Proximity to waterbodies	n/a	n/a	Within 10m 10-30m >30m	
	Environment Agency Groundwater Source Protection Zones (SPZ)	n/a	n/a	Zone 1 Zone 2 Zones 3 & 4 Outside SPZ	

#### Langwith Score:



#### Commentary:

Langwith would have an inevitable impact on water usage and consumption, owing to an increase in population and water consumption. It is located further than 30m from waterbodies and lies within the Grid SWZ Zone 2. Yorkshire Water have assessed the site(s) and identified a deficit in water supply between 2018/19 and 2039/40.

Langwith will allow mitigation measures to be incorporated though design, layout and the incorporation of efficiency schemes.

## NOTE continued

### SA Objective 11

	Relevant Assessment Criteria	Maximum Score		Indicative SA Scoring	
SA Objective	Indicator	Per Indicator	Total	Points Scored	SA Symbol
11: Reduce waste generation and increase level of reuse and recycling.	Not applicable at location level assessment.	n/a	n/a	n/a	n/a

Langwith Score:

0

Commentary:


In the absence of a specified scoring indicator for this criteria, it is necessary to undertake an objective assessment of Langwith's merits and/or effects.

Inevitably, an increase in population will increase waste generation. This will be counterbalanced by opportunities to offset part of this through the implementation of waste management and recycling schemes. The viability and effectiveness of such schemes will be sustainable at the scale being proposed within Langwith.

Applying CYC's generic scoring criteria (Page 1 of this note), it is considered that there is no significant effect arising.

## NOTE continued

### SA Objective 12

	Relevant Assessment Criteria	Maximum Score		Indicative SA Scoring	
SA Objective	Indicator	Per Indicator	Total	Points Scored	SA Symbol
12: Improve air quality.	Air quality management area (AQMA)	n/a	n/a	Within 50m 250m 500m	

#### Langwith Score:

0

#### Commentary:


Langwith is over 500m from an AQMA (Fulford Road), and CYC's preliminary analysis indicates that the background air quality in this location is likely to be within objective levels.

It is estimated that 4,000 homes would provide for a bus service every 20 minutes, which would equate to an increase in public transport patronage of c. 15%. Increased cycle and pedestrian routes would also be provided in the site, alongside the potential for automated electric shuttle services with the University of York and connections with the existing park and ride facility.

Langwith would also provide a significant amount of publicly accessible open space equating to c. 40% of its site area, alongside a substantial Habitat Enhancement Area.

## NOTE continued

### SA Objective 13

	Relevant Criteria	Assessment	Maximum Score		Indicative SA Scoring	
SA Objective	Indicator		Per Indicator	Total	Points Scored	SA Symbol
13: Minimise flood risk and reduce the impact of flooding to people and property in York.	Environment Flood Zone	Agency	n/a	n/a	Zone 3a Zone 2 Zone 1	 <b>0</b>


#### Langwith Score:

0

#### Commentary:






A Flood Risk and Surface Water assessment was undertaken by WSP in support of Langwith's site promotion. The assessment confirms that the vast majority of Langwith is within Flood Zone 1, with a small area (c. 8ha) in the north-west corner of Langwith (and indeed ST15) being within flood zone 3a.

Hydraulic modelling has been undertaken for Langwith and presented to the Environment Agency (EA) who have confirmed they would not object to development on the grounds of flood risk (based on the proposed masterplan). Indeed, the EA confirmed that Langwith is not at significant risk of flooding and can be categorised as flood zone 1 in majority.

CYC's criteria does not recognise the fact that the wetland habitat creation and management, and the management of water levels for diversity (as part of achieving a 25% net gain), would also make a major contribution to flood risk management and flood attenuation. There is a strong prospect that Langwith would have a "very positive" impact in this aspect and could score  as a consequence.

## NOTE continued

### SA Objective 14

SA Objective	Relevant Assessment Criteria		Maximum Score		Indicative SA Scoring		SA Symbol
	Indicator		Per Indicator	Total	Points Scored		
14: Conserve and enhance York's historic environment, cultural heritage, character and setting.	Heritage Appraisal.	Impact	n/a	n/a	Significant Benefit.	Positive	
					Positive Benefit.		
					Minor Harm.		
					Serious Harm.		
					Neutral.		

#### Langwith Score:



#### Commentary:

Langwith does not contain any designated heritage assets or listed buildings, however, the site includes a number of non-designated historic farmsteads, and the non-designated Minster Way lies adjacent to the site. There may also potential for archaeological deposits on Langwith, and there could be the loss of agricultural character of the area.

Langwith is supported by a Heritage Impact Assessment (HIA) undertaken by FAS Heritage. This has assessed adverse effects of potential development at Langwith against several criteria including compactness, landmark monuments, archaeology, landscape and setting. Furthermore, the assessment has taken account of the adjacent non-designated heritage assets and agricultural character.

The assessment concludes that a settlement in this location can be accommodated without substantial harm to the special characteristics and setting of the historic city. In particular:

- Langwith would be a distinct entity that is sufficiently offset from the A64 to retain impression of rurality to the south of this ring road;
- Development of Langwith would accord with the historic compactness of a City which comprises a dense central core with outlying settlements;
- Views along the western boundary of Langwith would be preserved across the Habitat Enhancement Area (HEA) to the west;

## NOTE continued


- The Langwith masterplan demonstrates how the historic runway could be preserved in its eastern park, allowing long views to be retained, along with the legibility of the monument preserved; and
- Any archaeological remains can be preserved in situ or by record, through an appropriate mitigation strategy.

Indeed, CYC have long accepted that a new settlement in this location would be appropriate. This work considered that this approach would reinforce the settlement pattern of smaller settlements around York's main urban area, preserve the impression of York being set in a rural hinterland, and through appropriate design and conservation protect the integrity of the City's overall setting and landscape.

Langwith would not, therefore, unacceptably harm the special characteristics of York. When balancing any residual harm against the public benefits of the proposed development, and the need for Green Belt release to meet CYC's objectively assessed housing need, Langwith is deemed appropriate in heritage terms.

## NOTE continued

### SA Objective 15

SA Objective	Relevant Assessment Criteria		Maximum Score		Indicative SA Scoring	
	Indicator		Per Indicator	Total	Points Scored	SA Symbol
15: Protect and enhance York's natural and built landscape.	Heritage Appraisal.	Impact	n/a	n/a	Significant Positive Benefit. Positive Benefit. Minor Harm. Serious Harm. Neutral.	

#### Langwith Score:



#### Commentary:

Langwith is supported by an indicative masterplan and design rationale, which considers the new settlement in terms of its impacts on landscape context, visual experience of the City of York, landscape character, and the relation to surrounding villages and settlement patterns. The settlement is set back significant from the A64 and would be in-keeping with York's concept of a historic core surrounded by smaller settlements.

The masterplan and design rationale confirm that Langwith would include a strong landscape buffer to its peripheral locations. Supporting visibility analysis also confirms that there are significant visual buffers already in place between the A64 and Langwith, which would limit any visual impact and retain the historic core concept.

The historic context and legibility would also be protected through the preservation of the historic runway, allowing long views to be retained through the site.

There is a prospect that appropriate mitigation measures (e.g. suitable design, retention of views etc.) could have an overall positive effect on minimising harm to the landscape setting of York's natural and built environment at this location.





## APPENDIX 2

### HRA RESPONSE BY ENVIRONMENT BANK

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**Langwith and ST15**

**Comparison of ecological considerations of the updated  
Sustainability Appraisal Document 'Proposed  
Modification Consultation (June 2019)'**

**On behalf of the Langwith Development Partnership**

**July 2019**

## 1 Background

- 1.1 The updated SA Document (“*Proposed Modifications Consultation June 2019*”) notes the following in respect of ST15 :

It is noted that the HRA (April 2018) screening assessment identified that Likely Significant Effects (LSE) could not be ruled out for ST15 (Para. 4.2.2).

Significant effects are identified for ST15 for the potential to have LSE on the Lower Derwent Valley SPA, although this can be mitigated through policies in the draft Local Plan (Para. 5.4.12).

However, even with policy mitigation ST15 is still considered to have uncertain effects on Heslington Tillmire SSSI (Paras. 5.4.12 & 5.4.15).

- 1.2 An updated HRA (February 2019) was undertaken as a result of Natural England not accepting the conclusions of the April 2018 HRA as they required a set of visitor surveys to be conducted at European designated sites in order to more accurately assess the potential for impacts from uplift in visitor pressure as a result of the new residences being proposed. This has implications for both ST15 and Langwith.

## 2 Policy context

- 2.1 Both ST15 and Langwith are required to comply with the National Planning Policy Framework (NPPF July 2018, revised February 2019) in respect of their treatment of biodiversity. Further, NPPF makes it clear at paragraph 182, that in order to be sound, a Local Plan should be (i) positively prepared, (ii) justified, (iii) effective and (iv) consistent with National Policy.
- 2.2 In addition, the proximity of both ST15 and Langwith to the Lower Derwent Valley Special Protection Area requires that the proposals are tested via a Habitats Regulations Assessment since there is the potential for a Likely Significant Effect (LSE) on the European site (other European sites are considered too distant to experience an LSE from these proposals).
- 2.3 The Wildlife & Countryside Act (1981 as amended) is also relevant in respect of both Langwith and ST15 in view of their proximity to the Heslington Tillmire Site of Special Scientific Interest (SSSI).
- 2.4 Figure 1 shows the location of ST15 and Langwith in relation to the proximity of the Lower Derwent Valley SPA and the Heslington Tillmire SSSI.
- 2.5 Detailed assessment of policy is provided in Environment Bank (2018) – the planning case for Langwith Regulation 19 Addendum Report Ecology and Biodiversity.

### 3 Deficiencies of ST15 in respect of ecology

- 3.1 In terms of biodiversity impacts, the key impacting influence on the Lower Derwent Valley SPA is the predicted increase in visitors to the SPA as a consequence of the increase in the number of residents as a result of new housing provision at ST15. The HRA (April 2018) initially considered that the increase in visitor rates to the SPA would give rise to a Likely Significant Effect (LSE) on the SPA, but accepted that Policy OS10 would provide sufficient mitigation habitat to warrant a conclusion that LSE would no longer remain as long as Policy OS10 is implemented.
- 3.2 However, this position was revised in HRA (February 2019). HRA (2019) quotes 'The policy wording provides comprehensive mitigation measures including the establishment of extensive open areas '(OS10)' designed to provide alternative destinations to the European site for informal recreation (whilst also providing functionally-linked land for the SPA). However, the policy wording does not make it clear whether this is provided within the allocation boundary or as off-site mitigation. Consequently, there can be no confidence that the demands of the policy wording can be met and harm cannot be ruled out.'
- 3.3 In other words, OS10 is promoted as both an area for informal recreation to take visitor pressure off the SPA as well as compensation habitat for the biodiversity loss to the footprint of ST15 and functionally-linked habitat for SPA species. These are incompatible objectives.
- 3.4 Policy SS13, which promotes OS10, sets out that any proposals coming forward must follow a mitigation hierarchy to first seek to avoid impacts, then to mitigate unavoidable impacts or compensate unavoidable residual impacts on Heslington Tillmire SSSI and the Lower Derwent Valley SPA/Ramsar through the:
- 'incorporation of a new nature conservation area (as shown on the proposals policies map as allocation OS10 and included within Policy GI6) including a buffer of wetland habitats, a barrier to the movement of people and domestic pets on to the SSSI and to deliver further benefits for biodiversity. A buffer of at least 400m from the SSSI will be required in order to adequately mitigate impacts unless evidence demonstrates otherwise'; and
  - 'provision of a detailed site wide recreation and access strategy to minimise indirect recreational disturbance resulting from development and complement the wetland habitat buffer area which will be retained and monitored in perpetuity. A full understanding of the proposed recreational routes is required at an early stage.'
- 3.5 HRA (2019) goes on to say 'Regarding Policy SS18/ST33, this provides mitigation by ensuring that any new development must accord with principle (iv) to 'undertake a comprehensive evidence based approach in

relation to biodiversity to address potential impacts of recreational disturbance on the Lower Derwent Valley Special Protection Area (SPA)/Ramsar/SSSI'. However, this fails to adequately describe a desired outcome and cannot be relied upon to provide adequate mitigation.'

- 3.6 And that .... 'Both Policies SS13/ST15 and SS18/ST33 could therefore conflict with the conservation objective for the Lower Derwent Valley SPA to 'ensure that the integrity of the site is maintained by ...maintaining ... the extent and distribution ... the structure and function ... and the supporting processes on which the habitats of the qualifying features rely ..the population ... and the distribution of the qualifying features ....'.
- 3.7 HRA (February 2019) concluded 'Therefore, it is considered that there is a risk that the proposals contained within Policies SS13/ST15 and SS18/ST33 could undermine the conservation objectives for the breeding and non-breeding birds of the Lower Derwent Valley European site and that a likely significant effect cannot be ruled out (alone). Consequently, the policy must be screened in (Category I) and an appropriate assessment is required. Each policy is capable of a likely significant effect alone and so there would be no residual effects and no need for an in combination assessment.'
- 3.8 A further significant flaw in ST15 is that the strategic access road to ST15 would traverse OS10. This would materially impact on its ability to provide sufficient habitat for the biodiversity interest of the land as compensation. Roads fragment habitat and in the case of OS10 the access road would reduce the whole areas' value to those species for which compensation is required – breeding Skylark, breeding waders and overwintering waders and wildfowl. An access road through OS10 serving the residents of the development would seriously compromise the value of the site for biodiversity and its use as compensation land would fail. There is no precedent for identifying and creating land for the compensation of biodiversity and then traversing through it with a road.
- 3.9 Additional complicating factors are that a) a central part of the eastern side of OS10 is under third party control which further complicates its delivery since the owners are understood not to be a willing party, b) part of the land assigned as ST15 is also under 3<sup>rd</sup> party ownership with no evidence presented as to whether they are a willing party to the development.
- 3.10 Further details of these deficiencies are given in Environment Bank (2018).
- 3.11 In summary, OS10 is promoted as the means by which a) potential uplifted recreational impacts on the SPA can be avoided and functionally-linked habitat to the SPA provided, b) biodiversity loss from the footprint of ST15 can be compensated for, c) that any development must demonstrate how domestic pets will be prevented from impacting on the

Heslington Tillmire SSSI and a 400m distance from the development at the SSSI maintained, d) proposals must include a detailed site wide access and management strategy with a full understanding of the recreational routes.

- 3.12 The policy framework therefore leaves open the opportunity for failure to deliver biodiversity outcomes and is deficient in detail, which could undermine the conservation objectives for both the Lower Derwent Valley SPA and the Heslington Tillmire SSSI.
- 3.13 The deficiencies of ST15 by comparison to Langwith being promoted by the Langwith Development Partnership (LDP) are assessed in more detail below and demonstrate that ST15 has not been positively prepared, is not justified, is not effective and hence is not consistent with National Policy (NPPF).

#### **4 Comparative assessment of delivery detail and the benefits of Langwith**

- 4.1 LDP undertook a full biodiversity impact accounting metric (BIAM) analysis of the detailed habitat and biodiversity impacts from the construction and operation of the proposed Langwith development, using the approved Government metric (see Environment Bank 2017, page 12, section 3.4 for details of the application of the metric). The metric was applied to detailed ecological data collected over a period of years for all the land parcels incorporated into the development proposals. This metric analysis demonstrated a specific biodiversity unit loss to which was added a 25% uplift (to deliver Biodiversity Net Gain<sup>1</sup>) ie a unit loss of 1015 for the development as a whole. Some of the biodiversity value within the Langwith development site is retained as appropriate, but the residual amount is provided for by the creation of approximately 192ha of new wildlife habitat under a wilding programme<sup>2</sup>.
- 4.2 As part of the BIAM, an allowance was made, in consultation with Natural England, for a potential impact on the SPA as a result of an increase in visitor attendance to the SPA as a proportion of the residence numbers when at full occupancy. A consultation letter (dated 9 December 2016) from Natural England is provided at Appendix 1. The metric multipliers were increased to allow for that potential for impact, which led to an increase in the amount of compensatory habitat provided by the development, outside of the development site boundary.

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<sup>1</sup> The Chancellor of the Exchequer announced in his spring statement, March 2019, that the Government will mandate the delivery of biodiversity net gain through the planning system via the Environment Bill.

<sup>2</sup> The biodiversity unit gain is 1270, making an overall Biodiversity Net Gain of 255.

- 4.3 The 192ha of land is to be delivered upfront ie within the first year of the permitting of development and is shown on the same plan as the red line boundary of the development.
- 4.4 The entire land area for the compensation is already under the ultimate control of LDP, and involves :
- Wet grassland mosaic with reedbed ditches and shallow scrapes to provide habitat for breeding waders, Skylark, and overwintering waterfowl (the Habitat Enhancement Area, HEA);
  - Both wet grassland and tussocky grassland to provide habitat for breeding waders (especially Curlew), Skylark and overwintering waterfowl;
  - Neutral grassland on the western half of the airfield and the removal of concrete/tarmac with a restoration to the same grassland as the rest of the site, for the benefit of the inherent vegetation communities, breeding Skylark, breeding and overwintering waders;
  - In addition, it is suggested that some of the area would be devoted to lowland 'high nature value' farming through the provision of unsprayed cereal crops which would be left as stubble overwinter to provide an abundant food source for seed- eating birds.
- 4.5 The above habitat creation, enhancement and management features, over the 192ha, is delivered by a detailed Biodiversity Management Plan to be produced for the planning application.
- 4.6 By contrast, Policy OS10 has been derived in the absence of detailed ecological surveys, no BIAM has therefore been applied to the footprint of OS10 or ST15 (since there is no masterplan that would facilitate such calculations), nor does OS10 have any detailed ecological function or plan as to what it will deliver for biodiversity, nor whether it is or can be made compliant with the Governments impending mandatory biodiversity net gain initiative. Hence ST15 cannot be validated as to its deliverability.
- 4.7 Second, the Proposed Modification Consultation document June 2019 identified that ST15, even with the policy mitigation (OS10), retains uncertainty over its biodiversity implications. This is as a result of the fact that the potential for impacts on the Heslington Tillmire SSSI has neither been tested nor assessed, nor therefore has any specific mitigation been considered to ensure no adverse effects on the SSSI.
- 4.8 By contrast, and in consultation with Natural England (see Appendix 1), Langwith has a range of designed measures to ensure that there would be no impacts on the Heslington Tillmire SSSI. This includes :

- A 400m buffer between the Langwith development and the closest part of the Heslington Tillmire SSSI to protect the SSSI from domestic pets roaming into the SSSI site and impacting upon ground nesting birds;
- A footpath mechanism designed to facilitate the screening of people into the HEA (the new compensatory habitat for the Langwith development);
- A detailed visitor access management plan that has been written to the satisfaction of Natural England;
- A habitat management regime (potentially to be undertaken by Yorkshire Wildlife Trust as part of a management capacity of the whole of the Langwith habitat creation, management and enhancement areas), in which visitor management has the foremost objective of protecting the biodiversity resource of the Heslington Tillmire SSSI and improving it in accordance with an effective and properly funded management regime. It is the expectation that the habitat management plan and the Yorkshire Wildlife Trust management of the HEA would be endowment funded by LDP;

4.9 In addition, all of the nature conservation areas to be created and managed under a long-term framework, as well as any adjacent areas, are buffered from the import of impacts as follows:

- Buffer habitat to the south of the airfield to protect existing candidate SINC wetland habitats for birds;
- Buffer habitat from the development to the western half of the airfield;
- Buffer habitat to the north of the western half of the airfield by the exclusion of the third party (Handley) land. All of these buffers to the nature conservation assets of the airfield and the southern area outwith the airfield boundary are designed to protect biodiversity value.

4.10 At a meeting of LDP representatives and Merlin Ash and Simon Christian of Natural England (NE) on 4 September 2018, NE confirmed that the policy relating to no development for 5 years post implementation of the enhancement area had not come from Natural England. It is a policy produced by CYC. LDP consider that a 5-year no development period would be unworkable and would set a precedent for all mitigation and compensation work on any development which clearly would make many developments unviable. Langwith is committed to starting the works on the mitigation habitats as soon as a planning permission has been



received. This would be enshrined as an 'in principle' agreement in the Biodiversity Management Plan which would then be conditioned as part of the permission.

## 5 Conclusions

- 5.1 On the evidence presented by CYC to date, insufficient detail is provided for ST15 in respect of its LSE on the Lower Derwent Valley SPA because there are no details as to the ecological value of ST15 nor how any increased visitor pressure on the SPA can be compensated.
- 5.2 Nor are there any details as to the loss of biodiversity caused by the footprint of ST15 because of the lack of a masterplan against which losses can be calculated, nor therefore any details of the sufficiency of OS10 to compensate for biodiversity impacts or deliver Biodiversity Net Gain.
- 5.3 Both ST15 and OS10 also comprise 3<sup>rd</sup> party land and it is unclear as to whether the 3<sup>rd</sup> parties concerned are a willing party to the development. The biodiversity value of OS10 is also compromised by the location of the proposed access road to ST15.
- 5.4 ST15 is therefore non-compliant with the Government's mandatory biodiversity net gain implementation with insufficient details as to how the land is to be secured, how it will be managed, what will be the long term management regime and its governance.
- 5.5 By contrast, Langwith has assessed all of this detail, has accounted for any potential impacts on the Lower Derwent Valley SPA and has a fully worked-up solution with a long-term financial commitment to delivery according to a detailed biodiversity management plan encompassing 192ha of land already under the control of the Langwith Development Partnership.
- 5.6 There remain justifiable concerns regarding the impacts of ST15 on Heslington Tillmire SSSI in the absence of a designed scheme for compensation to ensure domestic pets do not gain access to the SSSI. The means of managing visitor access to the site in order to protect the biodiversity importance of the SSSI have not been considered. The means to account for, and protect against, the potential for increased visitor pressure on the Lower Derwent Valley SPA have not been considered. Nor have the means to protect the biodiversity value of habitat provided to compensate for biodiversity losses attributed to ST15, nor how the public would be managed so as not to compromise the value of the compensation habitat, been considered.
- 5.7 As a result of the above, on the evidence presented by CYC to date, it has not been proven that ST15 is viable, sound, appropriate or deliverable.

## References

Environment Bank (2017). Biodiversity Accounting Assessment of the ST15 Langwith development – Land to the west of Elvington Lane. February 2017.

Environment Bank (2018). The Planning Case for Langwith Regulation 19 Local Plan ST15. Langwith Addendum Report : Ecology and Biodiversity. March 2018

Professor David Hill CBE DPhil(Oxon)  
July 2019

## Appendix 1. Consultation response from Natural England dated 9 December 2016.

Date: 09 December 2016  
Our ref: DAS/2481



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### BY EMAIL ONLY

Dear Patrick James

#### Discretionary Advice Service (Charged Advice)

DAS/8970/200274

#### Development proposal and location:

Proposed new settlement of 5000 houses at Langwith & Elvington Airfield, Elvington, York, North Yorkshire

This advice is being provided as part of Natural England's Discretionary Advice Service. Patrick James Sandby (York) Ltd has asked Natural England to provide advice upon:

- Meeting and site visit to proposed site of new settlement 5000 houses, Langwith & Elvington Airfield, Elvington dated 22 November 2016.

This advice is provided in accordance with the Quotation and Agreement dated 16 November 2016.

The following advice is based upon the information provided and discussion from the meeting and site visit dated 22 November 2016.

Natural England welcomes the opportunity to engage with this proposal at this early stage and is encouraged by the scale and ambition of the habitat enhancement proposals.

#### Previous Advice

Natural England have provided discretionary advice to Sandby Ltd with regards to a related housing proposal in this area. In this previous advice regarding Strategic Site ST15 Whinorpe New Settlement to Sandby Ltd in our letter dated 11 February 2015 we advised that:

1. Natural England remained concerned that the scale of residential development and its proximity to Heslington Tillmire posed a risk to Heslington Tillmire SSSI's interest features.
2. But that, provided no less environmentally sensitive alternative exists, Natural England was satisfied that the proposed Habitat Enhancement Area (HEA) buffer, access management measures, extensive alternative greenspace, and their long term funding and management should sufficiently reduce the risk of long term adverse effects.
3. Natural England therefore advised that the Local Plan should include appropriate policy wording to ensure these measures are delivered within any subsequent planning application(s).

More recently in our letter dated 12 September 2016 Natural England advised City of York Council, regarding the revised version of Strategic Site ST15 Land West of Elvington Lane in the Local Plan Preferred Sites consultation 2016, we advised that:

4. Natural England remained concerned about the potential for impacts from increased visitors and consider that significant mitigation will be necessary. It was considered that this site could have less impact upon the SSSI than the previous iteration of ST15, due to the increased distance to Heslington Tillmire SSSI and decreased housing allocation.
5. That the proposed Habitat Enhancement Area and provision of an appropriate site wide recreation and access strategy should be specific and tailored to the location of the allocation and should be included within the red-line boundary of the allocation to ensure delivery
6. That the site requirements or site policy for ST15 should include the requirement to mitigate for or as a last resort compensate for impacts on Elvington Airfield SINC and protected species.

**Proposed new settlement of 5000 houses at Langwith & Elvington Airfield, Elvington, York, North Yorkshire**

Heslington Tillmire Site of Special Scientific Interest

Considering the scale and location of the proposal and similarities with the previous version of ST15 Natural England's opinion regarding impacts on Heslington Tillmire Site of Special Scientific Interest (SSSI) remain as summarised above in points 1-3. For more information please see our letter to you dated 11 February 2015 which we attach for your ease of reference. We note and welcome the additional habitat creation proposed as part of this revised proposal which will help to mitigate effects further.

Elvington Airfield Site of Interest for Nature Conservation and Protected Species

Natural England notes that the revised location of ST15 includes Elvington Airfield Site of Interest for Nature Conservation (SINC). In addition significant numbers of breeding birds, in particular breeding skylark, were identified by surveys undertaken within the proposal site and that part of the SINC and areas used by breeding birds will be developed or affected by development.

Natural England were encouraged to see the extensive mitigation proposals outlined at the site visit in relation to impacts on Elvington Airfield SINC and protected species. We defer to City of York Council on the assessment of locally designated sites and protected species in the Local Plan but consider the Plan should include appropriate policy wording to ensure the necessary measures are delivered within any subsequent planning application(s).

In addition we have been made aware that there is potential to designate wider areas of Elvington Airfield as an additional SINC for breeding birds which may affect how the proposal is assessed.

Lower Derwent Valley Special Protection Area and Ramsar

Natural England note and welcome the provision of additional ecological information provided in your emails dated 23 November 2016. We have not assessed these documents in detail as doing so would go beyond the scope of advice required in accordance with the Quotation and Agreement dated 16 November 2016 .

Natural England would be keen to discuss the scope of a further contract to provide a detailed response regarding these documents if you consider that this would be helpful.

However, from our limited assessment of the documents, we note that the most recent bird surveys identify potentially significant numbers of wintering waders on the proposal site. Natural England are concerned that these birds may be functionally-linked to the Lower Derwent Valley Special Protection Area and Ramsar and as such the proposal will need to be considered under the Conservation of Habitats and Species Regulations 2010 (as amended) ('the Habitats Regulations')

in the Local Plan and any subsequent planning application(s).

This letter concludes Natural England's Advice within the Quotation and Agreement dated 16 November 2016.

[commercialservices@naturalengland.org.uk](mailto:commercialservices@naturalengland.org.uk)

As the Discretionary Advice Service is a new service, we would appreciate your feedback to help shape this service. We have attached a feedback form to this letter and would welcome any comments you might have about our service.

The advice provided in this letter has been through Natural England's Quality Assurance process

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

Yours sincerely,

Merlin Ash  
Yorkshire and Northern Lincolnshire Area  
Natural England

Cc [commercialservices@naturalengland.org.uk](mailto:commercialservices@naturalengland.org.uk)

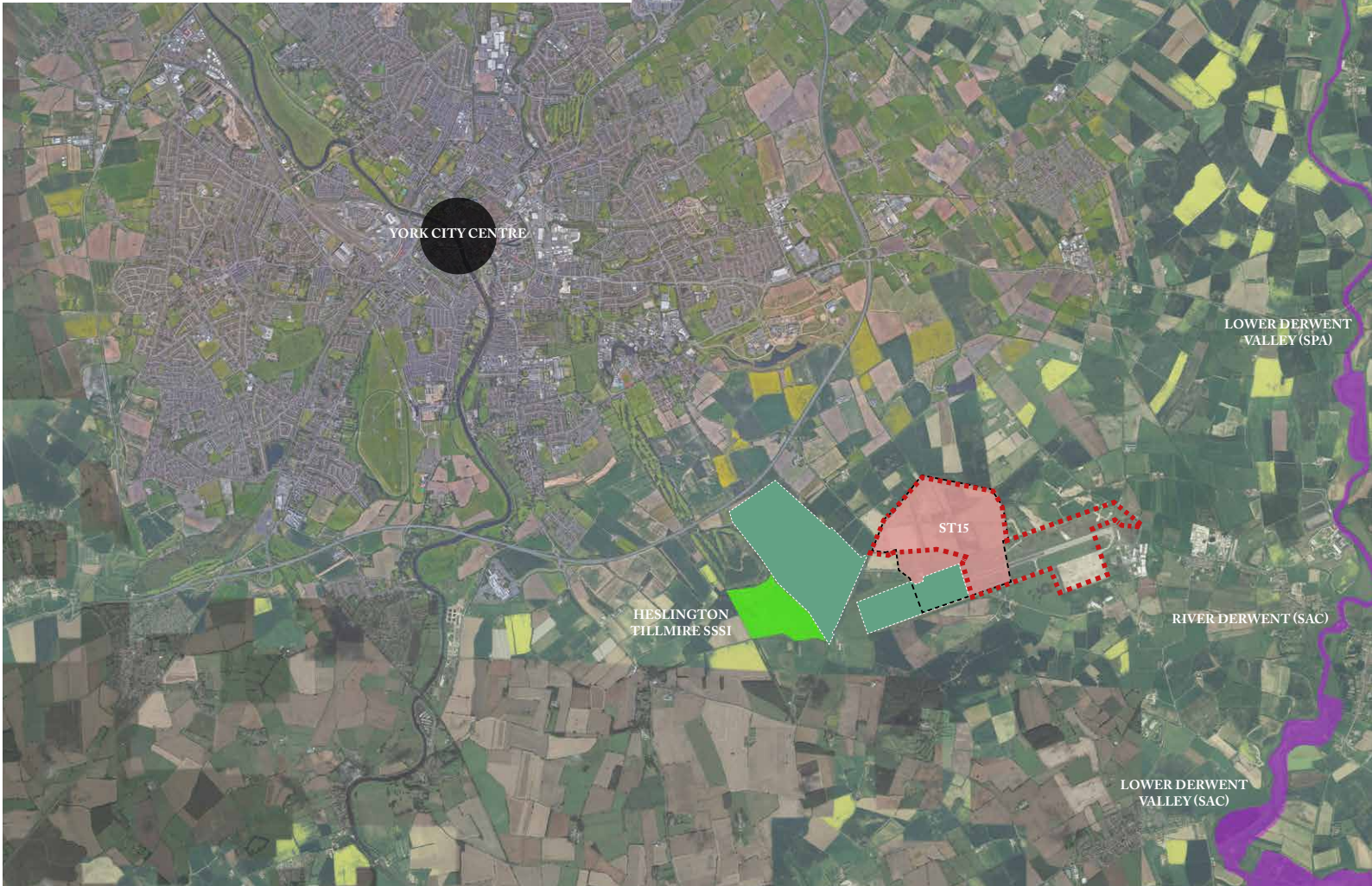
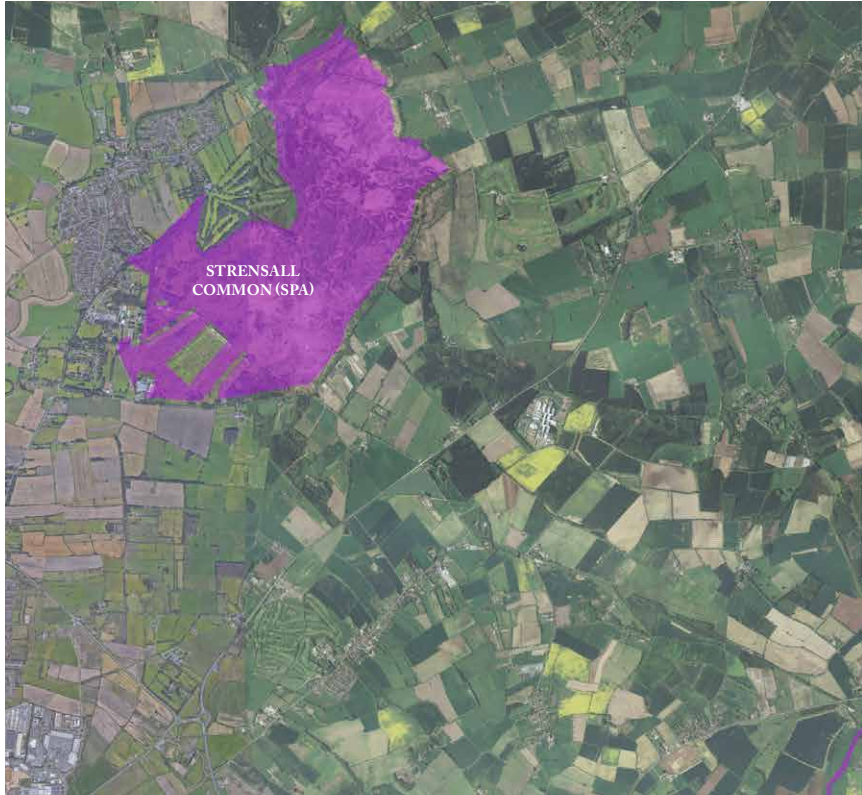
Cc Simon Christian, Lead Conservation and Land Management Adviser, Yorkshire Derwent

Cc Sarah Woolven, Yorkshire Derwent and England Coast Path (North East hub) Team Leader




Figure 1. Location plan of ST15, Langwith, Heslington Tillmire SSSI and Lower Derwent Valley Special Protection Area.



Extract plan showing full extent of Lower Derwent Valley SAC & SPA



**KEY**

-  ST15
-  Langwith
-  Heslington Tillmire SSSI
-  Special Protection Area (SPA)/ Special Area of Conservation (SAC)
-  Biodiversity Net Gain area



## APPENDIX 3

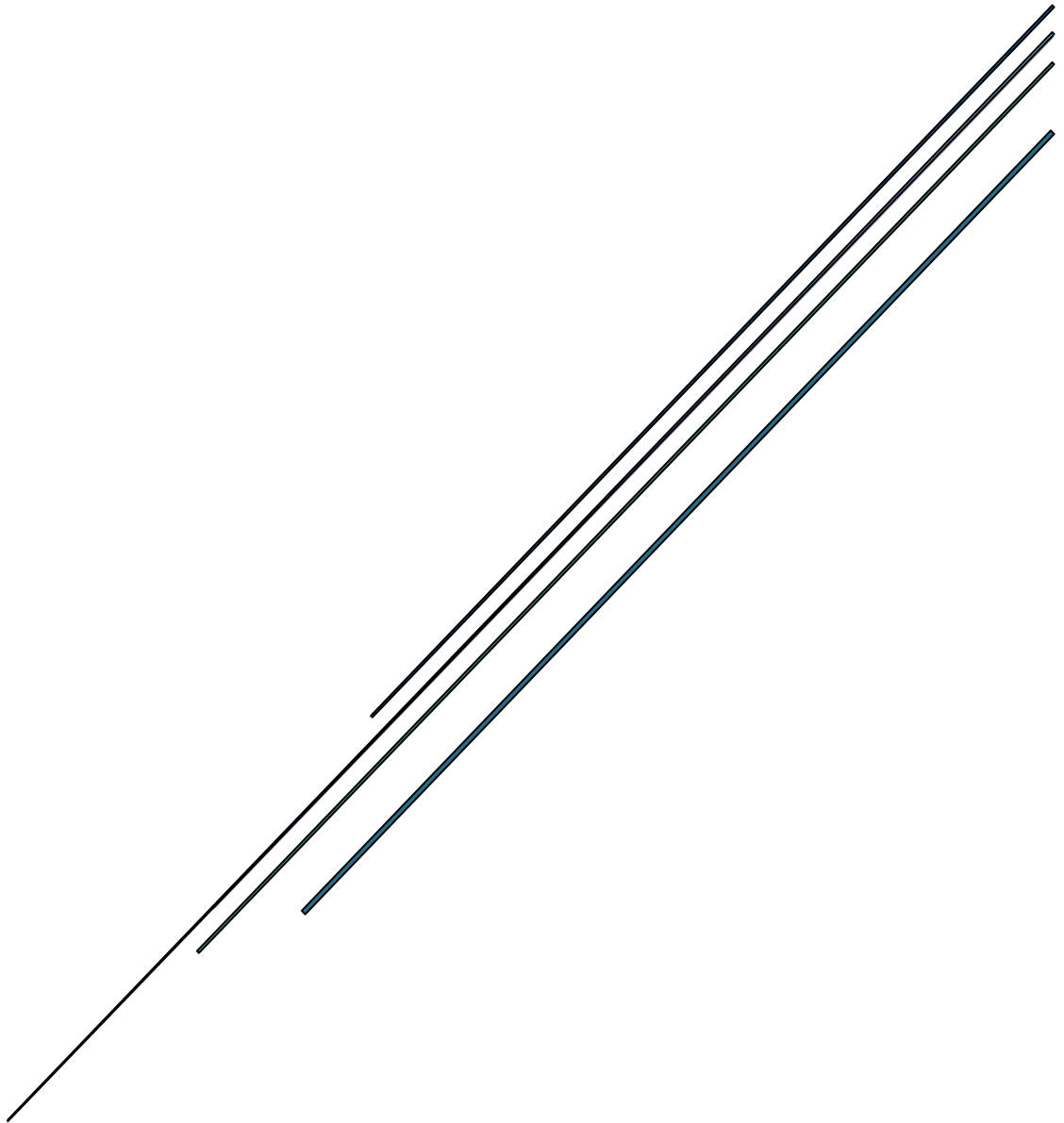
### UNDERSTANDING DATA REPORT

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# UNDERSTANDING HOUSING NEED IN YORK

A critique of 2019 Housing Needs Update by GL Hearn for City of York Council, a review of Local Plan examination findings over the use of the 2016 based household projections, and an alternative recommendation for the City of York Local Plan OAN.



Understanding DATA  
July 2019

## INTRODUCTION

1. This report is prepared by Understanding Data Ltd. on behalf of Langwith Development Partnership.
2. Understanding Data has been trading since 2015, and has supported Councils with demographic, housing and economic analysis and advice throughout the Local Plan process and at examination at Bradford, Cornwall, East Devon, Basingstoke and Deane, North Tyneside, Fylde, Barnsley, Welwyn Hatfield, Leeds, Mid Devon.
3. In addition, a range of evidence and written submissions around Local Plan evidence papers has been provided for a range of private sector clients in as part of the plan process or examinations in Warwick, Tandridge, East Lindsey, and Harrogate.
4. Understanding Data has provided expert input to wider project teams for relevant housing research projects (Leeds SHMA, Isles of Scilly SHMA, Swansea SHMA,) and provided focused SHMA updates and evidence support for Isles of Scilly Council.
5. It is intended to provide an objective critique to the City of York Council Housing Needs Update (EX/CYC/9) published in Jan 2019. The latest and detailed evidence is set out to support both criticism of the approach taken in EX/CYC/9 and by the Council and to underpin an alternative approach.
6. It provides an alternative OAN for consideration in support of representations to the proposed modifications consultation with specific regard to the Council's proposed revised OAHN figure (and supporting evidence), but specifically including the Housing Needs Update by GL Hearn, dated January 2019 [EX/CYC/9], the proposed modifications schedule relating to the revised OAHN figure [EX/CYC/15].
7. It also provides analysis and commentary on the issue about the status of the 2016 household projections for plans that have been examined under the 2012 NPPF transitional arrangements.

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- Alternative available projections
- Recent growth in York

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- Economic Adjustment
- Market Signals

Section 4 A review of Inspector reports since Sept 2018 around the use of the 2014 and 2016 based household projections **Pages 44-51**

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- Updating Local Housing Need for York

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## SUMMARY

S1. The York OAN as set out in EX/CYC/9 (790 d.p.a) is far lower than that in the 2017 SHMA, at 953 d.p.a, (although the Council did not accept their consultant's recommendation and stipulated an even lower figure of 867 d.p.a), and significantly lower than the proposed standard method Local Housing Need which, updated is 1059 d.p.a.

S2. This is significant and needs to be assessed against the robustness of recent data, the Government's unchanged policy imperative about boosting housing supply and worsening affordability issues in York.

S3. Clearly the 2016-based population and household projections constitute the latest, most up-to-date information available. Para. 158 (2012 NPPF) does not however only state that Local Plans should be based on the most up-to-date evidence but also evidence that, following objective scrutiny, is also considered to be 'adequate'.

S4. It is also important to remember that the totality of the 2012 NPPF has one of the four Local Plan soundness tests being consistency with national policy, epitomised for housing delivery in the Para. 47<sup>1</sup> commitment for the Framework to oversee a significant boost in the supply of housing.

S5. Government policy regarding housing delivery commits to supporting the housing market to deliver 300,000 homes a year on average by the mid-2020s. Para. 18 of the MHCLG 2018 document 'Technical Consultation on updates to National Planning Policy and Guidance' reiterates this commitment where "...the Government considers that planning policy should respond flexibly and support the aspiration of supporting a market that delivers 300,000 homes".

S6. There can be little doubt that Government policy, as established formally within the 2017 Budget and contained in consultation papers with specific reference to the planning sector, aims to work towards the delivery of 300,000 new homes per annum as part of the NPPF para. 47 commitment to boost significantly the supply of housing.

S7. Para. 10 of the CLG Technical Consultation document clearly identifies a conflict between the application of the 2016-based projections and the achievement of the 2012 NPPF objective of boosting significantly housing supply as the result would be national housing delivery levels below that delivered during preceding years.

S8. It is acknowledged that the City of York Plan that was submitted in May 2018 and is being assessed against the 2012 National Planning Policy Framework (NPPF) in accordance with the transitional provisions of paragraph 214 of the 2018 NPPF, meaning that the standard method for calculating housing need does not apply in this case.

S9. This report demonstrates that there is a robust case across three areas where we do not feel that EX/CYC/9 or the council through the Plan address the latest and best data, or in the case of the starting point for the calculation of OAN the latest and best official advice and best practice. These are:

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<sup>1</sup> <https://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

## 1. The starting point - 2014 or 2016 based projections.

S10. There is a robust case in favour of the use of 2014 based projections in calculating a 2012 NPPF compliant OAN:

- The difference between 2014 and 2016 based household projections is significant and the use of the 2016 projections as the starting point for the Plan's housing target is a major and artificial constraint on planning for increased levels of housing delivery.
- Following on from analysis for this report of relevant recent Inspector's reports, it is clear that there is a widespread endorsement of the use of the 2014 based projections for plans being examined under the 2012 NPPF.

S11. The use of the 2016 projections as a starting point lowers the OAN and housing target for York significantly.

S12. It is instructive in the October 2018 GL Hearn Objectively Assessed Need Update report for Oxford City Council<sup>2</sup> that they state:

3.80 In September 2018 ONS produced the 2016-based household projections. These were the first projections produced by ONS having taken over the role from CLG. The ONS projections drew on trends from 2001 rather than 1971 and as a result locked in more recent trends in household formations. This has in part resulted in the reduced household growth set out in the previous chapter.

3.81 It is also the reason that the ONS have agreed to produce a variant household projections whereby household formation rates in younger age groups (25-44) are increased rather than suppressed. ONS state that "the purpose of this variant would be to illustrate the uncertainty in the projections around the future household formation patterns of this age group".

3.82 With this uncertainty in mind we have continued to use the 2014-based household projections which were published by the CLG in June 2016. Although it should also be stated that this work was largely drafted on that bases.(sic)

S13. Despite acknowledging the concerns about the 2016 based projections GL Hearn seemingly choose to use these for their recent York work, without question let alone even acknowledging the challenge that could reasonably be expected to test whether the new 2016 based projections are a more accurate assessment of York's growth trajectory given how different (and how much lower they are) than the 2014 based projections.

S14. The decision making process in the Oxford work (published October 2018) has not been consistently applied in EX/CYC/9 published January 2019.

S15. The established concern with the 2016 projections is that they predict a decline in projected household growth which reflects some key methodological changes employed by ONS that have resulted in a fall in the underlying population growth, and lower levels of household formation amongst younger age groups, and not actual local trends.

S16. The 2014-based SNHP drew on data from the 1971, 1981 and 1991 Censuses as part of the process for projecting Household Representation Rates [HRR]. For the latest 2016-based SNHP, the ONS decided to move towards the 2011 Census definition of Household Reference Persons [HRP]. For a variety of reasons, the change of HRP definition means it is no longer

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<sup>2</sup> [https://www.oxford.gov.uk/download/downloads/id/5096/shma\\_update\\_to\\_2036.pdf](https://www.oxford.gov.uk/download/downloads/id/5096/shma_update_to_2036.pdf)

possible for ONS to use the pre-2001 Census data used in the previous methodology in the production of the 2016-based household projections.

S17. This has had an important impact on household growth amongst younger age groups that is likely to be due, in part, to the housing crisis that has been particularly pronounced since 2001 and has adversely impacted younger age groups' ability to get on the housing ladder.

S18. Only using the 2001 and 2011 Censuses as inputs results in a downward trend in household formation for the younger age groups, which in turn would decrease assessments of overall housing need across the population, despite clear indications of growing need and demand. the need for housing for younger people.

## **2. Economic Case.**

S19. This report also considers the strength of the latest GL Hearn report and the Plan's position around economic growth.

S20. There are solid reasons to challenge the 650 jobs /790 dwellings figure that arises from the EX/CYC/9 approach as this document relies on an economic forecast that is dated from 2015. The only "update" to this was reducing the period jobs totals through the application of a jobs created total for 2012-14, which was undertaken in the ELR update (SD 063).

S21. This 2015 economic forecast does not represent the best available information and that across a range of different metrics growth levels and potential in York have increased in the period since 2015.

S22. This report demonstrates that :

- recent levels of job growth are far higher than the 650 jobs that the EX/CYC/9 uses to underpin the OAN.
- EX/CYC/9 and the preceding ELR update (SD063) make no attempt to plan positively for the jobs expected from York Central ( over 7400 FTE gross ) or the prospects of further high value growth from University / research linked initiatives and investments which economic consultants for the University in their Regulation 19 consultation (ID 849) estimate at up to 2840 FTE jobs. Both broad proposals leading to this extra growth are supported by the Council and York, North Yorkshire and East Riding Enterprise Partnership.

S23. The Council's approach significantly underestimates the economic potential of the area and that there are grounds to require a more consistent review of the likely (and known) levels of future job creation, and that this would require a higher OAN figure than set out in the EX/CYC/9 and the Plan

## **3. Market Signals**

S24. This report sets out that there has been real inconsistency in how this important issue has been dealt with since 2016. GL Hearn interpret 2012 NPPF guidance as an either or approach between adjusting for economic growth and adjusting for market signals. These are not the interchangeable.

S25. There is a clear imperative to respond to the worsening affordability issues and this is serious enough to warrant a significant adjustment in addition to responding to higher levels of job creation, both that which is happening now and which is in the pipeline and supported by the Council (e.g. York Central). This would be in addition to any adjustments made to respond

to economic growth and the need to balance the future workforce and the expected jobs target.

**Conclusion**

S26. We consider an OAN of 1,425 d.p.a (2014 based) is appropriate. The council need to consider further clarification of the approach in EX/CYC/9 to adjusting household formation rates and the application of this, and the robustness of the jobs target that this report and the Plan relies on.

## 1. Context of the latest Housing needs report (EX/CYC/9)

1.1. EX/CYC/9 is the latest in a series of “housing needs” reports for the City of York Council.

1.2. In sequence<sup>3</sup> these are:

- Housing Requirements in York -Assessment of the Evidence on Housing Requirements in York May 2013 (Arup)
- Housing Requirements in York Evidence on Housing Requirements in York: Sept 2014 Update (Arup)
- Housing Requirements in York - Evidence on Housing Requirements in York: August 2015 Update (Arup)
- Strategic Housing Market Assessment - June 2016 (GL Hearn) (SD51)
- Strategic Housing Market Assessment – Addendum June 2016 (GL Hearn) (SD52)
- Strategic Housing Market Assessment Update Sept 2017 (GL Hearn) (SD050)
- Housing Need Update January 2019 (GL Hearn) (EX/CYC/9)

1.3. The last four are named in the Examination and Submission documents libraries.

1.4. This represents a substantial range of material that are York specific since the last cross authority SHMA which was undertaken in 2010 and published in 2011 at the North Yorkshire level. It is helpful to review the key conclusions from each of these.

1.5. These figures in Table 1 are provided as read from the various available reports.

1.6. The Government have raised concerns regarding the impact of the 2016-based household projections. The Government clearly consider the 2016-projections do not deliver the boost that policy directs to housing delivery. The Government clearly set out within the Technical Consultation<sup>4</sup> that was published last year why they consider the latest projections are not a justification for lower housing needs in paragraphs 11 and 27. Table 1 below also shows quite clearly that the 2016 household projections for York represent a clearly significant drop from both previous projections and the current thinking around a standardised methodology via local housing need. In the clear context of boosting housing supply, as well as addressing clearly worsening affordability issues (as highlighted in EX/CYC/9 at paragraphs 4.17-4.19, and in this report at section 3) the 2016 projections do not represent a good or robust starting point for York.

1.7. There is a quite clear and significant difference between the 2014 based household projections – given clear weight as the ongoing basis for the Government’s Local Housing Need calculations, and the 2016 based projections that EX/CYC/9 acknowledge have weaknesses, but ultimately, uncritically use to update the York OAN.

1.8. Table 1 shows the changing context of how housing need has been assessed over the last 6 years.

1.9. The key figure in this table is the drop adopted uncritically by the authors and the Council, in EX/CYC/9 of a starting point of 484 from the SD050 starting point of 867, this represents a reduction of 383 a year or 44%.

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<sup>3</sup> In addition, Leeds City Region (of which York is part) commissioned a Demographic evidence for the objective assessment of housing need within the Leeds City Region report in July 2014 which reviewed methodology and approaches across the city region.

<sup>4</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)



Table 1<sup>5</sup> Recent Council Assessments of Housing Need

		Date	Start Point	Economic	Market Signals	HFR	OAN (or equivalent)	Upper range	Projections Used
pre OAN	Arup *	2013	700	1090			850	1250	2011
pre OAN	Arup **	2014	833	877		869	850		2011 adj
OAN	Arup ***	2015	758	789			854		2012 HP
OAN	GL Hearn	2016	783	x	x	781	841		2012 HP
partial	GL Hearn (Addendum)	2016	783				898		2014 PP
OAN	GL Hearn	2017	867	x	x	953	953		2014 HP
OAN	GL Hearn	2019	484	790	557	679	790		2016 HP
LHN	CLG - LHN ****	2017	840		1070		1070		2014 HP
LHN	CLG LHN *****	2019	820		1089		1089		2014 HP

1.10. Overall EX/CYC/9 introduces the existence of the 2016 household projections, at (para. 1.1-1.2) and sets out generally accepted caveats about their robustness (para. 2.17 – 2.21).

1.11. It does not reference the clear statements from Government about how the 2016 projections should not be used in comparison with the expected treatment 2014 based projections.

1.12. The concerns of CLG were clearly available in October of 2018<sup>6</sup> and were a key part of the technical consultation following the July 2018 revisions to the NPPF. These concerns were:

- Household projections are constrained by housing supply
- The historic under-delivery of housing means there is a case for public policy supporting delivery in excess of household projections, even if those projections fall.
- Other things being equal a more responsive supply of homes through local authorities planning for more homes where we need them will help to address the effects of increasing demand, such as declining affordability, relative to a housing supply that is less responsive.
- There are clear issues of declining affordability.

1.13. The Government highlight in paragraph 12 of the technical consultation that 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.

1.14. The Government has updated Planning Practice Guidance in January 2019 to make it abundantly clear that the 2014-based household projections remain the baseline for the standard method, to ensure that historic under-delivery and declining affordability are

<sup>5</sup> \* noted a high growth option of 1250 d.p.a based on 2008 projections which would ""address the challenges surrounding higher than the regional average house prices in the district."" e.g. an affordability adjustment "ARUP 2013

\*\*\* the previous 850 d.p.a was described as still valid Arup 2015

\*\*\*\* The original LHN figures use a ten year period from the 2014 SNHP -2016-26 as originally published by CLG in 2017 – the housing need consultation data table

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

\*\*\*\*\* Updated with newer affordability data (Mar 2019) and using 2014 based projections and change from the period 2019-29 as set out in

<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#housing-need>

<sup>6</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

reflected and consistent with the its objective to significantly boost the supply of homes (ID: 2a-005-20190220 Step 17).

1.15. It is logical that the spirit of this advice should apply to Plans being considered under the 2012 NPPF – if projections are deemed to be unsuitable for a plan submitted on the 25<sup>th</sup> January why are they likely to be suitable in a Plan submitted one day earlier.

1.16. The Government’s response to the technical consultation (Feb 19<sup>8</sup>) confirms that this remains the Government’s view. At present ongoing use of the 2014-based projections will provide greater continuity in the basis for assessments, prior to further explanation and analysis to be provided by ONS in the future.

1.17. ONS themselves, has already clarified that because the projections are trend-based they do not take account of how many people may want to form households but are unable to do so, hence they do not demonstrate the number of homes that must be built to meet demand.

1.18. ONS<sup>9</sup> has gone on to state:

“Although the latest household projections are lower than the previously published projections, this does not directly mean that fewer houses are needed in the future than thought. This is because the projections are based on recent actual numbers of households and are not adjusted to take account of where homes have been needed in recent years but have not been available. Therefore, if more homes are built, the increased availability of homes may result in more households forming. The opposite is also true –if fewer homes are built then fewer households are able to form.”

1.19. Sections 2 and 3 of this report critique the GL Hearn HN 19 approach to the demographic starting point and factors which may lead to upwards adjustments of this starting point. Alternative views are presented which lead to an OAN figure, compliant with 2012 NPPF which actively boosts housing supply, is in keeping with the spirit of the Government’s overall approach to the delivery of new homes and addresses worsening affordability issues within York and address the economic and job growth potential of York.

#### Key Messages

The Government has been very clear about the weight that should be given to the Sept 2018 published 2016 based sub national household projections. EX/CYC/9 and the City of York Council have adopted these projections uncritically, and without addressing the significantly lower levels of household formation this national methodology suggests for York.

<sup>7</sup> <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

<sup>8</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779792/LHN\\_Gov\\_response.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779792/LHN_Gov_response.pdf)

<sup>9</sup> <https://blog.ons.gov.uk/2018/10/19/what-our-household-projections-really-show/>

## 2. Demographic Starting Point

2.1. EX/CYC/9 document does not reflect the current Government thinking or advice (which is to use the 2014 based household projections not the 2016 based set), and it does not compare or seek to explain the substantial difference in the 2014 households and the 2016 household projections as is the normal case in GL Hearn work, as illustrated below. Figure 1 is an extract from SD051 and sets out clearly the changes with several variations between the 2012 based projections and the 2014 based set.

Figure 1 Table 22 2016 SHMA (SD051)

Table 22: Projected Household Growth 2012-32 – range of demographic based scenarios

	Households 2012	Households 2032	Change in households	Per annum	Dwellings (per annum)
2012-based SNPP	84,244	99,338	15,093	755	783
2014-based	84,244	102,702	18,458	923	958
UPC adjusted	84,244	96,920	12,676	634	658
10-year migration	84,244	97,904	13,660	683	709
2012-based SNPP (as updated)	84,244	100,300	16,056	803	833

2.2. Figure 2 from EX/CYC/9 however only sets out only the unadjusted 2016 household projections with household formation rate variants (showing household representative (or formation) rates from 2014 and a part return to even earlier trends) but does not directly compare the significant differences between the 2014 and 2016 based projections.

Figure 2. Table 6 of the EX/CYC/9

Table 6: Projected Household Growth 2012-37 – 2016-based Population Projections

	Households 2012	Households 2037	Change in households	Per annum	Dwellings Per Annun
2016-SNHP HRRs	83,522	95,266	11,744	470	484
2014-SNHP HRRs	84,064	99,320	15,256	610	629
Part-return to trend	84,064	100,556	16,492	660	679

Source: Derived from ONS and CLG data

2.3. Table 6 in EX/CYC/9 is somewhat unclear. It does not set out the 2014 based projections that had been previously addressed in the SHMA 2017. Table 6 addresses the main 2016 household projections – (labelled 2016 SNHP HRRs), the 2016 household projections with 2014 SNHP HRRs and a part return to trend. The labelling is potentially confusing and by not including the previous projections the scale of the change between the 2014 and 2016 based projections is not directly revealed let alone addressed.

2.4. This clearly acts to minimise the difference between the 2014 and 2016 based household projections. The 2014 household projections are not directly referenced or set out.

2.5. For clarification these projections show:

- 2014 based 2012-37 show 20,596 households at 824 per annum<sup>10</sup>.

<sup>10</sup> The “plan period in the evidence reports” changes across the 2017 SHMA (SD050) and EX/CYC/9 from 2012-32 to 2012-37. The 2017 SHMA (SD050) and EX/CYC/9 also present these household figures as dwellings per annum which are respectively 867 and 484.

- 2016 based 2012-37 (from EX/CYC/9) show 11,744 households at 469 households.

2.6. The 2016 projections annualised figure is 43% less than the 2014 equivalent as households and 44% less expressed as d.p.a.

2.7. While EX/CYC/9 acknowledges concerns over the 2016 projections (paras 2.17 to 2.21) it does not actually address the scale of the change between the two projections or unravel this against other indicators (there is some limited discussion which seeks to justify the 2016 SNPP's lower outcomes).

2.8. Instead it sets out the 2016 household projections and (1) applies 2014 based household formation rates to the 2016 base, and (2) applies an undefined part return to past trend. The detail of the part return to trend (or lack of) is discussed in para 3.2 of this report.

### What are the range of available “demographic starting points” looking at published projections?

2.9. There are three recent official sets of projections:

- 2012 based sub national household projections (CLG)
- 2014 based sub national household projections (CLG) and policy recommended
- 2016 based sub national household projections (ONS) – significant methodology changes

2.10. The 2016 based sub national projections have taken the unusual step of being released with two sensitivities:

- Sensitivity 1
- Sensitivity 2

2.11. The sensitivity options help distinguish the effects of the changes made to the 2016-based household projections methodology from the effects of the move away from the 2014 set.

2.12. In test one, the 2014-based SNPPs and unrevised mid-year population estimates (MYEs) were included through the 2016-based household projections methods, instead of the 2016-based SNPPs and revised MYEs. This does not represent the best understanding of recent changes and is included simply as context.

2.13. In test two, the 2014-based Stage 2 age-only household headship rates were applied to the 2016-based SNPPs to isolate the effects of the methodological changes to the household formation rates on the resulting projection. This is a helpful verification of the significant dampening impact that taking household formation trends (as the 2016 projections does) only from 2001-2011 has.

2.14. Of these the Sensitivity 2 provides a check on the EX/CYC/9 scenario titles 2014 -SNHP HRR (as seen in Figure 2 / Table 6).

2.15. On May 16<sup>th</sup>, 2019, ONS released a further series of variant<sup>11</sup> projections covering:

- 2001 HFR rates
- 10 year Migration
- High Migration

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<sup>11</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/variantsubnationalpopulationprojectionsforengland/2016based>

- Low Migration

2.16. Unlike the main 2016-based household projections, the first variant continues to project the HRRs forward all the way to 2041. The impact of this is continuation of lower growth.

2.17. The 10-year migration variant projection uses migration data from the years ending mid-2007 to mid-2016 to set the migration assumptions of the projection. This differs from the five years' worth of data (years ending mid-2012 to mid-2016) used in the main projection and the high and low international migration variants. The 10-year migration variant includes different methodologies because of the time range of data used to set assumptions.

2.18. The high international migration and low international migration variants are produced broadly using the same methods as the 2016-based subnational population projections main release (the principal), except that the totals are constrained to match those in the 2016-based high and low migration variant national population projections for England.

2.19. An alternative check on ONS /CLG methodology nationally is the availability of nationwide projections<sup>12</sup> available at Local Authority level created by the Greater London Authority, based on three different migration periods:

- Short-term: Uses a 5-year average of past migration data
- Central: Uses a 10-year average of past migration data
- Long-term: Uses a 15-year average of past migration data

2.20. This paper does not attempt to test in detail these different approaches. However, the ONS variants and the GLA approach are worthy of consideration given the concerns over the 2016 based ONS projections. The results show consistently that a higher level of growth is expected in York, in keeping with the 2014 based (CLG) methodology. It reinforces the relevance of the 2014 results.

2.21. The results of these three sets of household projections are set out below.

Table 2 Household Projections Results – using plan period 2012-37

		2012	2037	2012-37	Annual	Convert to Dws from HH (vacancy rate)
Current CLG concerns	<b>2016 Based</b>	83445	95162	11717	469	486
	2001 Variant	83522	92338	8816	353	366
	Low Mig	83522	92550	9028	361	374
	10 yr Migration	83522	95544	12022	481	499
	HighMig	83339	97786	14447	578	599
	Sens 1	83714	100948	17234	689	715
	Sens 2 (14 HFR)	83736	98135	14398	576	597
CLG Recommended	<b>2014</b>	84271	104867	20596	824	854
CLG	<b>2012</b>	84247	102611	18364	735	762
Alternative GLA Method	Central	85260	103928	18668	747	774
	Long Term	85260	104117	18857	754	782
	Short Term	85260	103773	18513	741	768

<sup>12</sup> See Appendix A for Details.

2.22. A Census based vacancy rate is used to convert Households (annually) to dwellings, this was 3.7% and was used in the 2016 SHMA (although referenced as 3.8%). In the SHMA 2017 report this was replaced with a Council Tax figure of 1.3% (para 2.16 SHMA 2017), and in EX/CYC/9 report this was replaced with a vacancy rate sourced from Council Tax data of 3% although the reference does not expressly say this is a York figure, merely that 3% is a fairly standard number (para 2.26). Given the differences between the 2017 and 2019 GL Hearn work the Census figure of 3.7% is used here to convert households to dwellings.

2.23. The Census rate is preferred and is felt to be more robust. It is closer to the start date of the Plan (2012), is a constant against the fluctuations that appear to come from using Council Tax, and in addition, it is likely to reflect the quite dramatic increase of Airbnb properties in York many of which are likely to have come from permanently occupied residences. This figure stands at 1153 in May 2019. In fact, this issue may need to be reviewed further by the Council to see the likely detailed impact in the central areas of the City.

2.24. It is clear there are two quite different sets of outcomes – the methodological changes contained in the main 2016 based projections (not the actual recent growth levels) have depressed the expectation of new household formation and are significantly lower than the:

- Recommended 2014 projections
- The GLA alternatives
- The High Migration 2016 variant
- The two 2016 sensitives (basically rolling back some of the methodological changes)

**The crucial question to consider is has the recent period in York seen below average or above average levels of growth -**

**How do the projections compare to recent growth ?**

2.25. Household estimates are provided as part of the household projections<sup>13</sup>. These show annual average household growth in York clearly increasing over recent decades and was:

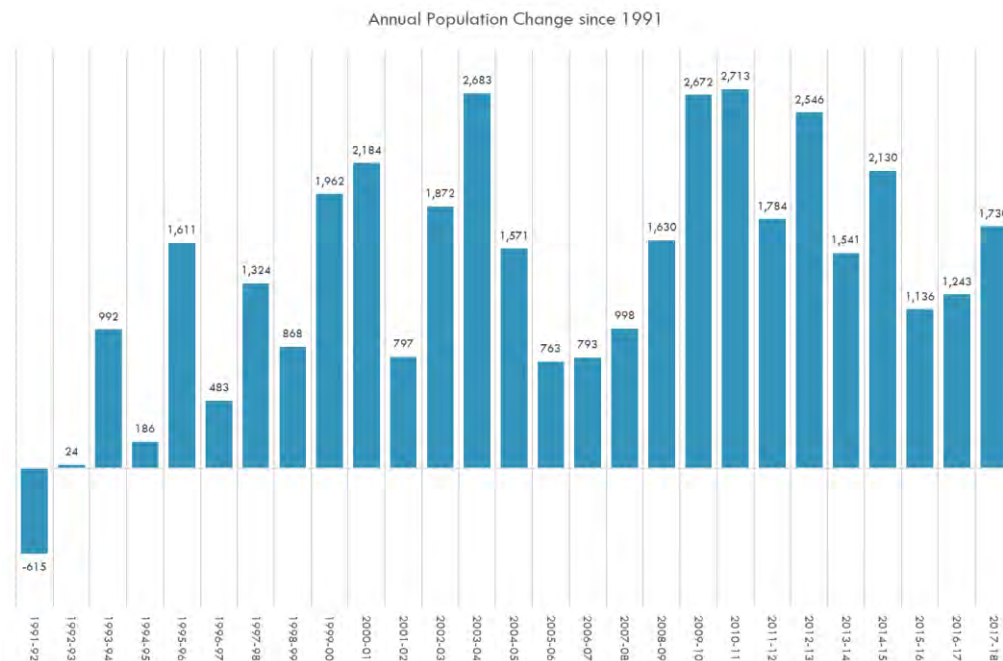
- 1990s 605
- 2000s 680
- 2010 + 920

2.26. Levels of household formation has been increasing.

2.27. Another source of household change is the difference between the 2001 and 2011 Census. This shows a change of 6,632 households (663 per annum) across this period. Housebuilding in York was particularly constrained during this period.

2.28. To place this in context, a further assessment of recent levels of population growth gives more detailed and recent estimates.

**Chart 1 The overall level of population change in York**



2.29. There have been clear rises in annual population change over the last 10 years. The last three years are showing growth of over 500 people a year more than the average growth during 2005-08.

2.30. Average population growth for York in the:

- 1990s 902
- 2000s 1649
- 2011+ 1730

<sup>13</sup> Source from Live table 406 form the 2014 Household Projections

2.31 Recent population growth has been increasing.

**What have the components of recent population change been ?**

2.32. The key components of population change are natural change (births and deaths) and net migration (the relationship of in and out internal and international migration).

**Table 3 The components of population change for York (natural change and migration).**

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	Trend
Births	2117	2051	2044	1993	2006	1911	1861	
Deaths	1768	1814	1719	1846	1806	1849	1872	
Natural Change	349	237	325	147	200	62	-11	
Internal In	12768	12697	13487	13195	13029	15720	16136	
Internal Out	12078	11641	13124	12558	13118	15382	15937	
Internal Net	690	1056	363	637	-89	338	199	
International In	2330	2571	2784	2963	2510	2398	2832	
International Out	1577	1366	1969	1603	1542	1567	1327	
International Net	753	1205	815	1360	968	831	1505	
Special	-9	47	41	-10	48	20	33	
Other	1	1	-3	-4	9	-8	4	

2.33. There have been increases in the amount of in and out migration, with some fluctuations in net migration which may be linked to difficulties in accessing affordable housing and moves away from York to other cheaper local housing markets.

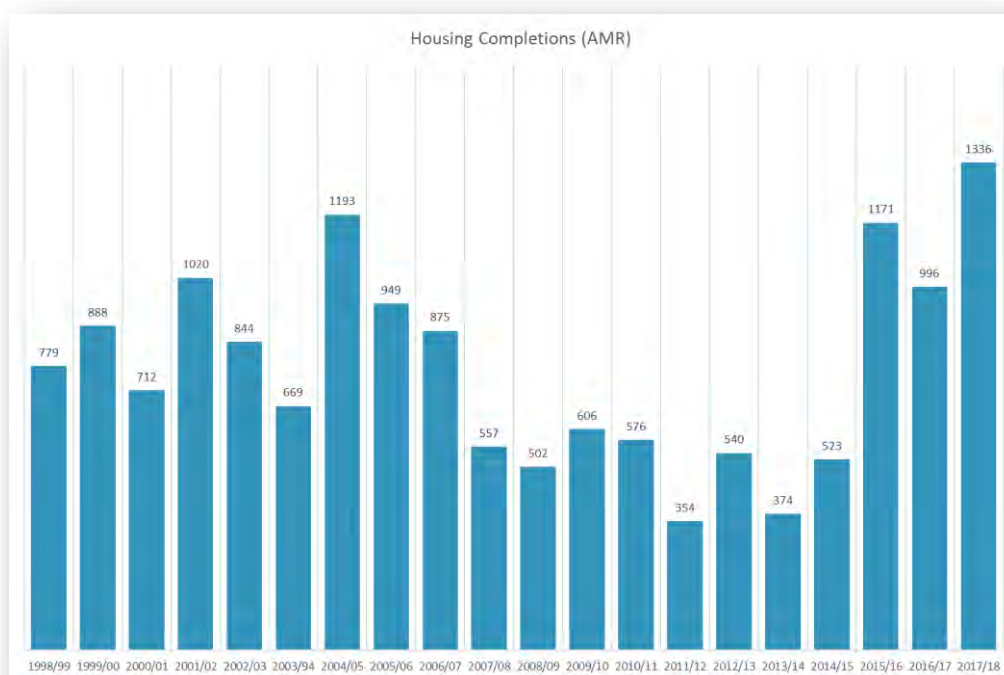
- Natural Change has decreased.
- Net International Migration has increased and 2017/18 represents the largest gain since 2011.

**How does this compare to recent dwelling completions?**

2.34. Using data sourced from the City of York Council latest Annual Monitoring report, and previous SHMA's it is possible to compare historic housing delivery.



Chart 4 Dwelling Completions from York Annual Monitoring report



2.35. 2017/18 has seen the highest level of completions since 1998. The last three years have been the highest average level of completions in the last twenty years.

2.36. House building has been increasing recently. The Council's proposals are to reduce the provision of housing that is currently being delivered (last three year average is 1167 dwellings) to 790, a reduction of 32%. EX/CYC/9 did not address the rising level of completions. SD050 did acknowledge the increased level of housing completions at paragraph 3.13. against a backdrop of far lower levels of completions previously.

### Growth levels and the OAN

2.37. EX/CYC/9 makes clear there are concerns with the 2016 projections nationally. It sets out a very limited view that growth is slowing in York in support of the use of the 2016 projections<sup>14</sup>, quoting lower levels of growth found in GP Register counts compared to ONS population estimates. There are a range of reasons why GP Register data is different to ONS mid-year estimates<sup>15</sup>, which include:

- Over-counting in GP practice registers
- Under-counting in population estimates
- Different definitions of who counts as 'resident' in the country

2.38. An uncritical reliance on the Patient Register as the source of information on population growth in the 2011 – 2017 period and the basis for supporting a downward adjustment of population growth, fails to recognise that ONS consider the Patient Register as a main source of information in deriving their official Mid-Year Estimates (MYE) (i.e. the Patient Record data

<sup>14</sup> Para 2.12. Table 4

<sup>15</sup> <https://commonslibrary.parliament.uk/social-policy/health/population-estimates-gp-registers-why-the-difference/>

is 'triangulated' as an input to the MYE population estimates when they are published and further manipulation is not therefore necessary. Recent population growth is actually increasing.

2.39. The actual wider available evidence (2.25 to 2.36 above) evidences that growth is increasing. Data released on 26.6.19<sup>16</sup> updates ONS population estimates to give 2018 values. The York increase is an additional 1,730 people, over 500 more than the average of the previous two years.

2.40. EX/CYC/9 does not make any attempt to justify the appropriateness of using 2016 based projections in a convincing way that is robust or appropriate. It sets out the results of these projections uncritically despite the very significant downward shift they represent.

2.41. By uncritically adopting the 2016 projections EX/CUC/9 has ignored clear concerns about the robustness of the 2016 projections, has not tested the realism of the projections for lower predicted rates of future household change, has not directly tested or made comparisons with the unadjusted (and CLG preferred) 2014 household projections.

2.42. The 2014 based projections appear a better fit with recent levels of growth in York.

2.43. The 2014 based projections should be the appropriate starting point and this leads to a starting point of 824 households and 854 dwellings using the HN 19 methodology but with a Census vacancy rate of 3.7% applied.

2.44. This is the approach that the 2017 SHMA (SD050) document took, albeit with a different vacancy adjustment. It also fits the 2014 based 2017 LHN and indicative 2019 LHN updates with household formation of 820 and 840 respectively.

#### Key Messages

A range of trends suggest clearly recent growth levels in York have been rising.

The 2016 based projections do not reflect this. It is exactly for this reason that Government, and a range of recent local plan reports have backed the robustness of the 2014 based projections to represent a starting point which supports the assessment of the starting point of need.

We contrast the GL Hearn approach contained in a recent October 2018 GL Hearn Objectively Assessed Need Update report for Oxford City Council. In this GL Hearn acknowledge the concerns about and the lower outcomes flowing from the 2016 Household projections and choose to revert to the 2014 based (and higher) household projections. EX/CYC/9 acknowledges concerns about the 2016 based projections but chooses to use them. The difference in Oxford was marginal, the difference by not being consistent in their work for York is a demographic starting point that is 44% lower (2016 to 2014 expressed as d.p.a).

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<sup>16</sup><https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/annualmidyearpopulationestimates/mid2018>

### 3. Adjusting the starting point

**Should the starting point be further adjusted ? This section assumes that the starting point is the 2014 based household projections, for reasons set out previously.**

#### Household formation rates<sup>17</sup>

3.1. Across the UK, younger adult age groups have seen the most significant change in household formation over the last ten years, due to a combination of housing undersupply and affordability issues. In formulating an OAN, PPG recommends that “alternative assumptions in relation to...household formation rates” are considered to evaluate a potential ‘reversal’ of this trend. This approach has been applied by the SHMA and is recommended by the Local Plans Expert Group.

3.2. EX/CYC/9 does include “a part return” to trend based on adjustments to the 2016 household projections. The return is to 2008 (paragraph 5.4<sup>18</sup> of EX/CYC/9). It does not explain the phasing of such a “part return”. It is additionally unclear whether the uplift applies to only the 25-34 age groups (as it does in the 2017 SHMA SD050) or the 25-34 and 35-44 age groups as paragraph 2.34 of EX/CYC/9 imply.

3.3. The impact of the two HFR uplifts that EX/CYC/9 apply are 30 and 40% respectively - 2014 SNPP HRR and part return to trend above the 2016 main projection. (Set out in Table 6 of EX/CYC/9). The uplift in the 2017 SHMA (SD050) to the 2014 household projections amounted to an additional 6 households a year.

3.4. The adjustments in EX/CYC/9 are still considerably below the unadjusted 2014 based figure.

Table 4 HN9 table with 2014 unadjusted and scenarios relabelled

	HH annual
2016 SNHP HRR	484
2016 SNHP with 2014 HRR	629
Part return to trend	679
2014 SNHP	824

3.5. The conclusion of EX/CYC/9 sets out that both a household adjustment and an economic adjustment were made in the final OAN of 790 d.p.a.

3.6. The Council should confirm the details of the EX/CYC/9 approach to this issue around the approach to adjusting for higher rates of household formation for people aged 25-44.

3.7. The inclusion of an adjustment to Household Formation rates (HFRs ) for household suppression is supported. The clearest way to adjust this is to use the 2014 based projections as these drew on data from the 1971, 1981 and 1991 Censuses as part of the process for projecting Household Representation Rates [HRR].

<sup>17</sup> EX/CYC/9 refers to Household Representative Rates HRRs

<sup>18</sup> This isn't set out in the section dealing with the adjustment but is referenced in the conclusions section.

3.8. For the latest 2016-based SNHP, the ONS decided to move towards the 2011 Census definition of Household Reference Persons [HRP]. For a variety of reasons, the change of HRP definition means it is no longer possible for ONS to use the pre-2001 Census data used in the previous methodology in the production of the 2016-based household projections.

3.9. This has had an important impact on household growth amongst younger age groups that is likely to be due, in part, to the housing crisis that has been particularly pronounced since 2001 and has adversely impacted younger age groups' ability to get on the housing ladder.

### Economic Prospects

3.10. The back story to the approach taken in EX/CYC/9 and the current Local Plan is not straightforward to follow. The only SHMA style report that gives this issue more than cursory attention is the 2016 SHMA (SD051). It is helpful to review what that fuller SHMA and subsequent partial updates have considered.

3.11. For context it should also be noted that the Arup work from 2013 put forward Option 2: Housing to support economic growth with a linked dwelling requirement for 1,090dpa. This took account of migration and population growth assumptions built into the OEF economic forecast (which are higher than the sub national population projections), to enable York to recover faster from the recession via growth in key sectors.

3.12. **The 2016 SHMA (SD051)** sets out 4 jobs forecasts to support the development of the OAN. These are explained as follows:

5.2 To consider likely levels of economic growth, the analysis has accessed forecasts from both Oxford Economics (OE) and Experian (via the Yorkshire and Humber Regional Economic Model (YHREM)) – this is the December 2014 release. Table 23 shows the estimated job growth in each of these forecasts for the 2012-31 period and it should be noted that three forecasts are provided by OE – the first is a baseline forecast, the second is entitled 'higher migration and faster recovery' and the third is 'reprofiling sectoral growth'.

5.3 The four different forecasts show a range of different levels of job growth from 609 jobs per annum (OE – baseline) up to 868 (OE – higher migration). The Experian figures sit somewhere in the middle of this range, at 789 jobs per annum.

Figure 3 Table 23 from SD051

**Table 23: Employment increase (2012-31) – range of forecasts**

	Jobs (2012)	Jobs (2032)	Change (2012-31)	% change from 2012	Per Annum Change
OE – baseline	114,358	125,937	11,580	10.1%	609
OE – higher migration	114,358	130,842	16,484	14.4%	868
OE – reprofiling	114,358	126,428	12,070	10.6%	635
YHREM	114,678	129,675	14,998	13.1%	789

Source: Oxford Economics and Experian

3.13. The range of jobs considered in the last full SHMA document ranged from 609, 635, 789 to 868 per annum.

3.14. The SHMA converted these job totals into a housing need equivalent:

Figure 4 Table 24 from SD051

**Table 24: Projected Household Growth 2012-32 – range of economic based scenarios**

	Households 2011	Households 2032	Change in households	Per annum	Dwellings (per annum)
OE – baseline/reprofiling	84,244	99,263	15,019	751	780
OE – higher migration	84,244	99,929	15,685	784	814
YHREM	84,244	99,601	15,356	768	797

3.15. The dwelling requirement linked to these job forecasts was 780, 797 and 814 d.p.a. This was within a context of the demographic assessment for future dwelling requirements being 783 to 833 d.p.a. As such the SHMA took the view that an uplift to match jobs need was not required.

3.16. SD051 did not contain a detailed assessment of the recent performance of the York economy and did not set out an assessment of the robustness of the economic forecasts considered against known investment plans and projects.

3.17. **The 2016 SHMA (SD052)** addendum did not address economic led housing need.

3.18. **The 2017 SHMA update (SD050)** included an update on this issue which is repeated in full below:

4.1 The full SHMA examined economic growth in the City using four different forecasts for job growth. Three of these were from Oxford Economics (OE) including bespoke forecasts procured by Arup on behalf of the Council. The OE forecasts set out a jobs growth of between 609 and 868 jobs per annum the higher of which resulted in a housing need of 814 d.p.a. The Arup work and therefore the bespoke forecasts have not been updated.

4.2 The final forecast was from the Yorkshire and Humber Regional Economic Model. This set out a jobs growth of 789 d.p.a for the period 2012-32. This resulted in a housing need of 797 d.p.a. The later version of the REM substantially reduces this growth to 594 d.p.a. Therefore, we would expect the housing need to also reduce further.

4.3 This report presents no alternative to the work in the original SHMA however it is clear in all cases that the housing need required to meet the economic growth is lower than the demographic need. Furthermore, evidence of more recent forecasts suggest that the economic growth will be even lower than anticipated.

4.4 Therefore on balance, there is unlikely to be any justification for an uplift to housing numbers in the City to support expected growth in employment. The uplift for market signals would also see the likelihood for an economic uplift reduce.

3.19. There are several issues with this approach. The 2017 SHMA (SD050) seems to revert to a single job forecast, the updated REM, (Para. 4.2) but does not state how many jobs this expects, or deal with any of the assumptions or data behind this. This lower figure of 594 d.p.a is not critically assessed and the only reference in the ELR update (SD063) is for a REM update with 806 jobs per year for 2015-31 (Table 1 Page 3 of SD063). It is not clear to which REM forecast (date or assumptions) that the 2017 SHMA (SD050) makes reference to.

3.20. In addition, SD050 does not seek to investigate or explain either the recent or current performance of the York economy, or set out the aspirations for growth from either the

Council, the University, the Local Economic Partnership or the wider Leeds city region. This is a crucial aspect of assessing whether future economic performance needs to lead to adjustments to proposed demographic led housing requirements.

**3.21. The 2019 Housing Needs update (EX/CYC/9)** refers to the role of the ELR and states:

3.1 There are a number of documents which have tested the economic growth potential of the City of York using Oxford Economic and the Regional Econometric Model which is produced by Experian. The most recent of these was a sensitivity test undertaken using the REM outputs of December 2016 and were published in the ELR Update in September 2017 as part of the REG 18 consultation at Pre-Publication Plan stage.

3.2 Table 1 of the ELR update presents the different scenarios over the period 2015 to 2031 as this was the time period looked at in the original Oxford Econometrics (OE) forecasts in the ELR 2016. This included Scenario 2 which was a locally led adjustment to the OE baseline to reflect local circumstances.

3.3 The ELR Update concluded that Scenario 2 was the most appropriate to take forward within the draft Local Plan. Before this occurred, the scenarios had to be moved onto a 2014 baseline as shown in Table 2 of the ELR update taking account of BRES change in the period 2012 to 2014.

3.4 This shows that the total forecast jobs growth for Scenario 2 it is +11,050 jobs over the remaining 17 years of the plan period (2014-31) reducing the economic growth potential in the City of York to 650 jobs per annum.

**3.22.** The approach in EX/CYC/9 is that it:

- references a table from the ELR update (SD063) – Table 1 which updates material from the original ELR (SD064)
- states that the ELP update supports a scenario (called scenario 2) which was updated with employment data (sourced from Business Register Employment Survey – BRES) from the original ELR (SD064)
- uses the 2014-31 job creation figure of 650 jobs per year to assess employment land requirements, not to test housing needs, or working age population.

**3.23.** EX/CYC/9 does not seek to investigate or explain either the performance of the York economy, or set out the aspirations for growth from either the Council, the University, the Local Economic Partnership or the wider Leeds city region. No additional analysis or investigation of the York economy is set out or referenced. It does model the impact of assumptions around unemployment, double jobbing and commuting on the jobs figure and concludes that a consistent dwelling requirement would be 790 d.p.a consistent with a jobs target of 650 per year.

**3.24.** Planning Practice Guidance sets out that consideration should be given to future economic performance in drawing conclusions on the overall need for housing. Where the evidence suggests that higher migration might be needed than seen in past trends in order to support economic growth, consideration should be given to adjusting the assessed housing need. Specifically, the Guidance (Paragraph: 018 Reference ID: 2a-018-20140306)<sup>19</sup> outlines that:

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<sup>19</sup> <https://webarchive.nationalarchives.gov.uk/20180607114246/https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

‘Plan makers should make an assessment of the likely growth in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population’

3.25. The Employment Land Review (ELR) (SD064) set out the results of Oxford Economics Forecast (May 2015) which were used to underpin employment land calculations and were referenced in EX/CYC/9. The key findings from this were:

4.1.4. On this basis it is likely to be around 2021/22 that the number of jobs in York returns to the high recorded in 2007. Nonetheless, employment in York in 2031 is forecast to be 125,900, more than 10,000 higher than in 2014. This is equivalent to a change of 11,220 jobs between 2013/14 to 2030/31.

3.26. The ELR (SD064) investigated two additional scenarios of economic prospects. The first was Scenario 1 Higher Migration faster recovery. This suggested that:

4.2.4 The employment outlook is much stronger than the baseline, with the results suggesting an increase of 15,500 jobs, an additional 4,900 above the baseline. The employment level within York is thus expected to exceed 130,000 by 2030. Employment growth is expected to average 0.7% per annum compared with 0.5% under the baseline. This is equivalent to a change of 15,920 jobs between 2013/14 to 2030/31.

3.27. The second was Scenario 2 Re-profiles Sector Growth. This suggested:

4.2.8 Under scenario 2, there is a positive impact on GVA growth within York, with minimal impact upon employment growth. GVA growth within York increases from 2.4% per annum to 2.5% per annum over the period 2014-2031. GVA growth with Yorkshire & Humber and the UK remains unchanged from the baseline. Employment growth is slightly higher under scenario 2, though considerably below the rate assumed within scenario 1. The results suggest an increase of over 11,050 jobs within York by 2031, 490 above the baseline. The employment level within York is expected to exceed 126,000 by 2031, with jobs growth forecast to average 0.54% per annum, slightly above the baseline rate of (0.52%). Such growth is equivalent to a change of 11,680 jobs between 2013/14 to 2030/31.

3.28. A further jobs forecasts were set out as follows:

4.2.11 Oxford Economics’ June 2015 long term employment forecasts for York are similar to those provided by the REIU. Oxford Economics forecast an additional 10,560 jobs in York between 2014 and 2031 compared with the REIU projection of 11,977, a difference of approximately 1,417 jobs. These absolute changes in the level of employment are equivalent to an average annual growth rate of 0.5% in the Oxford Economics’ forecast compared with 0.6% from the REIU. The starting level (2014 estimate) of employment in York underpinning these forecasts is lower in Oxford Economics’ dataset (115,377) than in the REIU dataset (117,699)

Figure 5 Table 1 from SD064

**Table 1: Summary of economic scenario outcomes**

	Total employment at 2015	Job growth	Difference compared to baseline
	115,377		
OE trend		10,560	
OE Scenario 1		15,646	4,904
OE Scenario 2		11,050	490
Experian REM	118,516	11,977	

3.29. The ELR Update 2017 (SD063) contained some limited updating of the ELR (SD064) scenarios. These are summarised below.

Table 5 - combining data from SD063 Tables 1 and 2

2012-14 BRES Change	OE Baseline Forecast 2014-31	OE Scenario 2 Forecast 2014-31	Baseline 2012-31	Scenario 2 2012-31	Experian/REM - December 2016 (2015-31)
1,950	10,560	11,050	12,510	13,000	12,900
	621 j.p.a	650 j.p.a			806 j.p.a

3.30. The ELR update (SD063) sets out that job growth between 2012-14 was 1950 or 975 per year.

3.31. The primary contention of the ELR is to convert expected jobs into employment land requirements.

3.32. The ELR update (SD063) states:

5.1 .....As set out in this ELR Update, the Experian (REM) model broadly supports the original growth projections included in the OE 2015 model.

3.33. The REM forecast was for 806 j.p.a between 2015-31 – OE scenario 2 was for 650 j.p.a between 2014-31. The difference is 156 jobs annually. We do not think that this difference qualifies as broadly supporting.

3.34. The current Local Plan and the latest iteration of the SHMA/Housing Needs Assessment is based on economic forecasts from 2016, which were updated to factor in employment change between 2012-14. While EX/CYC/9 links its preferred dwelling requirement to Scenario 2 – and 650 jobs per year. The ELR update (SD063) considered a REM forecast which modelled over 800 jobs a year. The approach is unclear and out of date.

### **Economic Prospects**

3.35. There is no attempt to set out the context of either wider economic performance (GVA or jobs), economic investment and expected outcomes from either the Local Enterprise Partnership (LEP) or Council, or to reference wider Leeds City region initiatives and investments in EX/CYC/9. There appears to be no published Housing or Economic Growth topic papers that sets out the Council's views on these issues.



### Is the 650 jobs target appropriate ?

3.36. Consistent employment data is not readily available. What sources exist show:

Table 6 Recent Job Creation assessment 2011-2017

Measure		2011	2017	2011-17	Change %	Annual Change	Annual
Job Density	Total Jobs	117000	122000	5000	4.3	0.7	833
BRES	Employment	106000	110000	4000	3.8	0.6	667
APS	In Employment	98800	104100	5300	5.4	0.9	883
	Average			4767	4.5	0.7	794

3.37. While data from these sources can fluctuate from year to year, they suggest that job growth in York needs to be re-addressed by the Council, and the implications for the balance between jobs and working age population confirmed.

3.38. Taking a blend from the three strongest measures (Jobs Density, BRES and APS) gives job change of 794. This fundamentally challenges the robustness of the 650 jobs total used in EX/CYC/9. It should not be used in the way that ELR update (SD063) used BRES data for 2012-14, as a discount to the projections.

3.39. Additional analysis from wider economic data sourced from the Centre for Cities is set out to provide a fuller context of the York Economy below. As a comparison York is ranked 48 out of 63 in terms of size. The column that shows “expected” rank uses this measure to show whether in simple terms York is ranked above or below this population based measure.

Table 7 York Economic data

Indicator	Unit	Data date	Value	York Rank	Diff with expected rank	National Comparison
Business churn rate	(%)	2017	-0.52	40	-8	
Business closures	per 100,000	2017	38.91	51	3	
Business start	per 100,000	2017	37.23	27	-21	
Business stock	per 100,000	2017	323.06	27	-21	
GVA per worker	(£)	2017	48,036.5	40	-8	
Patent applications	per 100,000	2017	25.11	13	-35	Highest 20%
People born outside the UK	(%)	2011	9.2	38	-10	
Population aged 0-17	(%)	2017	17.55	60	12	
Population aged 18-29	(%)	2017	22.73	6	-42	Highest 10%
Population aged 30-44	(%)	2017	17.76	59	11	
Population aged 45-64	(%)	2017	23.77	46	-2	
Population aged 65+	(%)	2017	18.2	16	-32	Highest 30%
Exports per job	(£)	2017	9,380	41	-7	
Good exports per job	(£)	2017	5,830	41	-7	
Services exports per job	(£)	2017	3,550	43	-5	
Households who social rent their homes	(%)	2011	13.98	54	6	
Households that rent their homes privately	(%)	2011	19.17	28	-20	
Households that own their home	(%)	2011	66.85	16	-32	Highest 30%
Housing Affordability Ratio	Ratio	2018	10.55	15	-33	Highest 30%
Housing Stock	No.	2017	88,280	47	-1	
Mean House Price	(£)	2018	268,971	16	-32	Highest 30%
Manufacturing	(%)	2017	4.1	53	5	
Other private sectors	(%)	2017	47.03	11	-37	Highest 20%
Other sectors	(%)	2017	4.69	52	4	
Private Knowledge Intensive Business Services	(%)	2017	13.21	24	-24	Highest 40%
Public Services	(%)	2019	30.97	18	-30	Highest 30%
Claimant count	(%)	2017	1.33	60	12	
Employment rate	(%)	2017	77.4	14	-34	Highest 30%
Private Sector jobs	Jobs	2017	76,000	43	-5	
Publically funded jobs	Jobs	2017	33,500	40	-8	
Ratio of Private or Public Sector employees	Ratio	2017	2.27	42	-6	
Youth claimant Count	(%)	2019 (f)	0.98	60	12	
GVA	(£B)	2017	5.26	45	-3	
Population	No.	2017	208,160	48	0	
Total jobs	No.	2017	109,500	42	-6	
Average Weekly Workplace Earnings	(£)	2018	449	59	11	
Gini Coefficient		2016	0.42	9	-39	Highest 20%
Pupils achieving 5 A*-C GCSE's incl E and M	(%)	2016	64	3	-45	Highest 10%
Working Age pop with NVQ4 or higher	(%)	2017	48.8	11	-37	Highest 20%
Working Age Pop No formal Qualifications	(%)	2017	4.4	57	9	
Co2 Emissions per capita	(tons)	2016	4.24	41	-7	
Commuting by Bicycle	(%)	2011	11.25	3	-45	Highest 10%
Commuting by bus	(%)	2011	9.66	40	-8	
Commuting by other means	(%)	2011	0.42	40	-8	
Commuting by private vehicle	(%)	2011	51.57	58	10	
Commuting on foot	(%)	2011	17.68	2	-46	Highest 10%
People who work from home	(%)	2011	9.42	11	-37	Highest 20%
Ultrafast broadband	(%)	2018	67.01	48	0	
Total welfare spend	£m	2014	532.3	53	5	
Welfare spend per capita	£	2014	2,604	58	10	

3.38. York shows some very strong economic indicators.

- York has a nationally significant level of the population aged 18-29 within the top 10% of 63 cities across England.
- York has high levels of GCSE achievement (in the top 10%) and working age population with NVQ4 or higher qualifications (top 20%)
- York has high levels of commuting by foot and bicycle (top 10%)
- York has high levels of patent applications per 100,000 population suggesting a range of innovative businesses with high growth potential.
- York has high levels of businesses classed as Knowledge Intensive.

3.41. There are still weaknesses (GVA per worker) and earnings, and it is these that key organisations are seeking ambitious growth agendas to support and improve.

### Economic Aspirations

3.42. The York, North Yorkshire and East Riding LEP<sup>20</sup> describes York as having :

“World-class research facilities and the highest level of skills of any City in the North, and world-class bio economy & agri-tech research facilities.

York has long since had virtually all the ingredients to deliver significant high value business growth and inward investment, particularly in sectors like professional services, insurance and rail. The missing piece has always been available quality office space in the right business locations.

When developed, York Central will deliver game-changing high value economic growth for the area , with a city centre office development inspired by the Kings Cross development, creating over 5,000 jobs and adding an estimated £1.1 billion of additional economic value annually to the Yorkshire economy”

3.43. York Council set out ambitions for:

#### York to become a top 5 UK city economy

3.44. The Our York Economic Strategy 2016 to 2020 (SD070) sets out what it describes as a clear and achievable economic vision for York and focuses on 8 essential objectives to address key challenges in the city:

- deliver the York Central Enterprise Zone
- deliver a Local Plan that supports a high value economy
- take practical steps to develop and retain talent in the city
- drive university and research-led business growth in key sectors
- lobby for investment in key transport networks
- use local business rate freedoms to drive high value growth
- make a fresh 'loud' statement on cultural and visual identity
- bring people and businesses together in creative low-cost ways

3.45. Growth levels in Local Plan do not appear to take into account impact of York Central Enterprise Zone or other above trend growth that could be attributed to the improvements in transport, university and research led business growth.

<sup>20</sup> <https://www.businessinspiredgrowth.com/wp-content/uploads/2017/01/SEP-Update-2016.pdf>

## Key project York Central

York has long since had virtually all the ingredients to deliver significant high value business growth and inward investment, particularly in sectors like professional services, insurance and rail.

The missing piece has always been available quality office space in the right business locations. When developed, York Central will deliver game-changing high value economic growth for the area, with a city centre office development inspired by the Kings Cross development, creating over 5,000 jobs and adding an estimated £1.1 billion of additional economic value annually to the Yorkshire economy. Given its location directly next to York Railway Station and the connections this provides, the site has huge potential to maximise business growth here and in the entire North. Existing transport connections would enable businesses locating on the site to get to London in 1 hour 45 mins - with reduced journey times once HS2 is complete.

Much work and investment has already taken place to make the site deliverable by Network Rail and the City of York Council, but abnormal site costs and up-front infrastructure requirements have long hindered development of this key site.

We were successful in bidding for Enterprise Zone status for the site which means 100% of business rates for the next 25 years, modelled at around £100m, are retained for the site locally. This changes the business case completely, enabling infrastructure to be funded through borrowing against future rates to make the site happen.

Rate relief for businesses coming on site before 2022 will also help to drive early demand, enabling businesses to directly benefit from the Enterprise Zone status.<sup>21</sup>

3.46. The application seeks outline planning permission with all matters reserved for the comprehensive phased redevelopment of the land west of York Railway Station, off Water End and Leeman Road and known as York Central to provide a mixed-use development of up to 379,729 m<sup>2</sup> of floorspace Gross External Area (GEA). The proposals mainly comprise:

- Up to 2,500 homes (Class C3),
- between 70,000 m<sup>2</sup> and 87,693 m<sup>2</sup> GEA of office use (Class B1a),
- up to 11,991 m<sup>2</sup> GEA of retail and leisure uses (Classes A1-A5 or D2),
- hotel with up to 400 bedrooms (Class C1),
- up to 12,120 m<sup>2</sup> GEA of non-residential institutions (Class D1) for
- expansion of the National Railway Museum,
- car parking including multi-storey car parks,
- community uses,
- a large public square (to be known as New Square) between the National
- Railway Museum and York railway station,
- a large public park (to be known as Central Park)

3.47. The expected benefits are estimated employment generation after additionality factors have been applied of an estimated net employment generation of **6,436 FTE**. This is in the context of the Local Plan job target for 2014-31 of 11,050, or 650 jobs a year.

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3.48. The 6,436 FTE figure has been adjusted for leakage, deadweight, displacement with relevant Multiplier applied. The gross figure was 7,339 FTE. Within the context of the York economy this is highly significant additional growth, in sectors likely to have wider positive spin off benefits. The appropriateness of the adjustment from gross to net from the planning application environmental Statement is explored later in this section.

3.49. The construction phase of the project alone is projected generate 1,640 FTE gross and 1,309 FTE net.

3.50. While the ELR update (SD063) considers the appropriateness of the York Central site it does not address the level of job creation, or the mix of job creation from the scheme being delivered and the extent to which this is additional to the original 2015 economic forecasts.

3.51. In their response to the application the Council's Economic Development section comment<sup>22</sup>

The planning application is welcomed as the site has been identified as York's most significant development opportunity. The quantum of employment space that would be provided represents a unique opportunity to shape future development of our economy. It is important that commercial space is not sacrificed for residential uses. Consideration should be given to the use of section 106 agreements to provide opportunities for local people to access employment and education experiences on the site.

3.52. The Local Plan has an indicative jobs target of 11,050 jobs (2014-31) – the gross FTE jobs from York Central is 7,339. Using calculations set out in the Environmental Statement accompanying the planning application for York Central the net impact is in the region of 6436 FTE.

3.53. It is appropriate to assume that not all jobs that could be created through any given investment programme or project will represent jobs over and above the projected growth through economic forecasts. Net additional jobs are the final additional outcome that arises after gross job creation has been adjusted to reflect that some of that activity would have occurred in the absence of that support.

3.54. The economic forecasts behind the Local Plan are out of date, and they do not address the impact of such a major and significant development. The net FTE gain from York Central represents a clear need for the Council to reconsider the appropriateness of the economic workings within EX/CYC/9. Job growth is already far higher than the forecast that the Plan uses, (650 jobs per year), the impact of York Central alone requires a reassessment.

#### The role of University of York

3.55. York University<sup>23</sup> is a member of the elite Russell Group of universities, is a dynamic, research-intensive university committed to the development of life-saving discoveries and new technologies to tackle some of the most pressing global challenges. It aims to be a world leader in research. Since opening in 1963 with 230 students it has grown to host over 30 academic departments and research centres and the student body has expanded to nearly 17,500 students and 4,000 members of staff. The University expenditure is a significant

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<sup>22</sup> [https://planningaccess.york.gov.uk/online-applications/files/22B4FF9D0FDFD2AA647DC0A58B20E79C/pdf/18\\_01884\\_OUTM-COMMITTEE\\_REPORT\\_25.03.2019-2115867.pdf](https://planningaccess.york.gov.uk/online-applications/files/22B4FF9D0FDFD2AA647DC0A58B20E79C/pdf/18_01884_OUTM-COMMITTEE_REPORT_25.03.2019-2115867.pdf)

<sup>23</sup> <https://www.york.ac.uk/media/abouttheuniversity/londoneconomicsreport/London-Economics-report.pdf>

injection of funds to the UK economy. The effect of this is particularly felt in the city of York and the wider region and overall economic benefit is estimated at £1.8 billion annually.

3.56. There has not been an update on the issues around student number growth and interactions with local housing markets, or assessments of the wider economic growth flowing from the University and other aspects of the HE and FE sectors in the last two SHMA / Housing needs reports.

3.57. University economic impact<sup>24</sup> from the economic and social impact of the University of York Draft report for the University of York November 2018

In 2016-17, the University of York educated 17,395 students and employed 3,585 full-time equivalent staff located at its main campuses. The total economic impact associated with the University's educational activities across the UK was estimated to be £1,820.5 million in 2016-17.

In terms of the components of economic impact, the value of the University's teaching and learning activities stood at approximately £487.9 million (27% of total), while research activity contributed a further £537.1 million (30%). The economic contribution associated with the direct, indirect and induced impact associated with the University's operational expenditure and the expenditure of its students was estimated to be £702.2 million (39%). The remaining 5% (or £93.1 million) was associated with the University's contribution to educational exports. The University's total operational costs of approximately £332.5 million in 2016-17.

To estimate the direct economic impact associated with the University of York's research activities, we used information on the total research-related income accrued by the University in 2016-17, including research grants and contracts (e.g. provided by the UK Research Councils and charities; public corporations, Local Authorities and UK government; UK industry, or EU and overseas sources) and quality related (QR) funding provided by the Higher Education Funding Council (HEFCE). Aggregating the income from these sources, the analysis indicates that the total research-related income accrued by the University of York in 2016-17 stood at £89.1 million.

Existing econometric research suggests that there is strong evidence of the existence of spillovers from public investment in university research. Our analysis implies a spillover multiplier of approximately 5.6 associated with the University of York's research income (in the 2016-17 academic year). In other words, every £1 million invested in research at the University results in an additional economic output of £5.6 million for UK companies. Combining the direct economic value of the University's research activities (£35.5 million) with the productivity spillovers estimated for private companies in the UK (£501.6 million), the total.

3.58. The wider economic impact of the University represents around 35% of the total York Gross Value Added (GVA). Continuing investment in research facilities and closer working with business that will develop from this has not been assessed in the out of date economic forecast that the Plan uses.

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<sup>24</sup><https://www.york.ac.uk/media/abouttheuniversity/londoneconomicsreport/London-Economics-report.pdf>

3.59. The University of York made representations to the Regulation 19 Plan consultation (id 849 ) which set out the following economic potential arising from growth across both the University and in links to business.

Extract from University of York Regulation 19 Representation Nicol Economics Report April 2018 1)

The University and its associated activity such as the Science Park makes a very substantial and measurable contribution to the York economy. They support around 7,800 fte jobs or 1 in 12 of all jobs in the city and around £370 million in income.

Potentially across the whole of the North of England, the University may be supporting of the order 10,800 fte jobs.

2) The University has grown strongly over the last 10 years since the 65 hectare Campus East extension was granted planning permission. Student numbers have increased by nearly 60% from 10,600 fte students in 2017/8 to 16,600 by 2016/17. There has been further strong growth in 2017/18.

3) However, the University plays a much wider role in the city and its sub-region. The research and academic activity that takes place at the University provides critical support to the development of wider economy, particularly in knowledge rich area, through business-industry links with existing firms and with potential new investors. The roles of the University in the biosciences/health care sectors and in the creative, digital and IT sectors are particularly important. These are two areas that York expects to develop as the city grows.

4) The University also attracts and develops talent – this is part of its core business. It provides a large pool of graduate for local businesses and works with businesses to train and develop their workforces. This contributes to the enviable position that York has as a city with a particularly high proportion of people with degrees in its workforce.

5) These important roles are, not surprisingly, recognised in York’s economic strategy and throughout the draft Local Plan as well as by the two Local Enterprise Partnerships in which York sits.

6) However, the proposed allocation ST27 in the draft Local Plan only allows for an extra 13 hectares of development land, or a just 17% increase on the current Campus East area. The City of York Council and the draft Local Plan clearly identify that the University will have run out of space on the current Campus East area by the early part of the next decade. The University’s alternative proposal would allow for double this amount of space at 26 hectares of developable area.

7) Future growth scenarios 2 and 3 are described by the University as the “minimum prudent scenarios for planning purposes” (1.25% and 1.5% pa average growth rates in fte student numbers respectively). Under these growth scenarios our modelling suggests that the University may well fully use up the proposed allocation SS27 by the early 2030s. If the rate of growth is faster than these two scenarios, then this could happen rather sooner.

8) The Local Plan is setting out development plans and future green belt boundaries until 2038. Over this period, the amount of effective expansion land proposed in ST27 is clearly inadequate for the University’s needs and will curtail its growth plans and so future economic contribution in three ways:

Economic benefits from the expansion of the University of York, April 2018

- First, by limiting the amount of student and academic accommodation that can be built out and associated scale of the University.
- Second, by constraining the amount of business space for “associated business activities” and the ability for the area of Campus East to provide for “B1 b knowledge based businesses including research led science park uses”.
- Third, by limiting the expansion of its research and associated business collaboration and knowledge transfer activities which are so important for the future economic growth of York and its surrounds in sectors such as biotechnology, bio-renewables, agri-tech and IT/digital.

9) The precise impacts are difficult to ascertain as it depends on the mix of space that could be built out, actual future needs and the level of demand for associated business space.

We have quantified the direct measurable potential “loss” to the York economy in the future from sticking to allocation ST27 as around 1,100 fte jobs and £50 million in annual income/GVA.

10) However, this is an indicative figure only. More importantly it does not capture the knock consequences on the wider economic role of the University if it is unable to expand fully as it could do.

**3.60.** These representations suggest that the Plan does not cater for the expansion that University needs and that the impact of this constraint would be around 1,100 FTE fewer. The allocation that is in the Plan for University expansion would lead to around 1,740 jobs. For the purpose of this review it is conservatively assumed that the 1,740 jobs are included in the 2015 trend based economic forecast which the ELR (SD063) and EX/CYC/9 reference. Given the age of that OE forecast is it possible that this element (1,740 jobs) is not included within that forecast. The 1,100 FTE jobs are seen as additional to the forecast that supports 650 jobs per year.

**3.61.** Overall the SHMA and the Council’s position seem to rely on out of date evidence, and actively limit the economic aspirations of the Plan. The 650 jobs target seems underpowered against the advantages and opportunities and known investments in the area and while it does represent an uplift to the very low 2016 based start point, this is in place of a market signals adjustment, and it is not clear whether this job target is linked to current economic aspirations of either the LEP or the Council.

**3.62.** It seems that the vital links between economic growth and prosperity and population and household growth are not up to date and lacking in ambition. The SHMA has seen iterations in 2016 – main report and addendum, 2017 and 2019. There has been an opportunity for a clearer economic vision and more up to date economic projections to be considered across this time period.

**3.63.** Fuelled by world-class research and a supply of skilled graduates at the University of York and St. John University, York has the potential to see focused and cutting-edge growth centred on innovation and the links between research and the commercial market. York’s Economy support more than 114,000 jobs and contributes around £5bn of value to the national economy, all the evidence of population jobs and housing delivery is that more growth in the area is possible than is being planned for in the Local Plan.



3.64. It is unclear whether the Council support the narrative contained within the iterations of the SHMA (SD050, SD051, SD052 & EX/CYC/9) which sets out a falling outlook for the economic prospects of York, from more rounded and robust assessments set out pre 2016.

3.65. There are two broad conclusions to draw from this economic section – the first is EX/CYC/9 and the submission Local Plan are not based on the best or most up to date information. The job forecast used in EX/CYC/9 is based on a forecast originally produced by Oxford Economics in 2015. This was update by taking onto account two years' worth of employment growth (for 2012-14). There is no good reason why testing could not have been done from more up to date economic forecasts.

3.66. Secondly, the expectation of the type of investments and projects that are currently happening, and supported by the LEP and that seemed to inform the previous aspirational scenario (Scenario 1) from ELR (SD064) and the 2016 SHMA (SD061) with an annual jobs target of 977 (2014-31), but which was dropped from the GL Hearn work (2017 onwards) without explanation – although this fits an overall pattern of selecting the lowest possible outcomes. This should lead to a more significant economic uplift.

3.67. Recent job growth has been around 794 job per year (since 2011). The jobs associated with York Central are not factored into the ELR work (SD064 SD064) and not discussed in recent SHMA updates. The University of York express disquiet that they are being actively constrained from reaching their growth potential and this represents around 1100 FTE.

3.68. 794 jobs year is a more up to date and robust base for current trends. We believe that significant additional job growth is probable in York and that this has not been taken into account by ether EX/CYC/9 or the Plan. The scale of this additional growth is 6400 net FTE (York Central) and 1100 FTE net (University).

3.69. This is so significant it warrants the Council testing the implications through further economic projections. There are in the region of 7500 additional jobs that are not factored into the Plan

3.70. It is appropriate to assume that not all jobs that could be created through the private or public investment programmes (York Central and the University) will represent jobs over and above the projected growth that the 2015 economic forecast represented. Net additional jobs are the final additional outcome that arises after gross job creation has been adjusted to reflect that some of that activity would have occurred in the absence of that individual support, investment or project. Typically, this would represent a reduction of 50% of a given gross figure. The Environmental Statement linked to York Central made an additionality reduction from gross to net of around 12%. The additionality guidance produced on behalf of BIS<sup>25</sup> sets out a number of gross-to-net ratios for different intervention types. This work is based on a large number of evaluations (280) of economic development projects/programmes largely undertaken by the now abolished Regional Development Agencies between 2002 & 2009 and represents one of the most comprehensive resources for understanding impact.

3.71. To test this view about the likelihood that the jobs from York Central and the University (7400 in total) are in part covered by the (out of date 2015) economic forecast, which is

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<sup>25</sup> 'Research to improve the assessment of additionality – BIS occasional paper No. 1' – Cambridge Economic Associates – October 2009 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/191512/Research\\_to\\_improve\\_the\\_assessment\\_of\\_additionality.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/191512/Research_to_improve_the_assessment_of_additionality.pdf)

relied on by EX/CYC/9 and the plan, a further adjustment is warranted. The base jobs figure for 2015-31 needs to be adjusted to reflect job creation for 2015-2018 and extended to reflect the proposed modification around the plan period. Taking the 794 jobs average (from 2011-17) and applying this to 2015-2018 sees the jobs total reduce from 11050 to 8,668.

3.72. Using a 50% reduction to the York Central gross jobs figure of 7,339 additional jobs to factor in jobs that would lead to an additionality led jobs total of 3670. Providing an illustrative update to the total jobs would see a total of 14,<sup>26</sup>730 jobs to 2033, or an annual figure for 2019 to 2033 of around 982. This is 51% higher annually than the amount of jobs the Plan is based on.

#### Key Messages

A range of trends suggest clearly job growth levels in York are higher than the Council is planning for.

The York Central development and jobs potential from developments at the University would lead to over an additional 3700 FTE in York which the 2015 based economic forecast that EX/CYC/9 relies on does not factor in.

The economic value and benefits from research activities in particular at the University of York do not appear to have influenced the 2015 economic forecast, or the Plan's wider economic approach.

The jobs approach needs to be updated and is likely to have significantly higher outcomes, with associated impact on a likely assessment of housing need.

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<sup>26</sup> 11050 (2015 forecast as referenced in EX/CYC/9) minus 3 years of job creation at average 794 = 8868

Plan period extended by two years to 2033 is 8868 + 1300 (2 years at 650) = 9968

Add 1100 net jobs from University potential and 3670 jobs net from York Central = 14738 which for 2018-2033 is 982 jobs per year

## Market Signals

3.73. The NPPG confirms that worsening trends in market signals should be considered which may necessitate an upward adjustment above demographic projections. The NPPG is explicit in stating that a worsening trend in any one of the market signal indicators will require an upward adjustment to planned housing numbers. CLG has shifted the emphasis on market signals to solely be an adjustment based on affordability.

3.74. The 2013 to 2015 work preceding the 2016 SHMA (SD051) took the following views on affordability.

Arup 2013 “Affordability remains a significant challenge for York”

Arup 2014 “affordability continues to be a significant challenge faced by the authority, which needs to be considered in plans for future growth.”

NLP 2015 “It is clear from this analysis that York faces some significant challenges with regards to affordability. The market signals point towards a housing market which is failing to match demand with supply compounded by a significant undersupply against past housing targets. This is causing problems in terms of increasing house prices generating adverse outcomes for people who still need to access the housing market.”

Arup 2015 “However, there is no evidence to suggest that affordability has worsened over time.”

3.75. The SHMA in 2016 (SD051) said:

“Overall the analysis of market signals clearly points towards some affordability pressures, with lower quartile to median income ratio around 7.89 in York; this is much more than the results at the national level (6.45 in England). It would therefore be appropriate to consider a modest upward adjustment to the demographic assessment of housing need to improve affordability over time, in line with the approach outlined in the Practice Guidance.”

3.76. The adjustment recommended was indeed modest at some 8 d.p.a, or 1%. The 2016 SHMA conflates a market signals adjustment with household formation rates adjustment.

3.77. The 2017 SHMA (SD050) said:

“In response to both market signals and affordable housing need we have advocated a 10% uplift to the OAN.”

3.78 It was this 10% market signals uplift that in a highly unusual manner, was rejected in a foreword to the 2017 SHMA (SD050) report by York Council Executive as “speculative and arbitrary”.

3.79. EX/CYC/9 states:

### Market Signals and Affordable Housing Need Conclusions

3.19 On balance, the market signals are quite strong and there is a notable affordable housing need.

Combined these would merit some response within the derived OAN. This is a departure from the previous SHMA and the Addendum which did not make any market signals or affordable housing adjustment.

3.80. The approach for York again combines two elements typically dealt with separately, market signals uplift for affordability (taken as indicator for access to the wider purchase and PRS) and affordable housing.

**Is there a case for a market signals adjustment (separate to any household formation rate adjustment in York and has affordability got worse ?**

3.81. There is evidence of worsening market signals, for example, the most recent Office National Statistics (ONS) affordability ratio data shows a worsening situation in York from the analysis in the 2017 SHMA.

3.82. The elements of affordability are considered below. Reference is made to the pre standardised methodology recommendations for greater consistency by the Local Plan Expert Group (LPEG).

3.83. It is accepted that the LPEG recommendations in this regard have not been taken forward by the Government in the emerging changes to the new NPPF, however that methodology offered an objective approach to consideration of an appropriate adjustment rather than a simplistic scatter gun approach of setting out adjustments in areas with widely differing characteristics as set out in EX/CYC/9 paragraphs 4.32-4.35.

3.84. LPEG's view on Market Signals was:

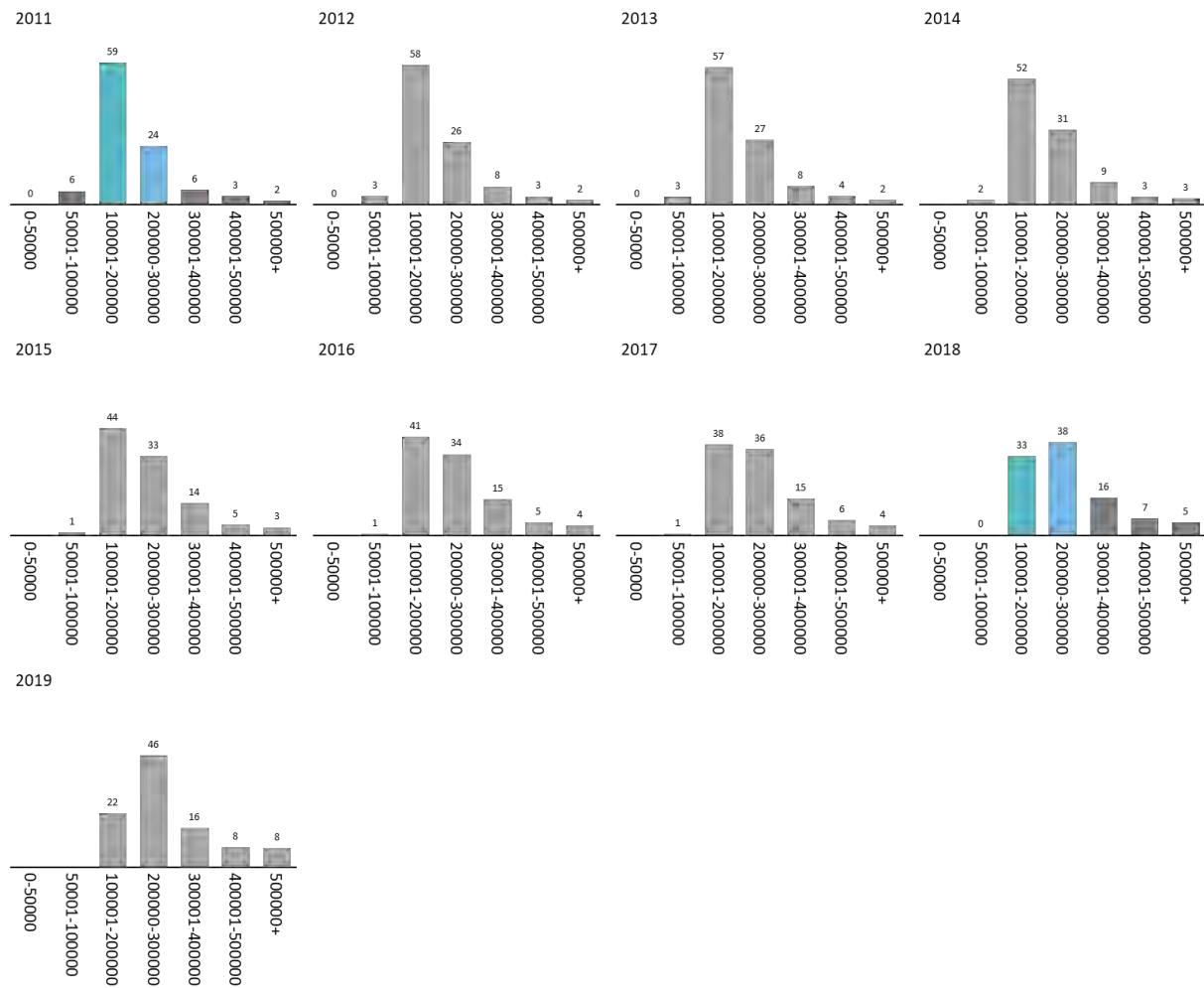
Based on the data published by DCLG, LPAs should apply an upward adjustment to the demographic starting point in line with the following benchmarks

- Where the House Price Ratio is less than 5.3 and Rental Affordability Ratio is less than 25%, no uplift is required
- Where HPR is at or above 5.3 and less than 7.0, AND/OR the RAR is at or above 25% and less than 30%, a 10% uplift should be applied
- Where the HPR is at or above 7.0 and less than 8.7, AND/OR the RAR is at or above 30% and less than 35%, a 20% uplift should be applied and
- Where the HPR is at or above 8.7, AND/OR the RAR is at or above 35%, a 25% uplift should be applied.

3.85. The first element in understanding data changes within a local housing market is to assess the shift in house sales by set price bands over time.

3.86. The following chart and tables set out how the housing market in York has changed dramatically in terms of price bands.

Chart 5 Changes in prices paid



3.87. There has been a shift in more expensive sales and less cheaper sales. In 2011 the largest number of sales were for properties priced between £100,000 and 200,000 (at 58.6%) – this had fallen in 2018 to 32.9%. These changes can also be seen clearly in the following tables which has the raw and percentage data. As the shading deepens it is showing higher values, so left to right shows increases in sales and from top to bottom shows increases by value.

**Table 8 House price band data and % HM Land registry 2011-2019 data**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2011-18 Full year Trend
0-50000	4	4	2	0	0	0	0	0	0	
50001-100000	164	97	113	79	46	31	24	13	0	
100001-200000	1707	1612	1942	1928	1535	1393	1326	1089	62	
200000-300000	704	726	912	1152	1132	1149	1254	1271	129	
300001-400000	181	211	263	343	468	510	544	516	45	
400001-500000	101	96	126	119	163	185	226	239	23	
500000+	52	57	70	100	120	150	146	181	22	
Total Sales increasing	2913	2803	3428	3721	3464	3418	3520	3309	281	

	2011	2012	2013	2014	2015	2016	2017	2018	2019	Full year trend
0-50000	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	
50001-100000	5.6	3.5	3.3	2.1	1.3	0.9	0.7	0.4	0.0	
100001-200000	58.6	57.5	56.7	51.8	44.3	40.8	37.7	32.9	22.1	
200000-300000	24.2	25.9	26.6	31.0	32.7	33.6	35.6	38.4	45.9	
300001-400000	6.2	7.5	7.7	9.2	13.5	14.9	15.5	15.6	16.0	
400001-500000	3.5	3.4	3.7	3.2	4.7	5.4	6.4	7.2	8.2	
500000+	1.8	2.0	2.0	2.7	3.5	4.4	4.1	5.5	7.8	

**3.88.** The second step is to look at the individual trends behind the elements of an affordability ratio – these are:

- house prices
- earnings,
- and the actual affordability ratio.

**Table 9 House Prices**

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2010-18	2010-18 %	Trend
York	173000	175000	177000	180000	190000	210000	216500	227950	235000	62000	35.8	
Harrogate	215000	215000	212000	212600	222500	239950	258000	265000	275000	60000	27.9	
Selby	159995	158000	160000	160000	160050	166995	180000	190000	202500	42505	26.6	
Barnsley	105000	102000	105000	105000	110000	114475	117000	122500	129950	24950	23.8	
Kingston upon Hull, City of	91000	88500	89000	92000	97000	100000	105000	115000	112500	21500	23.6	
Ryedale	183000	185000	176000	183000	184999	194475	206950	216000	225000	42000	23.0	
Leeds	144000	142000	141000	143750	149000	154950	162500	169950	176000	32000	22.2	
Sheffield	130000	124950	125000	124995	131995	138000	140000	150000	158000	28000	21.5	
Wakefield	125000	120000	119000	120000	125000	129896	136000	145000	151000	26000	20.8	
East Riding of Yorkshire	145000	139950	141000	140000	149000	153000	160000	170000	175000	30000	20.7	
Kirklees	129950	124950	123000	124999	125000	132000	139950	141000	149950	20000	15.4	
North Lincolnshire	119475	115000	112500	115000	120000	124995	127000	132500	137500	18025	15.1	
Hambleton	199950	200000	203000	200000	210000	212000	220000	229000	230000	30050	15.0	
Rotherham	119995	115000	117973	122500	125000	130000	134950	133000	138000	18005	15.0	
Calderdale	124750	120000	115000	120000	124000	128000	135000	135000	140500	15750	12.6	
Bradford	120000	120000	115000	119000	120000	125000	128000	133000	135000	15000	12.5	
North East Lincolnshire	115000	110000	112000	108250	119950	118625	123250	129000	128950	13950	12.1	
Craven	175000	175750	175500	170000	174999	185000	187500	200250	195000	20000	11.4	
Doncaster	115000	110000	110000	110000	118000	124000	125000	130000	128000	13000	11.3	
Scarborough	146000	145000	140000	140000	145000	150000	145000	157000	159950	13950	9.6	
Richmondshire	192500	193500	180000	192500	185000	185000	195000	195000	200000	7500	3.9	
ENGLAND	180000	180000	181500	185000	195000	209500	220000	230000	239000	59000	32.8	
YORKSHIRE AND HUMBER	135000	130000	130000	132000	138500	143000	149950	155000	160000	25000	18.5	

**3.89.** House Price values are increasing in York, with the highest percentage change since 2010, the highest absolute change since 2010 and the 2<sup>nd</sup> highest LA median

**Table 10 Earnings**

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2010-18	%	Trend
Richmondshire	19206	19655	24303	25611	25459	22844	26363	26880	26271	7065	36.8	
Ryedale	20277	21040	19599	21176	21475	23043	23103	24240	24131	3854	19.0	
Calderdale	23511	24760	23211	23708	24905	24733	26284	26869	27686	4175	17.8	
Craven	22113	21845	22527	23359	24158	22774	24326	25264	25847	3734	16.9	
Sheffield	23872	24186	24987	25688	25468	26147	26804	27185	27708	3836	16.1	
Wakefield	23546	24124	25091	24518	24480	24279	24701	25056	27233	3687	15.7	
Bradford	22798	22241	22813	23897	23530	23952	25262	25702	25908	3110	13.6	
Harrogate	24029	23501	22180	24674	24597	23861	25426	25744	27150	3121	13.0	
Kirklees	23150	22626	23254	23318	23353	22950	24619	24790	26084	2934	12.7	
Kingston upon Hull, City of	22928	23858	23366	23659	23693	24178	25553	24942	25792	2864	12.5	
Doncaster	23760	24248	24692	24088	24785	23352	24674	25066	26604	2844	12.0	
Leeds	25253	25222	25337	26496	26381	27089	28165	28317	28054	2801	11.1	
North Lincolnshire	25862	25817	26313	27501	27896	27831	28433	27505	28727	2865	11.1	
York	24346	24960	26277	27604	25880	25622	26113	26448	26522	2176	8.9	
Selby	28056	27446	26771	26977	28000	27984	28027	28085	30517	2461	8.8	
Hambleton	23425	23689	25348	22677	23748	23945	24466	23960	25293	1868	8.0	
Barnsley	23510	23465	23431	23556	23274	25864	25235	24899	25305	1795	7.6	
Rotherham	24001	23783	23068	23774	24218	25585	25230	25554	25652	1651	6.9	
East Riding of Yorkshire	24678	23510	24063	24769	24389	24024	24583	25734	26359	1681	6.8	
Scarborough	23221	23068	22541	21822	23864	25754	24526	24802	24333	1112	4.8	
North East Lincolnshire	21911	22831	24946	24305	23257	24197	24792	22265	22663	752	3.4	
ENGLAND	26265	26488	26822	27372	27485	27841	28496	29083	29872	3607	13.7	
YORKSHIRE AND HUMBER	23856	24119	24288	24933	24999	25194	25946	26309	26894	3038	12.7	

**3.90.** In contrast York has seen below England and Y&H averages increases in wages and has been outperformed since 2010 by 13 other local authorities across the region.

**Table 11 Affordability Ratio House Sales**

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2010-18	%	Trend
York	7.11	7.01	6.74	6.52	7.34	8.2	8.29	8.62	8.86	1.75	24.6	
Selby	5.7	5.76	5.98	5.93	5.72	5.97	6.42	6.77	6.64	0.94	16.5	
Barnsley	4.47	4.35	4.48	4.46	4.73	4.43	4.64	4.92	5.14	0.67	15.0	
Harrogate	8.95	9.15	9.56	8.62	9.05	10.06	10.15	10.29	10.13	1.18	13.2	
East Riding of Yorkshire	5.88	5.95	5.86	5.65	6.11	6.37	6.51	6.61	6.64	0.76	12.9	
Leeds	5.7	5.63	5.56	5.43	5.65	5.72	5.77	6	6.27	0.57	10.0	
Kingston upon Hull, City of	3.97	3.71	3.81	3.89	4.09	4.14	4.11	4.61	4.36	0.39	9.8	
North East Lincolnshire	5.25	4.82	4.49	4.45	5.16	4.9	4.97	5.79	5.69	0.44	8.4	
Rotherham	5	4.84	5.11	5.15	5.16	5.08	5.35	5.2	5.38	0.38	7.6	
Hambleton	8.54	8.44	8.01	8.82	8.84	8.85	8.99	9.56	9.09	0.55	6.4	
Sheffield	5.45	5.17	5	4.87	5.18	5.28	5.22	5.52	5.7	0.25	4.6	
Scarborough	6.29	6.29	6.21	6.42	6.08	5.82	5.91	6.33	6.57	0.28	4.5	
Wakefield	5.31	4.97	4.74	4.89	5.11	5.35	5.51	5.79	5.54	0.23	4.3	
North Lincolnshire	4.62	4.45	4.28	4.18	4.3	4.49	4.47	4.82	4.79	0.17	3.7	
Ryedale	9.03	8.79	8.98	8.64	8.61	8.44	8.96	8.91	9.32	0.29	3.2	
Kirklees	5.61	5.52	5.29	5.36	5.35	5.75	5.68	5.69	5.75	0.14	2.5	
Doncaster	4.84	4.54	4.45	4.57	4.76	5.31	5.07	5.19	4.81	-0.03	-0.6	
Bradford	5.26	5.4	5.04	4.98	5.1	5.22	5.07	5.17	5.21	-0.05	-1.0	
Calderdale	5.31	4.85	4.95	5.06	4.98	5.18	5.14	5.02	5.07	-0.24	-4.5	
Craven	7.91	8.05	7.79	7.28	7.24	8.12	7.71	7.93	7.54	-0.37	-4.7	
Richmondshire	10.02	9.84	7.41	7.52	7.27	8.1	7.4	7.25	7.61	-2.41	-24.1	
ENGLAND	6.85	6.8	6.77	6.76	7.09	7.52	7.72	7.91	8	1.15	16.8	
YORKSHIRE AND HUMBER	5.66	5.39	5.35	5.29	5.54	5.68	5.78	5.89	5.95	0.29	5.1	

**3.91.** York has the highest percentage increase and second highest overall ratio across the region, 8.1 pts higher than 2<sup>nd</sup> highest change since 2010. The affordability ratio in York is also worsening against England a 0.86 difference in 2018 compared to 0.26 in 2010. For the region York is 2.91 higher in 2018 compared to 1.45 higher in 2010.

Table 12 Lower Quartile Affordability ratio

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2010-18	%	Trend
York	7.75	7.48	7.73	7.86	8.19	8.74	8.97	9.06	9.41	1.66	21.4	
North Lincolnshire	4.84	4.77	4.59	4.36	4.49	4.89	5.11	5.2	5.49	0.65	13.4	
Selby	6.61	6.2	6.53	6.7	6.54	6.85	7.3	7.91	7.44	0.83	12.6	
Harrogate	8.7	8.83	9.12	8.32	9.37	9.32	9.49	9.8	9.64	0.94	10.8	
Leeds	5.72	5.56	5.47	5.28	5.69	5.77	5.8	5.99	6.23	0.51	8.9	
Ryedale	7.93	8.8	8.34	8.18	8.39	8.48	9.72	9.36	8.48	0.55	6.9	
Scarborough	6.18	6.38	6.42	6.49	6.26	6.16	6.38	6.09	6.58	0.4	6.5	
Kingston upon Hull, City of	4.28	4.09	3.76	3.83	4.18	4.28	4.38	4.69	4.55	0.27	6.3	
Rotherham	4.96	4.99	5.09	5.31	5.46	5.35	5.14	5	5.21	0.25	5.0	
East Riding of Yorkshire	6.31	6.36	6.13	6	6.56	6.73	6.71	6.8	6.61	0.3	4.8	
Sheffield	5.59	5.26	4.94	5.05	5.29	5.41	5.43	5.57	5.85	0.26	4.7	
Hambleton	8.97	8.48	8.41	8.82	8.46	9.02	8.63	9.41	9.36	0.39	4.3	
Barnsley	4.52	4.29	4.43	4.33	4.46	4.26	4.45	4.43	4.66	0.14	3.1	
Doncaster	4.72	4.55	4.43	4.64	4.66	5.15	5.16	5.33	4.75	0.03	0.6	
Wakefield	5.47	4.86	4.61	4.79	5.16	5.32	5.32	5.64	5.42	-0.05	-0.9	
North East Lincolnshire	4.99	4.29	4.15	4.34	4.87	4.8	4.67	5.24	4.92	-0.07	-1.4	
Kirklees	5.76	5.52	5.2	5.24	5.38	5.65	5.59	5.36	5.48	-0.28	-4.9	
Bradford	4.94	4.91	4.61	4.63	4.86	4.62	4.75	4.77	4.62	-0.32	-6.5	
Craven	8.62	8.61	8.04	7.36	7.57	8.33	7.83	9.01	7.68	-0.94	-10.9	
Calderdale	5.33	4.91	4.55	4.69	4.81	4.72	4.84	4.95	4.71	-0.62	-11.6	
Richmondshire	9.33	9.75	7.73	7.4	7.81	8.33	7.75	7.62	7.78	-1.55	-16.6	
ENGLAND	6.86	6.72	6.58	6.57	6.91	7.11	7.16	7.26	7.29	0.43	6.3	
YORKSHIRE AND HUMBER	5.59	5.33	5.19	5.21	5.53	5.55	5.63	5.73	5.8	0.21	3.8	

3.92. York has seen the highest growth in the Lower Quartile Affordability Ratio – 8pts higher than 2nd highest and worsening against England and the region.

3.93. It is relevant to consider private sector rental values as well. York has the highest lower quartile, median and upper quartile rental prices across the region.

Table 13 Rental Prices across Yorkshire and Humberside Valuation Office data for 2018

	Lower quartile	Median	Upper quartile
YORKSHIRE AND THE HUMBER	433	525	650
York UA	640	745	950
Harrogate	595	720	895
Leeds	550	650	800
North Yorkshire	500	585	725
Hambleton	500	575	695
Sheffield	495	575	675
Ryedale	495	565	700
Craven	495	560	650
Richmondshire	500	550	650
Selby	475	550	630
West Yorkshire (Met County)	450	525	650
Wakefield	450	520	595
South Yorkshire (Met County)	425	500	600
Scarborough	420	500	563
Bradford	410	495	595
Kirklees	425	495	595
East Riding of Yorkshire UA	425	495	575
Calderdale	425	495	560
Rotherham	425	495	550
North Lincolnshire UA	420	480	550
Doncaster	390	450	525
North East Lincolnshire UA	397	450	500
Barnsley	395	450	500
Kingston upon Hull, City of UA	350	399	475



3.94. The LPEG recommendations were to consider a Rental Affordability Ratio (RAR), based on Lower Quartile monthly earnings and lower quartile monthly rent prices. Under LPEG York would have qualified for a 25% increase under both the house price and rental affordability calculations.

Table 13 Comparative Rental Affordability Ratio (2018)

	LQ		
	LW Rent	Earnings	RAR
York UA	640	1668	38
Harrogate	595	1812	33
Leeds	550	1694	32
Craven	495	1537	32
Richmondshire	500	1571	32
Ryedale	495	1643	30
Sheffield	495	1658	30
Hambleton	500	1754	29
Wakefield	450	1637	27
Rotherham	425	1589	27
North East Lincolnshire UA	397	1506	26
Selby	475	1818	26
Bradford	410	1585	26
Scarborough	420	1633	26
North Lincolnshire UA	420	1653	25
East Riding of Yorkshire UA	425	1685	25
Kirklees	425	1689	25
Doncaster	390	1588	25
Calderdale	425	1759	24
Barnsley	395	1656	24
Kingston upon Hull, City of UA	350	1484	24

3.95. The York RAR is the highest across the region and is at the top end of the LPEG range.

- RAR is 38 in 2018 and would qualify for the 25% uplift
- HPR as set out above is 8.86 in 2018 and would qualify for the 25% uplift

#### Recent findings on Market Signals

3.96. Outside the helpful and clear guidance from LPEG which seeks to create some consistency in the treatment of market signals adjustments there have been cases recently where market signals<sup>27</sup> uplifts for worsening affordability have been significant.

- Waverley 25% latest Affordability Ratio
- Mid Sussex 20% latest Affordability Ratio
- 

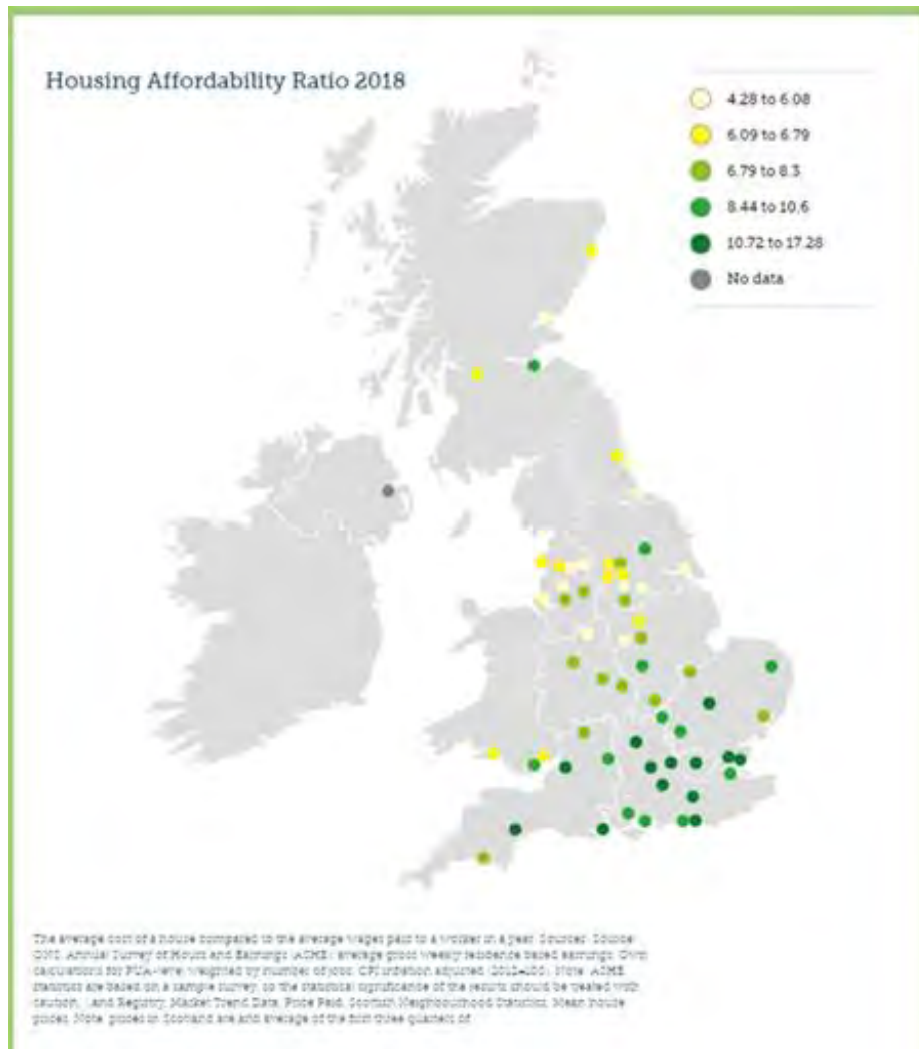
3.97. The Council's consultants recommended 10% as an uplift in 2017. The affordability issue (house prices vs earnings) and the rental affordability data suggests the affordability is worsening in York. LPEG provides a solution in recommending 25%. However, while

<sup>27</sup> Quoted in EX/CYC/9

unaffordability in York is high and getting worse, it is not in itself as high as parts of the wider South East, although it is amongst the highest in the wider North.

3.98. This can be seen clearly in the screen gran from the Centre for Cities website data resource.

Figure 6 Extract from Centre for Cities – York is visible as one of the darker green (e.g. higher affordability ratios)



3.99. It is clear from this analysis that York faces some significant challenges with regards to affordability. The market signals point towards a housing market which is failing to match demand with supply compounded by a significant undersupply against past housing targets (particularly for a period of constrained supply from 2007 to 2015, see Chart 4) . This is causing problems in terms of increasing house prices generating adverse outcomes for people who still need to access the local housing market for either work, family networks or education.

3.100. The market signals provide a strong indication of a mismatch between demand and supply and suggest that there needs to be a relatively large improvement in affordability within York.

3.101. Although the LPEG recommendation for York on both RAR and HPR is for a 25% increase the current level of affordability ratio is not as severe as part of the south east that have seen larger increases at examination. The York figure is increasing and getting worse at

a faster rate than any of its regional benchmarks. It would be prudent to make a discrete adjustment just for the market signal of worsening house price affordability.

By looking at areas of a similar (or higher and lower range) population size are there helpful patterns of affordability ?

Table 14 Affordability comparisons in areas of a similar population to York (sorted by Affordability Ratio)

	Population	Annual HH Change( 2014 based) for 2016-2026	Annual HH (16 based) for 2016-2026	Trend 14 to 16	House Price 2018	Earnings 2018	Affordability ratio 2018	2016 to 2014 difference
Aylesbury Vale	196020	1071	1192	/	335995	30000	11.20	121
Bath and North East Somerset	188678	445	487	/	325000	29990	10.84	42
Herefordshire, County of	191041	685	518	/	235000	23934	9.82	-167
North Somerset	212834	1026	976	/	250000	25871	9.66	-50
Colchester	190098	846	965	/	270000	28397	9.51	119
York	208163	844	427	/	235000	26522	8.86	-417
Bournemouth	194752	1133	693	/	249000	29491	8.44	-440
Luton	214658	1171	644	/	245000	29339	8.35	-527
Tameside	224119	592	419	/	140000	23506	7.71	-173
Solihull	213933	599	550	/	270500	35481	7.62	-49
Swindon	220363	844	677	/	227500	29841	7.62	-167
Northampton	225656	1123	884	/	204950	26974	7.60	-239
Portsmouth	214718	724	486	/	212000	29616	7.16	-238
Peterborough	198914	841	638	/	185000	27238	6.79	-203
Warrington	209704	810	666	/	180000	28497	6.32	-144
Bury	189628	534	350	/	163500	26369	6.20	-184
North Tyneside	204473	732	434	/	168950	27623	6.12	-298
Stockton-on-Tees	196487	501	389	/	145000	26203	5.53	-112
Gateshead	202419	440	281	/	136000	25580	5.32	-159
Calderdale	209454	788	574	/	140500	27686	5.07	-214

3.102. York simply shares house price and affordability ratios with the wider South East, South West and East, typically seen as higher HH pressure areas than Yorkshire and Humber. Earnings are the element of the affordability ratio where York lags behind many of the southern local authorities in the table above.

3.103. Against these similarly sized comparator areas York is:

- in the top half for prices, (9 out of 20)
- in the lower half for earnings (14 out of 20)
- and top half for affordability ratio (6<sup>th</sup> highest out of 20).

3.104. In terms of any market signals adjustment then York should be considered against some of the benchmark areas set out above, where adjustments have been accepted in the region of 20%, reflecting that although LPEG suggest a 25% increase, York is not at the same affordability ratio level as areas that have been adjusted by that amount. However, the 15% uplift in EX/CYC/9 does not properly address the acknowledged seriousness of the issue and while this acknowledged the issue the adjustment was not actually implemented in EX/CYC/9 at odds with the Government's focus on affordability as the main adjustment to provide for more houses. A 20% market signals adjustment is appropriate and warranted

### Key Messages

The supporting housing need work back to 2013 has clearly recognised affordability issues. The 2017 SHMA (SD050) recommended a 10% uplift – this was not accepted by the Council. EX/CYC/9 recommends a 15% market uplift but this was not applied.

The evidence is clear – an uplift is justified. This paper sets out an adjustment of 20% is warranted. If LPEG advice was followed the uplift would be 25%.

In 2011 59% of houses sales in York were between £100,000 and £200,000 – this had fallen to 33% of sales in 2018 and 22% in 2019. York had the highest increase in the affordability ratio across the Yorkshire and Humber region from 2010 to 2018.

York has a higher affordability ratio than a wide range of similarly sized (population) areas across the South East, West and East of England.

#### 4. Transitional Arrangements and Findings on 2014 and 2016 household projections in recent Inspector's reports.

4.1. There are three key dates to consider. In Sept. 18 ONS released sub national household Projections. ONS went on to confirm in October 2018<sup>28</sup>

“Household projections are based on trends in actual numbers of households. They do not take account of how many people may want to form new households, but for whatever reason aren't able to, such as young adults wanting to move out of their parents' house, or people wanting to live on their own instead of in a house share. Therefore, household projections are not a measure of how many houses would need to be built to meet housing demand; they show what would happen if past trends in actual household formation continue.

Although the latest household projections are lower than the previously published projections, this does not directly mean that fewer houses are needed in the future than thought. This is because the projections are based on recent actual numbers of households and are not adjusted to take account of where homes have been needed in recent years but have not been available. Therefore, if more homes are built, the increased availability of homes may result in more households forming. The opposite is also true – if fewer homes are built then fewer households are able to form.”

4.2. The nature of household projections is clear – they reflect the trends of input periods and assumptions that are used to produce them

4.3. In Oct 18<sup>29</sup> MHCLG stated:

##### The Government's proposed approach

The Government considers that the best way of responding to the new ONS household projections and delivering on the three principles in paragraph 18 above is to make three changes:

1. For the short-term, to specify that the 2014-based data will provide the demographic baseline for assessment of local housing need.
2. To make clear in national planning practice guidance that lower numbers through the 2016-based projections do not qualify as an exceptional circumstance that justifies a departure from the standard methodology; and
3. In the longer term, to review the formula with a view to establishing a new method that meets the principles in paragraph 18 above by the time the next projections are issued.

All other elements of the standard method of assessing housing need would, for now, remain unchanged. The use of the standard method applies to plan-making for plans submitted on or after the 24 January 2019. Any period specified for using the 2014-based projections would use this as the start date. As specified in existing planning practice guidance the relevant housing need figure can be relied upon for the purposes of plan examination for 2 years. For decision making, any proposed revisions would apply from the day of publication of the

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<sup>28</sup> <https://blog.ons.gov.uk/2018/10/19/what-our-household-projections-really-show/>

<sup>29</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

revised planning practice guidance, unless otherwise stated. This change can be implemented by changes to national planning practice guidance.”

4.4. The guidance for plans submitted after 24<sup>th</sup> January around the standardised methodology and the suitability of the 2014 or 2016 based household projections are clear.

4.5. In February 2019 the Government updated the National Planning Framework and Planning Practice Guidance (PPG)<sup>30</sup> to advise the use of 2014-based household projections when using the standard method for calculating local housing need.

This states:

#### Step 1 - Setting the baseline

Set the baseline using national household growth projections (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority.

Why are 2014-based household projections used as the baseline for the standard method?

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.

Issues

4.6. 2016 based household projections are generally lower (nationally and for many local authorities) however the test should be whether these projections, with clear caveats from Government and ONS about the methodological changes behind them, represent an accurate picture of growth pressures within an area. This is not the case for York where recent growth is higher than the projections set out.

4.7. A review of inspector’s report findings since the publication of the 2016 based household projections has been undertaken. This is summarised in table with conclusions drawn out, and key paragraphs included from the relevant reports.

4.8. For York the context must be seen in terms of the following factors that this paper has set out:

- The applicability of previous “robust” assessments of housing need
- Do the 2016 projections reflect a change of local growth pressures – or national methodology changes
- Are other Inspector’s reports agreeing that 2016 projections are a suitable base under the 2012 NPPF.

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<sup>30</sup> <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

Table 15 Review of 2014 vs 2016 based Projections in Inspector's reports<sup>31</sup>

Inspector's report published after Sept 2018	Inspectors report	Result	Notes from Inspector's report	Projections used	2014 Annual HH	2016 Annual HH	Difference	% Difference (to 2014)	2018 AR
Ashford	Jan-19	Not discussed		2014	764	684	-80	-10.5	10.73
Barnsley	Dec-18	Not discussed		2014	870	952	82	9.4	5.14
Barrow in Furness	Mar-19	Discussed	No change as difference marginal (2014 used)	2014	-62	-62	0	0.0	3.53
Flyde	Sep-18	Not discussed		2014	267	282	15	5.6	5.36
Guildford	Mar-19	Discussed	Accepted use of 2016 with significant caveats	2016	564	300	-264	-46.8	12.53
Harborough	Apr-19	Discussed	No change as difference marginal (2014 used)	2014	413	421	8	1.9	10.05
Huntingdonshire	Apr-19	Not discussed		2014	798	621	-177	-22.2	9.44
Kirklees	Jan-19	Discussed	Concludes 2014 Appropriate	2014	1548	993	-555	-35.9	5.75
Melton	Sep-18	Not discussed		2014	168	100	-68	-40.5	8.14
Milton Keynes	Feb-19	Discussed	Concludes 2014 appropriate	2014	1499	1235	-264	-17.6	8.81
Newark and Sherwood	Feb-19	Not discussed		2014	438	475	37	8.4	7.8
North Devon & Torridge	Sep-18	Not discussed		2012	553	461	-92	-16.7	9.8
Nuneaton and Bedworth	Apr-19	Discussed	Concludes 2014 appropriate (300,000 target)	2014	368	326	-42	-11.4	6.56
Oadby and Wigston	Mar-19	Not discussed		2014	108	18	-90	-83.3	8.3
Peterborough	Apr-19	Discussed	Uses LHN (2016 would lead to fall)	2014	841	638	-203	-24.1	6.79
Plymouth, South Hams & West Devon	Mar-19	Not discussed		2014	1037	661	-376	-36.3	6.09
Poole	Oct-18	Discussed	Concludes 2014 appropriate (300,000 target)	2014	587	310	-277	-47.2	9.28
Rugby	Mar-19	Discussed	Concludes 2014 appropriate	2014	447	357	-90	-20.1	7.73
Rushmoor	Mar-19	Not discussed		2014	220	107	-113	-51.4	8.18
Sedgemoor	Jan-19	Discussed	No change as difference marginal (2014 used)	2014	591	553	-38	-6.4	9.07
South East Lincs	Jan-19	Discussed	Not necessary to update evidence with 2016 release	2014	581	437	-144	-24.8	7.77
Stockton on Tees	Dec-18	Discussed	Not necessary to update evidence with 2016 release	2014	501	389	-112	-22.4	5.53
Waveney	Mar-19	Discussed	No change as difference marginal (2014 used)	2014	296	301	5	1.7	7.49
Wyre	Feb-19	Discussed	Concludes 2014 appropriate (300,000 target)	2014	275	240	-35	-12.7	6.5
YORK					844	427	-417	-49.4	8.86

<sup>31</sup> Plymouth West Devon and South Hams joint plan, Figures quoted for Plymouth; North Devon and Torridge joint plan, Figures quoted for North both areas combined; SE Lincs joint plan - Figures quoted for South Holland and Boston combined.

Reports in the following areas not assessed: Bromley Dec-18; Newham-Nov-18; Sutton-Jan-18 and Broads Authority Apr 19

4.10. The Inspectors Reports and the dates of these reports were sourced from the Planning Inspectorate website (16.05.2019). A date of September 2018 was applied as a filter as this matched the publication of the 2016 based household projections. All areas in the table above were assessed under the 2012 NPPF. Some local authorities that matched the date profile above were not included – see footnote 21. Other data used is from the 2014 and 2016 projections and ONS affordability ratios.

4.11. Following on from detailed assessment of the context of both the submitted plan and examination, the following five broad categories are found in these reports:

- Issue not discussed. 10.
- Accepts use of 2016 projections. 1.
- No practical differences – accepts 2014. 4.
- Positively statement in support of robustness of 2014 based. 6.
- Not always necessary to update – accepts 2014. 2.
- Accepts LHN. 1.

#### The details of these findings.

##### **Issue not directly discussed in the final report**

Ashford, Barnsley, Flyde, Huntingdonshire, Melton, Newark and Sherwood, North Devon and Torridge, Oadby and Wigston, Plymouth, South Hams and West Devon, and Rushmoor.

4.12. On preliminary investigation there are no clear differences in either affordability ratios or the level of changes contained in the 2014 vs 2016 projections that explain why this was an area of discussion or not. It may be that the issue that prompted discussion was driven by representations, it is most likely that reflects the timing and stage of the process

##### **Accepts use of 2016 projections**

4.13. The Inspector's report for Guildford accepts use of 2016 (caveated) as appropriate in part due to the range of uplifts that are applied to the (new 2016 based) starting point, which end up with an OAN which is virtually the same as the previous 2014 based starting point. This appears to be an outlier in terms of other decisions. Whilst the Inspector's point about "In consequence it does not conflict with the letter or the spirit of the revised NPPF" must be seen in the context of Guildford and not used as a precedent as CYC appear to do. This report shows why in York the use of the 2016 figures as a starting point would not be appropriate or justified.

##### **No practical difference - 2016 from 2014 based – sticks with 2014 based**

4.14. The relevant Inspectors considered new 2016 projections make no material change (higher lower or the same) Waveney, Barrow in Furness, Harborough, Sedgemoor.

4.15. For all of these areas, Waveney (2016 5/1.7% higher than 2014 as annual figure), Sedgemoor (2016 38/-6% lower than 2014), Barrow (no change and the area was one of only two Local authorities with a declining population and household projection), and Harborough (the 2016 projections were 8/1.9% higher than the 2014) the changes were indeed marginal.

4.16. These authorities had an average change of -0.7% when looking at 2016 projections against 2014 based.



## **Positively statement in support of robustness of 2014 based / lack of robustness of 2016 based.**

4.17. The Inspectors express either Government concerns about the lack of robustness of the 2016 projections and/or concludes that the 2014 Projections are appropriate:

- For Milton Keynes the Inspector did not consider that the 2014-based projections should be immediately rendered out-of-date. They still provide a sound basis for establishing need. (Mk), (2016 is 264/-17.6% a year lower than 2014)
- For Rugby, The Inspector quotes the Government's doubts about the 2016 projections due to its changed methodology, (Rugby) (2016 is 90/-20.1% a year lower than 2014)
- For Nuneaton and Bedworth, the Inspector references changed methodology and appropriateness of the 2016 projections against the 300,000 target, (Nuneaton and Bedworth) (2016 is 42/-11.4% a year lower than 2014)
- For Poole, the Inspector quotes the Government's commitment to the 300,000 target and raises a concern that if the lower 2016 projections were used as a starting point then an early review would be required due to the gap with the yet to be revised new LHN, (Poole) (2016 is 277/-47.2% a year lower than 2014)
- For Wyre, the Inspector explains that the Government is considering how the standard methodology should be adjusted to consider its objective of ensuring that 300,000 homes are built each year. (Wyre) (2016 is 35/-12.7% lower than 2014).
- For Kirklees the Inspector, states that the 2014 based evidence is robust and despite a large uplift to support economic growth accepts Council's view that 2014 not (the lower 2016 based projections) is the appropriate starting point (Kirklees) (2016 is 555/-35.9% lower than 2014)

4.18. It is not claimed that the percentage change in projections (2014/16) was a detailed matter of discussion which informed decision making at these examinations, however these areas all had changes of over -10% with Poole have a -47% reduction (2016 lower than 2014).

### **Not always necessary to update**

4.19. The Inspector took similar views that:

- For SE Lincolnshire Joint Plan, the revising of evidence could not happen every time new data was available, or was intended to be a continual process and was content with the 2014 inputs (SE Lincs) (2016 is 144/-24.8% lower than 2014)
- For Stockton On Tees, that the PPG also confirms that that housing assessments are not automatically rendered outdated every time new projections are issued. (Stockton on Tees) (2016 is 112/-22.4% lower than 2014).

4.20. Both these areas have relatively high levels of difference. The Inspector's focused on more procedural reasons to justify not taking account of this reduction in household formation, as represented by the 2016 projections.

### **Accepts LHN**

Peterborough

4.21. The decision here is an interesting counter-balance to the Guildford view. The LHN figure was lower than the SHMA OAN, (981 to 1,005). The Inspector noted that the 2016 projections would lead to a further lowering of any future updated SHMA OAN if applied so viewed the LHN as preferable to any further reduction.

## Conclusions on Inspectors report

4.23. The Guildford view increasingly looks like an outlier, and for different reasons the Peterborough case where the LHN is accepted. Both have specific circumstances applied to decisions and neither appear relevant to the situation of York.

4.24. In Guildford, the 2016-based household projections were elevated by 27% to adjust for household formation rates, with the Inspector subsequently endorsing a series of further adjustments which produced a housing requirement that was some 79% higher than the projections. In the context of York this would increase the 2016 figure to around 875-900.

4.25. The majority of Inspector's have backed the use of the 2014 projections, and have noted the Government's concern, direction of policy and method travel.

4.26. The standardised methodology (LHN) was accepted in Peterborough in part to avoid a lowering of the start point through use of the 2016 projections.

4.27. The Guildford example is caveated – and was the subject of resumed hearings following on from the initial hearing undertaken in the summer of 2018. The examination resumed to specifically address the 2014/16 projections issues in February 2019.

4.28. While the unadjusted household projections for Guildford were 422 to 313 a difference of 109/-26% less, (2016 to 2014) the Inspector focused the debate about the impact to an adjusted 2016 scenario which implemented 2014 HFR to counterbalance the weaknesses<sup>32</sup> acknowledged in the 2016 projections.

In arguing to use the 2016 based projections Guildford Council stated that:

“the Council has not adopted the 2016-based household projections uncritically. Instead, it has adjusted the household formation rates of younger persons (25-44) back to levels seen in 2001. This adjustment is not a proxy for market signals, but rather to ensure that the Council does not plan for a worsening trend in household formation rates.

4.29. The critical aspect of the Guildford decision is that Inspector viewed that the Council's approach is an up to date assessment of housing need based on several inputs, not just household projections, and does not amount to a lowering of housing need in relation to the standard method, and does not conflict with the Government's response.

4.30. Although the Inspector stated that the adjusted OAN for Guildford did not amount to a lowering of the housing need, the OAN figure is plainly markedly less in York if the 2016 figures are taken as the starting point.

## Local Housing Need for York

4.32. In 2017 the CLG published a 'Housing need consultation data table' which set out the housing need for each local planning authority using the proposed standard method, how many homes every place in the country is currently planning for, and, where available, how many homes they believe they need. For York this indicative housing need figure was

1070 dwelling per annum

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<sup>32</sup> Put simply - It has been argued that the household formation rates used in the 2016-based projections are unduly suppressed by the factors prevalent during the short time period on which they are based: (2001-2011) that is deteriorating affordability, low housing delivery, and recession for part of the period. On that basis it is argued that the use of these projections would simply perpetuate affordability problems and low levels of housing delivery, contrary to Government policy. The Government's consultation in relation to the standard method makes reference to this issue.

4.33. In Mar 2019 ONS updated the available affordability ratio data. Following on from the confirmed standard methodology the staged of assessing Local Housing Need are:

Step 1 - Setting the baseline<sup>33</sup>

York's household projections are:

90,829 households in 2019

99,027 households in 2029

This is a total of 8,198 new households over the 10 year period, equivalent to an average household growth of 819.8 per year.

Step 2 - An adjustment to take account of affordability

The authority's median workplace-based affordability ratio is 8.86<sup>34</sup>. As this is above 4, then the following adjustment should be made.

The adjustment is calculated as:

$$\text{Adjustment factor} = \left( \frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$
$$\text{Adjustment factor} = \left( \frac{12.4 - 4}{4} \right) \times 0.25 + 1 = \left( \frac{8.4}{4} \right) \times 0.25 + 1 = 2.1 \times 0.25 + 1 = 1.525$$

$$8.86 - 4 = 4.86.$$

$$4.86 / 4 = 1.215$$

$$1.215 * 0.25 + 1 = 1.30375$$

The adjustment factor is therefore 1.30375 and is used as:

Minimum annual local housing need figure = (adjustment factor) x projected household growth

$$\text{Minimum annual local housing need figure} = 1.30375 \times 819.8$$

4.34. The resulting figure is:

1,069 dwellings per annum.

4.35. This is 1 lower than the original published figure <sup>35</sup> 1,070 (described as indicative assessment of housing need).

<sup>33</sup> Tables in this report used 2016-2026 as the period where the result was 844 per annum – reflecting some higher growth in 2016-2026 compared to 2019-2039. This is in line with the original Standardised methodology

<sup>34</sup> 2018 data

<sup>35</sup> <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

4.36. It is likely that this figure will increase further when CLG revise the methodology to meet the 300,000 target.

4.37. 1,069 (updated 2019 LHN) is 279 dwelling a year higher than the proposed OAN of 790. Across the plan period this is 6,975 dwellings.

#### Key Messages

There is no relevant precedent since September last year for York to use 2016 based projections from a review of recent Inspectors findings.

These are quite clear in asserting the robustness and appropriateness of the use of the 2014 based projections.

There are two key lessons from recent examinations.

One is a distinction where there is no material difference in using 2014 or 2016 based projections. That is not the case in York, where the 2016 based projections are 44% lower than the respective 2014 figure.

Secondly the OAN and the response to this through the housing target must be seen in the context of both the new method and direction of travel (LHN) **and the** Government's clear policy around boosting housing supply and reaching a 300,000 national target.

## 5. Conclusions

6.1. The appropriate starting point should be assessed from the 2014 based household projections. For the Plan period this gives a starting point of 824 households per year which after applying the Census based vacancy rate of 3.7% gives a dwelling per annum figure of 854.

6.2. A market signals uplift of 20% should be applied and is wholly justified. This would uplift the figure to (854+171) 1025 dwelling per annum, or 25,625 for 2012-37. This is an interim minimum depending on the Council's response to 6.3-6.5 below.

### Minimum alternative OAN (2014 based) 1025 d.p.a

6.3. Further evidence should be presented by the Council which sets out clearly which period represented the most appropriate "target" with a commentary for local factors, for the age group 25-44. EX/CYC/9 suggests a part return to 2008 rates may be appropriate but this needs further context and explanation and should consider a full reversion to 2008 levels. We believe the use of 2014 based projections as the start point addresses this issue in part, however reserve the right to recommend a further uplift to address this issue. Only adjusting the 2016 rates for those aged 25-44 back to the 2014 based levels would represent a need for a further 90 dwellings a year. We apply this to the 2016 reworked example below.

6.4. The Council should clearly set out to update and review the jobs target per year used by GL Hearn in the EX/CYC/9, specifically whether this job increase is supported by the LEP, whether it takes into account recent job growth trends, whether it takes into account significant current and future investments likely to directly or indirectly benefit the area. We believe that recent job growth is in the region of 794 jobs per year (2011-17). The York Central proposal and University schemes could well lead to over 3700 net additional jobs above the 2015 based economic forecast that supports the 650 jobs and the 790 d.p.a housing figure in EX/CYC/9.

6.5. The impact of not addressing these higher job figures is significant. While modelling is required to assess the detailed outcomes, the recent job creation is already 22% higher than is being planned for, based on recent trends from 2011-17. When future job prospects are taken into account from only two sources (York Central and the University of York) then there is a potential for a far higher job total. We estimate (having taken into account job creation in recent years) that the number of jobs from 2019-2033 would be around 976 per year.

6.6. There are convincing arguments, accepted regularly by Inspectors that the 2016 projections are not appropriate, and that 2014 projections should be used. This is the prevailing national policy. It is clearly relevant under transitional arrangements where the key driver is boosting housing supply, which is why Government have made an affordability uplift a key part of their revised approach.

6.7. In work for Oxford City Council GL Hearn (October 2018) expressly states a preference to use the 2014 based household projections over the 2016 based household projections to avoid reduced household growth. This approach should have been taken in work for York.

6.8. Our position on the stages of a full alternative OAN which is 2012 NPPF consistent is set out below.

## 2014 based approach

Starting point 854 dws per year (inclusive of 3.7 vacancy rate converting households to dwellings)

Market Signals + 20% = 171

OAN 1,025 d.p.a

Economic Adjustment + the 650 jobs in EX/CYC/9 is a significant undercount to a likely 982 jobs a year (51% higher) figure which takes into account higher levels of job creation in York (from 2011-2017) and the additional jobs that will come from investments at York Central and the University.

The Council need to confirm and update their economic position, to ascertain whether a further economic uplift is needed, to balance the future population with expected jobs.

We provisionally identify that the annual job target is 330 higher than EX/CYC/9 takes into account and this would increase the economic uplift further to a provisional additional 400 dws.

**This would take the OAN to 1,425 d.p.a.** (we note that the 2017/18 housing completions total for York was 1336).

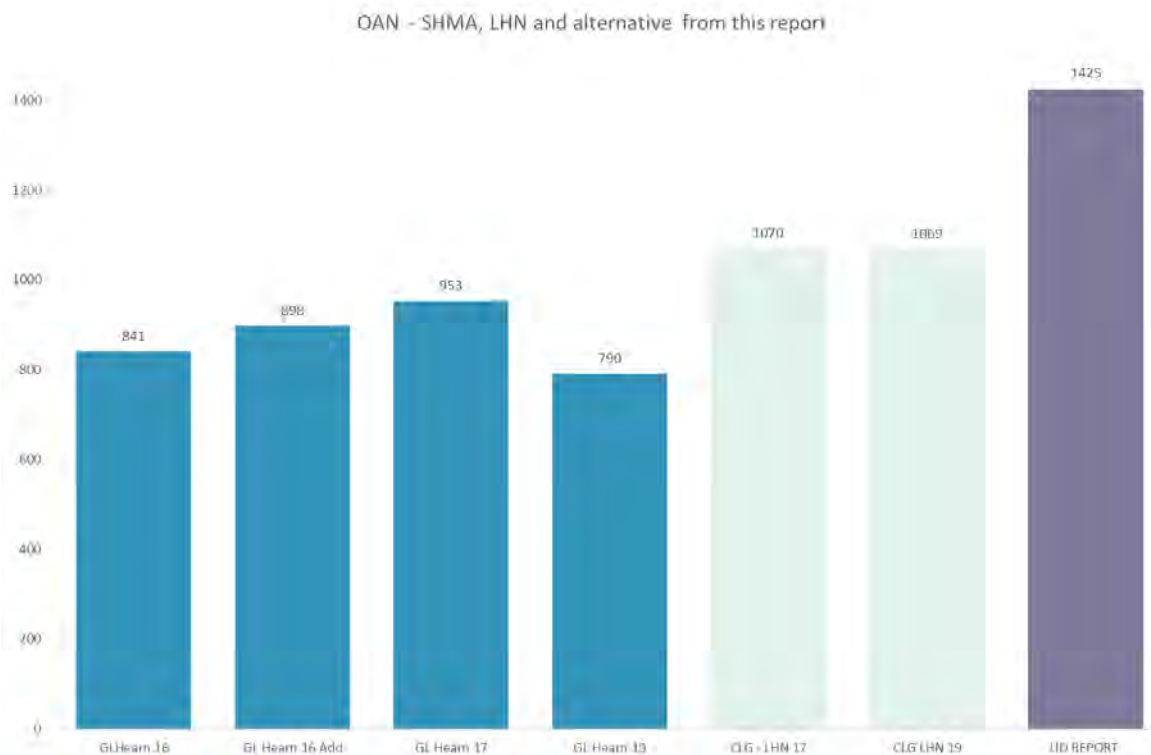
### Indicative economic adjusted alternative OAN (2014 based) 1,425 d.p.a.

6.9. This report sets out clear issues with the way that EX/CYC/9 has adopted the far lower starting point with serious challenge or confirmation that growth trends in York are accurately being reflected by the 2016 based projections. We find that the 2014 based projections provide a better match with what is actually happening to both the population and economy in York. We have set out issues that we have clearly evidenced, and which critique the GL Hearn approach in EX/CYC/9 to the adjustments they then make to the much lower starting point from the 2016 based projections.

6.10. Notwithstanding this, if at a later stage of this process the Inspectors were minded to use the 2016 based household projections as a starting point for the calculation of the OAN we reserve the right to highlight more robust uplifts that should be applied, and as set out in this report. If the 2016 based household projections are used at a later stage to underpin the OAN, they would need to be adjusted to reflect economic growth above the level that EX/CYC/9 does, would need to be adjusted seriously to reflect the worsening trends of affordability, both house prices and renting, and may need further adjustment to reflect worsening trends of household formation in the 25-44 age group.

6.11. We strongly believe that the 2014 based projections give a more robust starting point and that they better reflect recent trends and York's growth trajectory. Without prejudice to this view, we reserve the right to comment further on the use of the 2016 based projections, and the appropriate adjustments that are necessary, in light of the above reservations.

### Chart 6 OAN (or equivalents) referenced in this report.



6.12. For York, the impact of the 2016 projections can be seen clearly in Chart 6 above. They represent a wholly artificial and constrained level of household growth, which appears to be driven by national methodology and not local evidence which suggests growth is increasing across a range of metrics.

6.13. To actively constrain the OAN and housing target as EX/CYC/9 does seems to run completely against the prevailing policy direction, especially with worsening and significant affordability issues for both houses to rent and buy. An artificially lower OAN is likely to contribute to a further worsening of affordability measures and could have wider impacts on economic aspiration.

6.14. Separate assessment should be made by the Council of the need to ensure that the future population of working age is suitable to meet a higher future jobs requirement.

6.15. Charts 6 shows the range of OAN from the various SHMA documents, (and LHN) and a 2014 based alternative from this report. The Council's position with regard to OAN is based on (the 2016 ) projections which are being driven by methodology rather than actually capturing what has been happening in York, where growth levels have risen, we support the 2014 based alternative and an OAN of 1,425 dwellings per year. This figure reflects higher levels of job creation, tackles the significant issues around affordability and the higher starting point (2014 based) reflects recent higher growth. It is significantly higher than the figure derived from EX/CYC/9 however this is due to the far lower start point based on the 2016 based projections and the failure of EX/CYC/9 to properly adjust for economic growth and affordability issues.

## Appendix A

The Greater London Authority<sup>36</sup> projections have 4 key differences from official projection methodology:

### 1. Top-down vs bottom-up model hierarchies

The GLA notes that the method used by ONS in the SNPP is to first produce national-level projections and then produce subnational projections that are consistent with these (a top-down approach). The GLA model is however different in that the primary geographic unit is the local authority with results for higher level geographies being produced by aggregating results for the constituent local authorities (a bottom-up approach).

### 2. Length of migration trend used

One difference between the GLA model and ONS is the time period used to look at migration. As noted by GLA, they use three periods (5-, 10- and 15-years) whereas ONS uses data for the past 5-/6-years (years to 2014). It should however be noted (as per the comments above) that ONS also use trends over a 25-year period to get a baseline national position and the past trends over the last 5-/6-years are used as a way of assigning population rather than as actual levels.

### 3. Rates-based approach to international outmigration

The GLA describes its approach to international outmigration as being 'rates based' and this is explained as 'In the ONS model international outmigration is calculated as an average of six years' migration outflows. In the GLA model international outmigration is calculated dynamically within the model using probabilities based on past outmigration rates (in the same way as domestic migration). This means that international outflows respond to changing population size and structure in the GLA model in a way in which the exogenous static flow approach adopted by ONS does not'.

### 4. Back series and accounting for UPC

The GLA and ONS have taken different approaches to accounting for differences between annual migration estimates and population change measured between the 2001 and 2011 censuses.

When ONS revised the inter-censal mid-year estimate series, they elected to leave migration estimates largely unchanged; taking the view that there was insufficient information to attribute the difference to error in individual components. It was instead accounted for by introducing a new component labelled 'unattributable population change' (UPC), applied evenly across the decade.

The GLA made the judgement that the bulk the disparity was most likely to be the result of errors in international inflow estimates for years prior to the introduction of the migration statistics improvement programme (MSIP) methodology.

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<sup>36</sup> [https://www.london.gov.uk/sites/default/files/2016-based\\_projections\\_wse\\_results.pdf](https://www.london.gov.uk/sites/default/files/2016-based_projections_wse_results.pdf)



## Appendix B

### Appendix B Extracts from Inspector's reports

Barrow Mar 19<sup>37</sup>

Following the end of the examination the latest (2016-based) household projections were published on 20 September 2018. I wrote to the Council asking them to comment upon whether the latest household projections would result in any meaningful change to the OAN figure promoted in the submitted Local Plan. The Council confirmed that if the 2016 based projections were used there would be very small changes to their population projections with small increases in population losses. I am satisfied that the updated figures do not result in any revisiting of the OAN which in any event is based upon an employment-led scenario

Harborough Apr 19<sup>38</sup>

30. The demographic starting point for the calculation of the housing requirement is 422 dwellings per annum (d.p.a) over the plan period, based on the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) 2017 approach, using 2014-based household projections updated using the Office for National Statistics 2016 population projections and taking 10 year migration trends. The 2016-based household projections give a figure of 428 d.p.a using 10 year migration trends, which does not make a meaningful difference to the outcome. The calculation methodology and the evidence base are sound.

Milton Keynes Feb 19<sup>39</sup>

#### Demographic Starting Point and Related Adjustments

46. The SHMA applies the government's 2014-based household projections as the starting point. This reveals an overall growth of 21,922 households over the period (equivalent to 1,461 households per annum). The 2016-based population and household projections have emerged during the examination and after the hearings. The 2016 projections for Milton Keynes are lower but not markedly so. In accordance with PPG paragraph 2a-016-20150227 I do not consider the 2014-based projections should be immediately rendered out-of-date. They still provide a sound basis for establishing need.

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<sup>37</sup> <https://www.barrowbc.gov.uk/residents/planning/planning-policy/examination-of-local-plan/>

<sup>38</sup> <https://www.harborough.gov.uk/local-plan-examination>

<sup>39</sup> <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk-examination>

42. The SHMA 2016 concludes that, based on the uplift required to support jobs growth, the OAN for housing in Kirklees is 1,730 dwellings per annum, equating to 31,140 new dwellings over the period 2013 to 2031. Given the uncertainties at this stage surrounding the likely impact of Brexit on the Kirklees housing market, I conclude that no associated changes are required to OAN. Overall OAN in the SHMA 2016 is based on robust evidence and takes account of local circumstances.

43. Since the Local Plan hearings the Ministry for Housing, Communities and Local Government (MHCLG) has published new 2016-based household projections Kirklees Council Kirklees Local Plan, Inspector's Report 30 January 2019 which indicate lower household growth for Kirklees compared to the 2014- based projections. However, this does not automatically mean that OAN should be revised downwards, as the projections represent a starting point and the case for uplifts linked to market signals, affordability and economic growth would need to be assessed. The Government's recent consultation paper indicates that Council's applying the standard methodology should continue to use 2014-based figures, but the Kirklees Plan is being considered under transitional arrangements. Nonetheless, the Council has confirmed that it wishes to continue to pursue the OAN identified in the SHMA 2016 in order to support economic growth and the delivery of jobs. Taking these factors into account, in the case of Kirklees I conclude that a revision to the demographic starting point and the approach to OAN is not necessary at this stage.

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<sup>40</sup> <https://www.kirklees.gov.uk/beta/planning-policy/pdf/local-plan-inspectors-report/Kirklees-Local-Plan-Inspectors-Report.pdf>

25. Concerns have been expressed in representations about the justification for continuing to base Rugby's housing requirement on 2012- and 2014-based demographic projections, when the most recent 2016-based projections indicate a slowing down of population and household growth over the next 10-15 years. This was also discussed at the hearings. Since then, the ONS has published the 2016-based household projections in September 2018. These forecast a reduction in the rate of household formation nationally in the period up to 2028 and, for Rugby, lower population and household growth than the 2012- and 2014-based projections.

26. However, the Government expressed doubts about relying on the 2016-based projections as the demographic basis for assessing housing needs in the Technical Consultation on Updates to National Planning Policy and Guidance launched in October 2018. This is in part due to the 2016-based projections relying on past trends in household formation during a period of low household formation when the housing market was not supplying enough additional homes. The ONS states in the consultation document that the projections do not take account of how many people may want to form new households, but aren't able to, and therefore that they are not a measure of how many homes would need to be built to meet housing demand; rather they show what would happen if past trends in household formation continue. For these and other reasons, the updated PPG for Housing Needs Assessments published in February 2019 now makes clear that the 2014-based household projections form the baseline for the standard method of calculating housing needs.

27. Taking account of the 2016-based projections as part of this examination would also require a further update of the SHMA, which, given the sub-regional nature of the HMA, would need to be conducted on a joint basis for all of the LPAs in Coventry and Warwickshire. This would inevitably take time, resulting in a significant delay in the adoption of the Plan and the delivery of new housing in the borough. And there is no guarantee that an update to the SHMA using the 2016-based projections would lead to a significant change in the housing requirement for Rugby, when other factors affecting the housing requirement across the HMA are taken into account. For all of these reasons, I conclude that using the 2016-based household projections as the demographic starting point for Rugby's OAN and housing requirement would not be justified for this Plan.

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<sup>41</sup> [https://www.rugby.gov.uk/info/20004/planning\\_strategy/348/local\\_plan\\_examination/Z](https://www.rugby.gov.uk/info/20004/planning_strategy/348/local_plan_examination/Z)

27. The revised National Planning Policy Framework, published during consultation on the main modifications, states that, other than in exceptional circumstances, a new standard method (detailed in revised PPG) should be used to determine local housing needs. For Poole the standard method currently indicates a need for 782 dpa for the period 2016-2026. This is materially, but not substantially, higher than the 710 OAN on which the plan is based. However, as detailed in the Introduction to this report, the revised NPPF makes clear that a plan already submitted for examination should be examined against the March 2012 NPPF. Consequently, whilst future reviews of the plan will be likely to need to take account of it, it is not necessary for the plan to be modified at this stage to reflect the new standard method.

28. Conversely, it is the case that the most recent (2016-based) Office of National Statistics population projections indicate lower population growth in Poole than that on which the 2015 and 2017 SHMAs were based and since the consultation on main modifications was completed related household projections have been published. However, such projections would not necessarily lead to a housing OAN for Poole significantly lower than the 710 dpa on which the plan is based; as with the 2015 and 2017 documents a SHMA based on these projections would need to consider the case for uplifts to reflect suppression of household formation, alignment with economic growth and affordable housing. Considering these matters through a further update of the SHMA would inevitably take a considerable amount of time. There is almost always some emerging, or about to emerge, new evidence or guidance of potential relevance to a local plan. If the completion of plan examinations were to be delayed to take account of such new evidence/guidance few plans would ever be adopted. It is also of note that the PPG (Paragraph: 016 Reference ID: 2a-016-20150227) indicates that housing assessments are not automatically rendered outdated every time new projections are issued.

29. Moreover, the Government response to the draft revised National Planning Policy Framework consultation (July 2018) indicates the Government's intention to consider reviewing the standard method for determining local housing needs to ensure that it continues to be consistent with its policy of ensuring that 300,000 homes per year are built across England by the mid2020s. Consequently, even if the plan were to be modified to be based on a lower OAN (and its adoption inevitably delayed), it is very likely that it would then require early review and alteration to reflect a higher housing need figure based on the standard method.

30. In the light of all this, and in the particular circumstances of the Poole Local Plan at this particular point in time, it would not be appropriate to prolong the examination to re-examine housing need in the light of the most recent household projections.

SE Lincs South Holland and Boston Feb 19<sup>43</sup>

36. Since submitting the SELLP for examination the 2016 mid-year population estimates were published in June 2017. In response, the Councils updated the SHMAU modelling specifically to look at housing need when using the new data on 10 year migration trends. This indicated some downward impact on the demographic OAHN due to a reduced 10 year migration figure, although this was not so significant as to necessitate a new SHMAU. Whilst this is a useful indicator that the OAHN does not need increasing on this basis, it cannot be used to decrease the OAHN without a further SHMA update being undertaken. Therefore, the 2017

<sup>42</sup> <https://www.poole.gov.uk/planning-and-building-control/planning-policy-and-guidance/poole-local-plan/>

<sup>43</sup> <http://www.southeastlincslocalplan.org/wp-content/uploads/2019/02/Inspectors-Report-including-Schedule-of-Main-Modifications.pdf>

SHMAU figures hold good. Although the government's 2016-based Household Projections are now available, they emerged late on in the examination. There must come a point when the carousel of updating evidence stops so that a plan can proceed to adoption, and for this reason it is reasonable to adhere to the 2014-based projections.

Nuneaton and Bedworth Mar 19<sup>44</sup>

72. The updated 2016-based population and household projections were published by the Office for National Statistics (ONS) in 2018. As raised through the MM consultation process, these show a reduction in projected housing need for the Borough such that the exceptional circumstances for Green Belt alterations are further disputed. The 2016-based projections have generated reflection on the appropriateness of the ONS' methodology for household projections and particularly the use of two historical points (2001 and 2011) rather than longer trends to project household formation rates. This feeds into wider considerations on how the 2016-based projections align with stated national objectives to deliver at least 300,000 homes a year to address housing affordability such that the Government has advised against the use of the 2016-based projections. On this basis, the 2014-based projections (and earlier) remain a valid starting point for assessing housing need. Additionally, given that the Borough is part of a wider housing market area, it would be premature to consider adjustments in one authority area.

Stockton On Tees Sept 18<sup>45</sup>

41. During consultation on the MMs the 2016-based household projections were published. Nationally, the figures show a slower household growth than previously projected. A similar trend was identified when assessing historic projections in the SHMA. However, assessing the full implications of the changes would require an update of the SHMA, and inevitably delay adoption of the Plan. In addition, the latest projections would not necessarily result in a lower OAN for Stockton-on-Tees, as the SHMA uses 10-year trends and applies uplifts for concealed families and the Council's strategy for elderly accommodation. The PPG also confirms that that housing assessments are not automatically rendered outdated every time new projections are issued. (13 Paragraph: 016 Reference ID: 2a-016-20150227).

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<sup>44</sup> [https://www.nuneatonandbedworth.gov.uk/downloads/file/3215/ins40\\_-\\_nuneaton\\_and\\_bedworth\\_borough\\_plan\\_final\\_report\\_9\\_apr\\_2019](https://www.nuneatonandbedworth.gov.uk/downloads/file/3215/ins40_-_nuneaton_and_bedworth_borough_plan_final_report_9_apr_2019)

<sup>45</sup> <https://www.stockton.gov.uk/media/1585774/localplaninspectorsreport.pdf>

Wyre Mar 19<sup>46</sup>

62. Following the hearings in September 2018 the Office for National Statistics (ONS) published the 2016-based household projections. This latest data set suggests a reduced household growth of some 668 households in Wyre compared to the 2014-based projections. However, given that household projections are a starting point, the same factors referred to above would need to be applied and would still support a considerable uplift on the demographic forecasts.

63. The 2018 Framework refers to the new standard method of assessing housing need set out in the PPG. However, this LP is being examined under the 2012 Framework. Moreover, the Government is considering how the standard methodology should be adjusted to take into account its objective of ensuring that 300,000 homes are built each year.

Guildford Inspectors Note<sup>47</sup> Feb 19

#### “Use of the 2016 Household Projections

On 20 February 2019 the Government produced its response to its recent technical consultation on updates to national planning policy and guidance. The consultation included comments on, and questions about, the use of the 2016-based household projections.

The consultation is relevant to plans that use the standard method to calculate their housing requirement. The Government’s response to question 2 states “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”.

As a transitional plan being examined against the 2012 NPPF, the housing requirement in the Guildford Borough Local Plan is not based on the standard method. The Council’s most recent calculation of the housing requirement takes the 2016-based household projections as a demographic starting point, but these projections do not ultimately dictate the housing requirement because the methodology makes a range of significant adjustments to allow for factors such as household formation rates, jobs-related growth and other local issues. As such, the Council’s approach is an up to date assessment of housing need based on several inputs, not just household projections, does not amount to a lowering of housing need in relation to the standard method, and does not conflict with the Government’s response.

The Government’s response was not available at the time of the hearings last week, but all participants were fully aware of the consultation, and the issues in respect of the 2014 and 2016-based household projections were comprehensively discussed.”

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<sup>46</sup> [http://www.wyre.gov.uk/downloads/file/5574/final\\_report\\_on\\_the\\_examination\\_of\\_the\\_wyre\\_local\\_plan](http://www.wyre.gov.uk/downloads/file/5574/final_report_on_the_examination_of_the_wyre_local_plan)

<sup>47</sup> [https://www.guildford.gov.uk/newlocalplan/media/29534/ID-15---Inspectors-note-on-use-of-2016-household-projections/pdf/ID-15\\_Inspectors\\_Note.pdf](https://www.guildford.gov.uk/newlocalplan/media/29534/ID-15---Inspectors-note-on-use-of-2016-household-projections/pdf/ID-15_Inspectors_Note.pdf)

Guildford Mar 19<sup>48</sup>

25. Before going on to look at how this figure has been arrived at, it is necessary to consider the appropriateness of using the 2016-based household projections as a starting point for the Guildford Borough Local Plan. On 20 February 2019 the Government updated the Planning Practice Guidance (PPG) to advise the use of 2014-based household projections when using the standard method for calculating local housing need. All participants to the examination were fully aware of the consultation that led to this revision, and the issues in respect of the 2014 and 2016-based household projections were comprehensively discussed at the hearings. However, as a transitional plan being examined against the 2012 NPPF, the housing requirement in the Guildford Borough Local Plan is not derived from the standard method. Moreover, the plan's housing requirement in MM2 is based on a methodology that makes a range of significant adjustments to allow for factors such as household formation rates, jobs-related growth and other local issues which are discussed in more detail below. As such, the Council's latest housing figure in MM2 is an up to date assessment of housing need based on several inputs, in accordance with the policy framework appropriate for transitional plans. In consequence it does not conflict with the letter or the spirit of the revised NPPF.

Sedgemoor Jan 19<sup>49</sup>

56. The 2016-based household projections were published in September 2018. The Council's analysis of the updated projections (EX149) concludes that they would result in a drop of 804 households by the end of the plan period, which equates to 38 fewer households per annum. The Council are satisfied that this is not a meaningful change that would justify a change to the OAN in the Plan. The PPG states that new projections do not automatically mean that housing assessments are rendered out of date. As the Plan seeks to meet the higher household growth using the 2014-based household projections as the starting point, I do not consider that the revised household projections figures would justify a change to the OAN identified in the Plan for soundness purposes.

Waveney Mar 19<sup>50</sup>

16. Following the submission of the plan for examination the Office of National Statistics published updated 2016-based household projections, which were discussed at the hearings. Doc H3 details that, on the 2016 base, there would be a marginally higher number of new households (11 households per year) in Waveney during the plan period. These projections are, therefore, not materially different from the earlier ones on which the plan is based and would not justify a modification to the plan.

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<sup>48</sup> [https://www.guildford.gov.uk/newlocalplan/media/29804/Appendix-1---The-Inspectors-Report/pdf/Appendix\\_1\\_-\\_The\\_Inspector's\\_Report.pdf](https://www.guildford.gov.uk/newlocalplan/media/29804/Appendix-1---The-Inspectors-Report/pdf/Appendix_1_-_The_Inspector's_Report.pdf)

<sup>49</sup> <https://www.sedgemoor.gov.uk/examination>

<sup>50</sup> <https://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Inspectors-Report-and-Schedule-of-Modifications.pdf>

19. The Plan was submitted prior to 24 January 2019 and therefore falls to be considered against policies in the 2012 NPPF. Nevertheless, the Council have chosen to use the Local Housing Need (LHN) figure of 18,840 (942dpa) for the period 2016-2036, based on the formula provided by the Government in September 2017, in the consultation document 'Planning for the right homes in the right places'.

21. The Council has opted to use the standard method (LHN figure) on the basis that this is the direction of travel in terms of national policy and the following local circumstances. The Plan does make reference to the OAN derived from the July 2014 SHMA as this was the basis of the housing target of 25,125 homes for the period 2011 to 2036 (1,005dpa) in previous draft versions of the Plan. This was based on the ONS mid-year population estimates for mid2012. As part of the evidence base for the examination this figure was updated to 24,525 (981 dpa) to reflect the 2017 updated SHMA, which was based on 2014 based household projections, the same as the standard method. This figure includes upward adjustments from the demographic baseline as required to be considered under NPPF 2012 and the associated PPG methodology. Based on the most recent ONS population forecast (2016 based) this would be likely to come down further.

22. On this basis and the widely accepted point that an OAN figure is not an exact science in any event I find that using the LHN figure as a starting point and thus a different methodology is acceptable and consistent with the PPG as referenced above. This is particularly so given the LHN figure and the latest 2017 SHMA figures are based on the same household projections and yield comparative results. Also, several representors came up with slightly different figures but in the same ball park area. The most recent planning practice guidance in relation to assessing housing need explores when a higher figure than the LHN standard method needs to be considered. Because I find the LHN method is an acceptable starting point, I shall consider those areas of the more recent guidance that are relevant to this plan.

23. The PPG states that "the standard method for assessing local housing need provides the minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where actual housing need may be higher than the figure identified by the standard method".

27. Finally, recent assessments of need, such as a Strategic Housing Market Assessments (SHMA) need to be considered. As set out above the 2017 SHMA based OAN figure is 981 dpa, derived from DCLG-2014 based household projections. If the OAN was updated to take of the more recent, ONS 2016 based household projections it would fall below 900dpa. Various other figures were put to me by representors at the hearing sessions, as set out above, but the majority were very similar to the Council's OAN figure. The small difference between the LHN figure and the OAN figure does not indicate a need to uplift the LHN figure either. Overall, having taken all the above into account I find the LHN figure of 942dpa to be a sound one."

Robin Miller Understanding DATA July v1 1

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<sup>51</sup> <https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/local-plan-examination/>

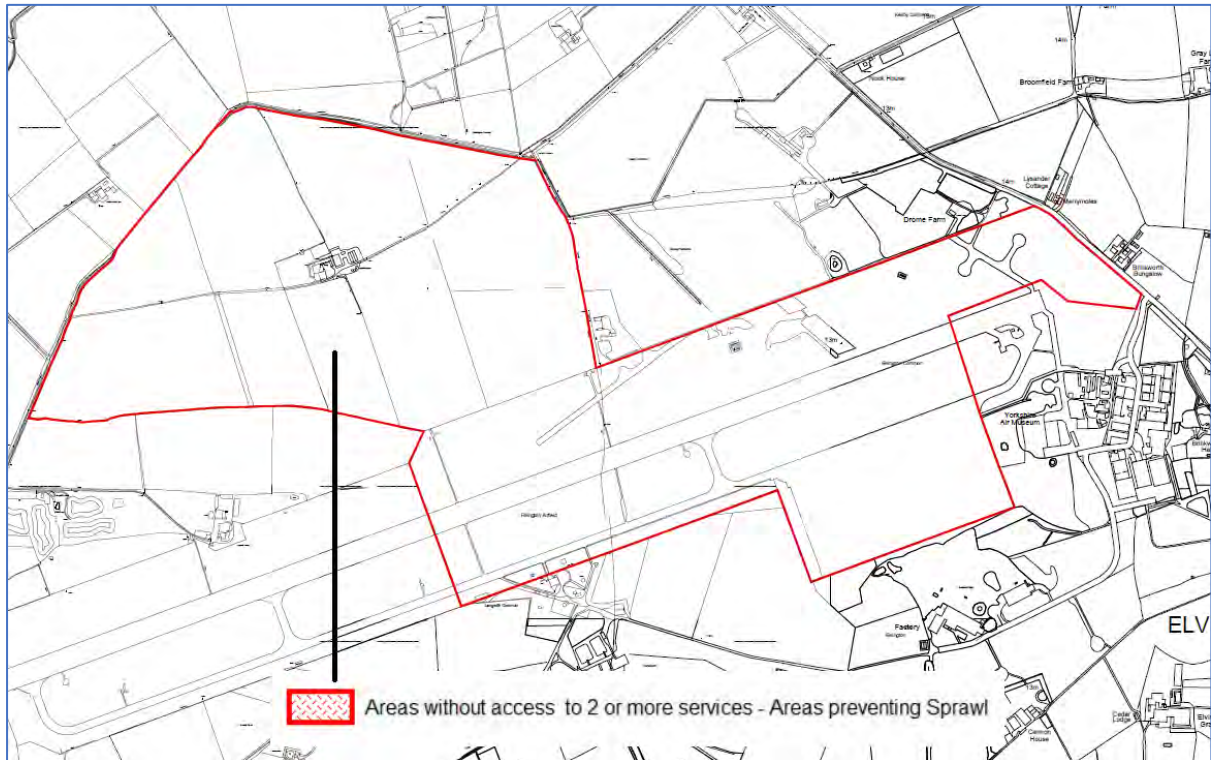


## APPENDIX 4

### GREEN BELT APPRAISAL

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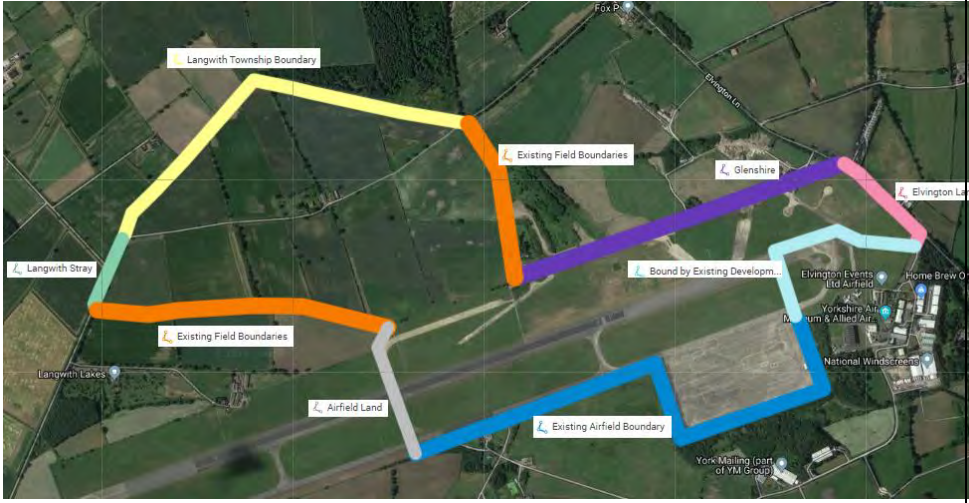
# LANGWITH GARDEN VILLAGE

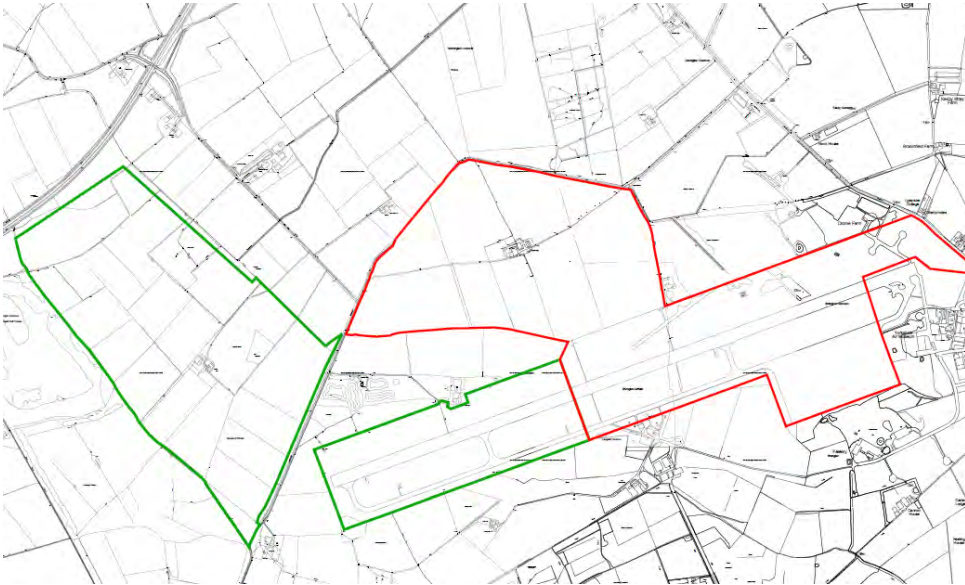


<p>Site Overview</p>	<p>Langwith Garden Village comprises an area of 204ha that can accommodate c. 4,000 new dwellings.</p> <p>The land is controlled by Langwith Development Partnership (LDP), and is free of any fundamental constraints to delivery. The site is viable and deliverable. LDP have prepared (and submitted to CYC as part of the Local Plan process), technical evidence to demonstrate its appropriateness.</p>
<p>Exceptional Circumstances</p>	<p>CYC has concluded that exceptional circumstances exist for Green Belt release in this part of York (see Section 7 of the Green Belt Topic Paper Addendum 1). 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. It is recognised that an undersupply of homes or employment land would not be sustainable in the case of York; it would exacerbate housing affordability issues, increase unsustainable commuting patterns and adversely impact on building a strong, competitive economy.</p> <p>Langwith would help to meet a significant proportion of York’s objectively assessed housing need within the general extent of the Green Belt. It can be demonstrated that it is capable of assisting the five purposes of the Green Belt and ensuring that the resultant Green Belt boundary endures beyond the plan period.</p>

<p>Impact on the need to promote sustainable patterns of development</p>	<p>Langwith is a freestanding new garden village to the south east of York. It is a mixed brownfield (103 ha) and greenfield (101 ha) site incorporating both agricultural land and part of the former Elvington Airfield. It is also proposed as part of the allocation to put a further 55 ha of brownfield land, to the west of the allocation, back to greenfield (see later).</p> <p>Whilst development in this location will affect the openness of the Green Belt, as part of the strategy for accommodating York’s assessed development needs, the degree of harm is far less than would be caused should the housing development be located, instead, on the edge of the existing built up area of the City or in its surrounding settlements.</p> <p>Indeed, Langwith responds positively to the setting of York and seeks to preserve and reinforce the purposes of the Green Belt surrounding the City.</p> <p>The garden village fits within the existing settlement form of York, which is characterised by a compact City surrounded by smaller villages and freestanding settlements.</p> <p>Historic England (‘HE’) are supportive of the approach to meeting the City’s development needs in a new freestanding settlement beyond the ring road. HE recognise this would help to safeguard the size and compact nature of the historic city. It would maintain the perception of York being a free-standing historic city set within a rural hinterland, and not affect key views towards York from the ring road or the relationship of the main built up area of York to its surrounding settlements (see the diagram at page of Appendix 4 of LDP’s representations to the Regulation 19 Local Plan).</p> <p>It is positioned close to existing (and expanding) employment areas, including the University of York and Elvington Airfield Industrial Estate. The new settlement has the strong prospect of creating major functional synergies with these nearby employment areas.</p> <p>Langwith can achieve a critical mass that allows it to deliver employment benefits, and support a range of other uses within the settlement. These include convenience retail, food/beverage, offices, a health centre, community centres and primary schools. It would not be possible to sustain this level of additional uses as part of a smaller settlement.</p> <p>All parts of Langwith would be within 400m of a public transport route. It is estimated that 4,000 homes would provide for a bus service every 20 minutes, which would equate to an increase in public transport patronage of c. 15%. Increased cycle and pedestrian routes would also be provided in the site.</p> <p>Langwith also has the potential for automated electric shuttle services with the University of York, and would connect with the existing park and ride facility adjacent to the University, as well as providing public transport to York City Centre (including the railway station).</p> <p>Access to the site is currently limited but will be improved with a new primary route via a new junction on the A64 leading to a network of new streets enabling new sustainable transport access across the new settlement. Langwith Stray/Long Lane/Common Lane are very lightly trafficked roads, and could provide a pleasant cycle route from the site to Heslington. There are also</p>
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	<p>several bridleways/pedestrian rights of way running through or near to the site that may be suitable for use as cycle/pedestrian routes.</p> <p>A secondary access directly off Elvington Lane will also be provided that will allow early delivery of new homes. This will provide access to existing and new public transport routes, linking into York and the surrounding area. Highways alterations are proposed to create a new link road between Elvington Land and Hull Road (see LDP's representations to the Regulation 19 Plan) which will provide highway benefits to the operation of Grimston Bar.</p>
<p>Green Belt Purpose 1</p> <p>Checking unrestricted sprawl</p>	<p>CYC's Heritage Impact Appraisal notes that it is key that the development is read as a settlement that is separate from York, and sits within its own landscape context.</p> <p>At its northern most point, Langwith is set back from the A64 (by almost 1 mile) to ensure no prevailing impact upon the historic setting of the City. Langwith would fit well within the characteristic of York as a historic, compact core surrounded by freestanding settlements.</p> <p>Langwith is self-contained, and a substantial division between the settlement boundary of York would be created. It would also be contained by well-defined and definitive boundaries.</p> <p>The landscaping of this area is appropriate for a new settlement; existing woodland and other landscape features mean that the landscape is capable of assimilating a new settlement of the size and configuration presented by the allocation. Appendix 4 and 5 of LDP's representations to the Regulation 19 Local Plan demonstrate its appropriateness.</p> <p>The boundaries to Langwith are defined by existing physical features that are readily recognisable and will be enhanced and defined further through the development of the garden village. This will ensure that they are permanent, Green belt boundary that will not need to be altered at the end of the plan period, and will endure beyond. Specifically, these boundaries comprise the following:</p> <ul style="list-style-type: none"> <li>- The north/north-west boundary of Langwith aligns with the historic northern edge of the Langwith township boundary. This is already well defined by existing woodland, trees and field boundaries, alongside a road (Langwith Stray) to its west.</li> <li>- Langwith Stray continues along the western boundary of Langwith, providing a definitive physical barrier to the edge of the garden village.</li> <li>- The south of Langwith adopts the existing boundary of Elvington Airfield, which is clearly defined by existing woodland, farmland and field boundaries. Existing airfield buildings physically limit any expansion of Langwith south-eastwards.</li> <li>- The east of Langwith is defined by Elvington Lane, which provides a definitive "end" to the garden village. The north-east is restricted by an existing access road that extends off Elvington Lane (known as 'Glenshire').</li> <li>- The remaining boundaries follow established field boundaries, dense tree planting and established woodland.</li> <li>- Importantly, each of these existing defined boundaries would be further reinforced through the development itself. The masterplan (Appendix 4 of the LDP representations to the Regulation 19 Local Plan) shows</li> </ul>

	<p>clearly defined landscaping strips around the settlement edges that will definitively restrict the extent of the built form.</p> <p>These boundaries are annotated below:</p>  <p>Accordingly, Langwith would check unrestricted sprawl in the future and ensure that the Green Belt boundary endures beyond the plan period. In addition, delivering a new settlement will reduce the need to provide housing in other more sensitive parts of the City, including as extensions to the existing urban area.</p>
<p>Green Belt Purpose 2 Preventing neighbouring towns from merging</p>	<p>The scale of Langwith, and its standalone status, reflects the relationship that York has with its surrounding villages. It is not located within an area where the coalescence of settlements is a possibility.</p> <p>The garden village would sit comfortably within the existing settlement pattern, and maintain the impression of York being a settlement sitting within an extensive rural hinterland.</p> <p>The settlement is separate from the smaller villages to its south and south-east (i.e. Elvington and Wheldrake), and would not result in any coalescence of settlements, or merging of any neighbouring towns. As noted above, its perimeter follows defined physical and natural boundaries.</p>
<p>Green Belt Purpose 3 Safeguarding the countryside form encroachment</p>	<p>Whilst some encroachment into the countryside is an inevitable consequence of releasing Green Belt land for development, Langwith seeks to minimise its impact in this regard and provide an overall betterment.</p> <p>The majority of Langwith is made up of brownfield land (103 ha compared to 101 ha of greenfield land). In addition, outside the allocation is it proposed to return 55ha of brownfield land back to greenfield use on the western part of the Airfield, resulting in a net greenfield land take of just 46ha. Importantly, this western airfield component would remain entirely within the Green Belt, but as new greenfield land rather than existing brownfield land.</p> <p>Langwith would also provide a significant amount of publically accessible open space equating to c. 40% of its site area (82ha), alongside a substantial Habitat Enhancement Area. A 192ha nature reserve (which will be one of the largest in Yorkshire) referred in these representations as a Habitat Enhancement Area ('HEA') will be established from the very outside of the settlement – again, this</p>

	<p>area would remain solely within the Green Belt and its proposed function is entirely appropriate for this status.</p> <p>Both the nature reserve and western airfield elements are shown below edged in green:</p>  <p>The Langwith masterplan incorporates strategic green infrastructure throughout the garden village, offering a legible and strong network. This will permeate the residential areas and form part of the movement network for pedestrians and cyclists.</p> <p>The garden village is designed to sit sensitively and appropriate in the countryside, with well-defined and highly defensible boundaries and in this respect will safeguard the countryside from inappropriate encroachment.</p>
<p>Green Belt Purpose 4</p> <p>Preserving the setting and special character of historic towns</p>	<p>Langwith would positively address the criteria identified by CYC’s Heritage Impact Appraisal, namely that:</p> <ul style="list-style-type: none"> <li>- The development would read as a distinct entity and freestanding settlement.</li> <li>- It would be separate from York and set back a considerable distance from York itself and from the A64, avoiding any encroachment towards the ring road.</li> <li>- The landscape setting, including features, of Langwith limits the allocations efforts, both on the landscape character and its visibility from the A64 and York. There is limited inter-visibility between the site and York itself, and the landscape can accommodate the development without any harm to the character or setting of York.</li> <li>- A strong network of green linkages and new strategic green space, including a dedicated Habitat Enhancement Area, will be introduced to mitigate ecological impacts and preserve wider views across the site.</li> <li>- The character and setting of the historic City of York would therefore be preserved and enhanced.</li> </ul>
<p>Green Belt Purpose 5</p>	<p>A significant proportion of Langwith is brownfield land, representing over 50% of the garden village (103ha). The regeneration of this significant quantum of brownfield land assists in minimising the impact on the Green Belt. Langwith</p>

Assisting urban regeneration	would return 55ha of brownfield land back to greenfield use on the western part of the Airfield, and this would remain within the Green Belt.
Detail boundary issues	Langwith sits within the general extent of York's Green Belt, albeit over 50% of the garden village is brownfield land. It comprises a freestanding settlement of c. 204ha in totality that is well contained and benefits from well-defined existing boundaries, as noted above. These boundaries would be further enhanced and defined through the development of the settlement itself. The settlement also proposes a significant amount of green space that would enhance the landscaped setting.

## APPENDIX 5

### HOUSING DELIVERY TRAJECTORY

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**Appendix 5**

Table 1 - Housing Delivery Trajectories

		Total	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Plan Period	16	17	18	19	20	21	22	23	24	25
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Delivery	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	2040/41	2041/42	2042/43
ST15	Regulation 19 Local Plan	3439				35	70	105	105	105	140	210	210	280	280	280	280	280	2380	280	280	280	219						
ST15	Reg 19 Plan Adjusted by Quod	3439										35	70	105	105	105	140	210	770	210	280	280	280	280	280	280	280	280	219
Langwith	Quod, Regulation 19 Representations	4012					103	103	154	154	206	206	206	257	257	257	257	257	2366	257	257	257	257	206	206	206			
Langwith	Updated Delivery Rate Scenario 1 - Bidwells (223dpa peak)	4012						25	100	100	200	200	200	223	223	223	223	223	1940	223	223	223	223	223	223	223	223	223	65
Langwith	Updated Delivery Rate Scenario 2 - Bidwells (300dpa peak)	4012						25	100	100	200	200	200	250	300	300	300	300	2275	300	300	300	300	300	237				



## APPENDIX 6

### BIDWELLS NOTES ON DELIVERY TRAJECTORY

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### ST15 and Langwith delivery trajectory assumptions

The delivery trajectory promoted by the Council for ST15 is considered to be over-ambitious and therefore not realistic. As set out in the Promoters' response to the Regulation 19 consultation in April 2018, they have concerns regarding the ability of ST15 to deliver the required trajectory. These concerns are as follows:

- 1) The significant level of abnormal costs required to be incurred to open up the site, and the lack of productive development to defray these costs in scheme delivery
- 2) The ability of ST15 to be developed at a sufficiently speedy rate to deliver the Local Plan target yield
- 3) The challenge of being able to ensure acceptable commercial arrangements with third party landowners to allow ST15 to be delivered.

These comments relate to challenge 2 above, namely the ability of ST15 to be delivered at the required rate.

### ST15 Delivery Critique

Prior to delivery of any units, ST15 will need to be opened up through the delivery of a new junction on the A64 and site access road. Even if this can be delivered to allow first home sales to happen in 2022, the trajectory set out by the Council is over ambitious, relying on an average annual delivery of 200 units per annum over 11 years. This would equate to either four sales outlets (i.e. show home complexes) each selling three units per month from first sale.

In reality, four outlets would not be able to operate simultaneously from first sale on any site as sites need time to bed in. On large scheme such as this, sales would typically operate from one or two sales outlets and as sales momentum builds further outlets would open. The trajectory assumed by the Council for ST15 doesn't assume a gradual build up, meaning that the assumed sales trajectory is over-optimistic and therefore undeliverable.

Furthermore, the ability of ST15 to allow four outlets to operate simultaneously from a single site access with no direct road frontage is questionable, further damaging the prospects of ST15 delivering the required trajectory.

### Langwith delivery strategy

The Promoters' alternative proposal of Langwith would address these constraints through the provision of two entrances to the settlement. One, an access from Elvington Lane with capacity for 1,000 units using existing infrastructures, and the second via a new junction on the A64, as envisaged in ST15.

The delivery trajectory for Langwith assumes that there is sufficient capacity within the existing Elvington Lane highway to allow 400 units to be delivered. After this, a new link road would be required between Elvington Land and the Grimston Bar Interchange which would provide capacity for up to 1,000 homes from the Elvington Lane access. The trajectory assumes that delivery of 200 units per year could be achieved from Elvington Lane during this period.

In order to deliver more than 1,000 units, a new junction on the A64 would be required. Once this is delivered however and the overall site benefits from two entrances, it is assumed that 300 units could be delivered through the opening up of additional sales outlets at the northern (i.e. A64) entrance.

This Elvington Lane access would provide road frontage and allow early delivery of housing as it is able to use the existing infrastructure. Once the second entrance to the site from the A64 is open, further sales outlets could open. The ability to have two separate access operating on a large site such as Langwith would allow a greater number of sales outlets to operate simultaneously at peak.

Housebuilders are rightly nervous of too many sales outlets operating simultaneously and risking over-competition for sales, a risk which would be heightened if the development only has one access as is proposed by the Council for ST15.

In our view however, Langwith is of sufficient scale to allow each entrance to have at least two and potentially three sales outlets operating simultaneously from it. This would allow between four and six outlets to sensibly operate on the site at peak delivery.

Evidence of delivery of large schemes shows that a range of outlets are able to operate simultaneously. The number of outlets that are capable of operating will be dictated by the strength of the market and the size of the scheme.

Alconbury Weald (Huntingdon) and Houlton (Rugby Radio Station) are schemes which are both in the early stages of delivery and have four different housebuilders operating on them. Both developments are led by Urban & Civic as master developer.

Other, more established schemes such as Kingsmere (Bicester) and The Hamptons (Peterborough) each have five developers selling new homes on them.

Larger schemes which are more established including Northstowe (Cambridge), Ebbsfleet (Gravesend) and Priors Hall (Corby) have six or more sales outlets operating.

As noted above, schemes are generally able to sustain more outlets once they become established, with shoulder periods at the start and end of delivery. It is considered that a similar approach at Langwith would be reasonable.

Evidence from housebuilder's annual reports supports sales rates of between 0.75 and 1 unit per week per sales outlet as being achievable. The following table shows the delivery ranges that could be achieved with different numbers of sales outlets and sales rates:

Sales outlets operating	Private sale rate per week per outlet	Total private sales per year	Affordable %	Total (private and affordable) delivery per year
4	0.75	156	30%	223
4	1	209	30%	299
5	0.75	196	30%	280
5	1	261	30%	373
6	0.75	235	30%	336
6	1	313	30%	447

On the basis of the above, a delivery rate of 300 units per annum (including 30% affordable) is a reasonable assumption. This would require between four and six sales outlets operating and delivering at typical housebuilder rates. Such an approach would provide much more certainty regarding unit delivery than that which could be achieved in ST15.

**From:** Sara Robin [sara.robin@ywt.org.uk]  
**Sent:** 22 July 2019 16:44  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** CYC Local Plan Proposed Modifications YWT comments  
**Attachments:** 190722 YWT comments Local\_Plan\_Proposed\_Modifications\_Response 2\_.pdf; 190722 YWT comments Local\_Plan\_Proposed\_Modifications\_Response 3.pdf; 190722 YWT comments Local\_Plan\_Proposed\_Modifications\_Response\_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.

Some brief comments from Yorkshire Wildlife Trust are attached.

Sara Robin  
**Conservation Officer (Planning)**  
**Yorkshire Wildlife Trust**  
Tel: 01904 659570  
Email: [sara.robin@ywt.org.uk](mailto:sara.robin@ywt.org.uk)  
Website: [www.ywt.org.uk](http://www.ywt.org.uk)



Yorkshire Wildlife Trust is a company limited by guarantee, registered in England Number 409650.  
Registered Charity Number 210807. Registered Office: 1 St George's Place, York, YO24 1GN.

# 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	Ms	
First Name	Sara	
Last Name	Robin	
Organisation (where relevant)	Yorkshire Wildlife Trust	
Representing (if applicable)		
Address – line 1	1 St Georges Place	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5	York	
Postcode	YO24 1DG	
E-mail Address	Sara.robin@ywt.org.uk	

Representations must be received by Monday 22 July 2019, up until midnight.

Representations received after this time will not be considered duly made.

Telephone Number	01904 659570	
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# 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)

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## Do I have to use the response form?

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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.

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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.

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# Part B -Your Representation

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



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

Proposed Modification Reference:

Moor lane Woodthorpe

Document:

**Annex 6: Minor Modifications Schedule for Policies map. Also the document TP1: Approach to Defining York's Green Belt -**

Page Number:

A6.1-A6.2

## 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)

Yorkshire Wildlife Trust considers that the inclusion of Moor Lane as the edge of the urban settlement is a logical approach. The Green Belt at this point maintains openness and the rural setting of York, prevents coalescence of urban areas and protects the Trust's reserve at Askham Bog from urban impacts.

## 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)**

Yorkshire Wildlife Trust considers that the inclusion of Moor Lane as the edge of the urban settlement is a logical approach. The Green Belt at this point maintains openness and the rural setting of York, prevents coalescence of urban areas and protects the Trust's reserve at Askham Bog from urban impacts.

The Trust is also pleased to see the very thorough assessment of the Green Belt and the detail involved in defining the boundaries in TP1: Approach to Defining York's Green Belt.

**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

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>

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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

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Signature



Date 22/07/2019

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

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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	Ms	
First Name	Sara	
Last Name	Robin	
Organisation (where relevant)	Yorkshire Wildlife Trust	
Representing (if applicable)		
Address – line 1	1 St Georges Place	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5	York	
Postcode	YO24 1DG	
E-mail Address	Sara.robin@ywt.org.uk	

Telephone Number	01904 659570	
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# Guidance note

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

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## Do I need to attend the Public Examination?

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# Part B -Your Representation

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



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

Proposed Modification Reference:

PM13 removal of Policy SS-19

Document:

Main modifications

Page Number:

12

## 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)

Yorkshire Wildlife Trust considers that the removal of this policy and the removal of Queen Elizabeth Barracks from the allocations strengthens the Local Plan. The Trust was very concerned that there was insufficient evidence to show that impacts on the SAC could be avoided which would have made the plan legally unsound.

## 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.

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**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)**

Yorkshire Wildlife Trust considers that the exclusion of Queen Elizabeth Barracks as an allocation in the Local Plan and the removal of Policy SS-19 shows that the plan was positively prepared by responding to objections from Natural England and Yorkshire Wildlife Trust amongst other objections. The plan will also be more consistently justified, effective and consistent with national and international policy on the protection of habitats.

**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.**

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Signature



Date 22/07/2019

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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	Ms	
First Name	Sara	
Last Name	Robin	
Organisation (where relevant)	Yorkshire Wildlife Trust	
Representing (if applicable)		
Address – line 1	1 St Georges Place	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5	York	
Postcode	YO24 1DG	
E-mail Address	Sara.robin@ywt.org.uk	

Telephone Number	01904 659570	
------------------	--------------	--

# 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 26, Policy G12 Biodiversity and Access to Nature

Document:

Main Modifications

Page Number:

28

## 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)

Within the City of York authority boundaries there are both nationally and internationally designated wildlife sites. Clarifying the protection of these sites through the Local Plan is very important and fully supported by Yorkshire Wildlife Trust. This will make the final plan legally compliant. The authority will also be cooperating with neighbouring authorities as the internationally designated Lower Derwent Valley is adjacent to East Yorkshire and Selby as well as CYC.

## 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)**

Yorkshire Wildlife Trust considers that the plan will be more consistent with national policy and the allocations proposed better justified with the strengthening of this policy.



**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

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 22/07/2019



**From:** Ash, Merlin [Redacted]  
**Sent:** 22 July 2019 17:45  
**To:** localplan@york.gov.uk  
**Cc:** [Redacted]  
**Subject:** RE: City of York Local Plan Proposed Modifications Consultations  
**Attachments:** 285502 Natural England Response.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 Mike Slater,

Thank you for consulting Natural England on the City of York Local Plan Proposed Modifications Consultations. Please find attached our response letter.

Kind regards,

Merlin

Merlin Ash  
 Lead Adviser  
 Yorkshire and Northern Lincolnshire Team  
 Natural England  
 Foss House, 1-2 Peasholme Green, York, YO1 7PX  
 [Redacted]

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England’s traditional landscapes are safeguarded for future generations.**

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

---

**From:** SM-NE-Crewe LUP Hub (NE)  
**Sent:** 13 June 2019 15:58  
**To:** SM-Defra-Plan Cons Area Team (Yorkshire & Northern Lincolnshire) (NE)  
 <PlanConsAreaTeamYorkshireandNorthernLincolnshire@defra.gov.uk>  
**Subject:** MERLIN 2019-07-22 285502 City of York Local Plan Proposed Modifications

Please see the attached consultation, logged on tracker,

285502	York Local Plan Proposed	Land Use -	Planning Area 03 Yorkshire &	03 Yorkshire & Northern	03 Yorkshire & Northern	Land Use	York City	22/7/2019	Open
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	Modifications	DPN	Northern Lincolnshire	Lincolnshire	Lincolnshire Sub-Team	Plan	Council		
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which relates to,

77437	City of York SA Scoping Report for the Local Plan	Land Use	Sally Maguire	Land Use	Local Land Use - Forward Planning Network	Land Use Plan	York City Council	18/3/2013	Closed
88470	City of York Local Plan Preferred Options – June 2013	Land Use	John King	Land Use	Local Land Use - Forward Planning Network	Land Use Plan	York City Council	31/7/2013	Closed
92734	City of York Local Plan phone call requested from Brian Kefford.01904 703577.	Land Use	John King	Land Use	Local Land Use - Forward Planning Network	Land Use Plan	York City Council	14/8/2013	Closed
227554	City of York Local Plan Pre-Publication draft Local Plan (Regulation 18 Consultation, Sept 2017)	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	30/10/2017	Closed
229461	MOP Chris Wedgwood City of York Local Plan Pre-Publication draft Local Plan (Regulation 18 Consultation, Sept 2017)	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land Use Plan	York City Council	30/10/2017	Closed
230861	HRA work in relation to the proposed allocation of Queen Elizabeth Barracks and Towthorpe in the draft Local Plan.	Land Use - DPN	Simon Christian	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	29/11/2017	Closed
235413	City of York Local Plan - shadow Habitat Regulations Assessment for the proposed allocation at Queen Elizabeth Barracks, Strensall.	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	2/2/2018	Closed
239830	City of York Local Plan – Publication Draft (February 2018) Consultation	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	4/4/2018	Closed
246074	Habitats Regulations Assessment for City of York Local Plan – Publication Draft (February 2018) Consultation	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	14/5/2018	Closed
247643	City of York Local Plan - Habitats Regulation Assessment April 2018	Land Use - DPN	Merlin Ash	03 Yorkshire & Northern Lincolnshire	03 Yorkshire & Northern Lincolnshire Sub-Team	Land use plan	York City Council	8/6/2018	Closed

which is also linked to case 7526

Many Thanks

Regards  
Carla Wright  
Natural England  
Operations Delivery  
Consultations Team  
Hornbeam House  
Crewe Business Park  
Electra Way,  
Crewe  
Cheshire, CW1 6GJ

Tel: 020 8026 8328

Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

**Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

---

**From:** Ash, Merlin  
**Sent:** 10 June 2019 14:20  
**To:** SM-NE-Consultations (NE) <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>  
**Subject:** FW: City of York Local Plan Proposed Modifications Consultations

Please log FAO Plan Cons Area Team Yorkshire and Northern Lincolnshire team mailbox.

Many thanks

Merlin Ash  
Lead Adviser  
Yorkshire and Northern Lincolnshire Team  
[REDACTED]

---

**From:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk) [<mailto:localplan@york.gov.uk>]  
**Sent:** 10 June 2019 11:38  
**Cc:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Subject:** City of York Local Plan Proposed Modifications Consultations

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.

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 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.

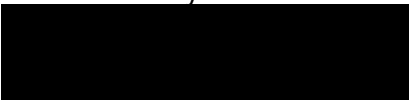
At this stage, unless you indicate you wish to appear at the Examination to make a representation you will not have the right to do. Any written representations made will be considered by the independent Planning Inspectors.

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

\*\*\*\*\*  
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\*\*\*\*\*

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Date: 22 July 2019  
Our ref: 285502



Mike Slater  
Assistant Director – Planning and Public Protection  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA  
[localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Mike Slater

**Planning consultation:** City of York Local Plan Proposed Modifications (June 2019) Consultation

Thank you for your consultation on the above dated 10 June 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**City of York Local Plan Proposed Modifications (June 2019)**

PM2,8,11,13,14,18,19,28,42 – Removal of allocations ST35 and H59 and policy SS19

Natural England concurs with the findings of the updated Habitats Regulations Assessment which concludes, with reference to the Visitor surveys and impacts of recreation at Strensall Common SAC study commissioned by the council, that adverse effects on integrity cannot be ruled out. We consequently welcome the proposed modifications to remove allocations ST35 and H59 along with supporting policy SS19. We would be concerned if these allocations were retained in the Plan in the light of this evidence.

PM10 Policy SS13 Land West of Elvington Lane

We welcome this clarification which provides greater clarity regarding the necessary mitigation for allocation ST15.

PM12 Policy SS18 Station Yard, Weldrake

Natural England welcomes this clarification regarding mitigation necessary for avoiding adverse effects on the integrity of the Lower Derwent Valley SPA/Ramsar/SSSI in the context of the additional evidence base provided regarding recreational disturbance at the Lower Derwent Valley and Skipwith Common and the updated Habitats Regulations Assessment.

PM17 Policy EC1 Employment Allocations – E18

Natural England welcomes the proposed requirements regarding the mitigation of impacts on Strensall Common SAC for allocation E18 in the context of the updated Habitats Regulations Assessment and additional evidence regarding recreational pressures on the SAC provided.

PM26 and 27 Policy GI2: Biodiversity and Access to Nature – nature conservation sites

Natural England is satisfied that modification PM26 addresses the concerns we raised regarding policy GI2 in our response to the Publication Draft of the plan (our letter dated 04 April 2018, our ref 239830). In addition we advise that the revised 2018 National Planning Policy Framework (NPPF) has significantly strengthened policy in relation to biodiversity net gain with planning policies and



decisions to “provide net gains for biodiversity”. In accordance with the Environment White Paper the Natural Choice – making space for nature, the Biodiversity 2020 strategy and the NPPF, objectives should go beyond safeguarding biodiversity.

Development plans need to apply this policy to local circumstances and develop their approach to net gain as new spatial development strategies are prepared and local plans are prepared or reviewed to comply with the revised NPPF. Securing biodiversity net gain from development is usually dependent on having biodiversity net gain embedded in statutory plans. Local planning authorities can require developers to provide biodiversity net gain where there is an appropriate policy in the development plan to support decision making and many developers will only commit to achieving biodiversity net gain where they are required to do so.

While we welcome the inclusion of criterion vii requiring developments to deliver net gain in policy G12 we advise that the council considers providing further details on how net gains for biodiversity will be delivered, either through the Local Plan or through supporting/supplementary plans and guidance.

Natural England considers that Local Authorities should set out a clear policy framework to achieve a measurable biodiversity net gain from new development that contributes towards local biodiversity priorities. This should:

- Be clear if biodiversity net gain is applying to all developments or just to large developments (smaller developers may need a more streamlined/simple approach). If only for large developments it should be clear about what your criteria for a ‘large development’ is and apply that criteria consistently.
- If the biodiversity net gain policy extends to smaller developments be clear on the definition of smaller developments and consider ‘biodiversity/habitat banking’ as a way of streamlining biodiversity net gain.
- A local planning authority, or other nature conservation partners, may be able to facilitate a larger biodiversity project that can benefit from small scale development contributions, by creating a habitat/biodiversity bank.
- to use an evidence based metric when calculating biodiversity impact – encourage use of [Defra metric](#) (some local authorities specify its use) or variants based on this. If a local planning authority is suggesting an adaptation to the Defra metric, check that any adaptation is justified and in the interest of maximising local biodiversity gains.
- Set out how developers will be expected to demonstrate delivery of biodiversity net gain (including use of an evidence based metric to calculate biodiversity impact and whether net gain should be provided on or offsite)
- Set out site-specific biodiversity net gain aspirations for all site allocations.

Finally we welcome the clarification regarding the need for developments to consider mitigation for the impact of recreational disturbance on designated sites which is particularly pertinent in the context of the findings of the Habitats Regulations Assessment.

#### PM45 and 46 Table 15.2 Delivery and Monitoring – Green Infrastructure

In the context of the findings of the Habitats Regulations in relation to recreational pressures Natural England welcomes the proposed inclusion of a target and indicator regarding pressures on Strensall Common SAC, Lower Derwent Valley SPA/SAC/Ramsar and Skipwith Common SAC.

#### **Habitats Regulations Assessment of the City of York Council Local Plan 19 February 2019**

Natural England welcomes the revised Habitats Regulations Assessment which has been updated in the context of the Visitor surveys at the Lower Derwent SPA/SAC and Skipwith Common SAC and Visitor surveys and impacts of recreation at Strensall Common SAC reports. Natural England agrees with the revised conclusions and is satisfied in this context that the Plan is legally compliant.

#### **City of York Local Plan Publication Draft (Regulation 19 Consultation) Sustainability Appraisal Report Addendum – Proposed Modifications**

Natural England welcomes the updated Sustainability Appraisal. In particular we welcome the

consideration given to the findings of the Habitats Regulations Assessment in the context of sustainability.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter please contact Merlin Ash at [merlin.ash@naturalengland.org.uk](mailto:merlin.ash@naturalengland.org.uk) or on 02080 266382. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Merlin Ash  
Yorkshire and Northern Lincolnshire Team  
Natural England

[Redacted]

**From:** Sandra [Redacted]  
**Sent:** 22 July 2019 19:34  
**To:** localplan@york.gov.uk  
**Subject:** 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. 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.

Sandra Atkinson,

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

