

Representation/written statement from Pilcher Homes

Briefing note on MIQs – submitted prior to phase 1 hearings – Laid out as notes to be read alongside the amended MIQs

Matter 1 – Legal requirements – no comments on points 1.1 – 1.6 outside of those which may have been submitted by us.

1.7 No. We have submitted statements on this matter. We believe that the appraisals have been reversed engineered to justify politically chosen sites rather than to identify the sustainable locations. There are many alternatives. Many sites have been submitted in sustainable locations within the ring road with minimal infrastructure requirements. The strategy of dormitory commuter settlements has not been justified on sustainability grounds.

1.8 No. The sustainable, deliverable and viable sites passed over on political grounds which are adjacent to existing housing in the City of York inside the ring road would be less harmful on this matter because they are more likely to support cycling and walking than the ‘clock face’ dormitory settlements strategy.

Instead York should aim to achieve the compact liveable city design espoused by RTPi research paper May 2018, Settlement Patterns, Urban Form and Sustainability. All land that has good access to bus routes, and creates natural extensions to the settlement should be sought. The site selection process in the draft plan has sought to put the housing far beyond existing settlement to mitigate the negative reactions from existing residents (voters). It was a political approach by the working plan group in contrast to RTPi research.

Figure 4.3: Positive feedback mechanisms from urban regeneration that can reduce transport emissions over the long-term. Adapted from Wenban-Smith, 2016.²⁸



1.9 – 2.1 no comments.

2.2 a) No. Not robust evidence. See OAHN submission on our behalf by Regeneris. Also those submitted by Lichfields, Carter Jonas, MHCLG method etc... There is no way that the current G L Hearn position can be Sound.

b) No. See submitted evidence as per the above.

c) Not for us to comment on. Neighbouring authorities will respond.

2.3 a) G L Hearn cannot mix apples with pears. The time periods are inconsistent. If the Inspectorate eventually drafts a sound plan for York then it should use the latest figures available. CYC were hoping to rely on a sudden decrease in net migration and household formation to lower the OAHN. The most up to date evidence and current political knowledge would suggest that population factors will continue to exert colossal pressure.

b) No. Market signals have been ignored. This point was made clear by the executive's refusal to approve the market signals adjusted figure recommended by the planning team at full committee. The link to the meeting was submitted in evidence. Very recent article dated 20th November 2019 states York prices soar by 25% in the last 5 years
<https://www.thebusinessdesk.com/yorkshire/news/2047310-prices-rise-as-citys-property-market-thrives>

c) No comment

d) See submitted OAHN reports

e) No. The standard methodology should be applied which would give a figure of circa 1,070, which is much closer to the calculations produced by Regeneris, Lichfields etc...

f) No. The correct amount of affordable housing cannot be delivered without a marked increase in the OAHN because key brown field sites are claiming viability reductions. The only way to deliver the correct amount of affordable housing will be a significant increase in the number of medium sized deliverable sites that can contribute at 30% affordable housing. We submitted evidence about the self-build register early this year. The latest position provided to me by CYC officer on 20th November 2019 is as follows;

Hi Thomas, Currently these are the only self-build plots (*the 6 plots at Lowfield*) we have with outline planning permission. I am working to bring forward a number of infill site and am also working with our housing delivery team to provide self-build plots on our other housing sites.

As of last week were 324 individuals on our self-build register. We know the demand is there and we are working to bring more plots forward.

Kind Regards, Tim

Tim Moon | Community and Self-build Officer t: 01904 554361 | m: 07936 365997 |
e: tim.moon@york.gov.uk

In summary this register is now 3.5 years in to its creation and was supposed to deliver plots for each applicant within 3 years. Therefore the shortfall of self-build plots is conceivably 318. This unmet need should be added to the existing shortfall and dealt with in under 5 years by including a wider variety of deliverable sites. It was agreed in the appeal APP/C2741/W/16/3149489 (points 51 – 62) that the housing shortfall is 'acute' or 'significant' point 62 by Inspector Drew. 945 dwellings based on 2012 shortfall and likely to be much higher by 2020. CYC conceded in 2017 to 3.8 years at best. The appellant cited 1.9 years. The inspector was unconvinced by CYC's windfall methodology when considered in the light of para 48. In point 61 Drew states that the true estimate might even be below 1.9 years supply. There has not been an effort "To boost significantly the supply of housing" since this appeal so the situation when added to the self-build register may be even worse.

2.4 No comment.

2.5 a) For CYC to justify. But the focus should be on outperformance to address the previous shortfalls within 5 years (para 47), Sedgefield method, etc... Seems necessary to deliver 1,500 per year in years 2020 -2025 to address the backlog and cool the market.

- b) They just keep bumping it on, ignoring previous failure, shortfall, Well Beyond, etc..
- c) The policies should be relevant and applicable for the plan period. If the policies are successful and remain compliant with national policy then they will rollover in to future plans or be amended at 5 yearly plan revisions. Many of these questions seem hypothetical to a local authority that has never had an adopted local plan.
- d) Because they forgot to edit it down to the same number. Neither figure is right.
- e) Yes, it does undermine the council's position.

2.6 No, the housing requirement is far too low for it to enable the affordable housing target to be met. The absence of a 20% buffer for sites to create competition and the lack of a range of small and medium sites will stymie delivery.

2.7 No. The OAHN is too low. The CYC planning team think that it is too low and recommended the higher figure of 953 to the executive. GL Hearn have just been asked to fudge the numbers so that the local politicians could say that they had submitted a local plan. Then they will blame the result on the Planning Inspectorate or Whitehall.

2.8 It is not the most appropriate strategy. See the first page where the RTPI research paper would espouse a compact form of city along public transport routes rather than a dormitory/commuter settlement strategy.

2.9 CYC will suffer under analysis. They may come clean and say that the Councillors removed sustainable, deliverable and viable sites in their own wards and near their homes to protect them from traffic and building work noise.

- a) Not enough detail to justify their strategy.
- b) CYC to confirm
- c) Local politics. Lib Dem wards don't have to have any new housing because Cllr Nigel Ayre runs the Local Plan Working Group.
- d) No
- e) No. it would not lead to the most sustainable pattern of housing growth
- f) Yes! York is all about Councillors using the 'very special circumstances' to disallow housing or allow special projects on the occasion it suits. It is the most powerful tool in the planning system and they want as much land green washed as possible.

2.10 No, the spatial distribution is not justified and the plan is not sound in this regard.

Matter 3

3.1 a) I believe that they used their wording for political effect. They ought to have written that they are defining the inner boundaries and some of the outer boundaries for the first time in the light of the saved policies YH9C and Y1.

b) Yes, it is removing land from the Green Belt. It is clear that the 'garden villages' / commuter settlements would lie within the general extent of the Green Belt, because they are definitely away from the inner boundary and definitely less than 6 miles away from St Helen's Square. The exceptional circumstances are justified for their chosen sites due to the severe shortage of housing. The very tight

draft inner boundaries referred to by Inspector Wood (without safeguarded land) mean that Green Belt (or draft Green Belt land) must be released in this Local Plan.

Perhaps some of the sites which abut the inner boundary of the City could be considered to have never been defined as within an adopted Green Belt. However, the inspectors know that the 'very tight boundaries (Wood 1998) have been quite effectively used to prevent development over recent decades. The 2005 development plan has been used to show the inner boundary but it is a policy that has an impact on housing supply so could be considered to carry very little weight. In APP/C2741/W/16/3149489 Inspector Drew wrote that CYC conceded under cross-examination that only very limited weight to policies in the draft 2005 LP (31), This position concurred with the Inspector in APP/C2741/W/16/3154113, CD5.17.

3.2 a) The approach to defining the inner boundaries may be in line with YH9C and Y1. They are very general policies and the key diagram is ridiculously vague. What is certain to me is the RSS key diagram shows, and expects their to be white land/safeguarded land between the existing settlement and the inner boundary. The dotted line of the key diagram is illustrating that an inner boundary is required. The fact that it aligned quite well with the York Outer Ring Road has not yet been helpful to those of us trying to suggest that land on the fringes of built York may not be in the general extent of the green belt.

b) Sustainable patterns (rounding off, infill etc...) have not been taken in to account.

c) This is a huge point that CYC needs huge pressure on. It has totally disregarded the intent of para 84. It would be far more sustainable to channel the housing need in to the most central areas adjacent to the existing built environment. If safeguarded land had been adopted between the then built environment in the 1990s it would now be ready for release in the most sustainable locations.

d) The proposed inner boundaries (being defined for the first time), include a lot of land which is not necessary to be kept permanently open. There is a large difference between the Figure 7 analysis and the proposed inner boundaries. Large parts of Huntington and Heworth are white in the Figure 7 plan and yet have been washed over on dubious grounds using very weak and transient boundaries. Some of the land shown white in Figure 7 would be suitable as safeguarded land and a lot of it would be far more suitable for sustainable development prior to many of the proposed new commuter settlements.

3.3 Yes. The boundaries will need to be altered before the end of the plan period. Any subsequent 5 year review would be likely to see green belt releases due to unmet delivery tests. The obvious boundary for the CYC inner green belt would be the York Outer Ring Road. Most of the land within it could either be developed without impacting on the purposes of the green belt, or safeguarded for development, or designated as Local Green Space, or flood plain. Other readily recognisable physical features are railways and rivers. Hedges are inadequate to serve the sense of permanence or ease of recognition. The rushed approach taken was to attempt to justify the draft 1998, 2005 LP inner boundaries without respect for paras 84, 85 and 86.

3.4 Absolutely yes. The council must identify safeguarded land for 15 – 20 years' worth of development (25,000 houses) beyond the plan period if a draft plan is to be considered Sound (i.e. near 41,000 in total). They took this advice from John Hobson QC and the planning team agreed with it enough to recommend it to the executive. I don't agree with CYC decreasing the 'WELL BEYOND' factor down to 5 years from the QC recommended 10 years beyond plan. We would all like the Inspectors to give us their view of the correct time scale that adds a sense of adequate permanence.

3.5 No the boundaries are not justified in the inner boundaries because they don't accommodate the need for current sustainable patterns of development, nor allocate the required safeguarded land up to 2050, and they over reach the 6 mile mark in far too many places without necessity or justification for the five purposes.

3.6

- a) The sheer amount of housing demand necessitates the amendment of the draft 2005 development plan boundaries. However, if the inner boundaries were correctly done this time or before, then green belt in the middle of the general extent (such as the new commuter villages) may not have been required for release.
- b) The CYC has an equitable stake in ST7. This has helped them justify the island development strategy and justify the exceptional circumstances to release their land. One can presume the huge necessity for numbers has helped CYC justify very large satellite settlements such as Langwith/Whinthorpe ST15. Also Cllr Ian Gillies had a good working relationship with Lord Halifax who is happy to receive quarter of a billion pounds for the land!
- c) The answer to this depends on your view on the inner boundary. If the inner boundary is already set in the mind of the Planning Inspectorate then there is almost nil capacity to supply the required housing within the brownfield land (or absent white land). The brown field sites are very much included in this plan and few others, or windfall sites can meet even a percentage of the correct OAHN ($15 \times 1070 = 16,050$).
- d) Related to the above. There is scarcely a snippet of rural land in the whole district that has not been green washed by the draft GB.
- e) Desperation on housing numbers.

3.7 The Councillors have been able to make decisions based on local politics. There are many very obvious deliverable, sustainable, and viable sites, which abut the existing development, do not prejudice Fig 7, comply with the intent of para 84, which are routinely overlooked/cynically removed on political grounds.

- a) Fig 7 identifies a lot of land not necessary for green belt purposes but is not reflected in the proposed boundaries.
- b) Lots of enclosed land without a sense of openness or connection to the wider countryside has been green washed unnecessarily
- c) No they haven't taken this in to account
- d) They can use the 5 purposes to green wash anything because any restriction of supply may benefit the brown field development land value or pressure. (Although they cannot make British Sugar sell and are so desperate for the brownfield land that they will concede to the 10% affordable request). However, I agree with the question. It is quite obvious that the green belt wedges between ST7 and ST8 are entirely unjustifiable. Fig 7 would see all of the ST8 land and 191 and much of Heworth unsullied by green belt.
- e) I believe that the 4th purpose is the sole reason for the York Green Belt, and that it should remain preeminent in our minds when assessing harm. Furthermore the other 4 purposes could be given very little weight.
- f) The sustainable patterns of development could be achieved without damaging the 5 purposes, and especially the 4th purpose. The 2003 report showed that large areas on Huntington do not serve the 4th purpose and little of the other 4. Hence Fig 7. Ironically ST7 where CYC has a financial stake definitely has an impact on all 5 purposes, but especially the 4th purpose

3.8 No. They have been considered to get as little housing approved as possible as far away from the electorate as possible. CYC attitude is that someone else can deal with the next plan down the road. The boundaries cannot endure. Please also press them on para 112.

3.9 No comment

3.10 No, the approach is not robust and no the plan is not sound.