



## City of York Local Plan

### Proposed Modifications and Evidence Base Consultation 2021

#### Representations received

#### Volume 8 of 11

#### Responses SID849 to 879

<b>SID Reference</b>	<b>Representation</b>
73	Peter Heptinstall
75	Heslington Parish Council
84	Tim Tozer
91	Westfield lodge and Yaldara Ltd
102	Elvington Parish Council
114	Ian Henderson
118	Historic England
119	Environment Agency
122	York Racecourse
127	Christopher Stapleton
141	Oakgate Group PLC
160	CPRE North Yorkshire (CPRENY)
181	Gateway Development
182	KCS Developments
191	Martin Moorhouse
192	Selby District Council
199	Mr Jolyon Harrison
215	Wilberforce Trust
217	Peter Moorhouse
220	Mr M Ibbotson
228	The Bull Commercial centre
231	Fulford Parish Council
238	Gillian Shaw

253	Bellway Homes
255	Home Builders Federation
257	Henry Boot Developments Limited
260	Lovell Developments (Yorkshire) Ltd
267	York Diocesan Board of Finance Limited & The York and Ainsty Hunt
269	Janet Hopton
288	Wigginton Parish Council
298	New Earswick Parish Council
304	Huntington and New Earswick Liberal Democrats
316	Dunnington Parish Council
329	Murton Parish Council
333	Alison Stead
338	Alan Cook
339	Barratt David Wilson Homes
342	Andy Bell
344	National Grid
345	Defence infrastructure Organisation
350	Picton
351	McArthur Glen
358	Mark Miller
359	NHS Property Services Ltd
361	Cllr Andy D'Agorne
364	York Labour Party
366	NHS Property Services
372	Gladman Homes
375	Wheldrake Parish Council
378	Langwith Development Partner
381	Yorkshire Wildlife Trust
383	Natural England
393	Cllr Nigel Ayre – Residents of Heworth Without
399	Cllr Anthony Fisher
407	Rob Littlewood
418	Chris Wedgewood
422	Peter and David Nicholson
582	Landowners of land west of ST8
583	Redrow Homes, GM Ward Trust, Mr K Hudson, Mrs C Bowes, Mr and Mrs J Curry and Mrs E Crocker
585	Taylor Wimpey UK
590	York and North Yorkshire Chamber of Commerce
594	TW Fields
601	Procter Family
603	The Retreat York
604	L&Q Estates
607	Taylor Wimpey UK
612	Joseph Rowntree Housing Trust
613	Askham Bryan College

620	Galtres Garden Village Development Company
625	Roy Brown
825	Cllr Mark Warters
826	Pilcher Homes
833	George Wright
841	Jennifer Hubbard
849	University of York
863	Mr R Arnold
866	Mulgrave Developments Ltd/ Mulgrave Properties Ltd
867	Yorvik Homes
872	Jeffrey Stern
876	Joanne Kinder
878	Sarah Mills
879	Pat Mills
883	St Peter's School
888	Geoff Beacon
891	Redrow Homes
901	York St John University
920	J Owen-Barnett
921	Pauline Ensor
922	Peter Rollings
923	York Consortium of Drainage Boards
924	Jacqueline Ridley
925	John Pilgrim
926	Amanda Garnett
927	Rufforth with Knapton Parish Council
928	S Walton
929	Neighbourhood Plan Committee
930	Mal Bruce
931	Linda Donnelly
932	Vistry Homes
933	Crossways Commercial estates Ltd
934	Mulgrave Properties Ltd
935	York Housing Association, karbon Homes Ltd & Karbon Developments Ltd
936	Countryside Properties PLC
937	Andrew Jackson
938	Elvington parish Council
939	Friends of Strensall
940	John Burley
941	Karen Marshall
942	Stuart Gunson
943	Haxby St Mary's Parochial Church Council
944	North lane Developments
946	Gemma Edwardson
947	Maureen Lyon
948	Persimmon

949	York and Scarborough Teaching Hospitals NHS Foundation Trust
950	Kyle & Upper Ouse Internal Drainage Board
951	Stephensons
952	North Yorkshire County Council
953	Mr Adrian Kelly
954	York Green Party
955	Jomast Developments
956	Peter Vernon
957	Barratt Homes, David Wilson Homes, TW Fields (ST7 Consortium)
958	M Beresford
959	Clifton (without) Parish Council
960	Jane Granville
961	Mrs Carole Arnold

September 2021

**From:** [REDACTED]  
**Sent:** 05 July 2021 14:40  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205285  
**Attachments:** ulp2107a.reps.v5.composite\_FINAL.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

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## Organisation or group details

Title:

Name: [REDACTED]

Email address: [REDACTED]

Telephone: [REDACTED]

Organisation name: [REDACTED]

Organisation address: [REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 6 Proposed Modifications (EX/CYC/59h)

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:**

**Please justify why you do not consider the document to be legally compliant:** We make no representations on this aspect

---

## Your comments: Duty to cooperate

**Do you consider the document to comply with the Duty to Cooperate?:** No, I do not consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:**

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:** We make no representations on this aspect

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## Your comments: Whether the document is 'sound'

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

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** Inadequate land has been allocated in ST27 to meet expansion of the University of York to 2038, contrary to local plan strategy supporting University expansion ED1 and economic strategy SS1 delivering sustainable economic growth for York.

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## Your comments: Necessary changes

**I suggest the following changes to make the Local Plan legally compliant or 'sound':**

Allocate sufficient land to cater for University expansion to 2038. Set green belt boundaries around campus east and ST27 as shown in evidence in the planning statement plans 7 and 8

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

**If you do wish to participate at hearing sessions, please state why:** the University is a major engine for growth in the city and provider of higher education, scientific research and sport and cultural facilities. Its case needs to be discussed at the EIP

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## Supporting documentation

Please provide any documents which support the comments made as part of this submission:

ulp2107a.reps.v5.composite\_FINAL.pdf

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**From:** [Redacted]  
**Sent:** 05 July 2021 14:28  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205277  
**Attachments:** ulp2107a.reps.v5.composite\_FINAL.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

## Organisation or group details

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Approach to defining Green Belt Addendum January 2021 (EX/CYC/59)



## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:**

**Please justify why you do not consider the document to be legally compliant:** We do not make any representations on aspect

---

## Your comments: Duty to cooperate

**Do you consider the document to comply with the Duty to Cooperate?:** No, I do not consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:**

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:** We do not make any representations on this aspect

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## Your comments: Whether the document is 'sound'

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

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** The emerging local plan fails the tests of soundness on each criteria. In the absence of a publicly available evidence base it allocates inadequate expansion land in ST27 for the University to 2038. This is contrary to local plan strategy supporting the expansion of the University ED1 and economic strategy SS1 delivering sustainable economic growth for York

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## Your comments: Necessary changes

**I suggest the following changes to make the Local Plan legally compliant or 'sound':** To make the plan sound in this aspect, it needs to allocate sufficient land for University expansion, as evidence by the University, to 2038. Green Belt boundaries around campus east and ST 27 should be set as included in plans 7 and 8 in the planning statement with this form.

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

**If you do wish to participate at hearing sessions, please state why:** the University is a major engine for economic growth for the city, provided of higher education and research and sport and cultural facilities. their case needs to be put at the EIP

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## Supporting documentation

**Please provide any documents which support the comments made as part of this submission:**

ulp2107a.reps.v5.composite\_FINAL.pdf

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**From:** [REDACTED]  
**Sent:** 05 July 2021 14:51  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205299  
**Attachments:** ulp2107a.reps.v5.composite\_FINAL.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

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## Organisation or group details

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: York Economic Outlook December 2019 (EX/CYC/29)

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:**

**Please justify why you do not consider the document to be legally compliant:** We make no representations on this aspect

---

## Your comments: Duty to cooperate

**Do you consider the document to comply with the Duty to Cooperate?:** No, I do not consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:**

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:** We make no representations on this aspect

---

## Your comments: Whether the document is 'sound'

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

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** The high level overview of economic growth for the city contained in the OE report of 2019 is too imprecise to apply to growth at the University of York, which has been increasing student numbers by over 4% per annum over the last decade

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## Your comments: Necessary changes

**I suggest the following changes to make the Local Plan legally compliant or 'sound':** In relation to the University of York, set aside the OE predictions and rely upon those within the University's own evidence submitted with this form. The University is best placed to handle and report on its own growth position.

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

**If you do wish to participate at hearing sessions, please state why:** the University is a major engine for growth in the city and provider of higher education, scientific research and sport and cultural facilities. Its case needs to be discussed at the EiP.

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## Supporting documentation

**Please provide any documents which support the comments made as part of this submission:**

ulp2107a.reps.v5.composite\_FINAL.pdf

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**From:** [REDACTED]  
**Sent:** 06 July 2021 13:20  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** [REDACTED]  
**Attachments:** ulp2107a.reps.v5.composite FINAL.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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.

Attached are the composite representations (ref. ulp2107.v5) which we now formally submit on behalf of the [REDACTED] in relation to the Local Plan Modifications and Evidence Base Consultation.

For clarity, and further to recent contact with John Roberts and Alison Cooke, we note the following;

- An initial submission of representations was made online to Council on Thursday 1 July. The entirety of this submission (forms and representations) has been superseded following a request for clarification from Alison Cooke.
- Updated forms and representations were submitted online to Council yesterday, Monday 5 July 2021, to provide the clarification as requested by Alison. However, it appears that the representations contained an earlier, non-final version (ref. ulp2107.v4) of our statement.
- **The attached composite representations (ref. ulp2107.v5) therefore update and replace those submitted online on Thursday 1 July and on Monday 5 July.**
- **The forms submitted online yesterday, 5 July 2021, remain valid**

Please accept our apologies for any inconvenience, and if you have any issues do please contact us.

Kind regards

Philip

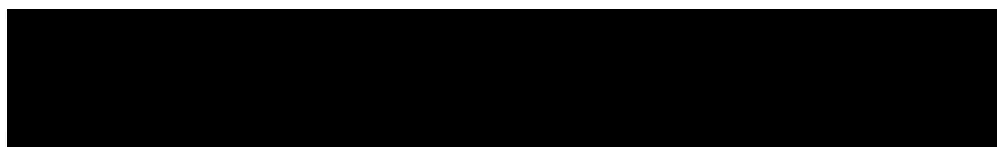
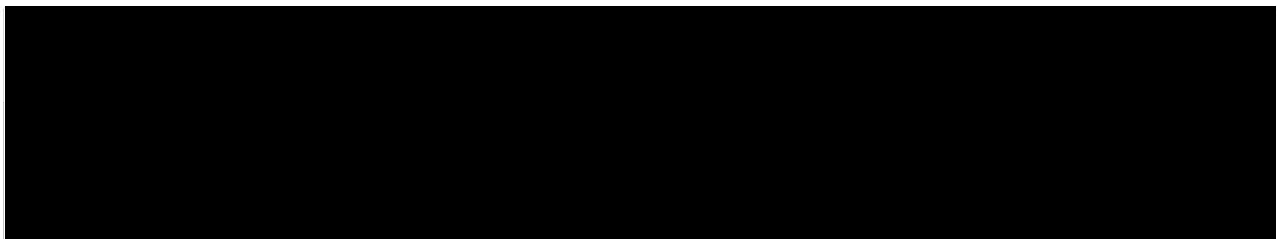
[REDACTED]

CITY OF YORK COUNCIL

EMERGING LOCAL PLAN  
REGULATION 19 CONSULTATION

LOCAL PLAN MODIFICATIONS AND EVIDENCE  
BASE CONSULTATION

JUNE 2021



CITY OF YORK COUNCIL  
EMERGING LOCAL PLAN REGULATION 19 PUBLIC CONSULTATION  
LOCAL PLAN MODIFICATIONS AND EVIDENCE BASE CONSULTATION  
JULY 2021

**EXECUTIVE SUMMARY**

The Basis of the Representations: Soundness and Legal compliance

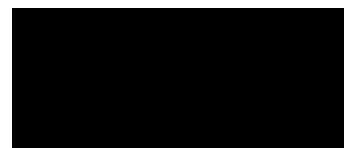
Extracts from: "A University for Public Good A Strategic Vision for the University of York to 2030"

**CONTENTS**


1. The Basis of the Representations
2. The Boundaries of Campus East
3. The Council's Position on University Growth Predictions
4. The University Expansion Allocation During the Emergence of the Local Plan
5. Updated University Student Growth Predictions
6. Knowledge Led Business Uses
7. Economic Forecasts of University Growth Scenarios
8. Master Planning of Extension Options
9. The Impacts of Covid-19
10. University Representations
11. Conclusion

**PLANS**

1. Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East ST27 for University of York
2. Campus East outline permission land use plan for EIA





- 
3. Campus East approved 2018 master plan
  4. Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary Section 7: 2 to 10
  5. Campus East Proposed Modification PM85 eastern boundary
  6. Campus East Proposed Modification PM86 western boundary
  7. University Proposed Campus East Extension Allocation ST27 and landscape buffer
  8. University Proposed green belt boundary
  9. University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus East extension
  10. Campus East outline permission – approved Plan F (iii) ‘Proposed Eastern Access from Grimston Bar Park & Ride’

## APPENDICES

- A. Campus East Extension: Options in Relation to Development Capacity: Make Architects London 2018
- B. Growth Rationale for Campus Extension: University of York April 2020
- C. Note On Oxford Economics Economic Forecasts for York: December 2019: Nicol Economics December 2019
- D. Proposed Amendments to Local Plan Policies related to University of York

(ulp2107.repsV5)



## EXECUTIVE SUMMARY

## THE BASIS OF THE REPRESENTATIONS: SOUNDNESS AND LEGAL COMPLIANCE

- I. These representations conclude that:
  - the Emerging Local Plan is unsound in relation to aspects relevant to the University of York, specifically the inner green belt boundaries proposed around existing campus east and also around the proposed campus extension ST27.

Changes required are to:

For campus east, utilise the well defined and permanent boundary on the eastern edge of the campus which also indicates the outline planning permission edge; for the western boundary utilise the field boundary one field east of Heslington Village edge, continue north to meet the western boundary of Badger Hill estate.


- See plan 8 attached

For ST27 utilise the western edge of A64 up to Common Lane then north along field boundaries to meet Low Lane

- See plans 7 and 8 attached

It follows that the key diagram EX/CYC/46 is unsound.

- On the matter of Legal Compliance, we make no representations on this aspect.
- II. Our case is that the proposed boundaries around campus east and around the location of ST27 do not correctly interpret and apply the requirements of NPPF 2012 para 85 in that the City Council has:-
    - Not ensured consistency with the Local Plan strategy for meeting identified requirements for sustainable development
    - Not satisfied themselves that the Green Belt boundary will not need to be altered at the end of the development plan period
    - Not defined boundaries clearly, using physical features that are readily recognisable and likely to be permanent and
    - Included land which is not necessary to keep permanently open
  - III. These representations are made in relation to Local Plan documents EX/CYC/59, EX/CYC/59h, EX/CYC/46 and EX/CYC/29. They concern the flawed justification for the inner boundaries of the green belt proposed by the City Council for two obvious matters which undermine the soundness of the plan unless rectified: -



A. The green belt boundaries proposed around campus east intrude into the area for which outline planning permission exists for the development of a university campus and for which an approved master plan is in place. The green belt boundaries should at the very least acknowledge this lawful use by excluding it from the green belt. Landscape notations in the master plan are considered adequate to confine the location of built development

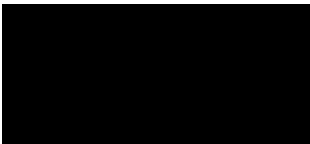
B. The inadequate quantum and location of land which is required to be excluded from the green belt in order to meet the foreseeable expansion needs of the University during the extended local plan period to 2038 is promoted by the Council. The University has repeatedly presented detailed and cogent evidence to support its position – the Council's position, by contrast, is demonstrably not evidence based and therefore is not justified

IV. For campus east, Document EX/CYC/59e INNER BOUNDARY SECTION 7 boundaries 2 to 10 are proposed, (attached plan 4). Modifications PM85 and PM86 relate to the eastern and western edges. Campus east is subject to a Secretary of State decision, following a public inquiry where the impacts of the proposed development on the general extent of the York green belt were widely explored over 6 weeks. Outline permission was granted without any of the campus area needing to serve green belt purposes, and this permission remains extant.

V. For campus east extension, ST27, boundaries proposed relate to text in document EX/CYC/59 TP1 ADDENDUM January 2021. This assesses the development needs of the University, specifically in paras.4.51-4.55, 7.25-7.26 and 10.30-10.32. Para10.32 states:

*“The Council considers that sufficient land has been allocated to allow the university to grow and that the identified quantum of land provides for the future needs of the university in combination with capacity and churn on both campuses. The Council therefore consider that the resultant green belt boundaries offer permanence to 2038”*

However, no evidence whatsoever to support this conclusion has been forthcoming from the Council at any stage during the process of preparing the emerging local plan. To the contrary the Council has been provided with clear evidence that this area is patently inadequate – with which it simply hasn't engaged at all. For example, a draft Statement of Common Ground was submitted to the Council by the University in September 2020. To date, no response to this document has been received.



## UNIVERSITY STRATEGIC VISION

In order to give context to these representations, extracts from the University's Vision document, published in February 2020, are reproduced below:

### *A University for Public Good*

#### *A Strategic Vision for the University of York to 2030*

##### *The University of York exists for public good*

*Our founders endowed the University with a strong social purpose, drawing on a rich tradition of social justice and combating inequality in a way that is distinctive to the city.*

*From the outset our research across the humanities, social sciences and natural sciences was intended not just to open up knowledge through reason, experiment and debate, but also to apply that knowledge for the 'amelioration of human life and conditions'. Our students were not just to be technically proficient in their fields but also to be able to apply their learning for social benefit, both in the UK but also as 'citizens of the world'.*

*These principles encompass and extend beyond a view of higher education focused on its economic impact. Our work clearly does, and should, bring economic benefit. Our ideas enable businesses and other organisations to innovate and flourish and our degree programmes equip our graduates for successful careers. But our ambition extends beyond economic impact alone. Our ambition is that our expertise and its impacts help create the conditions needed for all parts of our society to flourish.*

##### *Public good in city and region*

*We will be a leading contributor to public good in our city and region. Our University has not always displayed the clear civic purpose to match its distinctive civic roots. That must change. We have an opportunity to connect the innovations drawn from our research and the talents of our graduates to the economic development of city and region – if we work in harness with local authorities, economic development bodies, the UK Government and its agencies. With them we can nurture a thriving cluster of SMEs embedded in city and region that draws in wider investment.*

*We will also work in closer collaboration with schools, colleges, charities and other universities in our city and region, to open up pathways for under-represented groups into higher education and beyond into a thriving regional economy. Widening participation will remain something we care about 'more than almost anything else'. With that will come a diversity and richness of perspectives on which new learning experiences and the generation of new knowledge will be based.*

The University of York has an opportunity to offer civic leadership, collaborating with others to build community well-being and inclusive economic development. Delivering on that opportunity will be a central theme of the next decade.

### *Public good with international reach*

We will extend our international reach, reputation and impact through collaboration. Our offices in India, Malaysia and China will add to their role in student recruitment by brokering partnerships for research collaboration, funding and student mobility, and by working with our international alumni groups.

Our successes in the Global Challenges Research Fund provide a platform for developing partnerships in the Global South that will extend the innovations and impact of our research in ways which help address the pressing challenges set out in the UN Sustainable Development Goals.

Great ideas are imagined, challenged, revised and applied when people interact. Our clear view is that universities flourish when people – our students and staff – and the ideas they carry engage across borders.

### *Responding to society's biggest challenges*

The most pressing is environmental sustainability. At the University of York we have outstanding expertise across a range of academic disciplines and students and staff who are passionately committed to tackling that emergency by building an environmentally sustainable future.

We will work with Government, industry and other partners to make our city and region an international hub for new economic sectors like the bioeconomy that will support our transition to a carbon-neutral future. We will nurture those sectors with innovations from our research and talents of our graduates. We will work with our partners internationally to ensure that our impact on sustainability has worldwide reach and, conversely, that we build on experience from around the world to shape our city and region.



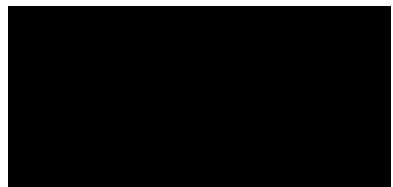
## 1. THE BASIS OF THE REPRESENTATIONS

1.1 These representations are made in relation to Local Plan documents EX/CYC/59, , EX/CYC/59h and EX/CYC/29 on behalf of the University of York. They concern the flawed justification for the inner boundary of the green belt proposed by the City Council for two **obvious** matters which undermine the soundness of the plan unless rectified: -

A. The green belt boundaries proposed around campus east intrude into the area for which outline planning permission exists for the development of a university campus and for which an approved master plan is in place. The green belt boundaries should at the very least acknowledge this lawful use by excluding it from the green belt. Landscape notations in the master plan are adequate to confine the location of development

B. In any event, the quantum and location of land which is required to be excluded from the green belt in order to meet the foreseeable expansion needs of the University during the extended local plan period to 2038. The University has repeatedly presented detailed and cogent evidence to support its position – the Council's position, by contrast, is demonstrably not evidence based and therefore is not justified

1.2 For campus east, Document EX/CYC/59c INNER BOUNDARY SECTION 7 boundaries 2 to 10 are proposed, (attached plan 4). Modifications PM85 and PM86 relate to the eastern and western edges. Campus east is subject to a Secretary of State decision, following a public inquiry where the impacts of the proposed development on the general extent of the York green belt were widely explored over 6 weeks. Outline permission was granted without any of the campus needing to serve green belt purposes, and this permission remains extant.



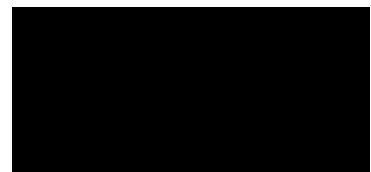
1.3 For campus east extension, ST27, boundaries proposed relate to text in document EX/CYC/59 TP1 ADDENDUM January 2021. This assesses the development needs of the University, specifically in paras.4.51-4.55, 7.25-7.26 and 10.30-10.32. Para10.32 states:

*“The Council considers that sufficient land has been allocated to allow the university to grow and that the identified quantum of land provides for the future needs of the university in combination with capacity and churn on both campuses. The Council therefore consider that the resultant green belt boundaries offer permanence to 2038”*

However, no evidence whatsoever to support this conclusion has been forthcoming from the Council at any stage during the process of preparing the emerging local plan. To the contrary the Council has been provided with clear evidence that this area is patently inadequate – with which it simply hasn’t engaged at all. For example, a draft Statement of Common Ground was submitted to the Council by the University in September 2020. To date, no response to this document has been received.

1.4 Our objection is that the location of ST27 and the boundary around it does not correctly interpret and apply the requirements of NPPF 2012 para 85 in that the City Council has:-

- Not ensured consistency with the Local Plan strategy for meeting identified requirements for sustainable development
- Not satisfied themselves that the Green Belt boundary will not need to be altered at the end of the development plan period
- Not defined boundaries clearly, using physical features that are readily recognisable and likely to be permanent and
- Included land which is not necessary to keep permanently open



## 2. BOUNDARIES OF CAMPUS EAST

2.1 The area of both campus west and east are presently located within the general extent of the green belt. Due to the magnitude of campus development, it has been the intention of the Council and its predecessor, Selby District Council, to exclude both campuses from the green belt, (attached plan 1). Outline planning permission for campus east was granted by the Secretary of State on 24 May 2007. That permission allows for the submission of reserved matters over a 20 year period, to 23 May 2027. The permission has been implemented and in compliance with outline condition 11, the initial masterplan has been updated and was approved by the Council on 3 October 2018, (attached plan 3).

2.2 Plan C (i), Land Use Plan for the EIA, was approved by outline condition 1, (attached plan 2). It illustrates the 65ha area identified for development within a dotted blue boundary. Within this area development at a density of up to 23% footprint is permitted. There are two areas outside the identified area for development where specified development is permitted. These are:

- i. A 500-car parking area in the north-eastern sector of the application site, south of the Council's Park and Ride site. This was located here to discourage car travel within the main developed area of the campus (attached plan 10)
  - ii. An extensive area on the eastern side, within and beyond the identified area for development, is for "Open Space devoted substantially to organised sport". This area is now occupied by the York Sports Village which comprises a swimming pool and gym, all weather outdoor pitches, a velodrome and a cycle track, plus car parking. The all-weather pitches, which are illuminated, are heavily used including in the evenings. Such facilities are not normally approved in green belt due to the intrusive impact of the floodlighting.
- 



2.3 As part of her decision on the outline planning application, the Secretary of State specifically considered the impact of the proposed campus on the general extent of the York green belt. Her conclusion was that the whole development was acceptable outside the constraints of green belt.

2.4 The introduction of an inner green belt boundary into the consented campus would be a matter of planning judgment rather than legal principle. Council proposals are shown on plans 4, 5 and 6. However, the decision must be a reasoned planning judgment, reliant on the content of NPPF and based upon proper regard being placed upon material considerations.

2.5 Since a valid planning permission exists as does an approved master plan for the whole campus, any supposed benefits of introducing green belt into consented land would be undermined by the existence of this permission. To remedy the unsoundness of the proposed boundaries, the green belt boundaries should follow the outside line of the consented site for the campus on the eastern side and utilise field boundaries on the western side, (see plan 8). The approved masterplan shows the land outside the central 65ha area identified for development as open landscape, which itself controls its use and openness, (see plan 3).

### 3. COUNCIL POSITION ON UNIVERSITY GROWTH PREDICTIONS

3.1 City Council document TP1 ADDENDUM January 2021 (EX/CYC/59) purports to address the University's need for expansion, specifically in paras.4.51-4.55, 7.25-7.26 and 10.30-10.32. The proposed green belt boundary in the area of campus east is shown on Attached plan 4. Para. 4.53 refers to growth in student numbers as a measure of the demand for expansion of the physical estate. It erroneously refers to a 0.5% growth rate in student numbers over 10 years based on the University's 2017 representations. The text in para 2.3 of these Representations states that:

*“Because of its status there remains a high demand for student places and this is reflected in the growth of student numbers over the past 10 years which have increased by 5,300 to over 16,000.”*

As a matter of basic mathematics, this growth equates to a 4.1% annual increase in student numbers, not the 0.5% quoted by the Council.

3.2 Para 7.25 states that the capacity of existing higher education sites has been assessed for their potential to meet future needs. It refers to potential for further intensification/ redevelopment for the University at campus west subject to not exceeding the 23% footprint of total site area. Campus west has already reached 23% footprint so that development potential is restricted to building on car parks or redeveloping existing buildings to a greater height. However, a number of significant buildings were listed in 2018 and around 50% of the campus landscape was heritage listed Grade II at the same time, which patently limits the development potential of nearby areas. The University’s Development Brief June 2019, which covers both campuses, indicates that an earlier Council policy restricts building heights to mature tree canopy height, so that this and the constraints on heritage and density severely restrict development potential on this campus.

3.3 Para 10.31 acknowledges the remaining capacity on campus east (of around 9.0ha) but accepts in para 4.52 that the University will not be able to continue to grow beyond 2023 without an expansion of the existing campus east. The University considers that uncertainties related to the global pandemic will have set this date back to some extent but, in any event, this would undoubtedly be well within this decade and well before the end of the plan period.

3.4 Clear and uncontested evidence has been previously presented to the City Council, of the University’s likely growth trajectory and the consequent requirement for further land. The location and size of the campus extension allocation ST27 is addressed below, based on evidence of the University’s development needs to 2038.

#### 4. THE UNIVERSITY EXPANSION ALLOCATION DURING THE EMERGENCE OF THE LOCAL PLAN

4.1 The process of preparing the York Local Plan commenced in earnest in 2013 with a Call for Sites exercise. The University proposed at that time a 26ha site for expansion to the south of Campus East, which was justified by the evidence then available and provided within its the representations. This process led to a draft Plan in 2014 which included the 26ha allocation, the whole of which would be available for development. In addition, a 30ha landscape buffer to the south was allocated and retained in Green Belt. The 26ha allocation (erroneously labelled 28ha), south of the campus east lake, was supported by officers.

4.2 Further progress on the Plan led to the decision of the Council to relocate the allocation to the east and an unexplained reduction in its size to 21.5ha. However, the requirement for a wide landscape buffer to the A64 this time to be secured within the allocation reduced the developable area to around a mere 13ha (i.e. half the size of the evidenced need). This draft allocation is included in the Submitted Local Plan, May 2018. At the examination hearing in December 2019, it was pointed out that there was no evidence to challenge this and subsequently, no counter evidence has ever been produced by the Council to rebut the University's detailed growth projections or justify the substantially reduced size of draft allocation.

4.3 The Emerging York Local Plan has from the outset supported the continuing development of the University evidenced by Policy ED1 and the expansion site allocation ST27 south of Campus East, (see Plan 1). The Regulation 19 representations made on behalf of the University in 2018 object to the size and location of the allocation on the basis that, at 13ha developable area, it would be grossly inadequate to meet predicted growth within the plan period. The resultant size would also severely inhibit the University's ability to contribute to local, regional and national economic strategies, as is expected it should in paragraph 7.14 of the Explanation to Policy ED3 Campus East. These representations are

based on a robust and detailed analysis of the recent growth rate of student numbers by the Director of Estates, factored up to represent all demands for space for University and knowledge led businesses translated into land take.

4.4 Since the exercise to produce a Local Plan for the city includes the confirmation of green belt boundaries, on the basis of policy in the NPPF 2012 para. 85, the exercise of setting the green belt boundaries must first take into account demands for meeting identified requirements for sustainable development, which the needs of the University clearly constitute. This accords with draft Local Plan policy SS2, the Role of York's Green Belt. To adopt boundaries which would deliberately constrain the growth of one of the city's key economic drivers would clearly be contrary to draft policy SS2.

## 5. UPDATED UNIVERSITY STUDENT GROWTH PREDICTIONS APRIL 2020

5.1 The University's annual review of the size of its student body (FTEs) provides evidence of sustained growth in its numbers over the last several years. An updated paper on growth trends from those contained in Appendix 4 of the Regulation 19 Consultation of 2018, was prepared for the Examination by the University in November 2019, (Inquiry reference EX/OTH/6). This paper has been updated again in April 2020 to take account of recent developments. The advent of the Pandemic has not altered those conclusions and this is discussed below. The Paper is attached at Appendix B. On growth in student numbers, Para 14 states that **"This means that average growth in student numbers over the last 10 years has been at about 4% p.a."**

5.2 The Paper goes on to re-examine the range of scenarios related to annual growth in student numbers from a low figure of 0.5% to a higher figure of 4%, where the range of growth rates are equated to demand for space (see Table 2). Using the master planning

exercise's prediction of floorspace capacity on the 26ha site, and based on development principles in draft policy SS22, demand for expansion space ranges from 10ha to 112ha.

5.3 The coverage in Table 2 is extended to 2038 in order to allow for 5 years after the end of the plan period, which is required to provide permanence to the proposed boundary of the Green Belt.

**Table 2 – Summary of 2019 Update to Modelling**

Scenario	Sc 1	Sc 2	Sc 3	Sc 4	Sc 5	Sc 6
Growth rate to 2038 <sup>†</sup>	0.5%	1.00%	1.25%	1.50%	2.00%	4.00%
Student nos. (FTEs) at 2038	20,012	22,100	23,220	24,394	26,913	39,686
Extra students (FTE) v 2017	2,799	4,887	6,007	7,181	9,700	22,473
% of 26ha of ST27 needed*	40%	85%	100%+	115%+	150%+	420%+
Ha required	10	22	27	33	40	112
Year 26ha of ST27 used up	--	2040	2036	2032	2029	2024

Estimate only, based on modelling given in evidence in appendix 6, 2018 representations, 'Campus East Development Options and Masterplan for Extension Site' MAKE March 2018

(<sup>†</sup>End date based on plan period to 2032/3 + 5 years to provide Green Belt permanence)

5.4 The outcome is that the capacity of the current estate of land on Campus East plus ST27 at 26ha is 22,500 students, so that in the revised modelling the ST27 land is used up by 2038 in all scenarios except 1 and 2. If continued growth took place at 4% then 26ha would be used comfortably within the plan period. The education employment projections in the Oxford Economics Paper EX/CYC/29 are refuted as their exercise is superficial on higher education assessment, (see section 7 below).

5.5 It follows that the University's position is that the local plan should be amended to enable a sufficient level of growth to accommodate its development needs over the plan period to 2038. The land which is proposed to be allocated would comprise 26ha of developable land plus a suitable landscape buffer between that area and the A64 available for University use and outside the green belt, (see plan 7). This would ensure that such growth is controlled and would enable the green belt in this area to endure in the long term. The Council's approach would involve unwarranted constraint to one of the city's key economic and social drivers or at best piecemeal incremental growth, with no certainty of delivery. Campus east permission is for 65ha of development land within a 116ha site. There is therefore precedence for excluding land from green belt and utilising a development brief and master plan to control landscape areas.

## 6. KNOWLEDGE LED BUSINESS USES

6.1 In addition to the role of student numbers in the prediction of space requirements is the rising demand for commercial knowledge led business use. This is less reliable in being accurately predicted. The current outline planning permission for Campus East allows for 25ha of such uses within the 65ha allocated for development from the total 116ha area. However, permission was granted in 2007 in the Global Economic Recession and the slowed economy meant that take-up amongst such use was initially very low. Draft policy ED3 proposes that the 25ha permitted is spread across Campus East and the extension area.

6.2 In place of this broad-brush approach, it is proposed that such use is facilitated broadly in line with the master planning exercise in the MAKE document, (Appendix A). This would allow a maximum of 20,000m<sup>2</sup> on Campus East and 26,000m<sup>2</sup> on the extension site, but transferable between each area if required.

6.3 Appendix D contains a set of proposed revised policies related to the University which cover the range of amendments suggested in this text. Revised Policy EC1 contains the more specific floorspace levels for knowledge led business uses, to assist in confirmation of the economic strategy of the Local Plan.

## 7. ECONOMIC FORECASTS OF UNIVERSITY OF YORK GROWTH SCENARIOS

7.1 The latest update on growth scenarios reviews a number of potential growth scenarios for the University applied to the most recent FTE student numbers for 2018/19 (18,100). Six scenarios are considered for the annual average growth rate in full-time equivalent (FTE) student numbers to 2038, which has been around 4% pa over the last decade.

- Scenarios 1 - 0.5% per annum and 2 - 1.0% per annum. These are described as “unlikely”
- Scenarios 3 - 1.25% per annum and 4 - 1.5% per annum. These are described as “minimum likely scenario for prudent long term growth planning at this stage of the Local Plan”
- Scenarios 5 - 2.0% per annum and 6 - 4.0% per annum. These are described as “foreseeable” given the University’s reputation and the fact that these are scenarios with growth rates either less than (Scenario 5) or equal (Scenario 6) to the actual growth rate over the last decade.

7.2 Subsequent to this report, the University commissioned research by London Economics on the overall UK and regional economic contribution of the University<sup>1</sup>. The estimates of employment impact for 2016/17 in this report were similar to those used in

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<sup>1</sup> “The Economic, Social, Cultural Impact of the University of York”, London Economics, November 2018

the April 2019 report<sup>2</sup> (although no estimates were produced specifically for the City of York area in the London Economics report). The April 2019 report looked at the relationship between FTE student numbers and the economic footprint of the University with the relationship being as shown below in Table 1.1 below.

**Table 1.1 Total jobs per FTE student, 2016/17, University of York**

Direct jobs at the University	0.24
Indirect in supply chain and from student spend	0.11
Direct and Indirect	0.35
Induced	0.03
<b>All local FTE jobs</b>	<b>0.39</b>
<i>Source: Nicol Economics (April 2018) Table 5.2</i>	

7.3 The most recent Oxford Economics (OE) forecasts for the Council, December 2019, are based on available local level data for York, past changes in that data applied to national level sectoral forecasts. This process cannot possibly pick up fine-grained changes or influences on York's economy. OE acknowledge that their forecasts are simply "a guide to aid commentary". The purpose of this note is not to comment on the overall robustness or appropriateness of the OE forecasts. However, what is clear is that OE's modelling of employment change in the education sector to 2038 cannot possibly have taken account of likely ranges of growth in the University of York which would lead to several thousand extra jobs in the sector<sup>3</sup> rather than the 1% decline that they forecast, which is patently in error.

<sup>2</sup> The London Economics report estimated the contribution at a regional level as 6,325 FTE jobs, the Nicol Economics report estimated the figure for York alone at around 6,400 FTE jobs (excluding construction effects and the impact of the Science Park)

<sup>3</sup> The only reason why this could be true would be if there was a dramatic fall in primary and secondary education employment over the period to 2038 which is very implausible



7.4 Furthermore, it is very unlikely, simply because of the way in which the forecasts are produced, that the OE forecasts take account of the potential wider impacts from the growth in the University on the local economy including productivity, student spend and R&D impacts. The more accurate report from Nicol Economics is included as Appendix C.

## 8. MASTER PLANNING OF EXTENSION SITE OPTIONS

8.1 Evidence submitted on behalf of the University to the Regulation 19 Consultation April 2019 includes a master planning exercise by MAKE Architects which reviews both the 21.5ha draft allocation (less the landscape buffer to A64) and the 26ha site proposed by the University. An extract from this 2018 exercise is included in Appendix A. Each master plan illustrates an appropriate range of university uses, suggests building heights and identifies a resultant floorspace for each site.

8.2 The exercise also reviewed the capacity remaining on Campus East, which was estimated as 75,750m<sup>2</sup> at that stage. However, two reserved matters planning applications, for an energy centre and an artificial intelligence research centre, have been approved since that time. Campus West is at capacity and any new development will be facilitated by demolitions or building on car parks.

8.3 The master planning exercise shows the floorspace potential for ST27 as proposed by the Council is estimated at 70,550m<sup>2</sup> at most, with the 26ha site promoted by the University estimated at 158,150m<sup>2</sup>.

## 9 THE IMPACTS OF COVID-19

9.1 The short term effects of the Covid-19 pandemic have been significant for the University which worked very hard with the public authorities to seek to ensure that students

have returned to their homes as safely as possible, whilst continuing to provide remote teaching and assistance for those who needed it.

9.2 Bank of England forecasts anticipate recovery of the UK economy to pre-pandemic levels by Q4 2021. Once Covid-19 within the UK is under control from mass vaccinations, there is no reason to consider that the baseline for the growth assumptions would be diminished, despite the disruptions in 2020. To the contrary, University growth of scenario 3 remains highly unlikely for the above reasons, but the effect of a hiatus of, say 18 months before growth resumes would still mean that under the more probable scenarios 4 and 5 the expansion area will be used up by the end of the plan period.

9.3 In other words, despite the disruption caused by the current crisis, the University's position with regard to the need for the expansion land remains realistic. Indeed, the widespread use of video technology has plainly opened the prospect of international centres of excellence to take advantage of distance learning which may very well increase the need for on-campus teaching resources to service an increasing cohort of students who may not be in attendance on campus. Such a prospect would be in addition to the predicted on-campus growth.

## 10 UNIVERSITY REPRESENTATIONS

10.1 Draft Policy ED1 supports the continuing development of the University. The campus extension is justified in para. 7.14 not only in line with this policy but also for the wider benefits to the local, regional and national economies. Given the vision of the University and its demands to meet its own growth needs and its potential to increase its contribution to these various economic strategies, the capacity of draft ST27 allocation at around 13ha developable area is demonstrably inadequate and should be significantly increased. Even the 26ha promoted by the University since 2013 now appears to be inadequate in all except growth rates of 0.5% or 1.0%, rates which have not been

experienced by the University for at least a decade, despite the hiatus caused by the pandemic. By also removing the landscape buffer area from the green belt, long term growth requirements, which it is not possible to predict at this time, could be reviewed as the local plan itself is reviewed. The buffer would be allocated as landscape in this plan period.

**10.2 It is therefore proposed that the whole 26ha of the University promoted ST27 plus the 30ha landscape buffer to A64 be excluded from Green Belt, an area totalling 56ha. The current draft Council allocation for ST27 abuts A64 including a landscape buffer to be defined in a development brief and masterplan, so that precedent exists. It is proposed that this approach be utilised in an enlarged ST27.**

10.3 Within the landscape buffer, generous planted margins will be required to both A64 and the western boundary in order to protect the setting of the city, and the visual amenity of the wider green belt. However, if removed from Green Belt there would be opportunity to utilise the landscape buffer for University facilities such as a large attenuation lake suitable for active sport, with accompanying facilities which may be inappropriate to a Green Belt location.

10.4 The development of the campus extension would be expected to be built out at the same density as Campus East, that is 23% footprint for buildings and access roads. The openness of the area adjacent to the A64 and the retention of its rural character would be achieved via the development brief and master plan, so that the current 30ha landscape area need not be included in Green Belt.

10.5 Plans illustrating the existing draft allocation plan 1, and the amendment proposed by the University plan 7 follow below. Plan 9 illustrates the land subject to a Pre-Emptive Agreement to acquire in favour of the University. The boundary of the Green Belt proposed around Campus East, ST27 and Heslington village, using physical features likely to be permanent, is shown on plan 8.

## 11 CONCLUSION

11.1 At the Public Inquiry into the Campus East outline planning application in 2006, ultimately determined by the Secretary of State, the Council aligned with the University on the basis of the significant benefits to the city which were economic, social and environmental. The City Council in the various versions of this emerging local plan has consistently supported the growth of the University in the vicinity of Heslington. This being the case, it is illogical to include within the emerging local plan an allocation of 21.5ha, that is 13ha net, which does not align with the University evidenced growth in student numbers. It would be likely to be built out in the early stages of the plan period. Green Belt boundaries around the allocation could not on this basis be confirmed in conformity with policy in NPPF 2012 para. 85, *'ensuring consistency with the development plan's strategy for meeting identified requirements for sustainable development'*.

11.2 These representations justify a larger allocation of 26ha plus a landscape buffer to A64 of 30ha, (which could be subject to an appropriate safeguarding policy). Both are proposed to be excluded from the Green Belt. This is to create a permanent boundary to the Green Belt along the A64 and also allow activities within the buffer which may not be compatible with Green Belt policy, such as a boating lake and facilities.

11.3 Should the Council retain their version of ST27, this would not be in conformity with policy in NPPF 2012 para. 85 *'satisfying themselves that the Green Belt boundary will not need to be altered at the end of the development plan period'* since it would need to be altered to accommodate University expansion well within the plan period.

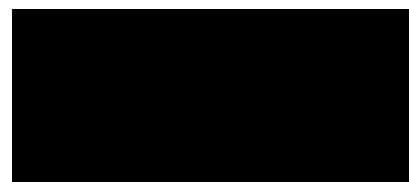
11.4 Finally, Green Belt boundaries proposed for campus east would be both unsound and not be in conformity with policy in NPPF 2012 para. 85 by not *'defining boundaries clearly using physical features that are readily recognisable and likely to be permanent'* since the

University is entitled to implement the planning permission granted for the campus and this may alter boundaries currently proposed by the Council.

Janet O'Neill PPRTPI

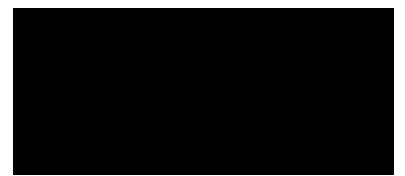
## PLANS

1. Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East ST27 for University of York
2. Campus East outline permission land use plan for EIA
3. Campus East approved 2018 master plan
4. Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary Section 7: 2 to 10
5. Campus East Proposed Modification PM85 eastern boundary
6. Campus East Proposed Modification PM86 western boundary
7. University Proposed Campus East Extension Allocation ST27 and landscape buffer
8. University Proposed green belt boundary
9. University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus East extension
10. Campus East outline permission – approved Plan F (iii) 'Proposed Eastern Access from Grimston Bar Park & Ride'

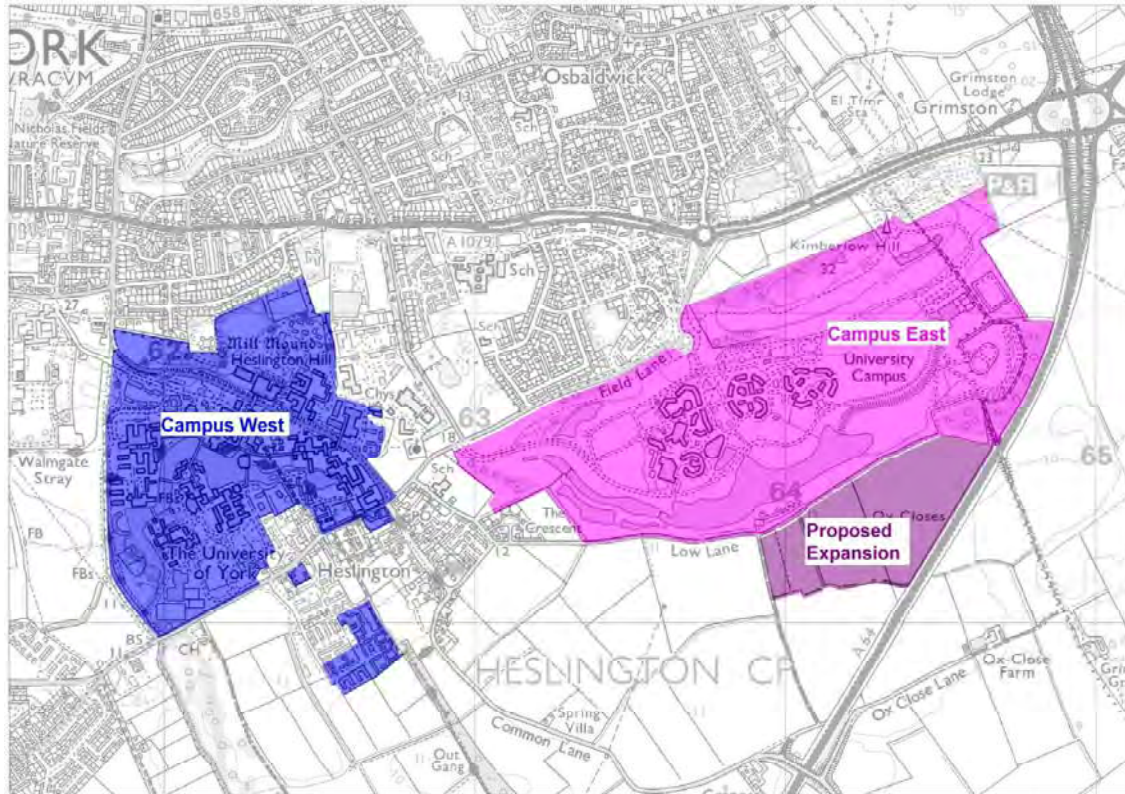


**PLAN 1**

Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East  
ST27 for University of York



**Figure 7.1: University of York**



### **Policy ED3: Campus East**

The continuing development of University of York Campus East is supported alongside the expansion site at ST27 (University of York Expansion). Development will be permitted in accordance with the uses outlined in Policy ED1 and the following parameters:

- the developed footprint (buildings, car parking and access roads) shall not exceed 23% of the 65ha area allocated for development;
- total car parking shall not exceed 1,500 spaces subject to reserved matters approval by the Council;
- the maintenance of a parkland setting;
- additional student housing shall be provided to cater for expansion of student numbers which is clearly evidenced in terms of demand. Any additional student housing provision on Campus West (over and above the existing 3,586 bed spaces) shall be taken into account when assessing need; and
- an annual student accommodation survey shall be submitted to the Council.

As shown on the proposals map, 21.5ha of land to the south of the existing Campus East site is allocated for the future expansion of the university during the plan period (ST27: University of York Expansion). Campus East and ST27 will across both sites deliver up to 25ha of B1b knowledge based businesses including research led science park uses identified in the existing planning permission for Campus East.

ST27 must create an appropriately landscaped buffer must be created between development and the A64 in order to mitigate heritage impacts in terms of the historic character and setting of the city and to maintain key views.

A development brief will be prepared for ST27, covering site considerations, including landscaping, design, local amenity, accessibility and transport requirements.

**See also Policy SS22, EC1 and ED1**

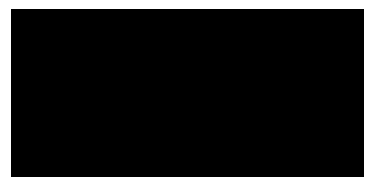
### **Explanation**

- 7.6 The University of York Campus East is shown at Figure 7.1. The planning permission as implemented (08/00005/OUT) and the Section 106 legal agreement provide the context for development at the campus and are summarised in the policy above. In accordance with the consent the creation of a parkland setting and its maintenance must be of high visual quality and good design, whilst also enhancing public amenity in terms of access to the countryside and wildlife interest. This includes preservation and where possible enhancement of the views that can be seen from the site.
- 7.7 An annual student accommodation survey must be submitted to the Council. If in any year an annual survey demonstrates that there is unmet student housing demand on the site in excess of 50 bedspaces the university must undertake to bring forward and implement plans to provide additional accommodation on site, in units of 300 bedspaces, within two years of the date of the survey, so long as it is economically prudent to do so.
- 7.8 The University of York retains a high profile in both the UK and in the rest of the world. The university's status is reflected in the high demand for student places at the university and it is currently projected that growth in student numbers will continue over the duration of the plan up to 2032. Without the campus extension, the university will not be able to continue to grow beyond 2023. As one of the leading higher education institutions, the university needs to continue to facilitate growth, within the context of its landscaped setting which gives it a special character and quality, to guarantee its future contribution to the need for higher education and research and to the local, regional and national economies. The 21.5ha of land at ST27 is allocated for university uses to support this growth. Housing for the additional increase in student numbers will be provided in accordance with Policy ED1 'University of York' and Policy H7 'Student Housing'.
- 7.9 The expansion site (ST27), shown at Figure 7.1, plays a critical part in the attractive setting of the city and Heslington village. It has a distinctive landscape quality and provides accessible countryside to walkers and cyclists on the land and public footpaths. The land to the west is particularly important for maintaining the setting of Heslington village and key views. To mitigate any impacts on the historic character and setting of the city the expansion site must create an appropriately landscaped buffer between the site development and the A64. This will be established through the masterplanning of the site.
- 7.10 A development brief for ST27 (also covering updates for development at Campus West and Campus East) will be prepared that will set out detailed considerations



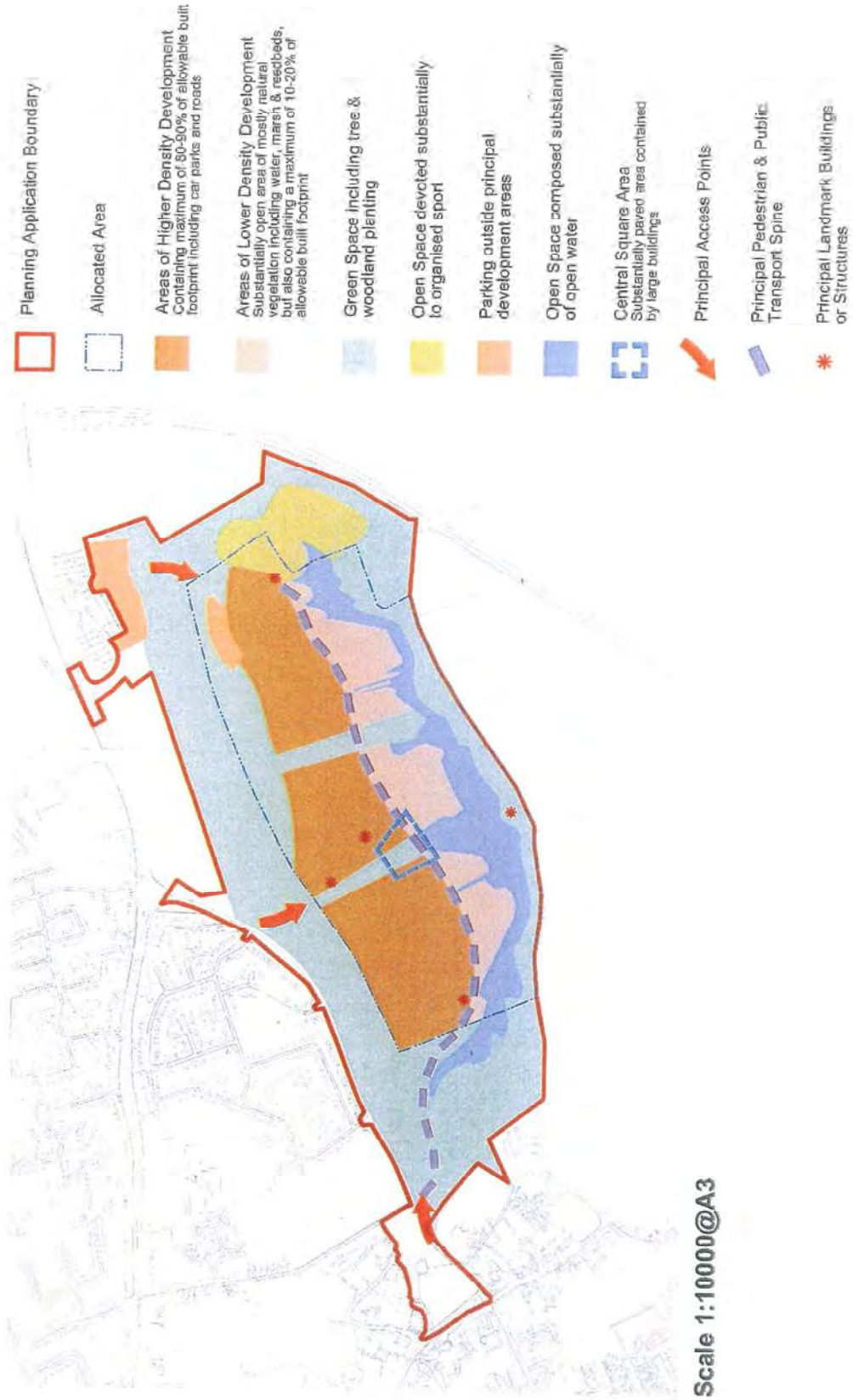
## **PLAN 2**

Campus East outline permission land use plan for EIA



# LAND USE PLAN FOR EIA

## Plan 1: Development Density

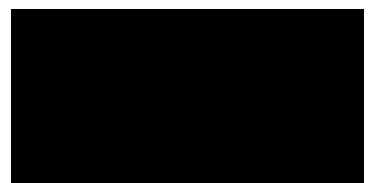


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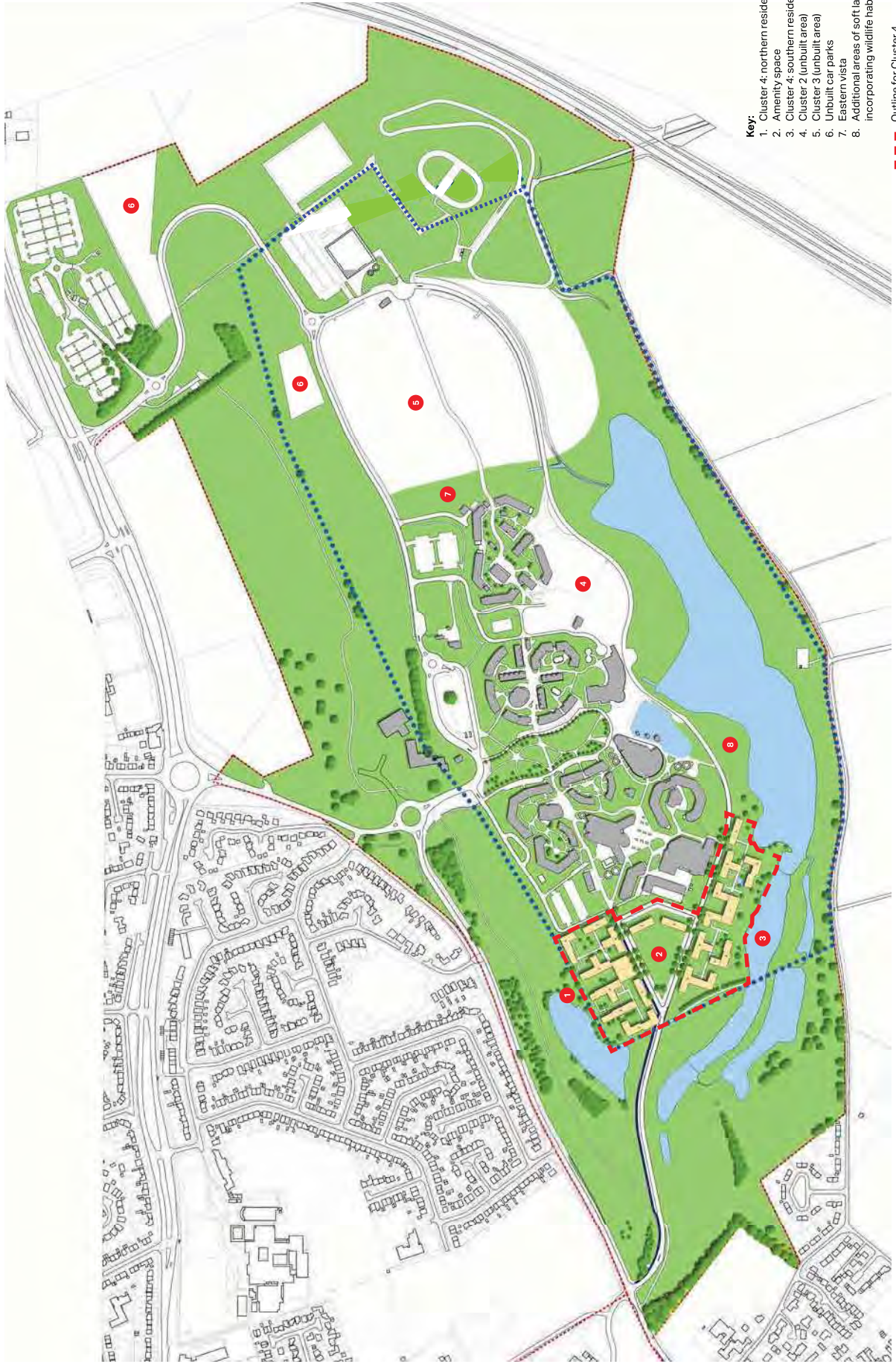
PLAN C (i)

**PLAN 3**

Campus East approved 2018 master plan

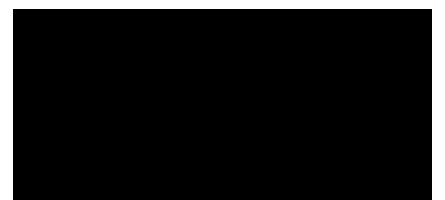


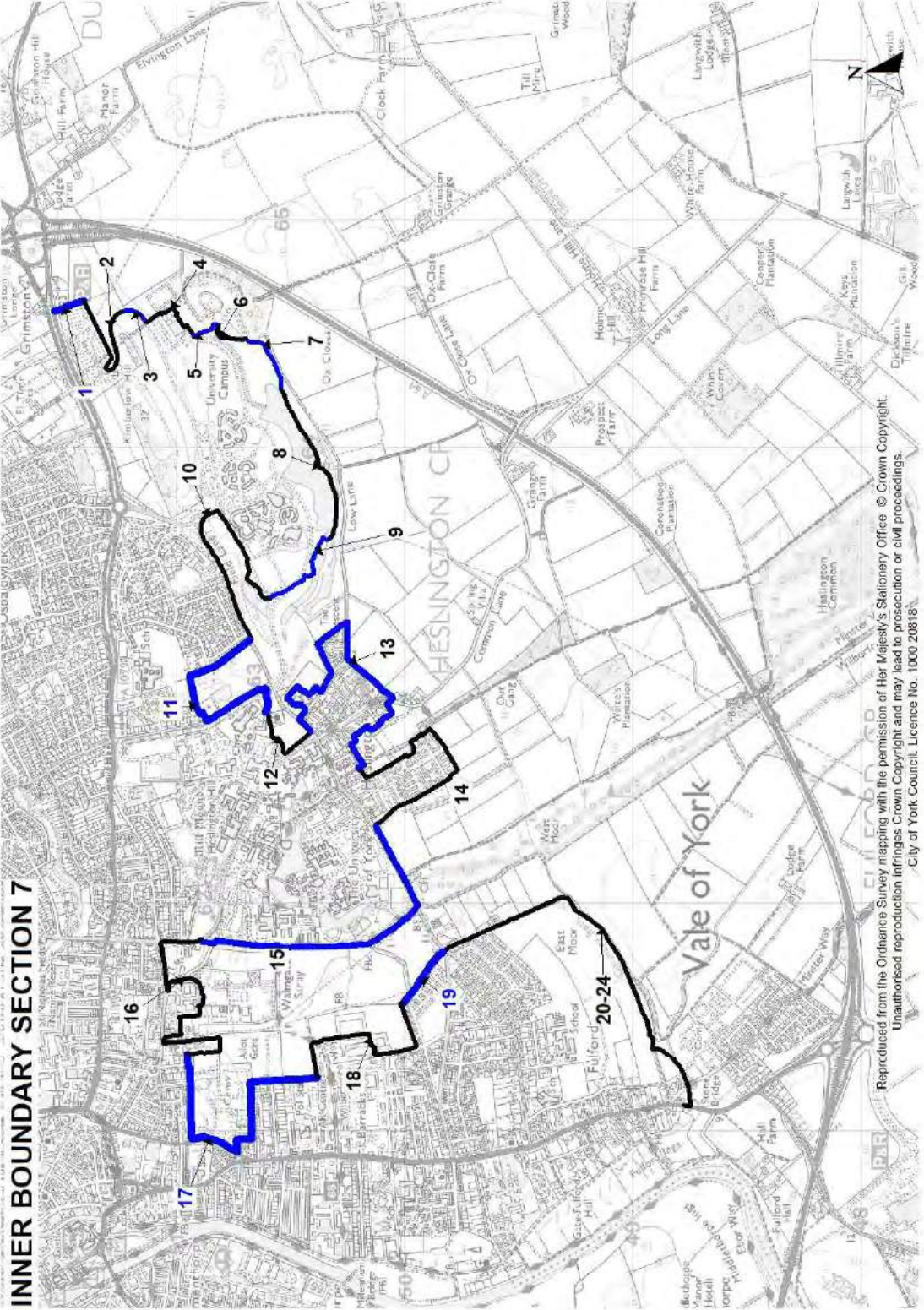
# L. 2018 Masterplan



**PLAN 4**

Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary  
Section 7: 2 to 10



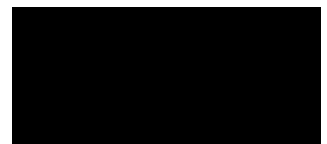



**INNER BOUNDARY SECTION 7**

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**PLAN 5**

Campus East Proposed Modification PM85 eastern boundary

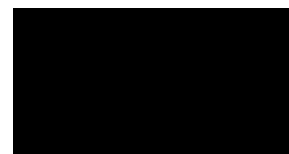


<p><b>Modification Ref:</b> PM 85</p>	<p><b>Proposed Detailed Inner Green Belt Boundary Modification</b></p>		<p><b>Evidence base location</b></p>
<p><b>Proposed Modification</b></p>	<p><b>Document location</b></p> <p>Policies Map South</p>	<p><b>Name of Area of Change</b></p> <p>PM85 University of York Campus East, Eastern Boundary</p>	<p>TP1 Addendum Annex 3 Section 7 Boundaries 1 to 6</p> <p><b>Reason: Consistency with the Green Belt methodology</b></p>
		<p>Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. City of York Council. Licence No. 1000 20818</p> <p>It is proposed that the green belt boundary should follow the edge of the park and ride, Lakeside Way and the built indoor sports provision</p>	



**PLAN 6**

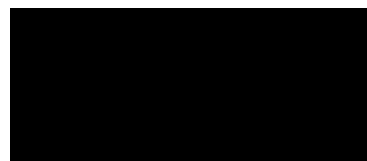
Campus East Proposed Modification PM86 western boundary

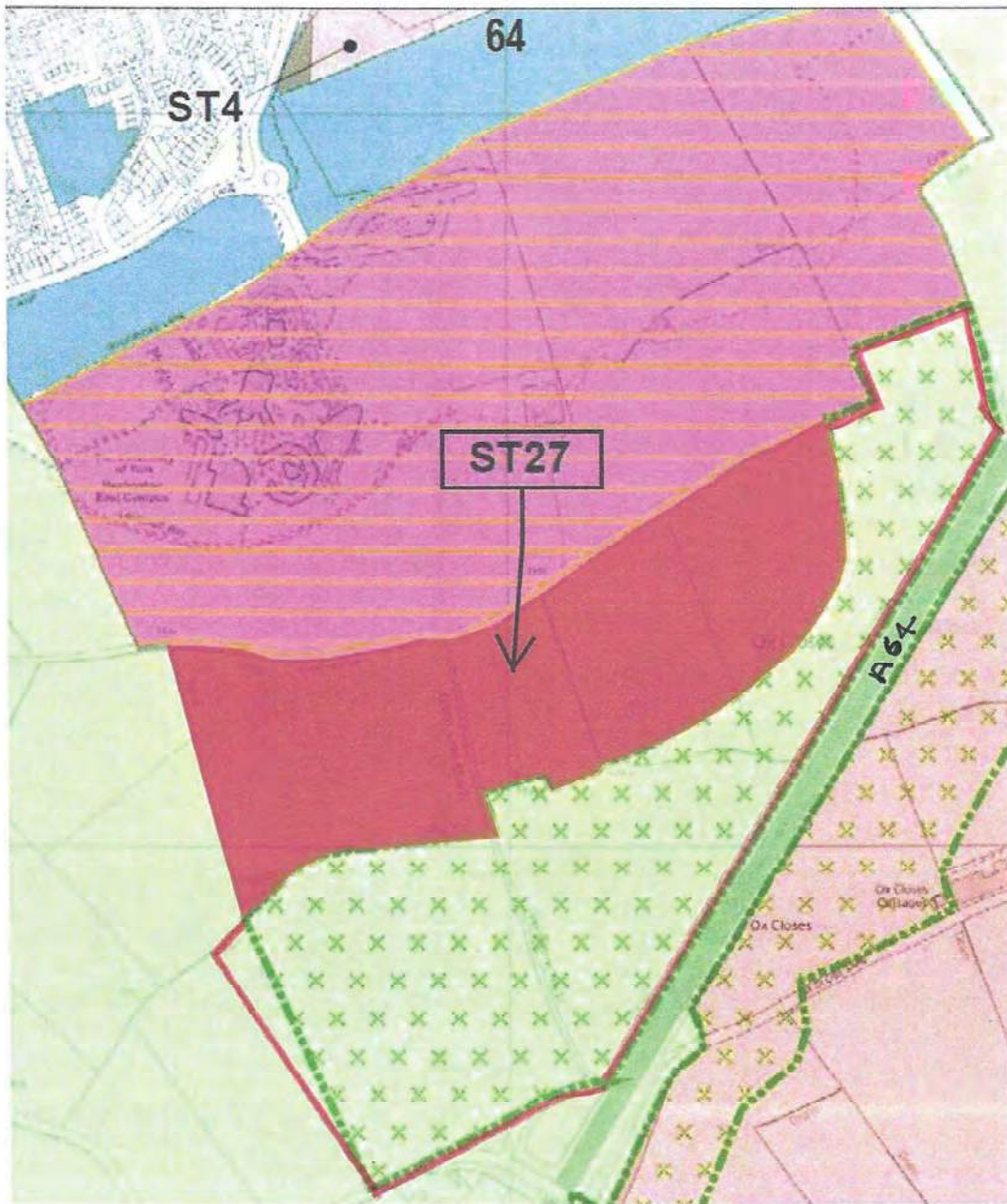


Modification Ref:	Proposed Detailed Inner Green Belt Boundary Modification		Evidence base location
PM 86	Document location	Name of Area of Change	TP1 Addendum Annex 3 Section 7 Boundaries 9 to 10
<p><b>Proposed Modification</b></p>	<p>Policies Map South</p>	<p>PM86 University of York Campus East, Western Boundary</p>	<p><b>Reason: Consistency with the Green Belt methodology</b> To represent planning consent</p>
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<p>It is proposed that the green belt boundary should follow the northern lake side and the built edge of consented development.</p>			

**PLAN 7**

University Proposed Campus East Extension Allocation ST27 and landscape buffer





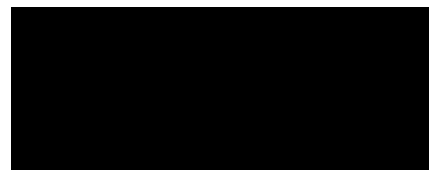
■ Proposed extension area

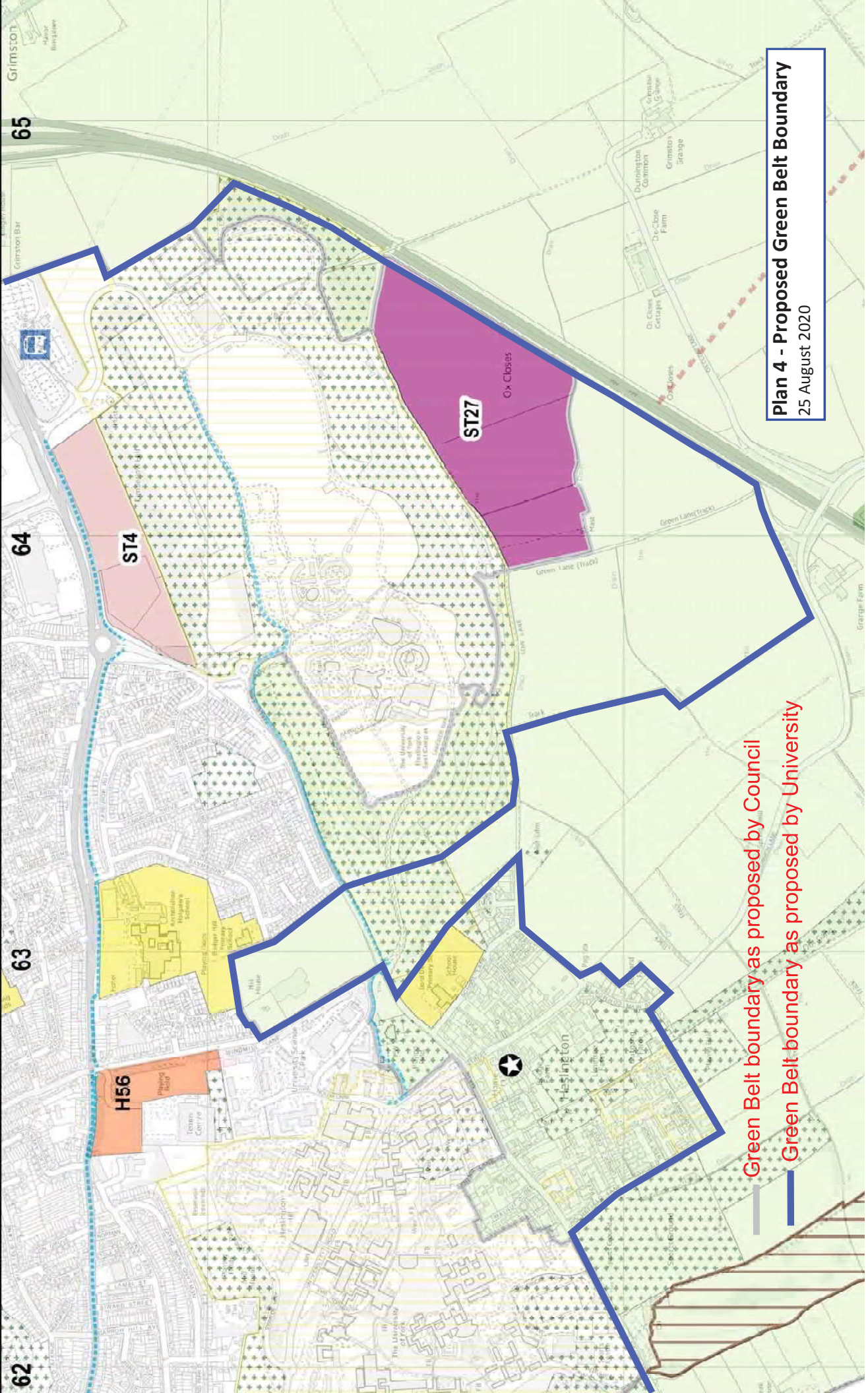
□ Additional extension area

- removed from Green Belt
- to include landscape buffer to A64

**PLAN 8**

University Proposed green belt boundary



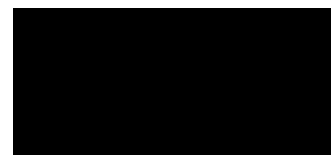


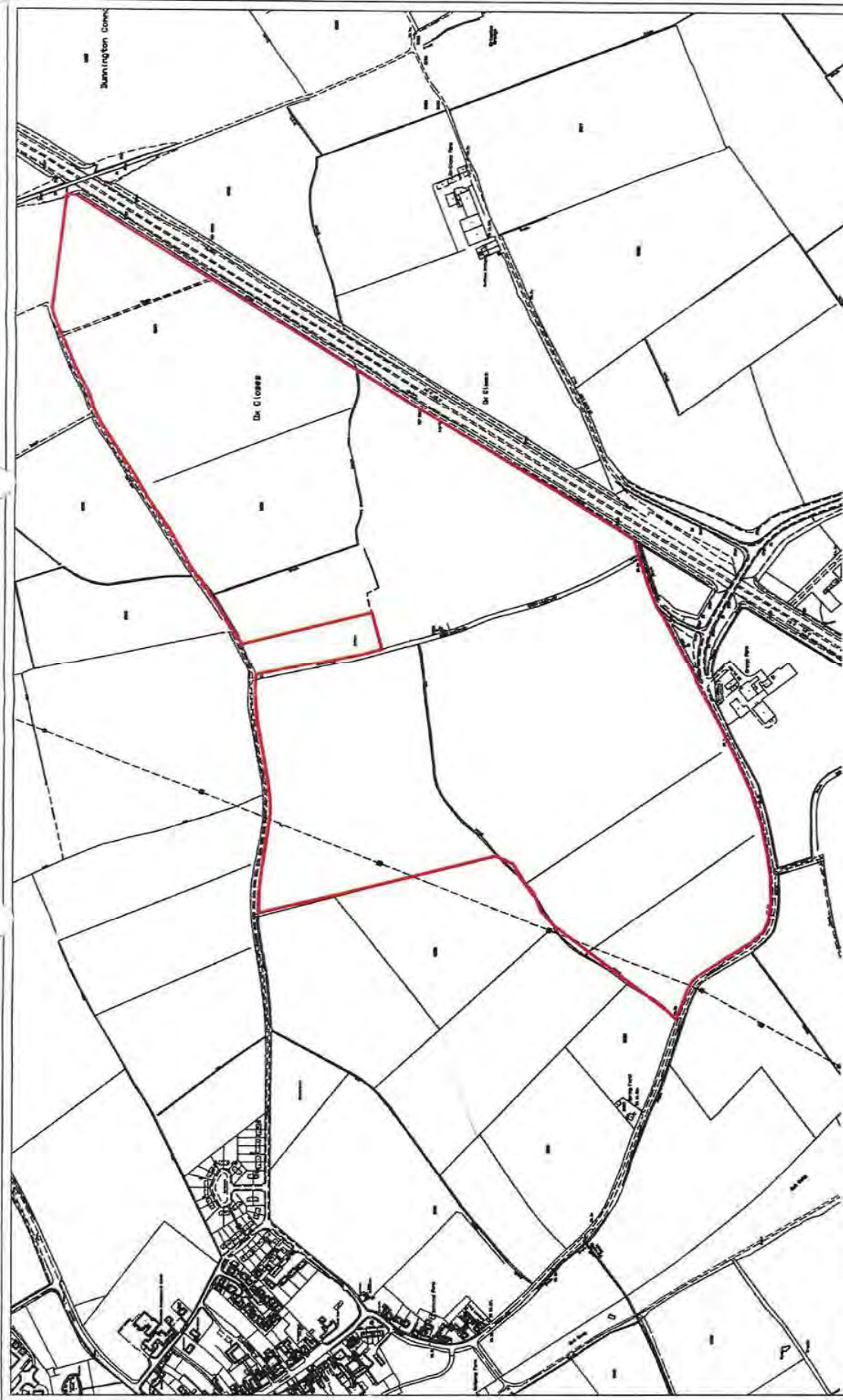
**Plan 4 - Proposed Green Belt Boundary**  
 25 August 2020

— Green Belt boundary as proposed by Council  
 — Green Belt boundary as proposed by University

**PLAN 9**

University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus  
East extension





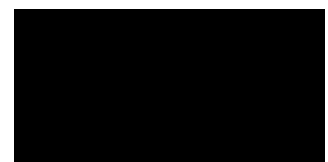
SCALE 1:7500

Heslington East Development  
Pre-emptive agreement to acquire land South of Low Lane  
Boundary of the land to which the agreement applies



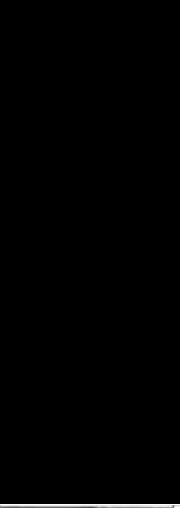
**PLAN 10**

Campus East outline permission – approved Plan F (iii) ‘Proposed Eastern Access from  
Grimston Bar Park & Ride’





Title: **Proposed Eastern Access from  
Grimston Bar Park & Ride**  
 AutoCAD Location: F:\PROJECTS\30080\Acad\COPA April 2004 Figures\Fig 4.3.dwg  
 No. **PLAN F (iii)**  
 Rev:



Project: **Heslington East Campus**

Design: SP	Date: February 2004	Chkd: SCW
Drawn: KM	Scale: 1:2000	App'd: DAP

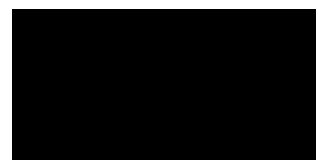
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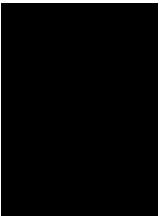
Item:  
**THE UNIVERSITY of York**

APPENDIX A

CAMPUS EAST EXTENSION:

OPTIONS IN RELATION TO DEVELOPMENT CAPACITY:





# University of York

## Campus East extension

### Extension options

**Date**  
13 March 2018



# Campus East extension

## Building areas

13.03.2018



- Existing building
- Social/hub building
- Residences
- Academic building
- Business/collaboration building
- Multi-storey car park
- Designated cycle path

Campus East (existing - north of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
60	Academic	Western gateway	650	3	1950
61	Academic	Western gateway	650	3	1950
62	Academic	Western gateway	1200	3	3600
63	Academic	Western gateway	1200	3	3600
64	Business/collaboration	Catalyst car park	1900	2	3800
65	Entrance pavilion	Central vista	200	1	200
66	Glazed canopy	Ron Cooke/Plaza	1000	-	1500
67	Academic	Lakeside Way	750	2	1500
68	Academic	Lakeside Way	1250	3	3750
69	Academic	Lakeside Way	1400	3	4200
70	Residential	North east	750	3	2250
71	Residential	North east	900	3	2700
72	Residential	North east	900	3	2700
73	Residential	North east	500	4	2000
74	Residential	North east	1300	4	5200
75	Residential	North east	900	3	2700
76	Residential	North east	1350	4	5400
77	Residential	North east	500	3	1500
78	Business/collaboration	North east	1100	3	3300
79	Business/collaboration	North east	1300	3	3900
80	Business/collaboration	North east	1350	3	4050
81	Academic	North east	1200	3	3600
82	Academic	North east	1200	2	2400
83	Academic	North east	1000	3	3000
84	Academic	North east	900	3	2700
85	Academic	North east	1000	2	2000
86	Academic	North east	900	2	1800
<b>TOTAL</b>					<b>75750</b>

Campus East (existing - north of lake)			
Use	Total building GIA (sqm)	% total	
Residential	24450	32%	
Entrance pavilion	200	0%	
Academic	32450	43%	
Business/collaboration	18650	25%	
<b>TOTAL</b>	<b>75750</b>		

Campus East (extension - south of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
87	Residential	Phase I	850	3	2550
88	Residential	Phase I	450	4	1800
89	Residential	Phase I	450	4	1800
90	Residential	Phase I	900	3	2700
91	Residential	Phase I	1050	4	4200
92	Residential	Phase I	850	3	2550
93	Residential	Phase I	850	3	2550
94	Business/collaboration	Phase I	900	3	2700
95	Academic	Phase I	1000	2	2000
96	Academic	Phase I	1000	3	3000
97	Business/collaboration	Phase I	1300	2	2600
98	Academic	Phase I	1300	2	2600
99	Business/collaboration	Phase I	1300	3	3900
100	Business/collaboration	Phase I	1300	3	3900
101	Academic	Phase IIa	850	2	1700
102	Academic	Phase IIa	1200	3	3600
103	Social/hub	Phase IIa	2250	4	9000
104	Residential	Phase IIa	1100	3	3300
105	Residential	Phase IIa	850	4	3400
106	Residential	Phase IIa	1050	3	3150
107	Residential	Phase IIa	500	4	2000
108	Residential	Phase IIa	300	4	1200
109	Social/hub	Phase IIb	1800	3	5400
110	Academic	Phase IIb	800	3	2400
111	Academic	Phase IIb	800	3	2400
112	Residential	Phase IIb	500	3	1500
113	Residential	Phase IIb	1500	3	4500
114	Residential	Phase IIb	1000	4	4000
115	Residential	Phase IIb	950	3	2850
116	Residential	Phase III	600	4	2400
117	Residential	Phase III	300	3	900
118	Residential	Phase III	850	3	2550
119	Residential	Phase III	650	4	2600
120	Residential	Phase III	1050	3	3150
121	Residential	Phase III	700	4	2800
122	Residential	Phase III	400	3	1200
123	Residential	Phase III	400	4	1600
124	Business/collaboration	Phase III	1800	4	7200
125	Business/collaboration	Phase III	1800	2	3600
126	Academic	Phase III	1500	3	4500
127	Academic	Phase III	2750	3	8250
128	Multi-storey car park	Phase III	1400	2	2800
129	Multi-storey car park	Phase III	1400	3	4200
130	Residential	Phase IV	325	3	975
131	Residential	Phase IV	500	4	2000
132	Residential	Phase IV	325	3	975
133	Residential	Phase IV	500	4	2000
134	Residential	Phase IV	1050	3	3150
135	Residential	Phase IV	1050	4	4200
136	Residential	Phase IV	1100	3	3300
137	Residential	Phase IV	800	3	2400
<b>TOTAL</b>					<b>158150</b>

Campus East (extension - south of lake)		
Use	Total building GIA (sqm)	% total
Residential	81100	51%
Social/hub	14400	9%
Academic	31750	20%
Business/collaboration	23900	15%
Multi-storey car park	7000	4%
<b>TOTAL</b>	<b>158150</b>	

Please note that these areas have been prepared for the University of York. They are indicative only and are subject to layout changes. Any decisions to be made on the basis of these, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for the increases and decreases inherent in the design development and building processes.

# Campus East extension (reduced option)

## Building areas

13.03.2018



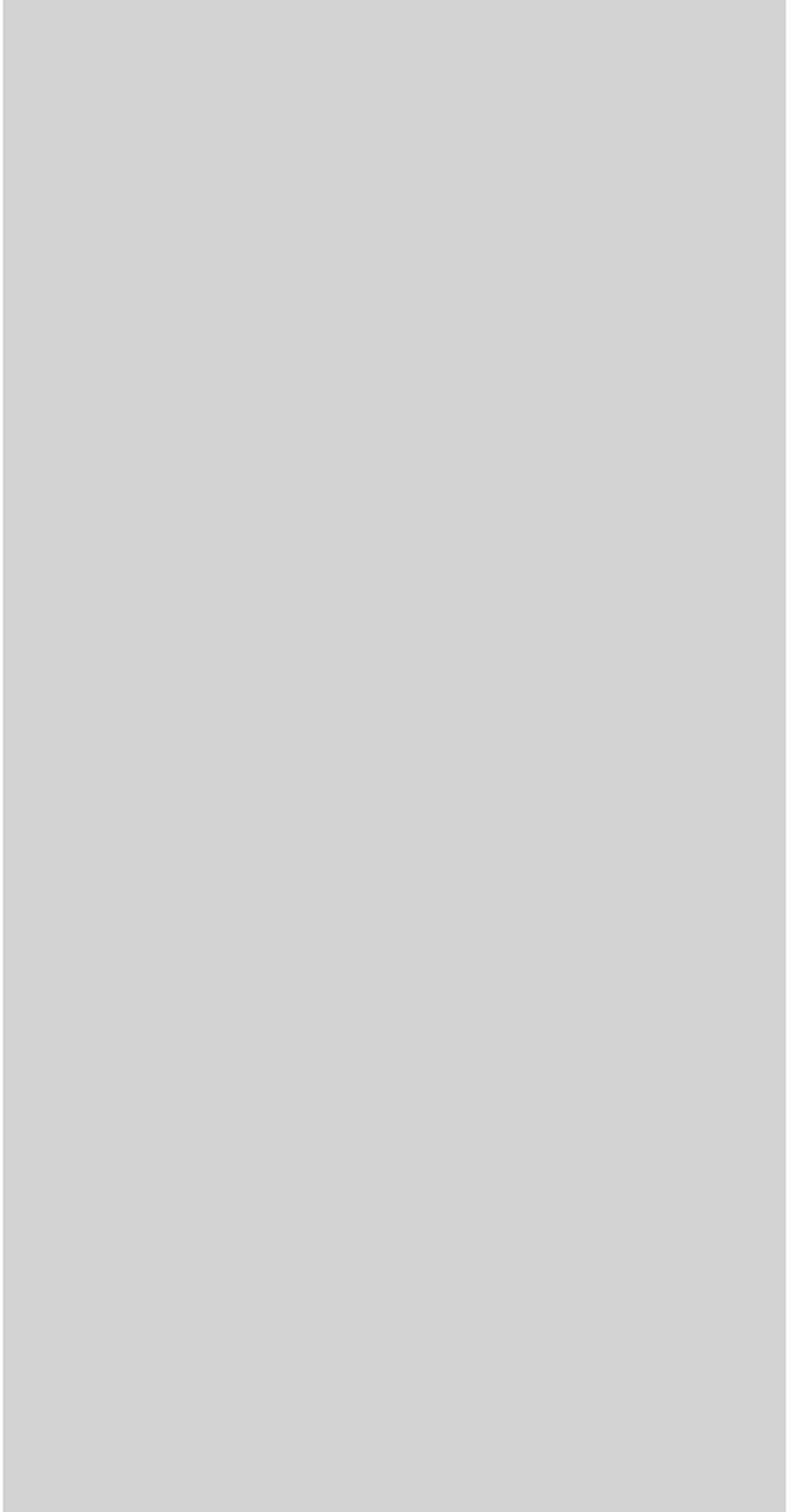
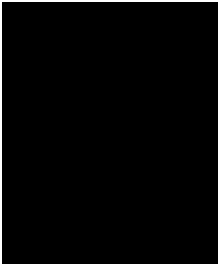
- Key:**
- Existing building
  - Social/hub building
  - Residences
  - Academic building
  - Business/collaboration building
  - Multi-storey car park
  - Designated cycle path

Campus East (extension - south of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
1	Residential	South of lake	1000	3	3000
2	Residential	South of lake	1000	4	4000
3	Residential	South of lake	500	3	1500
4	Residential	South of lake	1500	3	4500
5	Residential	South of lake	1150	3	3450
6	Residential	South of lake	800	4	3200
7	Residential	South of lake	1050	3	3150
8	Residential	South of lake	950	4	3800
9	Social/hub	South of lake	1500	2	3000
10	Academic	South of lake	1350	3	4050
11	Business/collaboration	South of lake	900	2	1800
12	Business/collaboration	South of lake	1500	2	3000
13	Business/collaboration	South of lake	1500	3	4500
14	Academic	South of lake	1250	3	3750
15	Academic	South of lake	2750	3	8250
16	Business/collaboration	South of lake	1400	2	2800
17	Business/collaboration	South of lake	1400	3	4200
18	Business/collaboration	South of lake	1500	2	3000
19	Multi-storey car park	South of lake	2800	2	5600
<b>TOTAL</b>					<b>70550</b>

Campus East (extension - south of lake)			
Use	Total building GIA (sqm)	% total	
Residential	26600	38%	
Social/hub	3000	4%	
Academic	16050	23%	
Business/collaboration	19300	27%	
Multi-storey car park	5600	8%	
<b>TOTAL</b>	<b>70550</b>		

Please note that these areas have been prepared for the University of York. They are indicative only and are subject to layout changes. Any decisions to be made on the basis of these, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for the increases and decreases inherent in the design development and building processes.

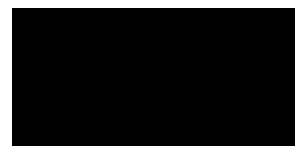




APPENDIX B

GROWTH RATIONALE FOR CAMPUS EXTENSION:

UNIVERSITY OF YORK APRIL 2020





City of York Local Plan  
University Growth Rationale for Campus  
Extension  
April 2020  
Statistics Updated November 2019



## City of York Local Plan, Update 2020

### University of York Growth Rationale for Campus Extension to the South of Campus East, April 2020

#### Introduction and Summary

1. This report from the University of York's Director of Estates & Campus Services provides an update to the evidence that explains why as a minimum the entire 26ha (ST27) site to the south of the lake on Campus East is needed as further University campus extension land within the time horizon of the City of York Local Plan extended to 2037/8. Developing the land facilitates the anticipated growth of the University's own space and the knowledge exchange space that supports the growth of the wider economy of the City.
2. The Local Plan is now in the hands of the Planning Inspectors who are conducting the examination hearings, this report updates the Growth Rationale Report<sup>1</sup> submitted in April 2018 as part of the wider suite of representations made on behalf of the University by O'Neill Associates to the City of York Local Plan.
3. The previous report in 2018 considered growth scenarios (ranging from 0.5% to 4% p.a. in terms of student numbers) and concluded that the entire 26ha site ST27 is needed for development within the Local Plan period to 2032/3. The Local Plan's alternative smaller allocation is grossly inadequate and does not appear to be based on a meaningful evidence base. This report uses more up to date data and reconfirms that the University's position remains unaltered.

#### The University

4. The University of York is a high quality Russell Group academic institution. Economic analysis carried out in November 2018 by London Economics<sup>2</sup> evidenced that the total economic impact associated with the University of York's activities in 2016-17 was estimated to be approximately £1,820.5 million. It is the number one Russell Group in the National Student Experience Survey and has the highest possible rating at Gold in the Teaching Excellence Framework. For a University of its size it is also very highly rated in Research with annual research funding of £70m+ that has increased 35% over the last five years and over the last year the University has been awarded a number of highly prestigious grants for research including from the Leverhulme Trust and the UK Research Partnership Investment Fund.

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<sup>1</sup> University of York – Growth Rationale for Campus East Extension to the South of the Lake. Submission to the City of York Local Plan. March 2018.

<sup>2</sup> The Economic, Social, Cultural Impact of the University of York, London Economics. November 2018.

5. In addition to the University's strength in teaching and research, it is also a strong contributor to knowledge exchange. This is in part through its work with knowledge based industries on its existing Science Park, elsewhere on the campus through ERDF funded facilities, as well as with businesses located off campus. Its Science Park has remained at capacity since being built in the early 1990s.
6. The University is of crucial importance to the City's economy, both from the direct effects of employment and student population (and retention) but also the indirect effects from spin off knowledge base industries and other indirect effects.

### **Historic Growth and Scenarios for Future Growth**

7. The University started out with 230 students in 1963. Its purpose is to be a body that delivers public good through its teaching, research and knowledge exchange. By 1993 it had grown to about 8,500 students and by the time it had submitted plans in 2004 for the extension on Campus East it had about 10,000 students. Since then, student numbers have grown by over 80%. The University is one of the smallest of the Russell Group (research intensive) Universities and generates much smaller surpluses than its rivals. To remain successful and sustainable over the medium term the University will need to continue to grow further to generate the surpluses needed for following reasons, inter alia:
  - a. to renew its original 1960s estate, which is in poor condition, is not fit for purpose and is, in part, now Grade II Listed;
  - b. to support its research activity, which is only part funded by research bodies;
  - c. to fund the fall in real terms in home student fees which have been fixed at £9,250.
  - d. to drive the growth of the economy by investing in enterprise activity.

Therefore the failure to create the funds to reinvest will lead to a fall in the reputation and capability of the University to carry out its purpose.

8. The previous report<sup>1</sup> considered six potential scenarios for future growth between 2018 and 2038. These were
  - Scenario 1 - 0.50% per annum, leading to circa 19,100 students by 2038
  - Scenario 2 - 1.00% per annum, leading to circa 21,200 students by 2038
  - Scenario 3 - 1.25% per annum, leading to circa 22,300 students by 2038
  - Scenario 4 - 1.50% per annum, leading to circa 25,500 students by 2038
  - Scenario 5 - 2.00% per annum, leading to circa 26,000 students by 2038
  - Scenario 6 - 4.00% per annum, leading to circa 39,200 students by 2038

The following were concluded:

- The University's growth aspirations in teaching, research and knowledge exchange, Scenario 3 or 4 was the minimum likely scenario for prudent long-term growth planning at this stage of the Local Plan; and
- That Scenario 5 and 6 were foreseeable given the University's reputation and the fact that these are less than (Scenario 5) or equal (Scenario 6) to the actual growth over the last decade.

## Growth Planning Methodology

8. The model prepared in 2018, planned residential space, academic and supporting space needs. Within this the basic building block for the residential element of the model is the University's College system. A College is typically of 600 - 700 student bedrooms built together with the associated social facilities. There are currently nine Colleges, with College 10 and 11 planned for Campus East that open by 2022. An equivalent, in net terms, of College 12 is then allowed for on Campus West once demolition and substitutions have been taken into account. Once this is built, College 13, 14, 15, 16 and so on would be built on Campus East and the expansion area.
9. The assumptions in the model are described more fully in the 2018 report, but by way of summary the model:
  - a. Plans each future cluster of development as a series of mixed use neighbourhoods with each comprising College, teaching, research and knowledge exchange space;
  - b. distinguished between International Pathway College (IPC), Undergraduate (UG), and Postgraduate (PG) students and between Home/EU and Overseas students;
  - c. acknowledged that in line with the University's policy all first year UGs are offered (and should be offered in the future) one of the University's 6,100 bedrooms, along with as many returning UGs and Overseas PGs as possible in the interest of sustainable city planning, of reducing pressure on HMOs and of great student experience;
  - d. sought to accommodate the growing number of first years, increase the number of returning UGs able to be accommodated to 15%; and
  - e. applied University space policies, norms and empirical experience to calculate the amount of academic, Knowledge Exchange, and business space within each future cluster.

## 2018 Report Conclusions

10. The 2018 modelling calculated the Residential, Academic and Supporting space required in each scenario and compared this with the land available by drawing up an illustrative masterplan<sup>3</sup> for the remainder of Campus East and the Extension land to the South. (See Appendix 1). Results are summarised below in Table 1.

**Table 1\* - Summary of 2018 Modelling, taken from the 2018 Report.**

Scenario	Sc 1	Sc 2	Sc 3	Sc 4	Sc 5	Sc 6
Growth Rate to 2038	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos (FTE) at 2038	19,100	21,200	22,300	23,500	26,000	39,200
Extra Students (FTE) vs 2017	1,901	4,000	5,131	6,318	8,876	22,011

<sup>3</sup> University of York Campus East. Development Options for Masterplan for Extension site. March 2018 [Submission to City of York Local Plan]

% of 26ha of ST27 needed	13%	56%	92%	115%	150%	420%
Ha required	3.5	14.7	23.9	30.0	39.5	110.0
Year when 26ha of ST27 used up			2039	2035	2031	2024

\* The full table is given in Appendix 2.

12. The 2018 Report analysis showed that at about 22,500 students, all of the 26ha of ST27 site would be developed. This threshold is reached in Scenario 4, 5 and 6 and substantially reached in Scenario 3.
13. The 2018 Report therefore concludes that even the modest growth outlined in Scenario 3 would require nearly all (92%) of the ST27 site by the end of the Plan Period. Moreover, it states with reference to the Nicol 2018 Economic Report<sup>4</sup> that failing to allocate the entire site as requested by the University will curtail the growth of the University and therefore the economy. Unless the full allocation of ST27 is made, it will:
- a. Limit the growth of the University's residential and academic space, which limits the University's direct contribution to the economy.
  - b. Limit the expansion of research, associated business and knowledge transfer activities which are so important to growth in biotechnology, agri-tech, renewables, IT and Digital sectors in the local economy.
  - c. Constrain the amount of business space for research-led Science Park uses and therefore limit inward investment into the local economy.

### Update Since March 2018

14. Over the last 18 months University growth has continued steadily. Student numbers were at 17,200 (FTE) when writing the 2018 report and have grown to 18,100 (FTE) for academic year 2018/19. **This means that average growth in student numbers over the last ten years has been at about 4% per annum.** Overall financial turnover of the University continues to increase from £346m in 2016/17 to £367m in 2017/18.
15. The built estate is continuing to expand as further space is required. A further £250m of investment is being made in the Campus over the next three years. This includes in Science & Medical facilities, and a new Management School facility on Campus West; and two more Residential Colleges (1,480 beds in all), an Energy Centre, a new Nursery and the RPIF funded Robotics building on Campus East.
16. In 2018 Historic England listed some of the original University buildings on Campus West as well as deeming much of the original landscape as a Registered Park & Garden. This will make it harder to redevelop Campus West, requiring less intensive development than was envisaged prior to the listing and will put even more onus on Campus East and the ST27 extension land being developed to facilitate the necessary growth in space.

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<sup>4</sup> Economic Benefit from the Expansion of the University of York. April 2019. Nicol Economics. [Submission to City of York Local Plan]

17. Taking the modelling and updating it to reflect the fact that 2018 student numbers were at 18,112 an increase of about 900 students from the 2017 figure used in the 2018 modelling, leads to Table 2 below.

**Table 2 - Summary of 2019 Update to Modelling.**

<b>Scenario</b>	<b>Sc 1</b>	<b>Sc 2</b>	<b>Sc 3</b>	<b>Sc 4</b>	<b>Sc 5</b>	<b>Sc 6</b>
Growth Rate to 2038	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos (FTE) at 2038	20,012	22,100	23,220	24,394	26,913	39,686
Extra Students (FTE) vs 2017	2,799	4,887	6,007	7,181	9,700	22,473
% of 26ha of ST27 needed*	40%	85%	100%+	115%+	150%+	420%+
Ha required	10	22	27	33	40	112
Year when 26ha of ST27 used up		2040	2036	2032	2029	2024

*\*Estimate only, based on modelling given in Appendix 6 of Reg. 19 Repts.*

18. Given that the capacity of the current estate including the land on Campus East and the ST27 Land is 22,500 students, in the revised modelling the ST27 land is used up by 2038 in all Scenarios except Scenario 1 and 2, and is almost entirely used up in Scenario 3 by 2038 also. The University clearly considers that Scenario 1 and 2's low level of growth is highly unlikely.

### The Effects of Covid-19

19. The short term effects of the Covid-19 crisis have been significant for the University which has worked very hard with the public authorities to seek to ensure that students have returned to their homes as safely as possible, whilst continuing to provide remote teaching and assistance for those who need it.
20. Once the Covid-19 crisis is over, even if that lasts upwards of 12 months there is no reason to consider that the baseline for the growth assumptions would be diminished. To the contrary scenario 3 remains highly unlikely for the above reasons, but the effect of a hiatus of, say 18 months before growth resumes would still mean that under the more probable scenarios 4 and 5 that the expansion area will be used up by the end of the plan period. In other words, despite the disruption caused by the current crisis, the University's position with regard to the need for the expansion land remains realistic and achievable.

### **Development Timing Issues**

#### Land Ownership

21. Halifax Estates is the freeholder of the current Campus East land having granted the University a 300 year leasehold interest. Halifax Estates also own the great majority of the ST27 land.



22. Subject to the case being made for all of the ST27 land being brought out of green belt, the University will purchase the land from Halifax Estates. In anticipation of this, negotiations are underway about the transaction, which is likely to result in the University being granted a long leasehold interest. The University has a pre-emptive agreement on the ST27 and also adjoining land to the south and west, which makes it available for University occupation, (see plan in planning statement).

### Infrastructure Costs

23. The University has also carried out an assessment of the infrastructure works required to develop the site from its current status as farm land. A report<sup>5</sup> prepared by the University over the last six months has estimated this infrastructure cost as being in the order of £50m.

### Green belt Removal vs Safeguarding of Land

24. There might be a suggestion from objectors or the Planning Inspectors that the whole of ST27 land could be taken out of the green belt and safeguarded for future development rather than being allocated in the current Local Plan process. From the sequencing described below, it is clear that this would be problematic for the University as it needs to begin the planning of all of this future development well within the plan period. Safeguarding is ordinarily land which is intended to be reviewed at the end of the plan period – if such a policy was to be pursued then it is anticipated that needs beyond the end of the plan period would indeed warrant additional land releases, however the time horizon is sufficiently far into the future that it seems prudent that this is a matter to consider at the point of any plan review (which should occur every 5 years).

### Development Sequencing

25. Creation of further residential Colleges on campus is the critical factor in planning the estate, and there is a significant lead time. Accordingly, the University has begun planning for the equivalent of College 12, through a series of demolitions and smaller scale new build residential schemes on Campus West, which are likely to be created before 2022.

26. As mentioned above, the scale of this development is more constrained now than envisaged in the 2018 submission because of the listing of key buildings and of the original campus landscape. Growth can only really be accommodated on Campus East and the ST27 extension site.

27. The remaining Campus East space is planned to be developed as mixed use neighbourhoods as set out in the earlier assumptions. This means that following completion of the current College 10 and 11 scheme and the RPIF funded Robotics

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<sup>5</sup> Heslington (Low Lane South Development) Infrastructure Strategy Report, University of York. September 2018.

building, Campus East has space for one further College (13) of 800 bedrooms, 16,000 sq m of academic space and 15,000 sqm of knowledge exchange and business space.

28. For illustrative purposes, even if the University moved away from its principles of good design and made the balance of land on Campus East allocated only to Colleges, there is only space for two further Colleges (13 and 14). This would also constrain academic and Knowledge Exchange activity, and does not meet the University's objectives.
- 29. Therefore, it is envisaged that the first of the new academic buildings would have to be complete on the ST27 site by the late 2020s for Scenario 1, as the slowest of the growth trajectories. For Scenario 6, as the fastest growth trajectory, the first of the academic buildings on the ST27 site would need to be opened by the mid-2020s.**
30. College 13 is required by 2023 in all scenarios, which means with a two year build period and one year procurement process (at best) the University needs to begin planning for this in 2020. College 14 is required by 2025 in all scenarios, which means the University would need to start the procurement process in 2022. Before doing so (in 2020) the University would need to have approved the infrastructure investment for ST27.

## Conclusions

31. The University of York has grown in reputation and size since being formed in the 1960s. Between 2009 and 2018 it has grown by 40% to over 18,000 students (2018/19) and continues to be highly successful in teaching, research and knowledge exchange activity, making a wider economic contribution of £1.8bn each year.
32. In order to sustain this economic impact, and to ensure the University remains successful, further growth will be required and is being planned for. The University's design principle is that each cluster remaining to be developed on Campus East and all clusters on the whole of ST27 would have a mix of residential, academic and knowledge exchange development.
33. Using this principle, the original submission to the Local Plan in 2018 used six growth scenarios ranging from 0.5% to 4.0% to evidence that all but the lowest two (Scenario 1 and Scenario 2) required all 26ha of the ST27 site to be developed within the Local Plan period. This remains the position even having regard to the probable disruption caused by Covid-19.
34. This report acts as an update on these Scenarios to reflect the most recent student numbers, on-going developments on the estate and current planning information - including the listing of much of the original estate. It shows that given the University's continued growth (4% per annum over recent years) that in the latest modelling all but Scenario 1 and 2 will require the entire 26 ha of the ST27 site to be built out within the plan period. Scenario 2 has now increased to requiring approximately 85% of the ST27 land.

35. This report also makes the point that development of the 26ha of the ST27 site is not only necessary for the longer term planning of the University but becoming more imminent and with current level of growth continuing is likely to be built on from the early to mid-2020s.



**Appendix 1:** Masterplan Map- Extract from Report No 3.

**Appendix 2:** Summary Table taken from 2018 Growth Report

**Appendix 3:** Summary of Update to Modelling, November 2019



Summary Table taken from Space Modelling in 2018 Growth Report

Scenario	1	2	3	4	5	6
<b>Growth</b>						
Growth Assumption	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos at 2038 (fte) <sup>1</sup>	19,114	21,213	22,344	23,531	26,089	39,224
Additional total student numbers (fte)	1,901	4,000	5,131	6,318	8,876	22,011
<b>Residential Demand vs Supply</b>						
Student Beds needed	8,836	9,807	10,329	10,878	12,061	18,133
Supply to a maximum of 10760 beds on Campus East	8,760	9,760	10,760	10,760	10,760	10,760
No of Colleges needed (each of 600 - 1000 beds)	14	15	16	16	18	25
No of additional Colleges needed	3	4	5	5	7	14
<b>Academic and Supporting Space</b>						
Additional space required for staff to support increase in Student Numbers (NIA meters squared)	1,901	4,000	5,131	6,318	8,876	22,011
Additional teaching space required for increase in Student Numbers (NIA meters squared)	1,855	3,905	5,008	6,167	8,664	21,486
Additional space for central support (Library and central support services)	3,862	8,129	10,426	12,840	18,038	44,731
Additional space for catering	10,379	21,845	28,018	34,503	48,473	120,204
Additional space for commercial/retail	552	1,162	1,490	1,835	2,578	6,394
Additional research space not offices	1,266	2,663	3,416	4,207	5,910	14,656
Additional Lab space not research	2,120	4,462	5,723	7,048	9,901	24,552
NIA	20,587	43,328	55,572	68,435	2,578	238,417
GIA (85% gross to net)	<b>24,220</b>	<b>50,974</b>	<b>65,378</b>	<b>80,512</b>	<b>96,142</b>	<b>280,491</b>
Academic space (sqm) <u>south of lake</u>	0	18,500	31,750	48,000	63,700	248,000
Knowledge exchange space (sqm) <u>south of lake</u>	0	10,800	23,900	36,000 <sup>3</sup>	47,000 <sup>3</sup>	185,000 <sup>3</sup>
Knowledge exchange land area (ha) <u>south of lake</u>	0	1.2	3.4	5.1 <sup>3</sup>	6.7 <sup>3</sup>	26.4 <sup>3</sup>
Knowledge exchange land area (%) <u>south of lake</u> <sup>2</sup>	0%	5%	13%	17%	17%	24%
<b>Percentage of 26 ha required</b>	<b>13%</b>	<b>56%</b>	<b>92%</b>	<b>115%</b>	<b>150%</b>	<b>420%</b>
Ha required	3.5	14.7	23.9	30.0	39.5	110.0

Footnotes

1. Overall student FTE projections (excluding visiting students, students in the initial year of the IPC, and Centre for Lifelong Learning)

2. i.e. 5% of the available 26ha, not 5% of 56;

3. N.B. this is taking the assumption that we can create a 'what if' situation, where there is an infinite amount of land to expand into, and the masterplan philosophy of mixed use neighbourhoods can be continued

City of York Local Plan, Update 2019		University of York Growth Rationale for Campus Extension to South of Campus East November 2019																		Appendix 3					
University of York		Update to Student Number Modelling for Local Plan Extension Land Case																		Ver 01		Nov 19			
Year	16/17	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	% ST27	
Student Nos Actual	16,475	17,213	17,299	17,386	17,472	17,560	17,648	17,736	17,825	17,914	18,003	18,093	18,184	18,275	18,366	18,458	18,550	18,643	18,736	18,830	18,924	19,019	19,114	13%	
Student Nos Planned		17,213	17,385	17,559	17,735	17,912	18,091	18,272	18,455	18,639	18,826	19,014	19,204	19,396	19,590	19,786	19,984	20,184	20,385	20,589	20,795	21,003	21,213	56%	
MTP																								92%	
Student Growth			738	889																				115%	
Factor	1.005	1.010	1.015	1.020	1.040																			150%	
Sc 1 - 0.50%	17,213	18,112	18,203	18,294	18,385	18,477	18,569	18,662	18,756	18,849	18,944	19,038	19,133	19,229	19,325	19,422	19,519	19,617	19,715	19,813	19,912	20,012	20,114	40%	
Sc 2 - 1.00%	17,213	18,112	18,293	18,476	18,661	18,847	19,036	19,226	19,419	19,613	19,809	20,007	20,207	20,409	20,613	20,819	21,027	21,238	21,450	21,665	21,881	22,100	22,320	85%	
Sc 3 - 1.25%	17,213	18,112	18,338	18,568	18,800	19,035	19,273	19,514	19,757	20,004	20,255	20,508	20,764	21,024	21,286	21,552	21,822	22,095	22,371	22,650	22,934	23,220	23,508	105%	
Sc 4 - 1.50%	17,213	18,112	18,394	18,659	18,939	19,223	19,512	19,804	20,102	20,403	20,709	21,020	21,335	21,655	21,980	22,310	22,644	22,984	23,329	23,679	24,034	24,394	24,759	125%	
Sc 5 - 2.00%	17,213	18,112	18,474	18,844	19,221	19,605	19,997	20,397	20,805	21,221	21,646	22,078	22,520	22,970	23,430	23,898	24,376	24,864	25,361	25,868	26,386	26,913	27,446	155%	
Sc 6 - 4.00%	17,213	18,112	18,836	19,590	20,374	21,188	22,036	22,917	23,834	24,788	25,779	26,810	27,883	28,998	30,158	31,364	32,619	33,923	35,280	36,692	38,159	39,686	41,276	420%	
2019 Update	Factor	16/17	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	%ST27
Sc 1 - 0.50%	1.005	17,213	18,112	18,203	18,294	18,385	18,477	18,569	18,662	18,756	18,849	18,944	19,038	19,133	19,229	19,325	19,422	19,519	19,617	19,715	19,813	19,912	20,012	20,114	40%
Sc 2 - 1.00%	1.010	17,213	18,112	18,293	18,476	18,661	18,847	19,036	19,226	19,419	19,613	19,809	20,007	20,207	20,409	20,613	20,819	21,027	21,238	21,450	21,665	21,881	22,100	22,320	85%
Sc 3 - 1.25%	1.015	17,213	18,112	18,338	18,568	18,800	19,035	19,273	19,514	19,757	20,004	20,255	20,508	20,764	21,024	21,286	21,552	21,822	22,095	22,371	22,650	22,934	23,220	23,508	105%
Sc 4 - 1.50%	1.015	17,213	18,112	18,394	18,659	18,939	19,223	19,512	19,804	20,102	20,403	20,709	21,020	21,335	21,655	21,980	22,310	22,644	22,984	23,329	23,679	24,034	24,394	24,759	125%
Sc 5 - 2.00%	1.020	17,213	18,112	18,474	18,844	19,221	19,605	19,997	20,397	20,805	21,221	21,646	22,078	22,520	22,970	23,430	23,898	24,376	24,864	25,361	25,868	26,386	26,913	27,446	155%
Sc 6 - 4.00%	1.040	17,213	18,112	18,836	19,590	20,374	21,188	22,036	22,917	23,834	24,788	25,779	26,810	27,883	28,998	30,158	31,364	32,619	33,923	35,280	36,692	38,159	39,686	41,276	420%

Run out of land in 2039

Run out of land in 2035

Run out of land in 2031

Run out of land in 2024

Estimated

Run out of land by 2040

Run out of land by 2036

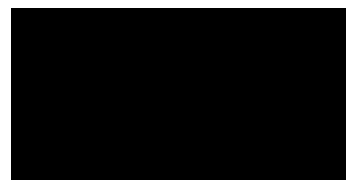
Run out of land by 2032

Run out of land by 2029

Run out of land by 2024

APPENDIX C

NOTE ON OXFORD ECONOMICS ECONOMIC FORECASTS  
FOR YORK OF DECEMBER 2019: 





# Note on Economic Forecasts for York

December 2019



# 1. Note on Economic Forecasts for York

## Purpose of this note

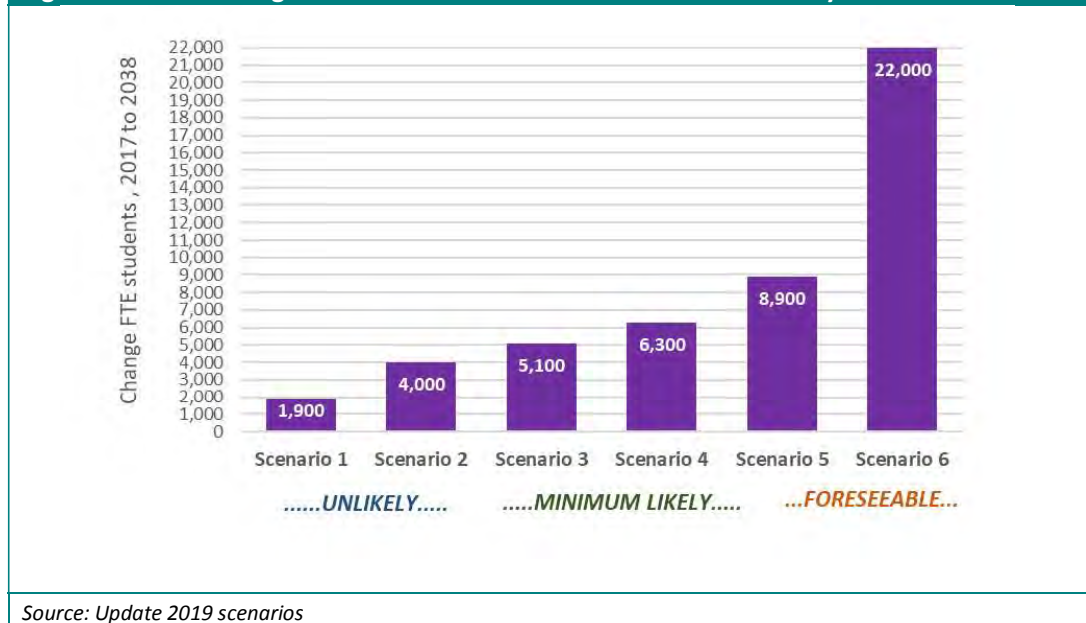
1.1 This note has been prepared to consider the **consistency** between the latest forecasts of economic growth in York prepared for the City of York Council (CoYC) and the likely growth path of the University of York as summarised in the recent updated statement by the University on the rationale for its proposed campus expansion<sup>1</sup>.

## University of York Growth Scenarios

1.2 The latest update on growth scenarios reviews a number of potential growth scenarios for the University applied to the most recent FTE student numbers for 2018/19 (18,100). Six scenarios are considered for the annual average growth rate in full-time equivalent (FTE) student numbers to 2038 (which has been around 4% pa over the last decade).

- Scenarios 1 - 0.5% per annum and 2 - 1.0% per annum. These are described as “*unlikely*”
- Scenarios 3 - 1.25% per annum and 4 - 1.5% per annum. These are described as “*minimum likely scenario for prudent long term growth planning at this stage of the Local Plan*”
- Scenarios 5 - 2.0% per annum and 6 - 4.0% per annum. These are described as “*foreseeable*” given the University’s reputation and the fact that these are scenarios with growth rates either less than (Scenario 5) or equal (Scenario 6) to the actual growth rate over the last decade.

**Figure 1.1: Potential growth in FTE students numbers at the University of York**



<sup>1</sup> “City of York Local Plan, Update 2019, University of York Growth Rationale for Campus Extension to the South of Campus East,” prepared by [redacted] Director of Estates & Campus Services, University of York, November 2019



## Relationship between student numbers and the economy of York

- 1.3 Earlier work submitted to the Examination reviewed the relationship between changes in student numbers at the University of York, space requirements and the economic impact for the City of York area<sup>2</sup>. This work estimated the total impact of the University’s activities (excluding the Science Park) on employment in York as around 6,600 FTE jobs in 2016/17 or around 6.5% of all employment in the York area.
- 1.4 Subsequent to this report, the University commissioned research by London Economics on the overall UK and regional economic contribution of the University<sup>3</sup>. The estimates of employment impact for 2016/17 in this report were similar to those used in the April 2019 report<sup>4</sup> (although no estimates were produced specifically for the City of York area in the London Economics report). The April 2019 report looked at the relationship between FTE student numbers and the economic footprint of the University with the relationship being as shown below in Table 1.1.

Direct jobs at the University	0.24
Indirect in supply chain and from student spend	0.11
Direct and Indirect	0.35
Induced	0.03
<b>All local FTE jobs</b>	<b>0.39</b>

*Source: Nicol Economics (April 2018) Table 5.2*

- 1.5 This relationship is of course an average relationship from one year only and clearly will change over time as the mix of activities at the University changes and as a result of potential productivity and other changes at the University. It is, however, interesting to note that over the 10 years to 2016/17 the growth in FTE student numbers and of FTE staff directly employment by the University was very similar (57% compared to 51%)<sup>5</sup>, suggesting the relationship has remained broadly constant.
- 1.6 If we apply these ratios above to Scenarios 1 to 5 then the potential associated increase in FTE employment in all of York is as shown below in Figure 1.2. We have not considered Scenario 6 as this would imply the total student numbers at the University more than doubling over the next 20 years which is unlikely. This analysis suggests that Scenarios 3, 4 and 5 could lead to, respectively, around 2,000, 2,500 or 3,500 extra FTE jobs in York of which over half would be staff employed by the University (and so in the education sector). In other words, with plausible scenarios for University growth **there could be increase of from 1,200 up to 2,100 in people employed in the education sector in York between 2017 and 2038**, plus a similar number elsewhere in the economy.

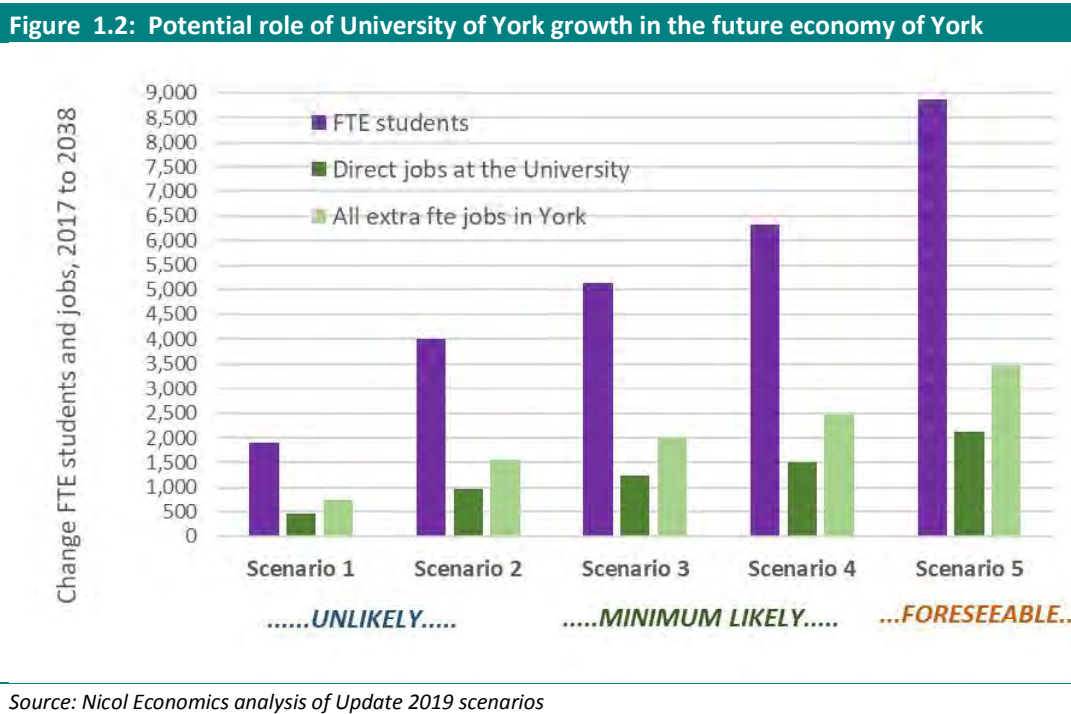
<sup>2</sup> “Economic Benefit from the Expansion of the University of York”. April 2018, [REDACTED]

<sup>3</sup> “The Economic, Social, Cultural Impact of the University of York”, [REDACTED], November 2018.

<sup>4</sup> The London Economics reports estimated the contribution at a regional level as 6,325 FTE jobs, the [REDACTED] estimated the figure for York alone at around 6,400 FTE jobs (excluding construction effects and the impact of the Science Park)

<sup>5</sup> See Table 3.1 in [REDACTED], April 2018





## Oxford Economics latest forecasts

- 1.7 CoYC have recently supplied to the Examination updated economic forecasts prepared for them by Oxford Economics (OE)<sup>6</sup>. Oxford Economics are of course a reputable forecasting house and the forecasts are, largely, based on the application of past trends in data on economic performance at a local level to sectoral forecasts developed at a UK level in their Local Authority District Forecasting Model. The report helpfully explains the model is based:
- *“National/regional outlooks – all the forecasting models we operate are fully consistent with the broader global and national forecasts which are updated on a monthly basis.*
  - *Historical trends in an area (which implicitly factor in supply side factors impinging on demand), augmented where appropriate by local knowledge and understanding of patterns of economic development built up over decades of expertise, and*
  - *Fundamental economic relationships which interlink the various elements of the outlook”.*
- 1.8 They note that the Forecasting Model produces base forecasts, which they say can be used *“as a guide to aid commentary or analysis of York”*. They emphasise that the base projections are *“unconstrained”* as they *“make no allowance for constraints on development which may be greater than in the past”*. It also follows that by the same token the forecasts cannot take account any **future development that are not reflective of past trends or have not been reflected in past data changes.**
- 1.9 In my many years of work on local economic development I have built up a healthy scepticism about the robustness of local area economic forecasts that aim to project forwards several decades. They need to be treated very carefully as indeed do national level long range (or even short range) forecasts.

<sup>6</sup> *“York Economic Outlook: Economic Outlook and Scenario Results for the York Economy”*, Oxford Economics, December 2019

- 1.10 The base 2019 OE forecasts for the York economy are for annual average GVA growth of 1.3% pa annum over the period 2017 to 2038. This is faster than the 1.0% pa for the wider Yorkshire and Humber region but slightly lower than OE's forecasts rate for the UK (1.4% pa). In all cases the latest forecasts for GVA growth are considerably down on the previous 2015 forecasts as a result of range of factors including of course Brexit. The most recent baseline forecasts are for a 0.4% pa increase in FTE employment located in York over this period.
- 1.11 The OE report explains that they have revised down their assumed increase in the growth in York's population (OE carry out their own estimates at a UK level of migration and population change and apply these to local areas). In part because of the slower assumed population growth in York, employment growth has been downgraded. It is beyond the scope of this note to explore this relationship in any detail, but it is worth pointing out that if these employment forecasts are used to inform a particular view about housing need these is a large degree of circularity in the argument and data (as the employment forecasts are in part based on a particular view of population change).
- 1.12 The OE report helpfully provides sector by sector estimates of employment growth. These are summarised in Table 1 appended to this report. These forecasts are notable in that they forecast:
- Total employment rising by around 9,500 FTE over the 21-year forecast period or 0.4% pa (around 450 jobs per year)
  - A small fall in employment in the education sector (130 jobs or 1%) and very modest GVA growth in this sector (which of course covers higher education).
- 1.13 OE also produce forecasts for a scenario described as "*reprofiled sectoral growth*" for York. This scenario forecasts marginally higher employment growth compared to the baseline (9% compared to 8%). This is a result of a slightly arbitrary faster assumed growth in higher value business services<sup>7</sup>. However, importantly, this scenario assumes exactly the same growth in the education sector.
- 1.14 OE do not break the education sector down into its components parts. However, we have examined data on employment composition of the education sector in York from the Business Register and Employment Survey BRES)<sup>8</sup>. This data suggests that in the total education sector in York around 6,000 jobs (full and part time) are accounted for by higher education (average over 2015 to 2018) or around 50% of the total (12,000), with primary and secondary education accounting for around 40% of total employment in the sector or around 4,800. These figures are based on slightly different data sets than those used by OE but are broadly similar (the OE figure for 2017 is 12,650 FTEs including self-employed). The University of York is not the only university in York (there is also York St John University). It is likely that the University of York's employed staff account for **at least a third of total education sector employment** in York and possibly more<sup>9</sup>.

<sup>7</sup> 20% faster growth compared to the baseline in the Information & communication, financial & insurance, real estate activities and professional, scientific & technical sectors and 10% slower growth compared to the baseline in & retail trade and accommodation & food services

<sup>8</sup> open access data available via NOMIS

<sup>9</sup> The University's report in 2017 indicated that it employed 4,230 FTE staff.

## Conclusions

- 1.15 The most recent OE forecasts are based on available local level data for York, past changes in that data applied to national level sectoral forecasts. This process cannot possibly pick up fine-grained changes or influences on York’s economy. OE acknowledge that their forecasts are simply “*a guide to aid commentary*”. The purpose of this note is not to comment on the overall robustness or appropriateness of the OE forecasts. However, what is clear is that OE’s modelling of employment change in the education sector to 2038 cannot possibly take account of likely ranges of growth in the University of York which would lead to several thousand extra jobs in the sector<sup>10</sup> as opposed to a 1% decline that they forecast.
- 1.16 Furthermore, it is very unlikely, simply because of the way in which the forecasts are produced, that the OE forecasts take account of the potential wider impacts from the growth in the University on the local economy including productivity, student spend and R&D impacts.



<sup>10</sup> The only reason why this could be true would be if there was a dramatic fall in primary and secondary education employment over the period to 2038 which is very implausible



## Appendix A: Baseline Sectoral Forecast for York, 2019

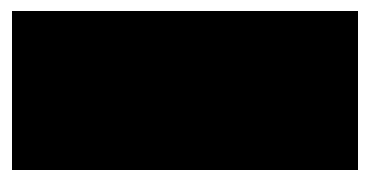
Sector	Employment (FTE jobs in York)						GVA, £ms 2016 prices								
	Level		Change 2017-2038		Share	2038	Level		Change 2017-2038		2038	Fms	%	% pa	Share
	2017	2038	%	% pa			2017	2038	%	% pa					
Agriculture, forestry & fishing	345	276	-69	-20.0%	-1.1%	7	9	-1%	-1%	7	-2	-22%	-1.2%	0%	
Mining & quarrying	0	0	0	#DIV/0!	#DIV/0!	0	0	0%	0%	0	0	#DIV/0!	#DIV/0!	0%	
Manufacturing	4,714	3,032	-1,682	-35.7%	-2.1%	357	386	-18%	-18%	357	-29	-8%	-0.4%	-2%	
Electricity, gas, steam & air	83	68	-15	-18.1%	-0.9%	52	44	0%	0%	52	8	18%	0.8%	0%	
Water supply	230	312	82	35.7%	1.5%	61	39	1%	1%	61	22	56%	2.2%	1%	
Construction	5,973	6,328	355	5.9%	0.3%	317	273	4%	4%	317	44	16%	0.7%	3%	
Wholesale & retail trade	19,355	18,189	-1,166	-6.0%	-0.3%	807	641	-12%	-12%	807	167	26%	1.1%	10%	
Transportation & storage	5,730	5,350	-380	-6.6%	-0.3%	237	217	-4%	-4%	237	20	9%	0.4%	1%	
Accommodation & food service	12,180	14,038	1,858	15.3%	0.7%	295	223	19%	19%	295	72	32%	1.3%	4%	
Information & communication	3,446	5,361	1,915	55.6%	2.1%	309	163	20%	20%	309	147	90%	3.1%	9%	
Financial & insurance	4,395	4,198	-197	-4.5%	-0.2%	597	462	-2%	-2%	597	135	29%	1.2%	8%	
Real estate activities	2,150	2,474	324	15.1%	0.7%	1,195	790	3%	3%	1,195	406	51%	2.0%	25%	
Professional, scientific & Tech	10,624	13,018	2,394	22.5%	1.0%	636	386	25%	25%	636	250	65%	2.4%	15%	
Administrative & support	7,945	10,299	2,354	29.6%	1.2%	258	166	25%	25%	258	91	55%	2.1%	6%	
Public administration & defence	7,280	6,344	-936	-12.9%	-0.7%	324	356	-10%	-10%	324	-31	-9%	-0.4%	-2%	
<b>Education</b>	<b>12,653</b>	<b>12,524</b>	<b>-128</b>	<b>-1.0%</b>	<b>0.0%</b>	<b>449</b>	<b>420</b>	<b>-1%</b>	<b>-1%</b>	<b>449</b>	<b>30</b>	<b>7%</b>	<b>0.3%</b>	<b>2%</b>	
Human health & social work activities	15,910	19,707	3,797	23.9%	1.0%	799	539	40%	40%	799	260	48%	1.9%	16%	
Arts, entertainment & rec	2,714	3,478	764	28.2%	1.2%	77	71	8%	8%	77	6	8%	0.4%	0%	
Other service activities	3,803	4,066	262	6.9%	0.3%	95	83	3%	3%	95	12	14%	0.6%	1%	
<b>Total</b>	<b>119,531</b>	<b>129,062</b>	<b>9,531</b>	<b>8.0%</b>	<b>0.4%</b>	<b>6,929</b>	<b>5,309</b>	<b>100%</b>	<b>100%</b>	<b>6,929</b>	<b>1,620</b>	<b>31%</b>	<b>1.3%</b>	<b>100%</b>	

Source: "York Economic Outlook: Economic Outlook and Scenario Results for the York Economy", Oxford Economics, December 2019

APPENDIX D

PROPOSED AMENDMENTS TO LOCAL PLAN POLICIES

RELATED TO UNIVERSITY OF YORK:



## Proposed amendments to ED3, EC1 and SS22, also added ED3a

### Section 7: Education

#### Policy ED3: Campus East

The continuing development of University of York Campus East is supported. Development will be permitted in accordance with the uses outlined in Policy ED1 and the following parameters established in the outline planning permission:

- The developed footprint (buildings, car parking and access roads) shall not exceed 23% of the 65ha allocated for development;
- Total car parking shall not exceed 1,500 spaces subject to reserved matters approval by the Council;
- Maintenance of a parkland setting;
- Additional student housing shall be provided to cater for expansion of student numbers which is clearly evidenced in terms of demand. Any additional student housing provision on Campus West (above the existing 3,586 bed spaces) shall be taken into account when assessing need;
- An annual student housing survey shall be submitted to the Council;
- Knowledge based businesses including research led science park uses will be permitted to a campus indicative maximum of 20,000m<sup>2</sup>.

See also Policy EC1 and ED1

#### Explanation

7.6 The University of York Campus East is shown at Figure 7.1. Outline planning permission as implemented (currently 15/02923/OUT) and the Section 106 legal agreement provide the context for development at the campus and are summarised in the policy above. In accordance with the consent, the creation of a parkland setting and its maintenance must be of high visual quality and good design, whilst also enhancing public amenity in terms of access to the countryside and wildlife interest. This includes preservation and where possible enhancement of the views that can be seen from the site.

7.7 An annual student accommodation survey must be submitted to the Council. If in any year an annual survey demonstrates that there is likely to be unmet student housing demand on the site in excess of 50 bedspaces within the next academic year, then the University must undertake to bring forward and implement plans to provide additional accommodation on site, in units of 300 bedspaces, within two years of the date of the survey, so long as it is economically prudent to do so.



The existing campus will be permitted to deliver up to an additional 20,000 m<sup>2</sup> of commercial knowledge based and research led activities appropriate to a university campus. The University development brief will be adopted as a Supplementary Planning Document by the Council.

### **Policy ED3a: Campus East Expansion**

The continuing development of the University of York is supported. As shown on the proposals map, 56ha of land to the south of Campus East is allocated for the future expansion of the University during the plan period and beyond (ST27: University of York Expansion).

Development will be permitted in accordance with uses outlined in Policy ED1. These include knowledge-based businesses including science park uses which will be permitted to an indicative campus maximum of 26,000m<sup>2</sup> as outlined in Policy EC1;

Primary vehicular access is to be from Hull Road via Campus East;

An allocated area for development of 40ha will be identified with wide margins providing generous landscape buffers, to a minimum of 16ha;

ST27 must create an appropriately landscaped buffer between the development and the A64 in order to mitigate heritage impacts in terms of the historic character and setting of the city and to maintain key views;

A development brief will be prepared covering site considerations including design, local amenity, accessibility and transport requirements in line with parameters in policy SS22.

**See also Policy SS22, EC1, ED3 and ED1**

### **Explanation**

7.8 The University of York retains a high profile in both the UK and in the rest of the world. Its status is reflected in the high demand for student places and it is projected that growth in student numbers will continue throughout the duration of the plan. Without the campus extension, the University will not be able to continue to grow beyond 2023. As one of the leading higher education institutions, the University needs to continue to facilitate growth, within the context of its landscaped setting which gives it a special character and quality, to guarantee its future contribution to the need for higher education and research and to the local, regional and national economies. The land at ST27 is allocated for University uses to support this growth, including up to an indicative maximum of 26,000m<sup>2</sup> of commercial knowledge based and research led activities appropriate to a university campus. Housing for the additional increase in student numbers will be provided in accordance with Policy ED1 'University of York' and Policy H7 'Student Housing'.

The allocation amounts to 56ha covering the area from Low Lane to A64 as far west as Common Lane. As with Campus East, an allocated area for development, here 40ha, will be designated within the site with wide margins providing generous landscape buffers, particularly to A64. A low density, landscape dominated campus extension is proposed in character with Campus East. Whilst long term growth is anticipated, nonetheless the difficulties of forecasting means that it is appropriate to assess the likely future of the University beyond the plan period as part of a future review of the plan, rather than making the provision for safeguarded land at this stage.

7.9 The expansion site ST27, shown at Figure 7.1 (currently plan 1 appendix 4) plays an important part in the attractive setting of this section of the city. It has an open landscape quality and provides accessible countryside to walkers and cyclists on tracks and public footpaths. The land to the west of ST27 is particularly important for maintaining the setting of Heslington village and key views. To mitigate any impacts on the historic character and setting of the city, the expansion site must create an appropriately landscaped buffer between the site development and both the A64 and the western boundary. This will be established through the masterplanning of the site.

7.10 A development brief for ST27 will be prepared that will set out detailed considerations to meet similar aims to the outline planning permission for Campus East.

7.11 The primary vehicular access to ST27 will be from Hull Road via Campus East. Access by other transport modes will be provided by extending existing facilities on Campus East. For more detailed planning principles for ST27 see Policy SS22: University of York Expansion.

7.12 The University has experienced steady growth in student numbers over the past decade to the benefit of Higher Education and local, regional and national economies. In addition, demand for knowledge-based and research-led activities is accommodated by the University. Demand for further development related to these growth areas is catered for in ST27.

The campus expansion ST27 will:

- enable the city of York to contribute directly to the delivery of national growth strategies;
- enable key Local Enterprise Partnership priorities to be realised;
- support the York Economic Strategy (2016) and the City's ambitions to be a globally competitive city;
- contribute to delivering the local plan vision of supporting the delivery of sustainable economic growth; and

- meet a commercial need and a gap in York’s employment land supply to meet the business needs of economic growth sectors.

*Delivery*

- *Key Delivery Partners: University of York, research funders, student housing providers, infrastructure delivery partners, LEP, City of York Council*
- *Implementation: Design Brief, masterplan, outline planning application, reserved matters applications*

## Section 4: Economy and Retail

4.1 It is important that the Plan helps in delivery of the city’s economic ambitions by providing sufficient land to meet the level of growth set out in the Spatial Strategy. An Employment Land Review (2019) (ELR) has been prepared which brings together evidence on the demand for and supply of employment land. Demand has been calculated using a method of converting econometric forecasts into floorspace and employment land.

4.3 The policies in this section identify the locations that will accommodate employment uses, protect the overall supply of employment sites and address specific aspects of economic growth including the impact of business activity in residential areas, tourism and rural business.

### Policy EC1: Provision of Employment Land

Provision for a range of employment uses during the plan period will be made on the following strategic sites (those over 5ha):

Site	Floorspace	Suitable Employment Uses
University of York: Campus East	20,000m <sup>2</sup>	Commercial knowledge based and research led activities
UoY: Campus East Expansion site	26,000m <sup>2</sup>	

See also Policy SS1, SS22, ED3 and ED3a

#### Explanation

4.5 The Local Plan identifies land that is suitable to provide for the forecast growth in the York economy and protects this land from other uses. Demand from specific knowledge based employment uses at the University of York is not directly related to city wide growth forecasts, rather to bespoke forecasts for the University. Such uses will be accommodated on Campus East and the Campus East Expansion site.

## Section 3: Spatial Strategy

### **Policy SS22: University of York Expansion**

University of York Expansion (ST27) will provide higher education and related uses also employment floorspace for knowledge-based businesses including research-led science park uses (see Policy ED3: Campus East). A development brief will be prepared for ST27, covering site considerations, including landscaping, design, local amenity, accessibility and transport requirements. In addition to complying with policies within this Local Plan, the site must be delivered in accordance with the following key principles:

- I. Create an appropriately landscaped buffer to the A64 in order to mitigate heritage impacts and to maintain key views to the site from the south and its setting from the A64 to the south and east. A landscape buffer to the western boundary will be created to protect the setting of Heslington.
- II. The developed footprint (buildings, car parking and access roads) shall not exceed 23% of the area allocated for development which is bounded by the landscape buffers.
- III. Continue and enhance the parkland setting of Campus East, with new buildings being of a high design standard.
- IV. Additional student housing shall be provided to cater for the expansion of student numbers. Any expansion of student housing provision on Campus West (above the existing 3,586 bedspaces) or on Campus East shall be taken into account when assessing need.
- V. Deliver high quality, frequent and accessible public transport services to York City Centre as outlined in an approved travel plan.
- VI. Optimise pedestrian and cycle integration, connectivity and accessibility inside and outside of the site with connectivity to the city and surrounding area to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- VII. Demonstrate that relevant transport issues have been addressed, in consultation with the Council and Highways England as necessary, to ensure sustainable transport provision at the site is achievable. The impacts of the site individually and cumulatively with the ST15 should be addressed.
- VIII. Explore providing access through a proposed road junction on the A64 to the south of the site. There may be an opportunity for a further restricted southern access off the A64 in conjunction with ST15 (Land West of Elvington Road). Access to the A64 would require approval of Highways England.
- IX. Exploit synergies with ST15 (land West of Elvington Road) with regard to site servicing including transport, energy and waste.

## Explanation

3.98 The University of York is a key component of the long term success of the city and it is important to provide a long term opportunity for the University to expand. It offers a unique opportunity to attract businesses that draw on the University's applied research to advance knowledge with practical applications. There is significant evidence from around the country that shows the benefits of co-location of such businesses with a university. The University proposal is a key priority in the Local Economic Plan Growth Deal that has been agreed with the Government and is also included as a priority area in the York Economic Strategy (2016) which recognises the need to drive university and research led growth in high value sectors.

3.99 The proposed site is roughly triangular bounded by Low Lane and Campus East to the north, the A64 running south-west to meet Common Lane, and to the west, field boundaries running northwards to Low Lane. The area allocated for expansion of Campus East ST27 lies immediately south of Low Lane. The total site is 56ha comprising a 40ha area allocated for development and wide landscape margins, specifically to the south up to A64 and to the west to protect the setting of Heslington. On this principle, a defined boundary to the Green Belt would be the northern side of A64, a short section of Common Lane and the existing field boundaries to the west of the allocation.

3.100 Campus East has been designed and established to offer significant proportions of journeys by walking, cycling and public transport. Future proposals must continue this existing provision, including bus services.

3.101 The University of York Campus East Development Options and Masterplan for Extension Site (March 2018) shows no additional entry points into the Campus from those already existing, Lakeside Way (bus and cycle only), Field Lane to the bus interchange and Kimberlow Lane running south from Hull Road/Grimston Bar Park & Ride link road. However, a southern access road from a new junction on A64 may provide an option for a new restricted use southern access.

### *Delivery*

- *Key Delivery Partners: University of York, research funders, student housing providers, infrastructure delivery partners, LEP, City of York Council, neighbouring developers*
- *Implementation: Design Brief, masterplan, outline planning application, reserved matters applications*

**From:** [REDACTED]  
**Sent:** 06 July 2021 13:48  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205655  
**Attachments:** ulp2107a.reps.v5.composite\_FINAL.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Key Diagram Update (EX/CYC/46)

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## **Your comments: Legal Compliance of the document**

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

**Please justify why you consider the document to be legally compliant:**

**Please justify why you do not consider the document to be legally compliant:** We make no representations on this issue.

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** No, I do not consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:**

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:** WE make no representations on this issue

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** Inadequate land has been allocated in ST27 to meet the expansion needs of the University of York to 2038, contrary to local plan strategy supporting University expansion ED1 and economic strategy SS1 delivering economic growth for York. Our representations evidence potential and an alternative allocation. On this basis we object to the current key diagram.

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:**

Allocate sufficient land to cater for University expansion to 2138. Set green belt boundaries around campus east and ST27 as shown on the evidence in the attached planning statement plans 7 and 8

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

**If you do wish to participate at hearing sessions, please state why:** The University is already a party to the EiP

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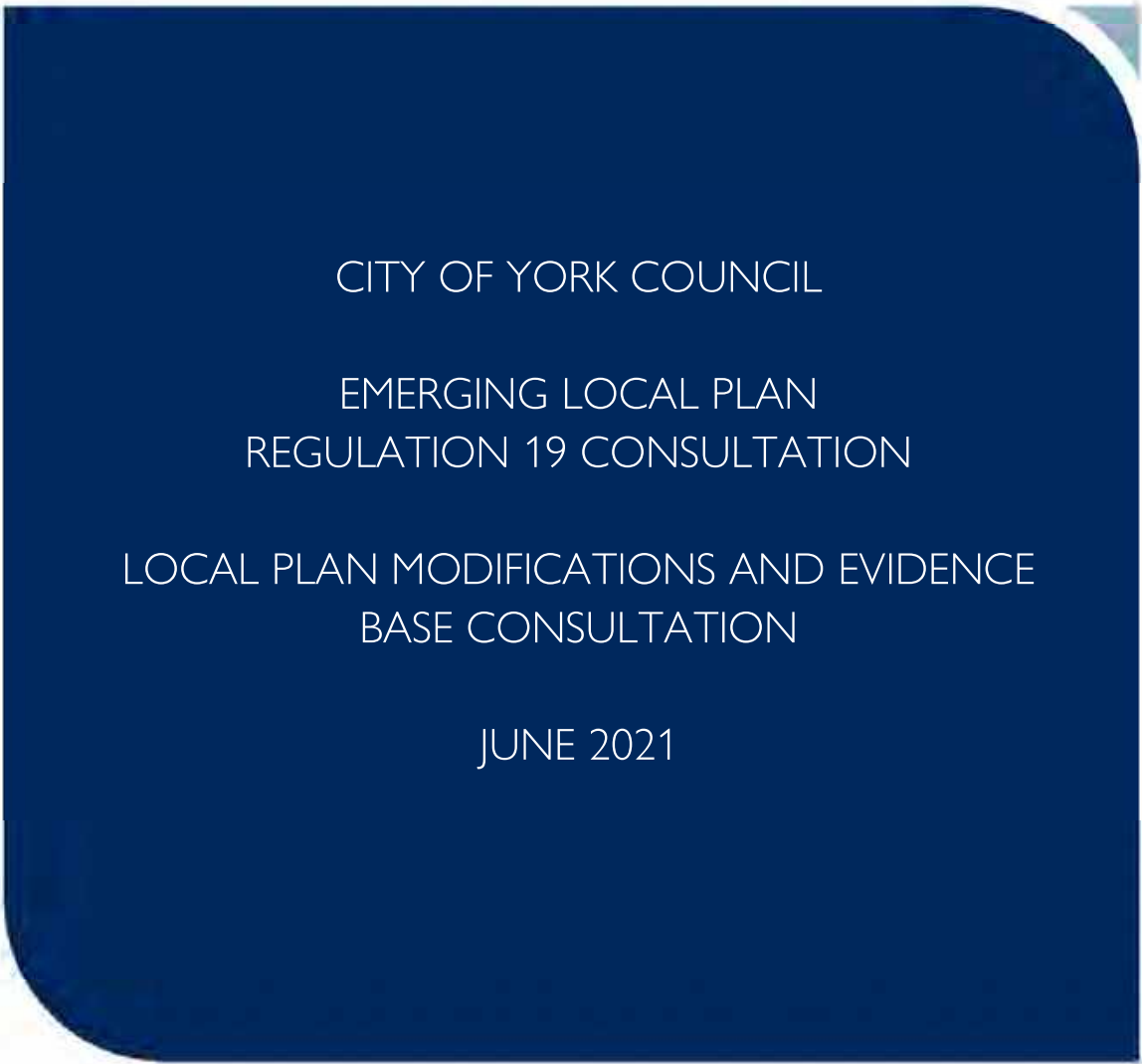
## Supporting documentation

**Please provide any documents which support the comments made as part of this submission:**

ulp2107a.reps.v5.composite\_FINAL.pdf

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CITY OF YORK COUNCIL

EMERGING LOCAL PLAN  
REGULATION 19 CONSULTATION

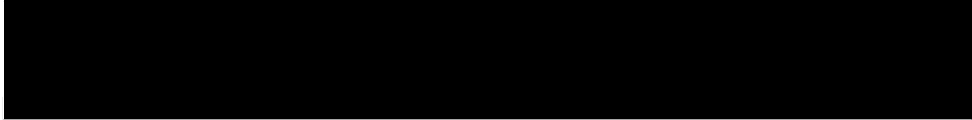
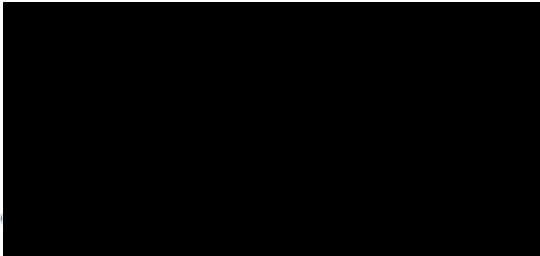
LOCAL PLAN MODIFICATIONS AND EVIDENCE  
BASE CONSULTATION

JUNE 2021

Representations on behalf of the



June 2021



CITY OF YORK COUNCIL  
EMERGING LOCAL PLAN REGULATION 19 PUBLIC CONSULTATION  
LOCAL PLAN MODIFICATIONS AND EVIDENCE BASE CONSULTATION  
JULY 2021

**EXECUTIVE SUMMARY**

The Basis of the Representations: Soundness and Legal compliance

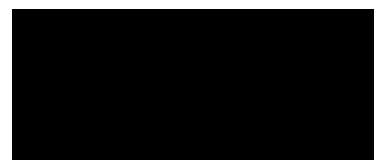
Extracts from: "A University for Public Good A Strategic Vision for the University of York to 2030"

**CONTENTS**

1. The Basis of the Representations
2. The Boundaries of Campus East
3. The Council's Position on University Growth Predictions
4. The University Expansion Allocation During the Emergence of the Local Plan
5. Updated University Student Growth Predictions
6. Knowledge Led Business Uses
7. Economic Forecasts of University Growth Scenarios
8. Master Planning of Extension Options
9. The Impacts of Covid-19
10. University Representations
11. Conclusion

**PLANS**

1. Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East ST27 for University of York
2. Campus East outline permission land use plan for EIA

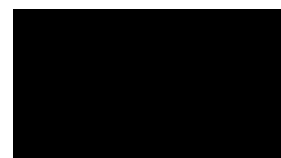


3. Campus East approved 2018 master plan
4. Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary Section 7: 2 to 10
5. Campus East Proposed Modification PM85 eastern boundary
6. Campus East Proposed Modification PM86 western boundary
7. University Proposed Campus East Extension Allocation ST27 and landscape buffer
8. University Proposed green belt boundary
9. University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus East extension
10. Campus East outline permission – approved Plan F (iii) 'Proposed Eastern Access from Grimston Bar Park & Ride'

## APPENDICES

- A. Campus East Extension: Options in Relation to Development Capacity: Make Architects London 2018
- B. Growth Rationale for Campus Extension: University of York April 2020
- C. Note On Oxford Economics Economic Forecasts for York: December 2019: Nicol Economics December 2019
- D. Proposed Amendments to Local Plan Policies related to University of York

(ulp2107.repsV5)



## EXECUTIVE SUMMARY

### THE BASIS OF THE REPRESENTATIONS: SOUNDNESS AND LEGAL COMPLIANCE

#### I. These representations conclude that:

- the Emerging Local Plan is unsound in relation to aspects relevant to the University of York, specifically the inner green belt boundaries proposed around existing campus east and also around the proposed campus extension ST27.

Changes required are to:

For campus east, utilise the well defined and permanent boundary on the eastern edge of the campus which also indicates the outline planning permission edge; for the western boundary utilise the field boundary one field east of Heslington Village edge, continue north to meet the western boundary of Badger Hill estate.

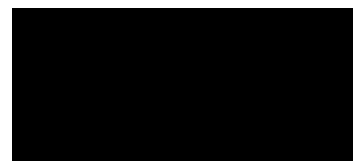
- See plan 8 attached

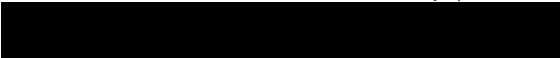
For ST27 utilise the western edge of A64 up to Common Lane then north along field boundaries to meet Low Lane

- See plans 7 and 8 attached

It follows that the key diagram EX/CYC/46 is unsound.

- On the matter of Legal Compliance, we make no representations on this aspect.
- II. Our case is that the proposed boundaries around campus east and around the location of ST27 do not correctly interpret and apply the requirements of NPPF 2012 para 85 in that the City Council has:-
- Not ensured consistency with the Local Plan strategy for meeting identified requirements for sustainable development
  - Not satisfied themselves that the Green Belt boundary will not need to be altered at the end of the development plan period
  - Not defined boundaries clearly, using physical features that are readily recognisable and likely to be permanent and
  - Included land which is not necessary to keep permanently open
- III. These representations are made in relation to Local Plan documents EX/CYC/59, EX/CYC/59h, EX/CYC/46 and EX/CYC/29. They concern the flawed justification for the inner boundaries of the green belt proposed by the City Council for two obvious matters which undermine the soundness of the plan unless rectified: -





A. The green belt boundaries proposed around campus east intrude into the area for which outline planning permission exists for the development of a university campus and for which an approved master plan is in place. The green belt boundaries should at the very least acknowledge this lawful use by excluding it from the green belt. Landscape notations in the master plan are considered adequate to confine the location of built development

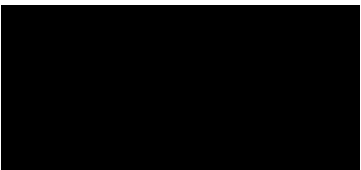
B. The inadequate quantum and location of land which is required to be excluded from the green belt in order to meet the foreseeable expansion needs of the University during the extended local plan period to 2038 is promoted by the Council. The University has repeatedly presented detailed and cogent evidence to support its position – the Council's position, by contrast, is demonstrably not evidence based and therefore is not justified

IV. For campus east, Document EX/CYC/59e INNER BOUNDARY SECTION 7 boundaries 2 to 10 are proposed, (attached plan 4). Modifications PM85 and PM86 relate to the eastern and western edges. Campus east is subject to a Secretary of State decision, following a public inquiry where the impacts of the proposed development on the general extent of the York green belt were widely explored over 6 weeks. Outline permission was granted without any of the campus area needing to serve green belt purposes, and this permission remains extant.

V. For campus east extension, ST27, boundaries proposed relate to text in document EX/CYC/59 TP1 ADDENDUM January 2021. This assesses the development needs of the University, specifically in paras.4.51-4.55, 7.25-7.26 and 10.30-10.32. Para10.32 states:

*“The Council considers that sufficient land has been allocated to allow the university to grow and that the identified quantum of land provides for the future needs of the university in combination with capacity and churn on both campuses. The Council therefore consider that the resultant green belt boundaries offer permanence to 2038”*

However, no evidence whatsoever to support this conclusion has been forthcoming from the Council at any stage during the process of preparing the emerging local plan. To the contrary the Council has been provided with clear evidence that this area is patently inadequate – with which it simply hasn't engaged at all. For example, a draft Statement of Common Ground was submitted to the Council by the University in September 2020. To date, no response to this document has been received.



## UNIVERSITY STRATEGIC VISION

In order to give context to these representations, extracts from the University's Vision document, published in February 2020, are reproduced below:

### *A University for Public Good*

#### *A Strategic Vision for the University of York to 2030*

##### *The University of York exists for public good*

*Our founders endowed the University with a strong social purpose, drawing on a rich tradition of social justice and combating inequality in a way that is distinctive to the city.*


*From the outset our research across the humanities, social sciences and natural sciences was intended not just to open up knowledge through reason, experiment and debate, but also to apply that knowledge for the 'amelioration of human life and conditions'. Our students were not just to be technically proficient in their fields but also to be able to apply their learning for social benefit, both in the UK but also as 'citizens of the world'.*

*These principles encompass and extend beyond a view of higher education focused on its economic impact. Our work clearly does, and should, bring economic benefit. Our ideas enable businesses and other organisations to innovate and flourish and our degree programmes equip our graduates for successful careers. But our ambition extends beyond economic impact alone. Our ambition is that our expertise and its impacts help create the conditions needed for all parts of our society to flourish.*

##### *Public good in city and region*

*We will be a leading contributor to public good in our city and region. Our University has not always displayed the clear civic purpose to match its distinctive civic roots. That must change. We have an opportunity to connect the innovations drawn from our research and the talents of our graduates to the economic development of city and region – if we work in harness with local authorities, economic development bodies, the UK Government and its agencies. With them we can nurture a thriving cluster of SMEs embedded in city and region that draws in wider investment.*

*We will also work in closer collaboration with schools, colleges, charities and other universities in our city and region, to open up pathways for under-represented groups into higher education and beyond into a thriving regional economy. Widening participation will remain something we care about 'more than almost anything else'. With that will come a diversity and richness of perspectives on which new learning experiences and the generation of new knowledge will be based.*



The University of York has an opportunity to offer civic leadership, collaborating with others to build community well-being and inclusive economic development. Delivering on that opportunity will be a central theme of the next decade.

### *Public good with international reach*

We will extend our international reach, reputation and impact through collaboration. Our offices in India, Malaysia and China will add to their role in student recruitment by brokering partnerships for research collaboration, funding and student mobility, and by working with our international alumni groups.

Our successes in the Global Challenges Research Fund provide a platform for developing partnerships in the Global South that will extend the innovations and impact of our research in ways which help address the pressing challenges set out in the UN Sustainable Development Goals.

Great ideas are imagined, challenged, revised and applied when people interact. Our clear view is that universities flourish when people – our students and staff – and the ideas they carry engage across borders.

### *Responding to society's biggest challenges*

The most pressing is environmental sustainability. At the University of York we have outstanding expertise across a range of academic disciplines and students and staff who are passionately committed to tackling that emergency by building an environmentally sustainable future.

We will work with Government, industry and other partners to make our city and region an international hub for new economic sectors like the bioeconomy that will support our transition to a carbon-neutral future. We will nurture those sectors with innovations from our research and talents of our graduates. We will work with our partners internationally to ensure that our impact on sustainability has worldwide reach and, conversely, that we build on experience from around the world to shape our city and region.





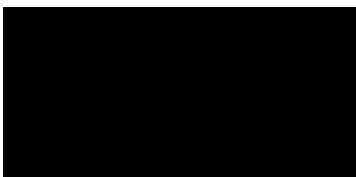
## 1. THE BASIS OF THE REPRESENTATIONS

1.1 These representations are made in relation to Local Plan documents EX/CYC/59, , EX/CYC/59h and EX/CYC/29 on behalf of the University of York. They concern the flawed justification for the inner boundary of the green belt proposed by the City Council for two **obvious** matters which undermine the soundness of the plan unless rectified: -

A. The green belt boundaries proposed around campus east intrude into the area for which outline planning permission exists for the development of a university campus and for which an approved master plan is in place. The green belt boundaries should at the very least acknowledge this lawful use by excluding it from the green belt. Landscape notations in the master plan are adequate to confine the location of development

B. In any event, the quantum and location of land which is required to be excluded from the green belt in order to meet the foreseeable expansion needs of the University during the extended local plan period to 2038. The University has repeatedly presented detailed and cogent evidence to support its position – the Council's position, by contrast, is demonstrably not evidence based and therefore is not justified

1.2 For campus east, Document EX/CYC/59c INNER BOUNDARY SECTION 7 boundaries 2 to 10 are proposed, (attached plan 4). Modifications PM85 and PM86 relate to the eastern and western edges. Campus east is subject to a Secretary of State decision, following a public inquiry where the impacts of the proposed development on the general extent of the York green belt were widely explored over 6 weeks. Outline permission was granted without any of the campus needing to serve green belt purposes, and this permission remains extant.





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*“The Council considers that sufficient land has been allocated to allow the university to grow and that the identified quantum of land provides for the future needs of the university in combination with capacity and churn on both campuses. The Council therefore consider that the resultant green belt boundaries offer permanence to 2038”*

However, no evidence whatsoever to support this conclusion has been forthcoming from the Council at any stage during the process of preparing the emerging local plan. To the contrary the Council has been provided with clear evidence that this area is patently inadequate – with which it simply hasn’t engaged at all. For example, a draft Statement of Common Ground was submitted to the Council by the University in September 2020. To date, no response to this document has been received.

1.4 Our objection is that the location of ST27 and the boundary around it does not correctly interpret and apply the requirements of NPPF 2012 para 85 in that the City Council has:-

- Not ensured consistency with the Local Plan strategy for meeting identified requirements for sustainable development
- Not satisfied themselves that the Green Belt boundary will not need to be altered at the end of the development plan period
- Not defined boundaries clearly, using physical features that are readily recognisable and likely to be permanent and
- Included land which is not necessary to keep permanently open

## 2. BOUNDARIES OF CAMPUS EAST

2.1 The area of both campus west and east are presently located within the general extent of the green belt. Due to the magnitude of campus development, it has been the intention of the Council and its predecessor, Selby District Council, to exclude both campuses from the green belt, (attached plan 1). Outline planning permission for campus east was granted by the Secretary of State on 24 May 2007. That permission allows for the submission of reserved matters over a 20 year period, to 23 May 2027. The permission has been implemented and in compliance with outline condition 11, the initial masterplan has been updated and was approved by the Council on 3 October 2018, (attached plan 3).

2.2 Plan C (i), Land Use Plan for the EIA, was approved by outline condition 1, (attached plan 2). It illustrates the 65ha area identified for development within a dotted blue boundary. Within this area development at a density of up to 23% footprint is permitted. There are two areas outside the identified area for development where specified development is permitted. These are:

- i. A 500-car parking area in the north-eastern sector of the application site, south of the Council's Park and Ride site. This was located here to discourage car travel within the main developed area of the campus (attached plan 10)
- ii. An extensive area on the eastern side, within and beyond the identified area for development, is for "Open Space devoted substantially to organised sport". This area is now occupied by the York Sports Village which comprises a swimming pool and gym, all weather outdoor pitches, a velodrome and a cycle track, plus car parking. The all-weather pitches, which are illuminated, are heavily used including in the evenings. Such facilities are not normally approved in green belt due to the intrusive impact of the floodlighting.

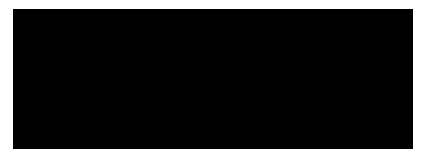
2.3 As part of her decision on the outline planning application, the Secretary of State specifically considered the impact of the proposed campus on the general extent of the York green belt. Her conclusion was that the whole development was acceptable outside the constraints of green belt.

2.4 The introduction of an inner green belt boundary into the consented campus would be a matter of planning judgment rather than legal principle. Council proposals are shown on plans 4, 5 and 6. However, the decision must be a reasoned planning judgment, reliant on the content of NPPF and based upon proper regard being placed upon material considerations.

2.5 Since a valid planning permission exists as does an approved master plan for the whole campus, any supposed benefits of introducing green belt into consented land would be undermined by the existence of this permission. To remedy the unsoundness of the proposed boundaries, the green belt boundaries should follow the outside line of the consented site for the campus on the eastern side and utilise field boundaries on the western side, (see plan 8). The approved masterplan shows the land outside the central 65ha area identified for development as open landscape, which itself controls its use and openness, (see plan 3).

### 3. COUNCIL POSITION ON UNIVERSITY GROWTH PREDICTIONS

3.1 City Council document TP1 ADDENDUM January 2021 (EX/CYC/59) purports to address the University's need for expansion, specifically in paras.4.51-4.55, 7.25-7.26 and 10.30-10.32. The proposed green belt boundary in the area of campus east is shown on Attached plan 4. Para. 4.53 refers to growth in student numbers as a measure of the demand for expansion of the physical estate. It erroneously refers to a 0.5% growth rate in student numbers over 10 years based on the University's 2017 representations. The text in para 2.3 of these Representations states that:



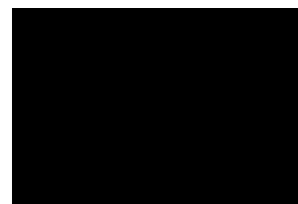
*“Because of its status there remains a high demand for student places and this is reflected in the growth of student numbers over the past 10 years which have increased by 5,300 to over 16,000.”*

As a matter of basic mathematics, this growth equates to a 4.1% annual increase in student numbers, not the 0.5% quoted by the Council.

3.2 Para 7.25 states that the capacity of existing higher education sites has been assessed for their potential to meet future needs. It refers to potential for further intensification/ redevelopment for the University at campus west subject to not exceeding the 23% footprint of total site area. Campus west has already reached 23% footprint so that development potential is restricted to building on car parks or redeveloping existing buildings to a greater height. However, a number of significant buildings were listed in 2018 and around 50% of the campus landscape was heritage listed Grade II at the same time, which patently limits the development potential of nearby areas. The University’s Development Brief June 2019, which covers both campuses, indicates that an earlier Council policy restricts building heights to mature tree canopy height, so that this and the constraints on heritage and density severely restrict development potential on this campus.

3.3 Para 10.31 acknowledges the remaining capacity on campus east (of around 9.0ha) but accepts in para 4.52 that the University will not be able to continue to grow beyond 2023 without an expansion of the existing campus east. The University considers that uncertainties related to the global pandemic will have set this date back to some extent but, in any event, this would undoubtedly be well within this decade and well before the end of the plan period.

3.4 Clear and uncontested evidence has been previously presented to the City Council, of the University’s likely growth trajectory and the consequent requirement for further land. The location and size of the campus extension allocation ST27 is addressed below, based on evidence of the University’s development needs to 2038.

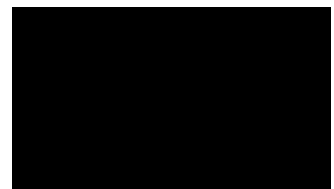


#### 4. THE UNIVERSITY EXPANSION ALLOCATION DURING THE EMERGENCE OF THE LOCAL PLAN

4.1 The process of preparing the York Local Plan commenced in earnest in 2013 with a Call for Sites exercise. The University proposed at that time a 26ha site for expansion to the south of Campus East, which was justified by the evidence then available and provided within its the representations. This process led to a draft Plan in 2014 which included the 26ha allocation, the whole of which would be available for development. In addition, a 30ha landscape buffer to the south was allocated and retained in Green Belt. The 26ha allocation (erroneously labelled 28ha), south of the campus east lake, was supported by officers.

4.2 Further progress on the Plan led to the decision of the Council to relocate the allocation to the east and an unexplained reduction in its size to 21.5ha. However, the requirement for a wide landscape buffer to the A64 this time to be secured within the allocation reduced the developable area to around a mere 13ha (i.e. half the size of the evidenced need). This draft allocation is included in the Submitted Local Plan, May 2018. At the examination hearing in December 2019, it was pointed out that there was no evidence to challenge this and subsequently, no counter evidence has ever been produced by the Council to rebut the University's detailed growth projections or justify the substantially reduced size of draft allocation.

4.3 The Emerging York Local Plan has from the outset supported the continuing development of the University evidenced by Policy ED1 and the expansion site allocation ST27 south of Campus East, (see Plan 1). The Regulation 19 representations made on behalf of the University in 2018 object to the size and location of the allocation on the basis that, at 13ha developable area, it would be grossly inadequate to meet predicted growth within the plan period. The resultant size would also severely inhibit the University's ability to contribute to local, regional and national economic strategies, as is expected it should in paragraph 7.14 of the Explanation to Policy ED3 Campus East. These representations are



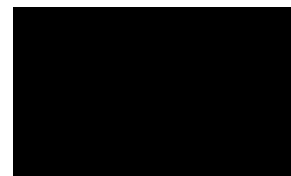
based on a robust and detailed analysis of the recent growth rate of student numbers by the Director of Estates, factored up to represent all demands for space for University and knowledge led businesses translated into land take.

4.4 Since the exercise to produce a Local Plan for the city includes the confirmation of green belt boundaries, on the basis of policy in the NPPF 2012 para. 85, the exercise of setting the green belt boundaries must first take into account demands for meeting identified requirements for sustainable development, which the needs of the University clearly constitute. This accords with draft Local Plan policy SS2, the Role of York's Green Belt. To adopt boundaries which would deliberately constrain the growth of one of the city's key economic drivers would clearly be contrary to draft policy SS2.

## 5. UPDATED UNIVERSITY STUDENT GROWTH PREDICTIONS APRIL 2020

5.1 The University's annual review of the size of its student body (FTEs) provides evidence of sustained growth in its numbers over the last several years. An updated paper on growth trends from those contained in Appendix 4 of the Regulation 19 Consultation of 2018, was prepared for the Examination by the University in November 2019, (Inquiry reference EX/OTH/6). This paper has been updated again in April 2020 to take account of recent developments. The advent of the Pandemic has not altered those conclusions and this is discussed below. The Paper is attached at Appendix B. On growth in student numbers, Para 14 states that **"This means that average growth in student numbers over the last 10 years has been at about 4% p.a."**

5.2 The Paper goes on to re-examine the range of scenarios related to annual growth in student numbers from a low figure of 0.5% to a higher figure of 4%, where the range of growth rates are equated to demand for space (see Table 2). Using the master planning



exercise's prediction of floorspace capacity on the 26ha site, and based on development principles in draft policy SS22, demand for expansion space ranges from 10ha to 112ha.

5.3 The coverage in Table 2 is extended to 2038 in order to allow for 5 years after the end of the plan period, which is required to provide permanence to the proposed boundary of the Green Belt.

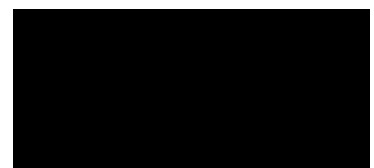
**Table 2 – Summary of 2019 Update to Modelling**

Scenario	Sc 1	Sc 2	Sc 3	Sc 4	Sc 5	Sc 6
Growth rate to 2038 <sup>†</sup>	0.5%	1.00%	1.25%	1.50%	2.00%	4.00%
Student nos. (FTEs) at 2038	20,012	22,100	23,220	24,394	26,913	39,686
Extra students (FTE) v 2017	2,799	4,887	6,007	7,181	9,700	22,473
% of 26ha of ST27 needed*	40%	85%	100%+	115%+	150%+	420%+
Ha required	10	22	27	33	40	112
Year 26ha of ST27 used up	--	2040	2036	2032	2029	2024

Estimate only, based on modelling given in evidence in appendix 6, 2018 representations, 'Campus East Development Options and Masterplan for Extension Site' MAKE March 2018

(<sup>†</sup>End date based on plan period to 2032/3 + 5 years to provide Green Belt permanence)

5.4 The outcome is that the capacity of the current estate of land on Campus East plus ST27 at 26ha is 22,500 students, so that in the revised modelling the ST27 land is used up by 2038 in all scenarios except 1 and 2. If continued growth took place at 4% then 26ha would be used comfortably within the plan period. The education employment projections in the Oxford Economics Paper EX/CYC/29 are refuted as their exercise is superficial on higher education assessment, (see section 7 below).

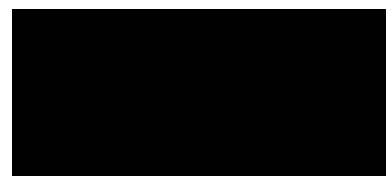


5.5 It follows that the University's position is that the local plan should be amended to enable a sufficient level of growth to accommodate its development needs over the plan period to 2038. The land which is proposed to be allocated would comprise 26ha of developable land plus a suitable landscape buffer between that area and the A64 available for University use and outside the green belt, (see plan 7). This would ensure that such growth is controlled and would enable the green belt in this area to endure in the long term. The Council's approach would involve unwarranted constraint to one of the city's key economic and social drivers or at best piecemeal incremental growth, with no certainty of delivery. Campus east permission is for 65ha of development land within a 116ha site. There is therefore precedence for excluding land from green belt and utilising a development brief and master plan to control landscape areas.

## 6. KNOWLEDGE LED BUSINESS USES

6.1 In addition to the role of student numbers in the prediction of space requirements is the rising demand for commercial knowledge led business use. This is less reliable in being accurately predicted. The current outline planning permission for Campus East allows for 25ha of such uses within the 65ha allocated for development from the total 116ha area. However, permission was granted in 2007 in the Global Economic Recession and the slowed economy meant that take-up amongst such use was initially very low. Draft policy ED3 proposes that the 25ha permitted is spread across Campus East and the extension area.

6.2 In place of this broad-brush approach, it is proposed that such use is facilitated broadly in line with the master planning exercise in the MAKE document, (Appendix A). This would allow a maximum of 20,000m<sup>2</sup> on Campus East and 26,000m<sup>2</sup> on the extension site, but transferable between each area if required.





6.3 Appendix D contains a set of proposed revised policies related to the University which cover the range of amendments suggested in this text. Revised Policy EC1 contains the more specific floorspace levels for knowledge led business uses, to assist in confirmation of the economic strategy of the Local Plan.

## 7. ECONOMIC FORECASTS OF UNIVERSITY OF YORK GROWTH SCENARIOS

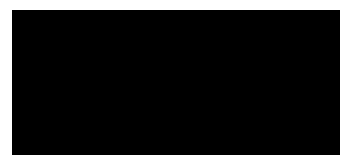
7.1 The latest update on growth scenarios reviews a number of potential growth scenarios for the University applied to the most recent FTE student numbers for 2018/19 (18,100). Six scenarios are considered for the annual average growth rate in full-time equivalent (FTE) student numbers to 2038, which has been around 4% pa over the last decade.

- Scenarios 1 - 0.5% per annum and 2 - 1.0% per annum. These are described as “unlikely”
- Scenarios 3 - 1.25% per annum and 4 - 1.5% per annum. These are described as “minimum likely scenario for prudent long term growth planning at this stage of the Local Plan”
- Scenarios 5 - 2.0% per annum and 6 - 4.0% per annum. These are described as “foreseeable” given the University’s reputation and the fact that these are scenarios with growth rates either less than (Scenario 5) or equal (Scenario 6) to the actual growth rate over the last decade.

7.2 Subsequent to this report, the University commissioned research by London Economics on the overall UK and regional economic contribution of the University<sup>1</sup>. The estimates of employment impact for 2016/17 in this report were similar to those used in

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<sup>1</sup> “The Economic, Social, Cultural Impact of the University of York”, London Economics, November 2018



the April 2019 report<sup>2</sup> (although no estimates were produced specifically for the City of York area in the London Economics report). The April 2019 report looked at the relationship between FTE student numbers and the economic footprint of the University with the relationship being as shown below in Table 1.1 below.

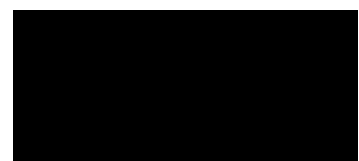
**Table 1.1 Total jobs per FTE student, 2016/17, University of York**

Direct jobs at the University	0.24
Indirect in supply chain and from student spend	0.11
Direct and Indirect	0.35
Induced	0.03
<b>All local FTE jobs</b>	<b>0.39</b>
<i>Source: Nicol Economics (April 2018) Table 5.2</i>	

7.3 The most recent Oxford Economics (OE) forecasts for the Council, December 2019, are based on available local level data for York, past changes in that data applied to national level sectoral forecasts. This process cannot possibly pick up fine-grained changes or influences on York's economy. OE acknowledge that their forecasts are simply "a guide to aid commentary". The purpose of this note is not to comment on the overall robustness or appropriateness of the OE forecasts. However, what is clear is that OE's modelling of employment change in the education sector to 2038 cannot possibly have taken account of likely ranges of growth in the University of York which would lead to several thousand extra jobs in the sector<sup>3</sup> rather than the 1% decline that they forecast, which is patently in error.

<sup>2</sup> The London Economics report estimated the contribution at a regional level as 6,325 FTE jobs, the Nicol Economics report estimated the figure for York alone at around 6,400 FTE jobs (excluding construction effects and the impact of the Science Park)

<sup>3</sup> The only reason why this could be true would be if there was a dramatic fall in primary and secondary education employment over the period to 2038 which is very implausible



7.4 Furthermore, it is very unlikely, simply because of the way in which the forecasts are produced, that the OE forecasts take account of the potential wider impacts from the growth in the University on the local economy including productivity, student spend and R&D impacts. The more accurate report from Nicol Economics is included as Appendix C.

## 8. MASTER PLANNING OF EXTENSION SITE OPTIONS

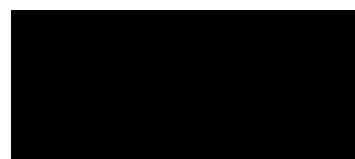
8.1 Evidence submitted on behalf of the University to the Regulation 19 Consultation April 2019 includes a master planning exercise by MAKE Architects which reviews both the 21.5ha draft allocation (less the landscape buffer to A64) and the 26ha site proposed by the University. An extract from this 2018 exercise is included in Appendix A. Each master plan illustrates an appropriate range of university uses, suggests building heights and identifies a resultant floorspace for each site.

8.2 The exercise also reviewed the capacity remaining on Campus East, which was estimated as 75,750m<sup>2</sup> at that stage. However, two reserved matters planning applications, for an energy centre and an artificial intelligence research centre, have been approved since that time. Campus West is at capacity and any new development will be facilitated by demolitions or building on car parks.

8.3 The master planning exercise shows the floorspace potential for ST27 as proposed by the Council is estimated at 70,550m<sup>2</sup> at most, with the 26ha site promoted by the University estimated at 158,150m<sup>2</sup>.

## 9 THE IMPACTS OF COVID-19

9.1 The short term effects of the Covid-19 pandemic have been significant for the University which worked very hard with the public authorities to seek to ensure that students



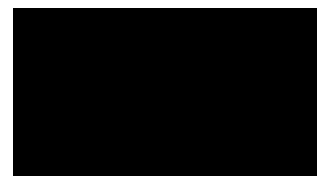
have returned to their homes as safely as possible, whilst continuing to provide remote teaching and assistance for those who needed it.

9.2 Bank of England forecasts anticipate recovery of the UK economy to pre-pandemic levels by Q4 2021. Once Covid-19 within the UK is under control from mass vaccinations, there is no reason to consider that the baseline for the growth assumptions would be diminished, despite the disruptions in 2020. To the contrary, University growth of scenario 3 remains highly unlikely for the above reasons, but the effect of a hiatus of, say 18 months before growth resumes would still mean that under the more probable scenarios 4 and 5 the expansion area will be used up by the end of the plan period.

9.3 In other words, despite the disruption caused by the current crisis, the University's position with regard to the need for the expansion land remains realistic. Indeed, the widespread use of video technology has plainly opened the prospect of international centres of excellence to take advantage of distance learning which may very well increase the need for on-campus teaching resources to service an increasing cohort of students who may not be in attendance on campus. Such a prospect would be in addition to the predicted on-campus growth.

## 10 UNIVERSITY REPRESENTATIONS

10.1 Draft Policy ED1 supports the continuing development of the University. The campus extension is justified in para. 7.14 not only in line with this policy but also for the wider benefits to the local, regional and national economies. Given the vision of the University and its demands to meet its own growth needs and its potential to increase its contribution to these various economic strategies, the capacity of draft ST27 allocation at around 13ha developable area is demonstrably inadequate and should be significantly increased. Even the 26ha promoted by the University since 2013 now appears to be inadequate in all except growth rates of 0.5% or 1.0%, rates which have not been



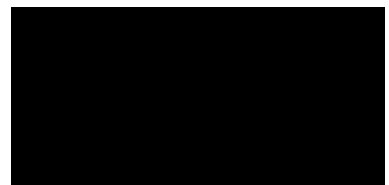
experienced by the University for at least a decade, despite the hiatus caused by the pandemic. By also removing the landscape buffer area from the green belt, long term growth requirements, which it is not possible to predict at this time, could be reviewed as the local plan itself is reviewed. The buffer would be allocated as landscape in this plan period.

**10.2 It is therefore proposed that the whole 26ha of the University promoted ST27 plus the 30ha landscape buffer to A64 be excluded from Green Belt, an area totalling 56ha. The current draft Council allocation for ST27 abuts A64 including a landscape buffer to be defined in a development brief and masterplan, so that precedent exists. It is proposed that this approach be utilised in an enlarged ST27.**

10.3 Within the landscape buffer, generous planted margins will be required to both A64 and the western boundary in order to protect the setting of the city, and the visual amenity of the wider green belt. However, if removed from Green Belt there would be opportunity to utilise the landscape buffer for University facilities such as a large attenuation lake suitable for active sport, with accompanying facilities which may be inappropriate to a Green Belt location.

10.4 The development of the campus extension would be expected to be built out at the same density as Campus East, that is 23% footprint for buildings and access roads. The openness of the area adjacent to the A64 and the retention of its rural character would be achieved via the development brief and master plan, so that the current 30ha landscape area need not be included in Green Belt.

10.5 Plans illustrating the existing draft allocation plan 1, and the amendment proposed by the University plan 7 follow below. Plan 9 illustrates the land subject to a Pre-Emptive Agreement to acquire in favour of the University. The boundary of the Green Belt proposed around Campus East, ST27 and Heslington village, using physical features likely to be permanent, is shown on plan 8.



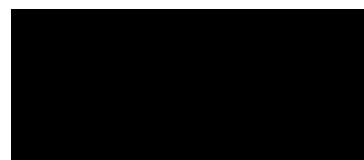
## 11 CONCLUSION

11.1 At the Public Inquiry into the Campus East outline planning application in 2006, ultimately determined by the Secretary of State, the Council aligned with the University on the basis of the significant benefits to the city which were economic, social and environmental. The City Council in the various versions of this emerging local plan has consistently supported the growth of the University in the vicinity of Heslington. This being the case, it is illogical to include within the emerging local plan an allocation of 21.5ha, that is 13ha net, which does not align with the University evidenced growth in student numbers. It would be likely to be built out in the early stages of the plan period. Green Belt boundaries around the allocation could not on this basis be confirmed in conformity with policy in NPPF 2012 para. 85, *'ensuring consistency with the development plan's strategy for meeting identified requirements for sustainable development'*.

11.2 These representations justify a larger allocation of 26ha plus a landscape buffer to A64 of 30ha, (which could be subject to an appropriate safeguarding policy). Both are proposed to be excluded from the Green Belt. This is to create a permanent boundary to the Green Belt along the A64 and also allow activities within the buffer which may not be compatible with Green Belt policy, such as a boating lake and facilities.

11.3 Should the Council retain their version of ST27, this would not be in conformity with policy in NPPF 2012 para. 85 *'satisfying themselves that the Green Belt boundary will not need to be altered at the end of the development plan period'* since it would need to be altered to accommodate University expansion well within the plan period.

11.4 Finally, Green Belt boundaries proposed for campus east would be both unsound and not be in conformity with policy in NPPF 2012 para. 85 by not *'defining boundaries clearly using physical features that are readily recognisable and likely to be permanent'* since the

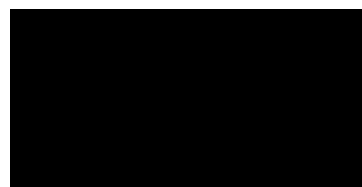


University is entitled to implement the planning permission granted for the campus and this may alter boundaries currently proposed by the Council.

Janet O'Neill PPRTPI

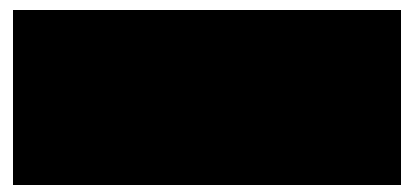
## PLANS

1. Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East ST27 for University of York
2. Campus East outline permission land use plan for EIA
3. Campus East approved 2018 master plan
4. Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary Section 7: 2 to 10
5. Campus East Proposed Modification PM85 eastern boundary
6. Campus East Proposed Modification PM86 western boundary
7. University Proposed Campus East Extension Allocation ST27 and landscape buffer
8. University Proposed green belt boundary
9. University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus East extension
10. Campus East outline permission – approved Plan F (iii) 'Proposed Eastern Access from Grimston Bar Park & Ride'

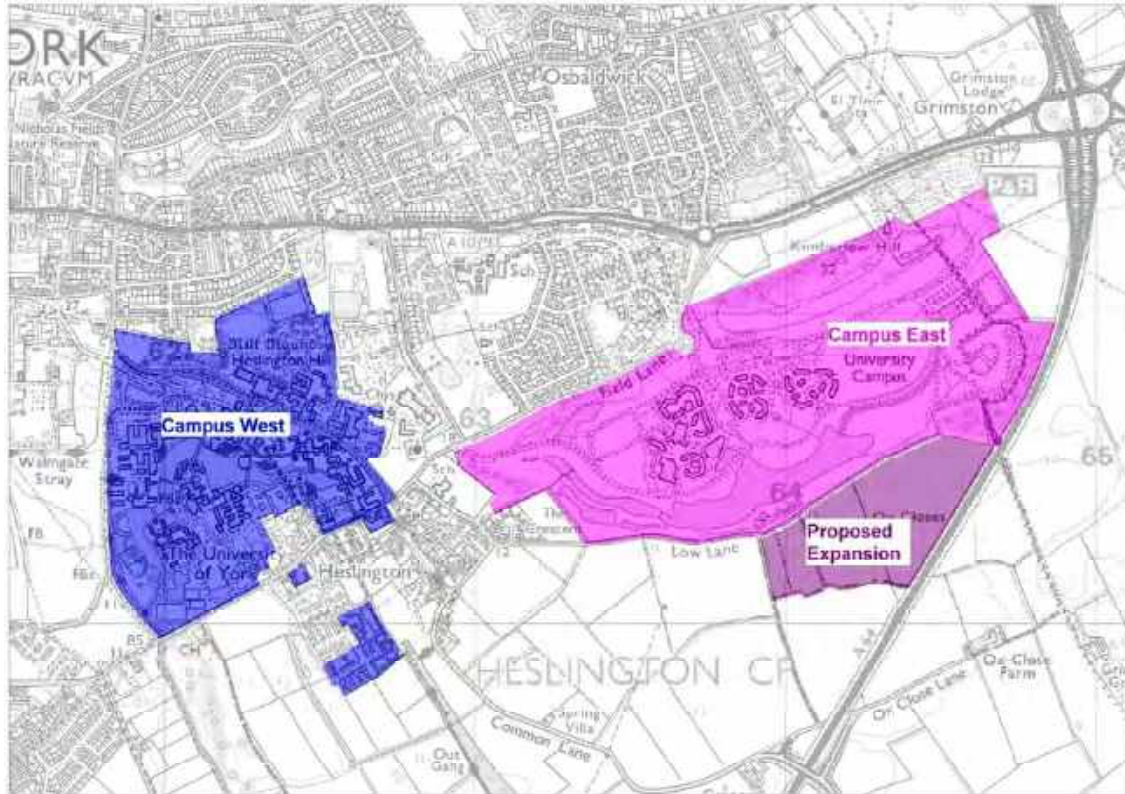


**PLAN 1**

Submitted Draft Local Plan Figure 7.1: Proposed Expansion Allocation to Campus East  
ST27 for University of York





**Figure 7.1: University of York**

### **Policy ED3: Campus East**

The continuing development of University of York Campus East is supported alongside the expansion site at ST27 (University of York Expansion). Development will be permitted in accordance with the uses outlined in Policy ED1 and the following parameters:

- the developed footprint (buildings, car parking and access roads) shall not exceed 23% of the 65ha area allocated for development;
- total car parking shall not exceed 1,500 spaces subject to reserved matters approval by the Council;
- the maintenance of a parkland setting;
- additional student housing shall be provided to cater for expansion of student numbers which is clearly evidenced in terms of demand. Any additional student housing provision on Campus West (over and above the existing 3,586 bed spaces) shall be taken into account when assessing need; and
- an annual student accommodation survey shall be submitted to the Council.

As shown on the proposals map, 21.5ha of land to the south of the existing Campus East site is allocated for the future expansion of the university during the plan period (ST27: University of York Expansion). Campus East and ST27 will across both sites deliver up to 25ha of B1b knowledge based businesses including research led science park uses identified in the existing planning permission for Campus East.

ST27 must create an appropriately landscaped buffer must be created between development and the A64 in order to mitigate heritage impacts in terms of the historic character and setting of the city and to maintain key views.

A development brief will be prepared for ST27, covering site considerations, including landscaping, design, local amenity, accessibility and transport requirements.

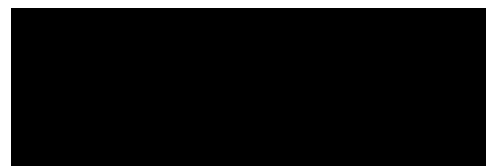
**See also Policy SS22, EC1 and ED1**

### **E x p l a n a t i o n**

- 7.6 The University of York Campus East is shown at Figure 7.1. The planning permission as implemented (08/00005/OUT) and the Section 106 legal agreement provide the context for development at the campus and are summarised in the policy above. In accordance with the consent the creation of a parkland setting and its maintenance must be of high visual quality and good design, whilst also enhancing public amenity in terms of access to the countryside and wildlife interest. This includes preservation and where possible enhancement of the views that can be seen from the site.
- 7.7 An annual student accommodation survey must be submitted to the Council. If in any year an annual survey demonstrates that there is unmet student housing demand on the site in excess of 50 bedspaces the university must undertake to bring forward and implement plans to provide additional accommodation on site, in units of 300 bedspaces, within two years of the date of the survey, so long as it is economically prudent to do so.
- 7.8 The University of York retains a high profile in both the UK and in the rest of the world. The university's status is reflected in the high demand for student places at the university and it is currently projected that growth in student numbers will continue over the duration of the plan up to 2032. Without the campus extension, the university will not be able to continue to grow beyond 2023. As one of the leading higher education institutions, the university needs to continue to facilitate growth, within the context of its landscaped setting which gives it a special character and quality, to guarantee its future contribution to the need for higher education and research and to the local, regional and national economies. The 21.5ha of land at ST27 is allocated for university uses to support this growth. Housing for the additional increase in student numbers will be provided in accordance with Policy ED1 'University of York' and Policy H7 'Student Housing'.
- 7.9 The expansion site (ST27), shown at Figure 7.1, plays a critical part in the attractive setting of the city and Heslington village. It has a distinctive landscape quality and provides accessible countryside to walkers and cyclists on the land and public footpaths. The land to the west is particularly important for maintaining the setting of Heslington village and key views. To mitigate any impacts on the historic character and setting of the city the expansion site must create an appropriately landscaped buffer between the site development and the A64. This will be established through the masterplanning of the site.
- 7.10 A development brief for ST27 (also covering updates for development at Campus West and Campus East) will be prepared that will set out detailed considerations

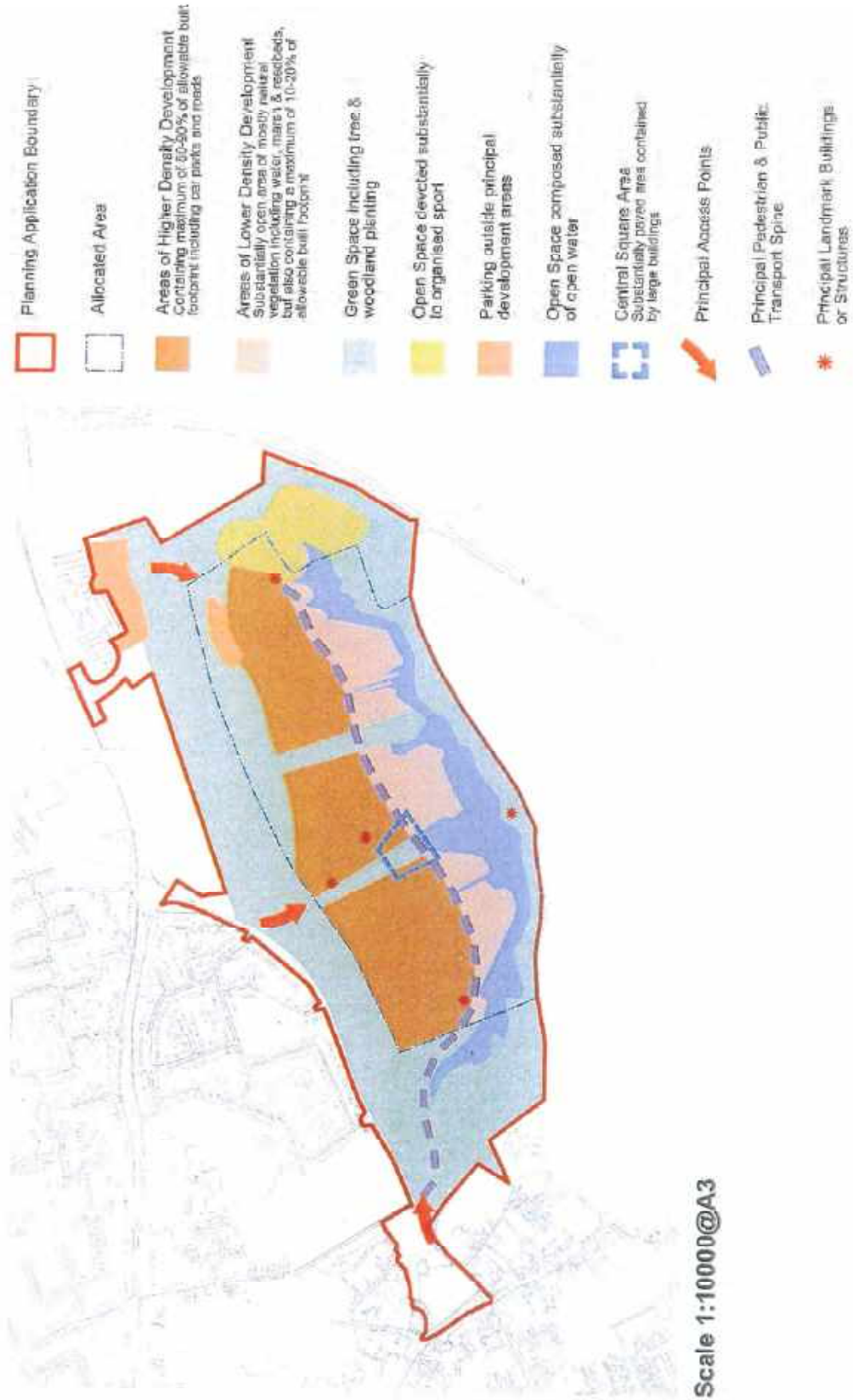
## **PLAN 2**

Campus East outline permission land use plan for EIA



# LAND USE PLAN FOR EIA

## Plan 1: Development Density

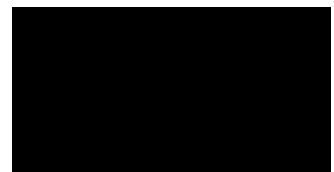


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PLAN C (f)

**PLAN 3**

Campus East approved 2018 master plan

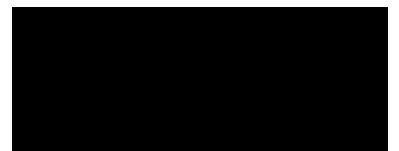


# L. 2018 Masterplan

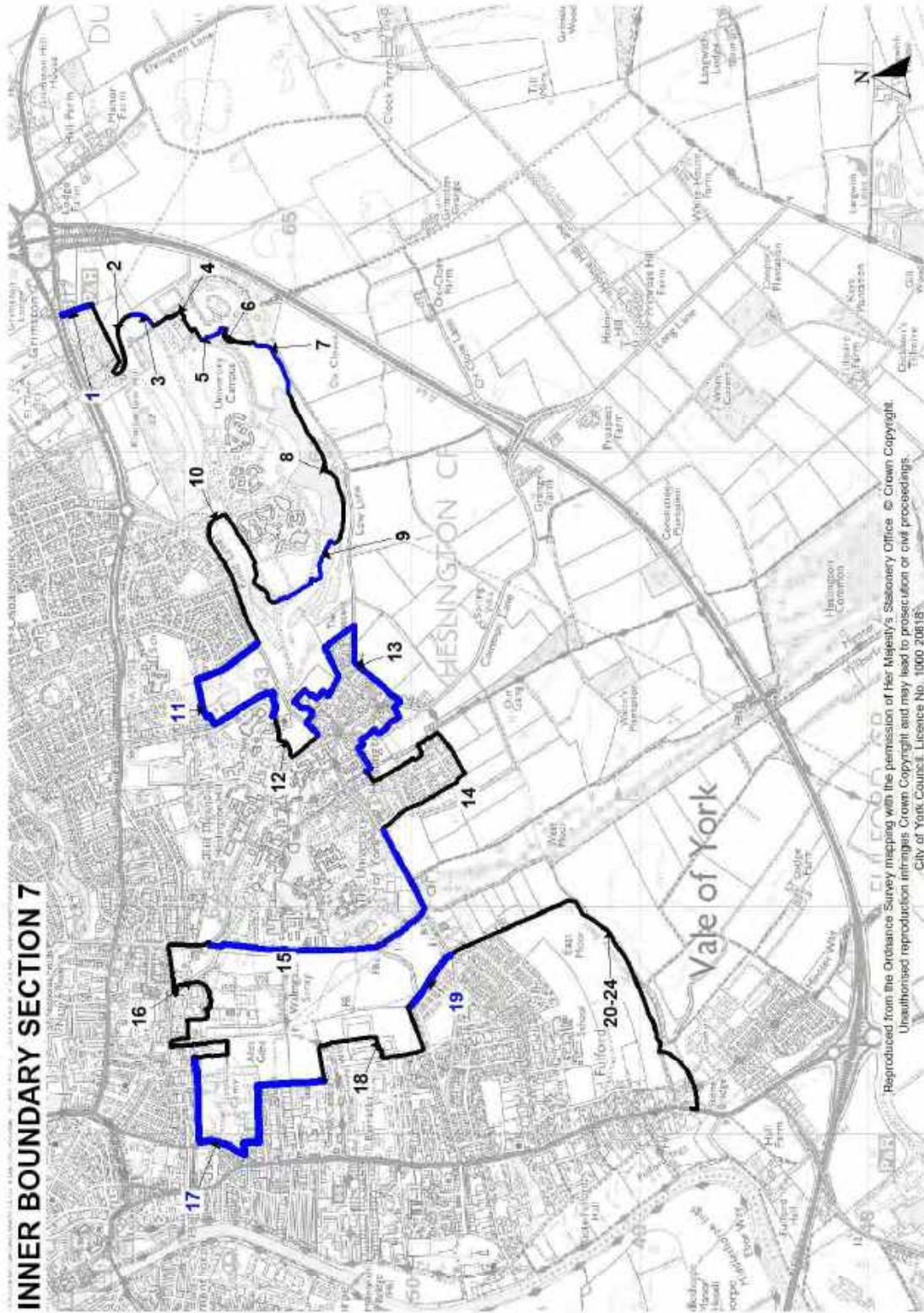


**PLAN 4**

Council Proposed Green Belt Boundary to Campus East and Heslington: Inner Boundary  
Section 7: 2 to 10



# INNER BOUNDARY SECTION 7

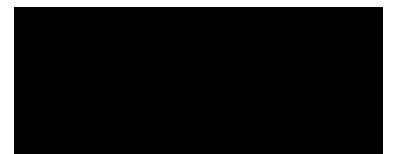



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**PLAN 5**

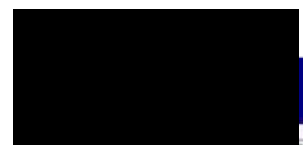
Campus East Proposed Modification PM85 eastern boundary



<b>Modification Ref:</b> PM 85	<b>Proposed Detailed Inner Green Belt Boundary Modification</b>		<b>Evidence base location</b>
	<b>Document location</b> Policies Map South	<b>Name of Area of Change</b> PM85 University of York Campus East, Eastern Boundary	
<b>Proposed Modification</b>		 <p>Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. City of York Council. Licence No. 1000 20818</p> <p>It is proposed that the green belt boundary should follow the edge of the park and ride, Lakeside Way and the built indoor sports provision</p>	<b>Reason: Consistency with the Green Belt methodology</b>

**PLAN 6**

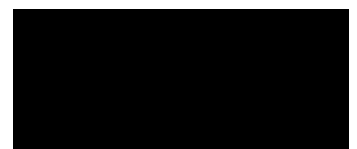
Campus East Proposed Modification PM86 western boundary

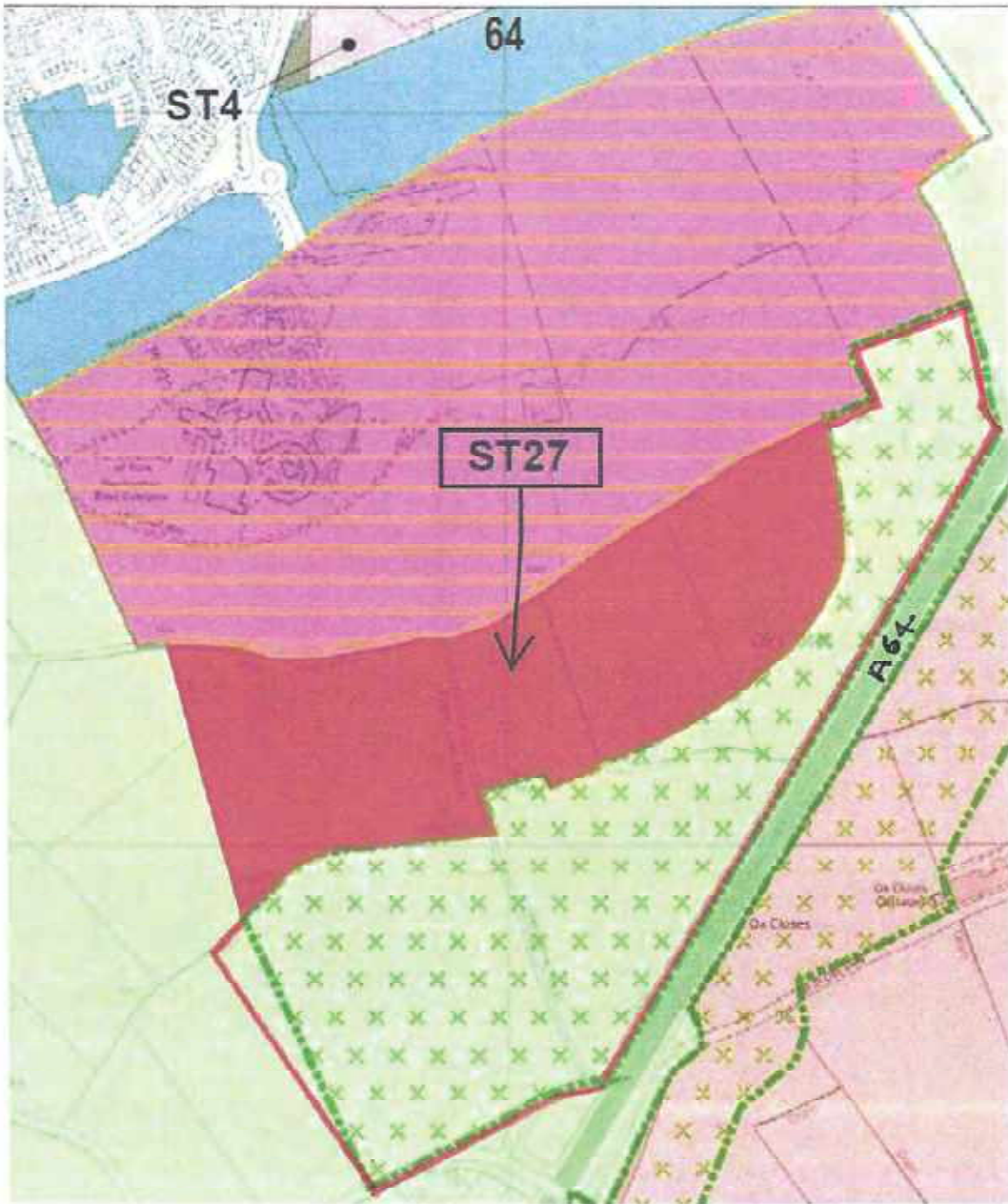


<b>Modification Ref:</b> <b>PM 86</b>	<b>Proposed Detailed Inner Green Belt Boundary Modification</b>		<b>Evidence base location</b>
<b>Document location</b> Policies Map South	<b>Name of Area of Change</b> PM86 University of York Campus East, Western Boundary	TP1 Addendum Annex 3 Section 7 Boundaries 9 to 10	
<b>Proposed Modification</b>	<div data-bbox="487 840 1136 1764" data-label="Image"> </div> <p data-bbox="1144 756 1193 1911">           Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. City of York Council. Licence No. 1000 20818         </p> <p data-bbox="1218 756 1291 1911"> <b>It is proposed that the green belt boundary should follow the northern lake side and the built edge of consented development.</b> </p>		
<b>Reason: Consistency with the Green Belt methodology</b> To represent planning consent			

**PLAN 7**

University Proposed Campus East Extension Allocation ST27 and landscape buffer





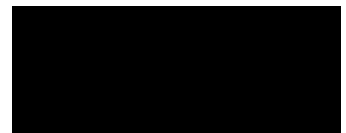
■ Proposed extension area

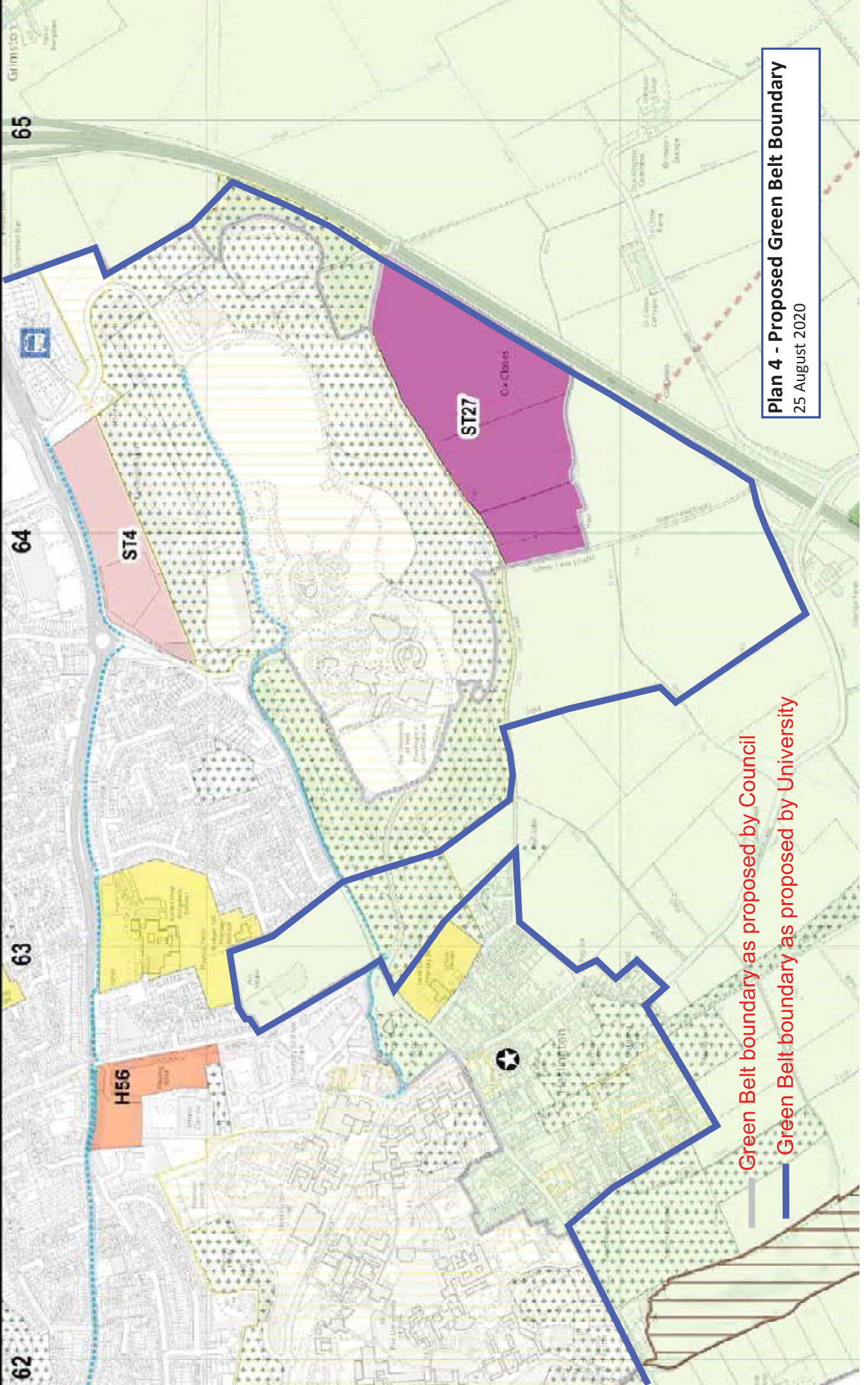
□ Additional extension area

- removed from Green Belt
- to include landscape buffer to A64

**PLAN 8**

University Proposed green belt boundary





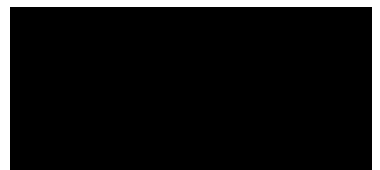
**Plan 4 - Proposed Green Belt Boundary**  
25 August 2020

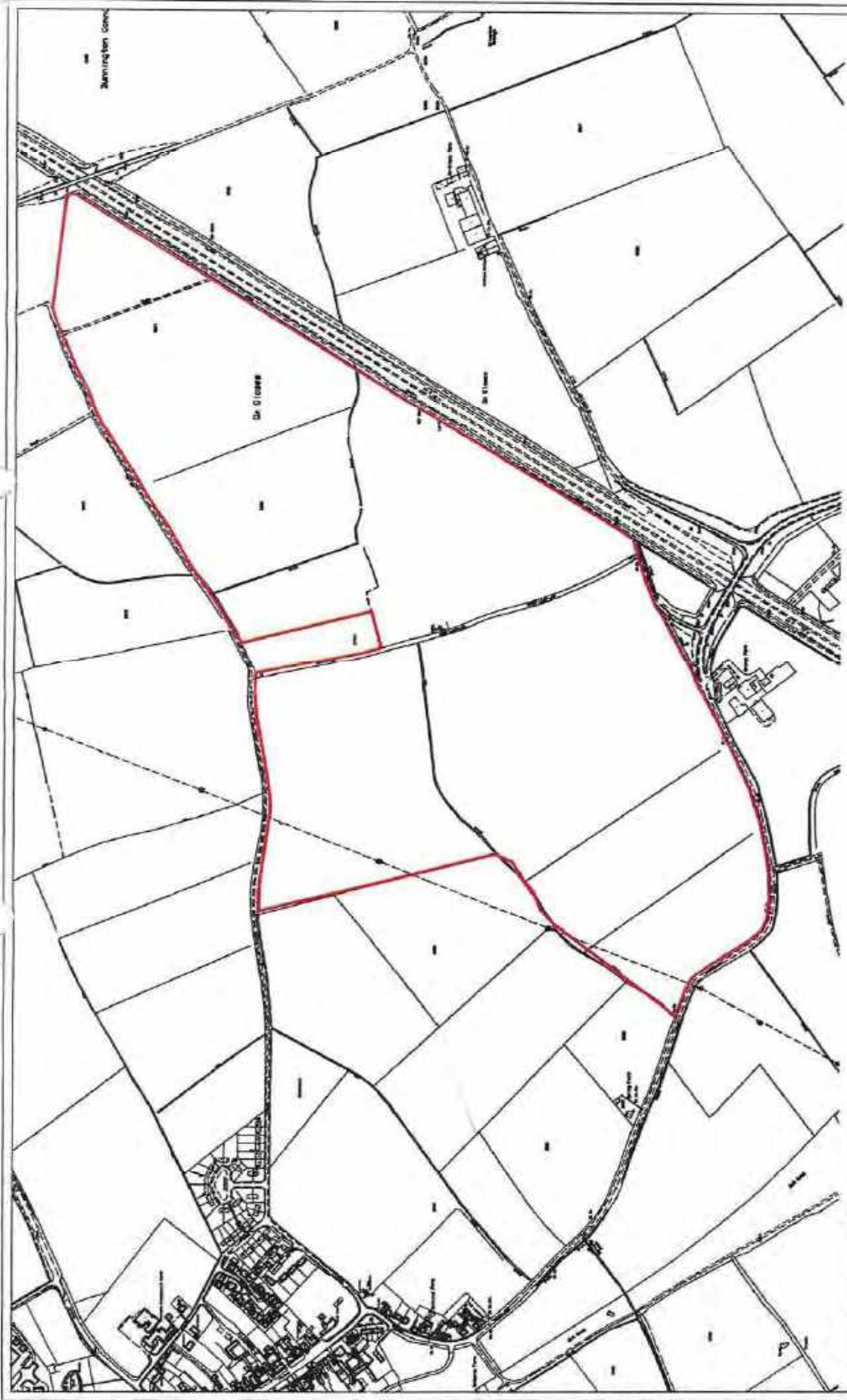
— Green Belt boundary as proposed by Council  
— Green Belt boundary as proposed by University



**PLAN 9**

University Plan of Pre-Emptive Agreement to acquire land south of Low Lane, Campus  
East extension



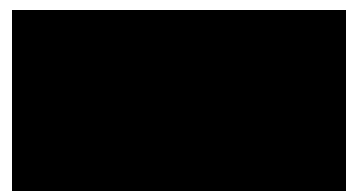


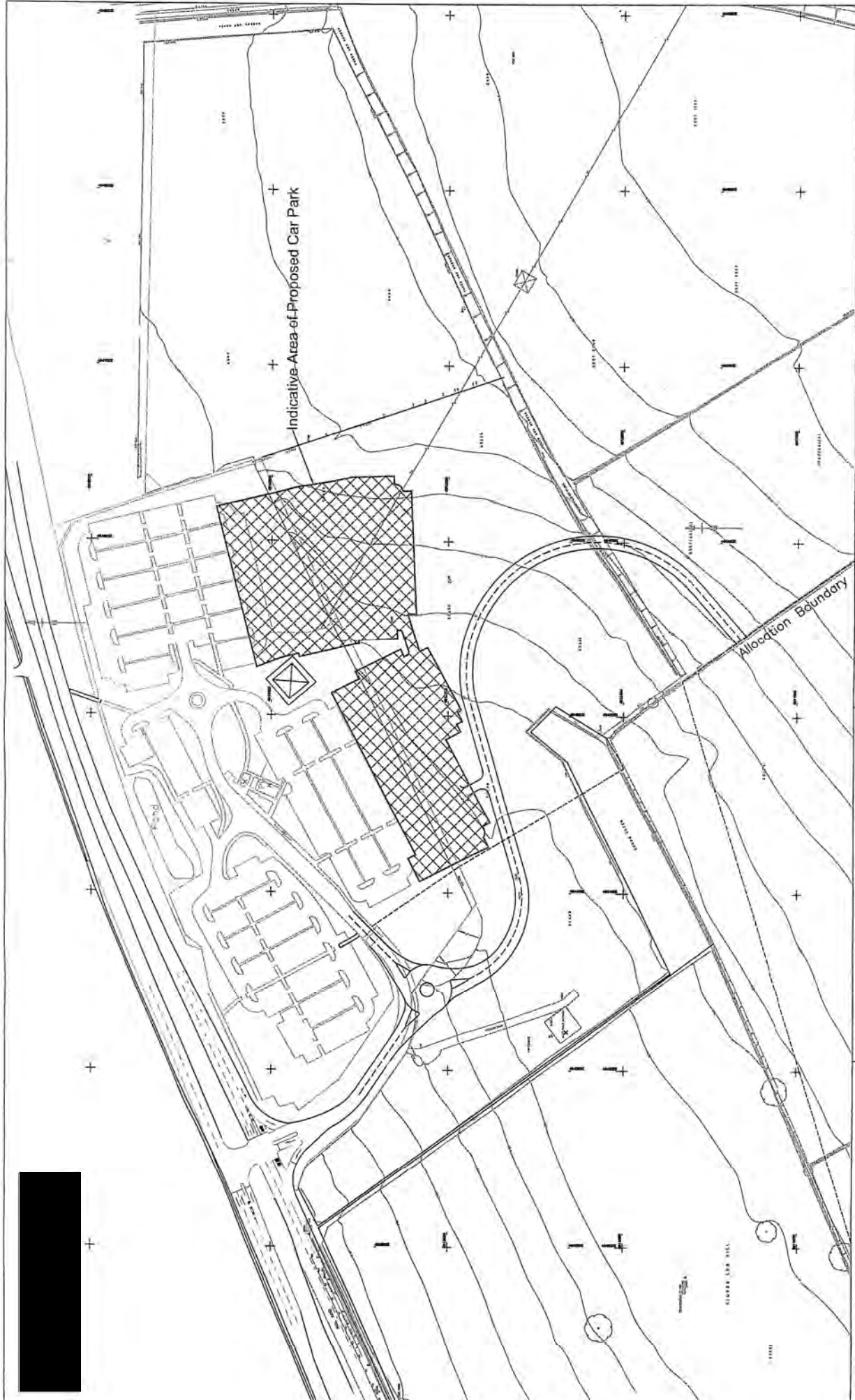
SCALE 1:7500

Heslington East Development  
Pre-emptive agreement to acquire land South of Low Lane  
Boundary of the land to which the agreement applies

**PLAN 10**

Campus East outline permission – approved Plan F (iii) ‘Proposed Eastern Access from  
Grimston Bar Park & Ride’



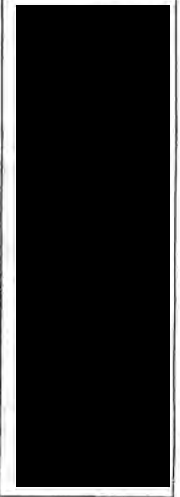


Title: **Proposed Eastern Access from Grimston Bar Park & Ride**

AutoCAD Location: F:\PROJECTS\30080\Acad\COPA April 2004 Figures\Fig 4.3.dwg

No. **PLAN F (iii)**

Rev:



Project: **Heslington East Campus**

Design: SP	Date: February 2004	Chkd: SCW
Drawn: KM	Scale: 1:2000	App'd: DAP

Sheet Size - A3 (400mm x 275mm)

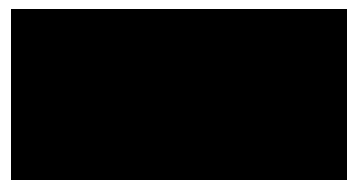
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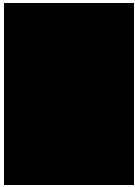
**THE UNIVERSITY of York**

APPENDIX A

CAMPUS EAST EXTENSION:

OPTIONS IN RELATION TO DEVELOPMENT CAPACITY:





# University of York

## Campus East extension

### Extension options

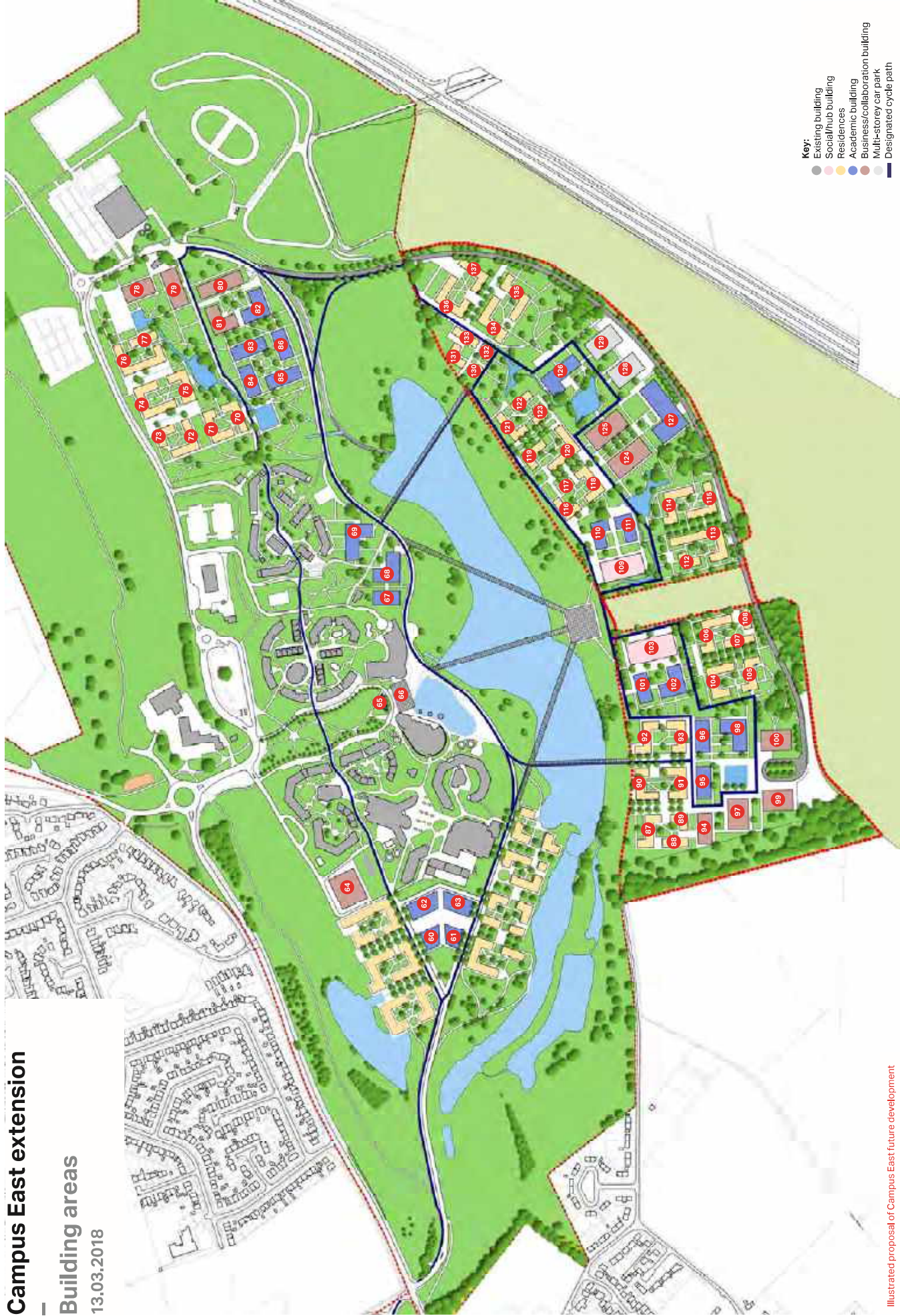
**Date**  
13 March 2018



# Campus East extension

## Building areas

13.03.2018



- Key:**
- Existing building
  - Social/hub building
  - Residences
  - Academic building
  - Business/collaboration building
  - Multi-story car park
  - Designated cycle path

Campus East (existing - north of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
60	Academic	Western gateway	650	3	1950
61	Academic	Western gateway	650	3	1950
62	Academic	Western gateway	1200	3	3600
63	Academic	Western gateway	1200	3	3600
64	Business/collaboration	Catalyst car park	1900	2	3800
65	Entrance pavilion	Central vista	200	1	200
66	Glazed canopy	Ron Cooke/Plaza	1000	-	1500
67	Academic	Lakeside Way	750	2	1500
68	Academic	Lakeside Way	1250	3	3750
69	Academic	Lakeside Way	1400	3	4200
70	Residential	North east	750	3	2250
71	Residential	North east	900	3	2700
72	Residential	North east	900	3	2700
73	Residential	North east	500	4	2000
74	Residential	North east	1300	4	5200
75	Residential	North east	900	3	2700
76	Residential	North east	1350	4	5400
77	Residential	North east	500	3	1500
78	Business/collaboration	North east	1100	3	3300
79	Business/collaboration	North east	1300	3	3900
80	Business/collaboration	North east	1350	3	4050
81	Academic	North east	1200	3	3600
82	Academic	North east	1200	2	2400
83	Academic	North east	1000	3	3000
84	Academic	North east	900	3	2700
85	Academic	North east	1000	2	2000
86	Academic	North east	900	2	1800
<b>TOTAL</b>					<b>75750</b>

Campus East (existing - north of lake)			
Use	Total building GIA (sqm)	% total	
Residential	24450	32%	
Entrance pavilion	200	0%	
Academic	32450	43%	
Business/collaboration	18650	25%	
<b>TOTAL</b>	<b>75750</b>		

Campus East (extension - south of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
87	Residential	Phase I	850	3	2550
88	Residential	Phase I	450	4	1800
89	Residential	Phase I	450	4	1800
90	Residential	Phase I	900	3	2700
91	Residential	Phase I	1050	4	4200
92	Residential	Phase I	850	3	2550
93	Residential	Phase I	850	4	3400
94	Business/collaboration	Phase I	900	3	2700
95	Academic	Phase I	1000	2	2000
96	Academic	Phase I	1000	3	3000
97	Business/collaboration	Phase I	1300	2	2600
98	Academic	Phase I	1300	2	2600
99	Business/collaboration	Phase I	1300	3	3900
100	Business/collaboration	Phase I	1300	3	3900
101	Academic	Phase IIa	850	2	1700
102	Academic	Phase IIa	1200	3	3600
103	Social/hub	Phase IIa	2250	4	9000
104	Residential	Phase IIa	1100	3	3300
105	Residential	Phase IIa	850	4	3400
106	Residential	Phase IIa	1050	3	3150
107	Residential	Phase IIa	500	4	2000
108	Residential	Phase IIa	300	4	1200
109	Social/hub	Phase IIb	1800	3	5400
110	Academic	Phase IIb	800	3	2400
111	Academic	Phase IIb	800	3	2400
112	Residential	Phase IIb	500	3	1500
113	Residential	Phase IIb	1500	3	4500
114	Residential	Phase IIb	1000	4	4000
115	Residential	Phase IIb	950	3	2850
116	Residential	Phase III	600	4	2400
117	Residential	Phase III	300	3	900
118	Residential	Phase III	850	3	2550
119	Residential	Phase III	650	4	2600
120	Residential	Phase III	1050	3	3150
121	Residential	Phase III	700	4	2800
122	Residential	Phase III	400	3	1200
123	Residential	Phase III	400	4	1600
124	Business/collaboration	Phase III	1800	4	7200
125	Business/collaboration	Phase III	1800	2	3600
126	Academic	Phase III	1500	3	4500
127	Academic	Phase III	2750	3	8250
128	Multi-storey car park	Phase III	1400	2	2800
129	Multi-storey car park	Phase III	1400	3	4200
130	Residential	Phase IV	325	3	975
131	Residential	Phase IV	500	4	2000
132	Residential	Phase IV	325	3	975
133	Residential	Phase IV	500	4	2000
134	Residential	Phase IV	1050	3	3150
135	Residential	Phase IV	1050	4	4200
136	Residential	Phase IV	1100	3	3300
137	Residential	Phase IV	800	3	2400
<b>TOTAL</b>					<b>158150</b>

Campus East (extension - south of lake)		
Use	Total building GIA (sqm)	% total
Residential	81100	51%
Social/hub	14400	9%
Academic	31750	20%
Business/collaboration	23900	15%
Multi-storey car park	7000	4%
<b>TOTAL</b>	<b>158150</b>	

Please note that these areas have been prepared for the University of York. They are indicative only and are subject to layout changes. Any decisions to be made on the basis of these, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for the increases and decreases inherent in the design development and building processes.



# Campus East extension (reduced option)

## Building areas

13.03.2018

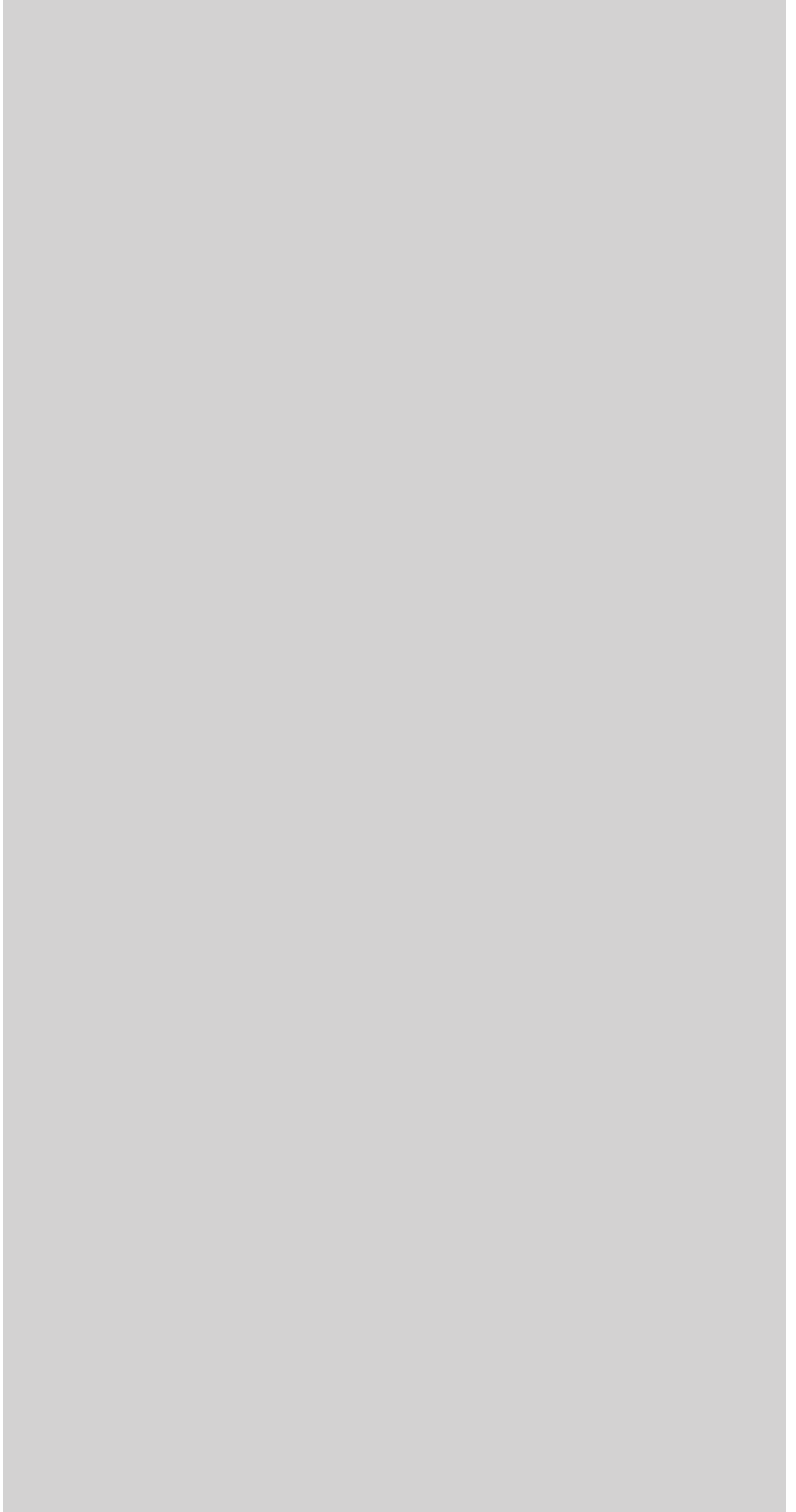
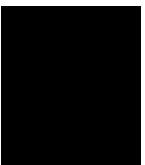
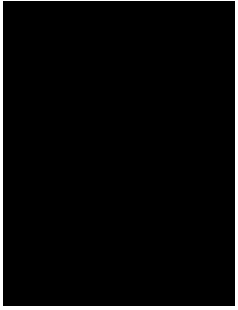


- key:**
- Existing building
  - Social/hub building
  - Residences
  - Academic building
  - Business/collaboration building
  - Multi-storey car park
  - Designated cycle path

Campus East (extension - south of lake)					
Building	Use	Location	Floorplate area	Floors	Total building GIA (sqm)
1	Residential	South of lake	1000	3	3000
2	Residential	South of lake	1000	4	4000
3	Residential	South of lake	500	3	1500
4	Residential	South of lake	1500	3	4500
5	Residential	South of lake	1150	3	3450
6	Residential	South of lake	800	4	3200
7	Residential	South of lake	1050	3	3150
8	Residential	South of lake	950	4	3800
9	Social/hub	South of lake	1500	2	3000
10	Academic	South of lake	1350	3	4050
11	Business/collaboration	South of lake	900	2	1800
12	Business/collaboration	South of lake	1500	2	3000
13	Business/collaboration	South of lake	1500	3	4500
14	Academic	South of lake	1250	3	3750
15	Academic	South of lake	2750	3	8250
16	Business/collaboration	South of lake	1400	2	2800
17	Business/collaboration	South of lake	1400	3	4200
18	Business/collaboration	South of lake	1500	2	3000
19	Multi-storey car park	South of lake	2800	2	5600
<b>TOTAL</b>					<b>70550</b>

Campus East (extension - south of lake)			
Use	Total building GIA (sqm)	% total	
Residential	26600	38%	
Social/hub	3000	4%	
Academic	16050	23%	
Business/collaboration	19300	27%	
Multi-storey car park	5600	8%	
<b>TOTAL</b>	<b>70550</b>		

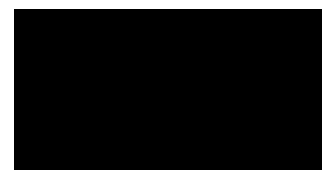
Please note that these areas have been prepared for the University of York. They are indicative only and are subject to layout changes. Any decisions to be made on the basis of these, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for the increases and decreases inherent in the design development and building processes.



APPENDIX B

GROWTH RATIONALE FOR CAMPUS EXTENSION:

UNIVERSITY OF YORK APRIL 2020





City of York Local Plan  
University Growth Rationale for Campus  
Extension  
April 2020  
Statistics Updated November 2019



## City of York Local Plan, Update 2020

### University of York Growth Rationale for Campus Extension to the South of Campus East, April 2020

#### Introduction and Summary

1. This report from the University of York's Director of Estates & Campus Services provides an update to the evidence that explains why as a minimum the entire 26ha (ST27) site to the south of the lake on Campus East is needed as further University campus extension land within the time horizon of the City of York Local Plan extended to 2037/8. Developing the land facilitates the anticipated growth of the University's own space and the knowledge exchange space that supports the growth of the wider economy of the City.
2. The Local Plan is now in the hands of the Planning Inspectors who are conducting the examination hearings, this report updates the Growth Rationale Report<sup>1</sup> submitted in April 2018 as part of the wider suite of representations made on behalf of the University by O'Neill Associates to the City of York Local Plan.
3. The previous report in 2018 considered growth scenarios (ranging from 0.5% to 4% p.a. in terms of student numbers) and concluded that the entire 26ha site ST27 is needed for development within the Local Plan period to 2032/3. The Local Plan's alternative smaller allocation is grossly inadequate and does not appear to be based on a meaningful evidence base. This report uses more up to date data and reconfirms that the University's position remains unaltered.

#### The University

4. The University of York is a high quality Russell Group academic institution. Economic analysis carried out in November 2018 by London Economics<sup>2</sup> evidenced that the total economic impact associated with the University of York's activities in 2016-17 was estimated to be approximately £1,820.5 million. It is the number one Russell Group in the National Student Experience Survey and has the highest possible rating at Gold in the Teaching Excellence Framework. For a University of its size it is also very highly rated in Research with annual research funding of £70m+ that has increased 35% over the last five years and over the last year the University has been awarded a number of highly prestigious grants for research including from the Leverhulme Trust and the UK Research Partnership Investment Fund.

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<sup>1</sup> University of York – Growth Rationale for Campus East Extension to the South of the Lake. Submission to the City of York Local Plan. March 2018.

<sup>2</sup> The Economic, Social, Cultural Impact of the University of York, London Economics. November 2018.

5. In addition to the University's strength in teaching and research, it is also a strong contributor to knowledge exchange. This is in part through its work with knowledge based industries on its existing Science Park, elsewhere on the campus through ERDF funded facilities, as well as with businesses located off campus. Its Science Park has remained at capacity since being built in the early 1990s.
6. The University is of crucial importance to the City's economy, both from the direct effects of employment and student population (and retention) but also the indirect effects from spin off knowledge base industries and other indirect effects.

### **Historic Growth and Scenarios for Future Growth**

7. The University started out with 230 students in 1963. Its purpose is to be a body that delivers public good through its teaching, research and knowledge exchange. By 1993 it had grown to about 8,500 students and by the time it had submitted plans in 2004 for the extension on Campus East it had about 10,000 students. Since then, student numbers have grown by over 80%. The University is one of the smallest of the Russell Group (research intensive) Universities and generates much smaller surpluses than its rivals. To remain successful and sustainable over the medium term the University will need to continue to grow further to generate the surpluses needed for following reasons, inter alia:
  - a. to renew its original 1960s estate, which is in poor condition, is not fit for purpose and is, in part, now Grade II Listed;
  - b. to support its research activity, which is only part funded by research bodies;
  - c. to fund the fall in real terms in home student fees which have been fixed at £9,250.
  - d. to drive the growth of the economy by investing in enterprise activity.

Therefore the failure to create the funds to reinvest will lead to a fall in the reputation and capability of the University to carry out its purpose.

8. The previous report<sup>1</sup> considered six potential scenarios for future growth between 2018 and 2038. These were
  - Scenario 1 - 0.50% per annum, leading to circa 19,100 students by 2038
  - Scenario 2 - 1.00% per annum, leading to circa 21,200 students by 2038
  - Scenario 3 - 1.25% per annum, leading to circa 22,300 students by 2038
  - Scenario 4 - 1.50% per annum, leading to circa 25,500 students by 2038
  - Scenario 5 - 2.00% per annum, leading to circa 26,000 students by 2038
  - Scenario 6 - 4.00% per annum, leading to circa 39,200 students by 2038

The following were concluded:

- The University's growth aspirations in teaching, research and knowledge exchange, Scenario 3 or 4 was the minimum likely scenario for prudent long-term growth planning at this stage of the Local Plan; and
- That Scenario 5 and 6 were foreseeable given the University's reputation and the fact that these are less than (Scenario 5) or equal (Scenario 6) to the actual growth over the last decade.

## Growth Planning Methodology

8. The model prepared in 2018, planned residential space, academic and supporting space needs. Within this the basic building block for the residential element of the model is the University's College system. A College is typically of 600 - 700 student bedrooms built together with the associated social facilities. There are currently nine Colleges, with College 10 and 11 planned for Campus East that open by 2022. An equivalent, in net terms, of College 12 is then allowed for on Campus West once demolition and substitutions have been taken into account. Once this is built, College 13, 14, 15, 16 and so on would be built on Campus East and the expansion area.
9. The assumptions in the model are described more fully in the 2018 report, but by way of summary the model:
  - a. Plans each future cluster of development as a series of mixed use neighbourhoods with each comprising College, teaching, research and knowledge exchange space;
  - b. distinguished between International Pathway College (IPC), Undergraduate (UG), and Postgraduate (PG) students and between Home/EU and Overseas students;
  - c. acknowledged that in line with the University's policy all first year UGs are offered (and should be offered in the future) one of the University's 6,100 bedrooms, along with as many returning UGs and Overseas PGs as possible in the interest of sustainable city planning, of reducing pressure on HMOs and of great student experience;
  - d. sought to accommodate the growing number of first years, increase the number of returning UGs able to be accommodated to 15%; and
  - e. applied University space policies, norms and empirical experience to calculate the amount of academic, Knowledge Exchange, and business space within each future cluster.

## 2018 Report Conclusions

10. The 2018 modelling calculated the Residential, Academic and Supporting space required in each scenario and compared this with the land available by drawing up an illustrative masterplan<sup>3</sup> for the remainder of Campus East and the Extension land to the South. (See Appendix 1). Results are summarised below in Table 1.

**Table 1\* - Summary of 2018 Modelling, taken from the 2018 Report.**

Scenario	Sc 1	Sc 2	Sc 3	Sc 4	Sc 5	Sc 6
Growth Rate to 2038	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos (FTE) at 2038	19,100	21,200	22,300	23,500	26,000	39,200
Extra Students (FTE) vs 2017	1,901	4,000	5,131	6,318	8,876	22,011

<sup>3</sup> University of York Campus East. Development Options for Masterplan for Extension site. March 2018 [Submission to City of York Local Plan]



% of 26ha of ST27 needed	13%	56%	92%	115%	150%	420%
Ha required	3.5	14.7	23.9	30.0	39.5	110.0
Year when 26ha of ST27 used up			2039	2035	2031	2024

\* The full table is given in Appendix 2.

12. The 2018 Report analysis showed that at about 22,500 students, all of the 26ha of ST27 site would be developed. This threshold is reached in Scenario 4, 5 and 6 and substantially reached in Scenario 3.
13. The 2018 Report therefore concludes that even the modest growth outlined in Scenario 3 would require nearly all (92%) of the ST27 site by the end of the Plan Period. Moreover, it states with reference to the Nicol 2018 Economic Report<sup>4</sup> that failing to allocate the entire site as requested by the University will curtail the growth of the University and therefore the economy. Unless the full allocation of ST27 is made, it will:
- a. Limit the growth of the University's residential and academic space, which limits the University's direct contribution to the economy.
  - b. Limit the expansion of research, associated business and knowledge transfer activities which are so important to growth in biotechnology, agri-tech, renewables, IT and Digital sectors in the local economy.
  - c. Constrain the amount of business space for research-led Science Park uses and therefore limit inward investment into the local economy.

### Update Since March 2018

14. Over the last 18 months University growth has continued steadily. Student numbers were at 17,200 (FTE) when writing the 2018 report and have grown to 18,100 (FTE) for academic year 2018/19. **This means that average growth in student numbers over the last ten years has been at about 4% per annum.** Overall financial turnover of the University continues to increase from £346m in 2016/17 to £367m in 2017/18.
15. The built estate is continuing to expand as further space is required. A further £250m of investment is being made in the Campus over the next three years. This includes in Science & Medical facilities, and a new Management School facility on Campus West; and two more Residential Colleges (1,480 beds in all), an Energy Centre, a new Nursery and the RPIF funded Robotics building on Campus East.
16. In 2018 Historic England listed some of the original University buildings on Campus West as well as deeming much of the original landscape as a Registered Park & Garden. This will make it harder to redevelop Campus West, requiring less intensive development than was envisaged prior to the listing and will put even more onus on Campus East and the ST27 extension land being developed to facilitate the necessary growth in space.

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<sup>4</sup> Economic Benefit from the Expansion of the University of York. April 2019. Nicol Economics. [Submission to City of York Local Plan]

17. Taking the modelling and updating it to reflect the fact that 2018 student numbers were at 18,112 an increase of about 900 students from the 2017 figure used in the 2018 modelling, leads to Table 2 below.

**Table 2 - Summary of 2019 Update to Modelling.**

<b>Scenario</b>	<b>Sc 1</b>	<b>Sc 2</b>	<b>Sc 3</b>	<b>Sc 4</b>	<b>Sc 5</b>	<b>Sc 6</b>
Growth Rate to 2038	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos (FTE) at 2038	20,012	22,100	23,220	24,394	26,913	39,686
Extra Students (FTE) vs 2017	2,799	4,887	6,007	7,181	9,700	22,473
% of 26ha of ST27 needed*	40%	85%	100%+	115%+	150%+	420%+
Ha required	10	22	27	33	40	112
Year when 26ha of ST27 used up		2040	2036	2032	2029	2024

*\*Estimate only, based on modelling given in Appendix 6 of Reg. 19 Repts.*

18. Given that the capacity of the current estate including the land on Campus East and the ST27 Land is 22,500 students, in the revised modelling the ST27 land is used up by 2038 in all Scenarios except Scenario 1 and 2, and is almost entirely used up in Scenario 3 by 2038 also. The University clearly considers that Scenario 1 and 2's low level of growth is highly unlikely.

### The Effects of Covid-19

19. The short term effects of the Covid-19 crisis have been significant for the University which has worked very hard with the public authorities to seek to ensure that students have returned to their homes as safely as possible, whilst continuing to provide remote teaching and assistance for those who need it.
20. Once the Covid-19 crisis is over, even if that lasts upwards of 12 months there is no reason to consider that the baseline for the growth assumptions would be diminished. To the contrary scenario 3 remains highly unlikely for the above reasons, but the effect of a hiatus of, say 18 months before growth resumes would still mean that under the more probable scenarios 4 and 5 that the expansion area will be used up by the end of the plan period. In other words, despite the disruption caused by the current crisis, the University's position with regard to the need for the expansion land remains realistic and achievable.

### **Development Timing Issues**

#### Land Ownership

21. Halifax Estates is the freeholder of the current Campus East land having granted the University a 300 year leasehold interest. Halifax Estates also own the great majority of the ST27 land.

22. Subject to the case being made for all of the ST27 land being brought out of green belt, the University will purchase the land from Halifax Estates. In anticipation of this, negotiations are underway about the transaction, which is likely to result in the University being granted a long leasehold interest. The University has a pre-emptive agreement on the ST27 and also adjoining land to the south and west, which makes it available for University occupation, (see plan in planning statement).

### Infrastructure Costs

23. The University has also carried out an assessment of the infrastructure works required to develop the site from its current status as farm land. A report<sup>5</sup> prepared by the University over the last six months has estimated this infrastructure cost as being in the order of £50m.

### Green belt Removal vs Safeguarding of Land

24. There might be a suggestion from objectors or the Planning Inspectors that the whole of ST27 land could be taken out of the green belt and safeguarded for future development rather than being allocated in the current Local Plan process. From the sequencing described below, it is clear that this would be problematic for the University as it needs to begin the planning of all of this future development well within the plan period. Safeguarding is ordinarily land which is intended to be reviewed at the end of the plan period – if such a policy was to be pursued then it is anticipated that needs beyond the end of the plan period would indeed warrant additional land releases, however the time horizon is sufficiently far into the future that it seems prudent that this is a matter to consider at the point of any plan review (which should occur every 5 years).

### Development Sequencing

25. Creation of further residential Colleges on campus is the critical factor in planning the estate, and there is a significant lead time. Accordingly, the University has begun planning for the equivalent of College 12, through a series of demolitions and smaller scale new build residential schemes on Campus West, which are likely to be created before 2022.

26. As mentioned above, the scale of this development is more constrained now than envisaged in the 2018 submission because of the listing of key buildings and of the original campus landscape. Growth can only really be accommodated on Campus East and the ST27 extension site.

27. The remaining Campus East space is planned to be developed as mixed use neighbourhoods as set out in the earlier assumptions. This means that following completion of the current College 10 and 11 scheme and the RPIF funded Robotics

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<sup>5</sup> Heslington (Low Lane South Development) Infrastructure Strategy Report, University of York. September 2018.

building, Campus East has space for one further College (13) of 800 bedrooms, 16,000 sq m of academic space and 15,000 sqm of knowledge exchange and business space.

28. For illustrative purposes, even if the University moved away from its principles of good design and made the balance of land on Campus East allocated only to Colleges, there is only space for two further Colleges (13 and 14). This would also constrain academic and Knowledge Exchange activity, and does not meet the University's objectives.
- 29. Therefore, it is envisaged that the first of the new academic buildings would have to be complete on the ST27 site by the late 2020s for Scenario 1, as the slowest of the growth trajectories. For Scenario 6, as the fastest growth trajectory, the first of the academic buildings on the ST27 site would need to be opened by the mid-2020s.**
30. College 13 is required by 2023 in all scenarios, which means with a two year build period and one year procurement process (at best) the University needs to begin planning for this in 2020. College 14 is required by 2025 in all scenarios, which means the University would need to start the procurement process in 2022. Before doing so (in 2020) the University would need to have approved the infrastructure investment for ST27.

## Conclusions

31. The University of York has grown in reputation and size since being formed in the 1960s. Between 2009 and 2018 it has grown by 40% to over 18,000 students (2018/19) and continues to be highly successful in teaching, research and knowledge exchange activity, making a wider economic contribution of £1.8bn each year.
32. In order to sustain this economic impact, and to ensure the University remains successful, further growth will be required and is being planned for. The University's design principle is that each cluster remaining to be developed on Campus East and all clusters on the whole of ST27 would have a mix of residential, academic and knowledge exchange development.
33. Using this principle, the original submission to the Local Plan in 2018 used six growth scenarios ranging from 0.5% to 4.0% to evidence that all but the lowest two (Scenario 1 and Scenario 2) required all 26ha of the ST27 site to be developed within the Local Plan period. This remains the position even having regard to the probable disruption caused by Covid-19.
34. This report acts as an update on these Scenarios to reflect the most recent student numbers, on-going developments on the estate and current planning information - including the listing of much of the original estate. It shows that given the University's continued growth (4% per annum over recent years) that in the latest modelling all but Scenario 1 and 2 will require the entire 26 ha of the ST27 site to be built out within the plan period. Scenario 2 has now increased to requiring approximately 85% of the ST27 land.

35. This report also makes the point that development of the 26ha of the ST27 site is not only necessary for the longer term planning of the University but becoming more imminent and with current level of growth continuing is likely to be built on from the early to mid-2020s.

Stephen Talboys  
**Director of Estates & Campus Services**  
University of York

**Appendix 1:** Masterplan Map- Extract from Report No 3.

**Appendix 2:** Summary Table taken from 2018 Growth Report

**Appendix 3:** Summary of Update to Modelling, November 2019



Summary Table taken from Space Modelling in 2018 Growth Report

Scenario	1	2	3	4	5	6
<b>Growth</b>						
Growth Assumption	0.50%	1.00%	1.25%	1.50%	2.00%	4.00%
Student Nos at 2038 (fte) <sup>1</sup>	19,114	21,213	22,344	23,531	26,089	39,224
Additional total student numbers (fte)	1,901	4,000	5,131	6,318	8,876	22,011
<b>Residential Demand vs Supply</b>						
Student Beds needed	8,836	9,807	10,329	10,878	12,061	18,133
Supply to a maximum of 10760 beds on Campus East	8,760	9,760	10,760	10,760	10,760	10,760
No of Colleges needed (each of 600 - 1000 beds)	14	15	16	16	18	25
No of additional Colleges needed	3	4	5	5	7	14
<b>Academic and Supporting Space</b>						
Additional space required for staff to support increase in Student Numbers (NIA meters squared)	1,901	4,000	5,131	6,318	8,876	22,011
Additional teaching space required for increase in Student Numbers (NIA meters squared)	1,855	3,905	5,008	6,167	8,664	21,486
Additional space for central support (Library and central support services)	3,862	8,129	10,426	12,840	18,038	44,731
Additional space for catering	10,379	21,845	28,018	34,503	48,473	120,204
Additional space for commercial/retail	552	1,162	1,490	1,835	2,578	6,394
Additional research space not offices	1,266	2,663	3,416	4,207	5,910	14,656
Additional Lab space not research	2,120	4,462	5,723	7,048	9,901	24,552
NIA	20,587	43,328	55,572	68,435	2,578	238,417
GIA (85% gross to net)	<b>24,220</b>	<b>50,974</b>	<b>65,378</b>	<b>80,512</b>	<b>96,142</b>	<b>280,491</b>
Academic space (sqm) <u>south of lake</u>	0	18,500	31,750	48,000	63,700	248,000
Knowledge exchange space (sqm) <u>south of lake</u>	0	10,800	23,900	36,000 <sup>3</sup>	47,000 <sup>3</sup>	185,000 <sup>3</sup>
Knowledge exchange land area (ha) <u>south of lake</u>	0	1.2	3.4	5.1 <sup>3</sup>	6.7 <sup>3</sup>	26.4 <sup>3</sup>
Knowledge exchange land area (%) <u>south of lake</u> <sup>2</sup>	0%	5%	13%	17%	17%	24%
<b>Percentage of 26 ha required</b>	<b>13%</b>	<b>56%</b>	<b>92%</b>	<b>115%</b>	<b>150%</b>	<b>420%</b>
Ha required	3.5	14.7	23.9	30.0	39.5	110.0

Footnotes

1. Overall student FTE projections (excluding visiting students, students in the initial year of the IPC, and Centre for Lifelong Learning)

2. i.e. 5% of the available 26ha, not 5% of 56;

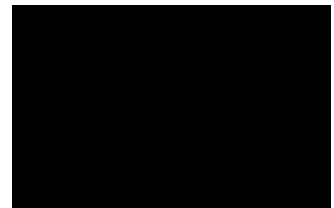
3. N.B. this is taking the assumption that we can create a 'what if' situation, where there is an infinite amount of land to expand into, and the masterplan philosophy of mixed use neighbourhoods can be continued

City of York Local Plan, Update 2019		University of York Growth Rationale for Campus Extension to South of Campus East November 2019																		Appendix 3				
University of York		Update to Student Number Modelling for Local Plan Extension Land Case																		Ver 01		Nov 19		
Year	16/17	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	% ST27
Student Nos Actual	16,475	17,213	17,299	17,386	17,472	17,560	17,648	17,736	17,825	17,914	18,003	18,093	18,184	18,275	18,366	18,458	18,550	18,643	18,736	18,830	18,924	19,019	19,114	13%
Student Nos Planned		17,213	17,385	17,559	17,735	17,912	18,091	18,272	18,455	18,639	18,826	19,014	19,204	19,396	19,590	19,786	19,984	20,184	20,385	20,589	20,795	21,003	21,213	56%
MTP																								92%
Student Growth			738	889																				115%
Factor	1.005	1.010	1.015	1.020	1.040																			150%
Sc 1 - 0.50%	17,213	18,112	18,203	18,294	18,385	18,477	18,569	18,662	18,756	18,849	18,944	19,038	19,133	19,229	19,325	19,422	19,519	19,617	19,715	19,813	19,912	20,012	20,114	40%
Sc 2 - 1.00%	17,213	18,112	18,293	18,476	18,661	18,847	19,036	19,226	19,419	19,613	19,809	20,007	20,207	20,409	20,613	20,819	21,027	21,238	21,450	21,665	21,881	22,100	22,320	85%
Sc 3 - 1.25%	17,213	18,112	18,338	18,568	18,800	19,035	19,273	19,514	19,757	20,004	20,255	20,508	20,764	21,024	21,286	21,552	21,822	22,095	22,371	22,650	22,934	23,220	23,508	105%
Sc 4 - 1.50%	17,213	18,112	18,394	18,659	18,939	19,223	19,512	19,804	20,102	20,403	20,709	21,020	21,335	21,655	21,980	22,310	22,644	22,984	23,329	23,679	24,034	24,394	24,759	125%
Sc 5 - 2.00%	17,213	18,112	18,474	18,844	19,221	19,605	19,997	20,397	20,805	21,221	21,646	22,078	22,520	22,970	23,430	23,898	24,376	24,864	25,361	25,868	26,386	26,913	27,446	155%
Sc 6 - 4.00%	17,213	18,112	18,836	19,590	20,374	21,188	22,036	22,917	23,834	24,788	25,779	26,810	27,883	28,998	30,158	31,364	32,619	33,923	35,280	36,692	38,159	39,686	41,276	420%
Factor	1.005	1.010	1.015	1.020	1.040																			Estimated
Sc 1 - 0.50%	17,213	18,112	18,203	18,294	18,385	18,477	18,569	18,662	18,756	18,849	18,944	19,038	19,133	19,229	19,325	19,422	19,519	19,617	19,715	19,813	19,912	20,012	20,114	40%
Sc 2 - 1.00%	17,213	18,112	18,293	18,476	18,661	18,847	19,036	19,226	19,419	19,613	19,809	20,007	20,207	20,409	20,613	20,819	21,027	21,238	21,450	21,665	21,881	22,100	22,320	85%
Sc 3 - 1.25%	17,213	18,112	18,338	18,568	18,800	19,035	19,273	19,514	19,757	20,004	20,255	20,508	20,764	21,024	21,286	21,552	21,822	22,095	22,371	22,650	22,934	23,220	23,508	105%
Sc 4 - 1.50%	17,213	18,112	18,394	18,659	18,939	19,223	19,512	19,804	20,102	20,403	20,709	21,020	21,335	21,655	21,980	22,310	22,644	22,984	23,329	23,679	24,034	24,394	24,759	125%
Sc 5 - 2.00%	17,213	18,112	18,474	18,844	19,221	19,605	19,997	20,397	20,805	21,221	21,646	22,078	22,520	22,970	23,430	23,898	24,376	24,864	25,361	25,868	26,386	26,913	27,446	155%
Sc 6 - 4.00%	17,213	18,112	18,836	19,590	20,374	21,188	22,036	22,917	23,834	24,788	25,779	26,810	27,883	28,998	30,158	31,364	32,619	33,923	35,280	36,692	38,159	39,686	41,276	420%



APPENDIX C

NOTE ON OXFORD ECONOMICS ECONOMIC FORECASTS  
FOR YORK OF DECEMBER 2019: NICOL ECONOMICS DECEMBER





# Note on Economic Forecasts for York

December 2019

# 1. Note on Economic Forecasts for York

## Purpose of this note

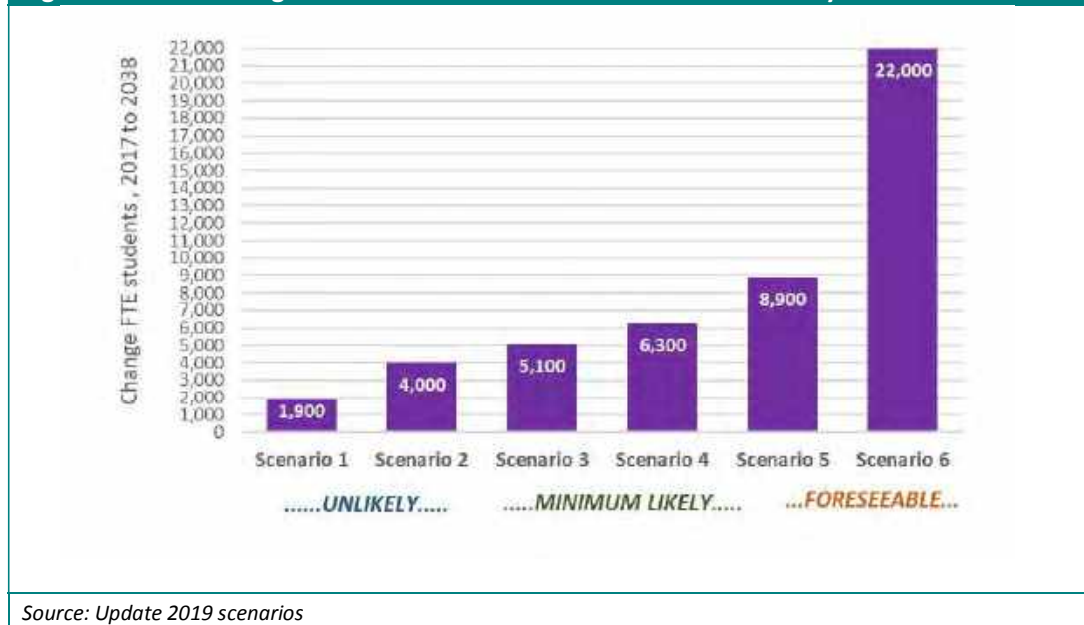
1.1 This note has been prepared to consider the **consistency** between the latest forecasts of economic growth in York prepared for the City of York Council (CoYC) and the likely growth path of the University of York as summarised in the recent updated statement by the University on the rationale for its proposed campus expansion<sup>1</sup>.

## University of York Growth Scenarios

1.2 The latest update on growth scenarios reviews a number of potential growth scenarios for the University applied to the most recent FTE student numbers for 2018/19 (18,100). Six scenarios are considered for the annual average growth rate in full-time equivalent (FTE) student numbers to 2038 (which has been around 4% pa over the last decade).

- Scenarios 1 - 0.5% per annum and 2 - 1.0% per annum. These are described as “*unlikely*”
- Scenarios 3 - 1.25% per annum and 4 - 1.5% per annum. These are described as “*minimum likely scenario for prudent long term growth planning at this stage of the Local Plan*”
- Scenarios 5 - 2.0% per annum and 6 - 4.0% per annum. These are described as “*foreseeable*” given the University’s reputation and the fact that these are scenarios with growth rates either less than (Scenario 5) or equal (Scenario 6) to the actual growth rate over the last decade.

Figure 1.1: Potential growth in FTE students numbers at the University of York



<sup>1</sup> “City of York Local Plan, Update 2019, University of York Growth Rationale for Campus Extension to the South of Campus East,” prepared by Stephen Talboys, Director of Estates & Campus Services, University of York, November 2019

## Relationship between student numbers and the economy of York

- 1.3 Earlier work submitted to the Examination reviewed the relationship between changes in student numbers at the University of York, space requirements and the economic impact for the City of York area<sup>2</sup>. This work estimated the total impact of the University’s activities (excluding the Science Park) on employment in York as around 6,600 FTE jobs in 2016/17 or around 6.5% of all employment in the York area.
- 1.4 Subsequent to this report, the University commissioned research by London Economics on the overall UK and regional economic contribution of the University<sup>3</sup>. The estimates of employment impact for 2016/17 in this report were similar to those used in the April 2019 report<sup>4</sup> (although no estimates were produced specifically for the City of York area in the London Economics report). The April 2019 report looked at the relationship between FTE student numbers and the economic footprint of the University with the relationship being as shown below in Table 1.1.

Direct jobs at the University	0.24
Indirect in supply chain and from student spend	0.11
Direct and Indirect	0.35
Induced	0.03
<b>All local FTE jobs</b>	<b>0.39</b>

*Source: Nicol Economics (April 2018) Table 5.2*

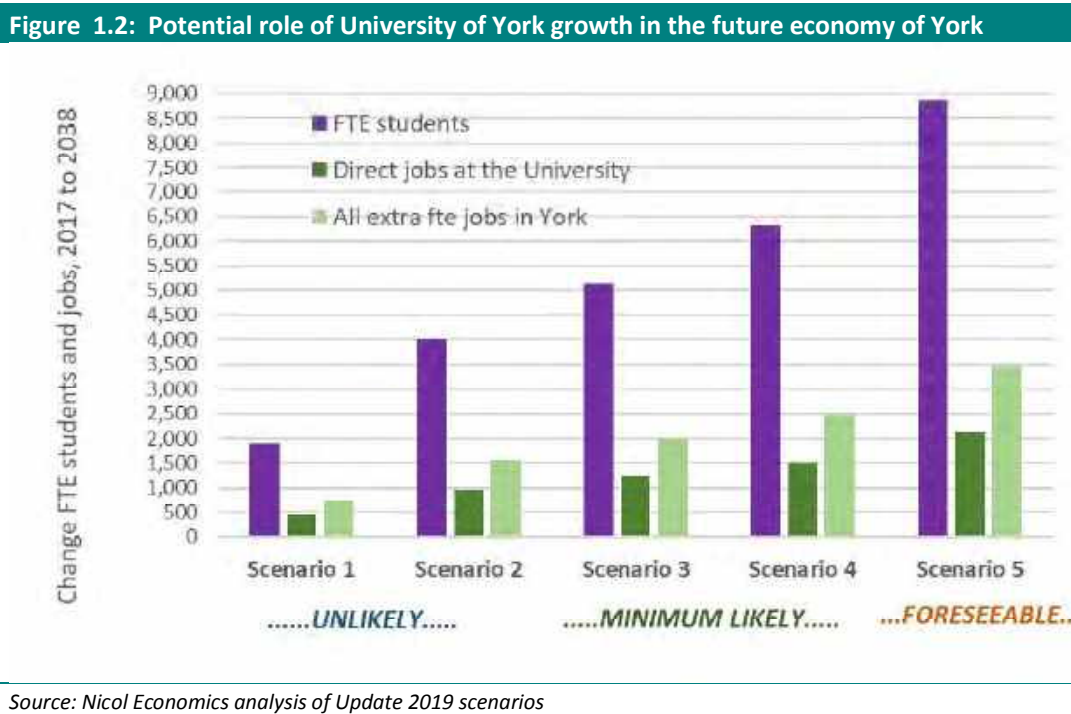
- 1.5 This relationship is of course an average relationship from one year only and clearly will change over time as the mix of activities at the University changes and as a result of potential productivity and other changes at the University. It is, however, interesting to note that over the 10 years to 2016/17 the growth in FTE student numbers and of FTE staff directly employment by the University was very similar (57% compared to 51%)<sup>5</sup>, suggesting the relationship has remained broadly constant.
- 1.6 If we apply these ratios above to Scenarios 1 to 5 then the potential associated increase in FTE employment in all of York is as shown below in Figure 1.2. We have not considered Scenario 6 as this would imply the total student numbers at the University more than doubling over the next 20 years which is unlikely. This analysis suggests that Scenarios 3, 4 and 5 could lead to, respectively, around 2,000, 2,500 or 3,500 extra FTE jobs in York of which over half would be staff employed by the University (and so in the education sector). In other words, with plausible scenarios for University growth **there could be increase of from 1,200 up to 2,100 in people employed in the education sector in York between 2017 and 2038**, plus a similar number elsewhere in the economy.

<sup>2</sup> “Economic Benefit from the Expansion of the University of York”. April 2018, Nicol Economics

<sup>3</sup> “The Economic, Social, Cultural Impact of the University of York”, London Economics, November 2018.

<sup>4</sup> The London Economics reports estimated the contribution at a regional level as 6,325 FTE jobs, the Nicol Economics report estimated the figure for York alone at around 6,400 FTE jobs (excluding construction effects and the impact of the Science Park)

<sup>5</sup> See Table 3.1 in Nicol Economics, April 2018



## Oxford Economics latest forecasts

- 1.7 CoYC have recently supplied to the Examination updated economic forecasts prepared for them by Oxford Economics (OE)<sup>6</sup>. Oxford Economics are of course a reputable forecasting house and the forecasts are, largely, based on the application of past trends in data on economic performance at a local level to sectoral forecasts developed at a UK level in their Local Authority District Forecasting Model. The report helpfully explains the model is based:
- *“National/regional outlooks – all the forecasting models we operate are fully consistent with the broader global and national forecasts which are updated on a monthly basis.*
  - *Historical trends in an area (which implicitly factor in supply side factors impinging on demand), augmented where appropriate by local knowledge and understanding of patterns of economic development built up over decades of expertise, and*
  - *Fundamental economic relationships which interlink the various elements of the outlook”.*
- 1.8 They note that the Forecasting Model produces base forecasts, which they say can be used *“as a guide to aid commentary or analysis of York”*. They emphasise that the base projections are *“unconstrained”* as they *“make no allowance for constraints on development which may be greater than in the past”*. It also follows that by the same token the forecasts cannot take account any **future development that are not reflective of past trends or have not been reflected in past data changes.**
- 1.9 In my many years of work on local economic development I have built up a healthy scepticism about the robustness of local area economic forecasts that aim to project forwards several decades. They need to be treated very carefully as indeed do national level long range (or even short range) forecasts.

<sup>6</sup> *“York Economic Outlook: Economic Outlook and Scenario Results for the York Economy”*, Oxford Economics, December 2019

- 1.10 The base 2019 OE forecasts for the York economy are for annual average GVA growth of 1.3% pa annum over the period 2017 to 2038. This is faster than the 1.0% pa for the wider Yorkshire and Humber region but slightly lower than OE's forecasts rate for the UK (1.4% pa). In all cases the latest forecasts for GVA growth are considerably down on the previous 2015 forecasts as a result of range of factors including of course Brexit. The most recent baseline forecasts are for a 0.4% pa increase in FTE employment located in York over this period.
- 1.11 The OE report explains that they have revised down their assumed increase in the growth in York's population (OE carry out their own estimates at a UK level of migration and population change and apply these to local areas). In part because of the slower assumed population growth in York, employment growth has been downgraded. It is beyond the scope of this note to explore this relationship in any detail, but it is worth pointing out that if these employment forecasts are used to inform a particular view about housing need these is a large degree of circularity in the argument and data (as the employment forecasts are in part based on a particular view of population change).
- 1.12 The OE report helpfully provides sector by sector estimates of employment growth. These are summarised in Table 1 appended to this report. These forecasts are notable in that they forecast:
- Total employment rising by around 9,500 FTE over the 21-year forecast period or 0.4% pa (around 450 jobs per year)
  - A small fall in employment in the education sector (130 jobs or 1%) and very modest GVA growth in this sector (which of course covers higher education).
- 1.13 OE also produce forecasts for a scenario described as "*reprofiled sectoral growth*" for York. This scenario forecasts marginally higher employment growth compared to the baseline (9% compared to 8%). This is a result of a slightly arbitrary faster assumed growth in higher value business services<sup>7</sup>. However, importantly, this scenario assumes exactly the same growth in the education sector.
- 1.14 OE do not break the education sector down into its components parts. However, we have examined data on employment composition of the education sector in York from the Business Register and Employment Survey BRES)<sup>8</sup>. This data suggests that in the total education sector in York around 6,000 jobs (full and part time) are accounted for by higher education (average over 2015 to 2018) or around 50% of the total (12,000), with primary and secondary education accounting for around 40% of total employment in the sector or around 4,800. These figures are based on slightly different data sets than those used by OE but are broadly similar (the OE figure for 2017 is 12,650 FTEs including self-employed). The University of York is not the only university in York (there is also York St John University). It is likely that the University of York's employed staff account for **at least a third of total education sector employment** in York and possibly more<sup>9</sup>.

<sup>7</sup> 20% faster growth compared to the baseline in the Information & communication, financial & insurance, real estate activities and professional, scientific & technical sectors and 10% slower growth compared to the baseline in & retail trade and accommodation & food services

<sup>8</sup> open access data available via NOMIS

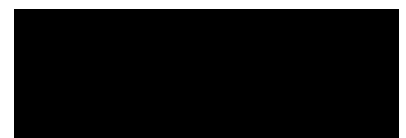
<sup>9</sup> The University's report in 2017 indicated that it employed 4,230 FTE staff.

## Conclusions

- 1.15 The most recent OE forecasts are based on available local level data for York, past changes in that data applied to national level sectoral forecasts. This process cannot possibly pick up fine-grained changes or influences on York's economy. OE acknowledge that their forecasts are simply "*a guide to aid commentary*". The purpose of this note is not to comment on the overall robustness or appropriateness of the OE forecasts. However, what is clear is that OE's modelling of employment change in the education sector to 2038 cannot possibly take account of likely ranges of growth in the University of York which would lead to several thousand extra jobs in the sector<sup>10</sup> as opposed to a 1% decline that they forecast.
- 1.16 Furthermore, it is very unlikely, simply because of the way in which the forecasts are produced, that the OE forecasts take account of the potential wider impacts from the growth in the University on the local economy including productivity, student spend and R&D impacts.



<sup>10</sup> The only reason why this could be true would be if there was a dramatic fall in primary and secondary education employment over the period to 2038 which is very implausible



## Appendix A: Baseline Sectoral Forecast for York, 2019

Sector	Employment (FTE jobs in York)						GVA, £ms 2016 prices					
	Level		Change 2017-2038		Share	Level	Change 2017-2038		Fms	%	% pa	Share
	2017	2038	%	% pa			2017	2038				
Agriculture, forestry & fishing	345	276	-69	-20.0%	-1.1%	9	7	-2	-22%	-1.2%	0%	
Mining & quarrying	0	0	0	#DIV/0!	#DIV/0!	0	0	0	#DIV/0!	#DIV/0!	0%	
Manufacturing	4,714	3,032	-1,682	-35.7%	-2.1%	386	357	-29	-8%	-0.4%	-2%	
Electricity, gas, steam & air	83	68	-15	-18.1%	-0.9%	44	52	8	18%	0.8%	0%	
Water supply	230	312	82	35.7%	1.5%	39	61	22	56%	2.2%	1%	
Construction	5,973	6,328	355	5.9%	0.3%	273	317	44	16%	0.7%	3%	
Wholesale & retail trade	19,355	18,189	-1,166	-6.0%	-0.3%	641	807	167	26%	1.1%	10%	
Transportation & storage	5,730	5,350	-380	-6.6%	-0.3%	217	237	20	9%	0.4%	1%	
Accommodation & food service	12,180	14,038	1,858	15.3%	0.7%	223	295	72	32%	1.3%	4%	
Information & communication	3,446	5,361	1,915	55.6%	2.1%	163	309	147	90%	3.1%	9%	
Financial & insurance	4,395	4,198	-197	-4.5%	-0.2%	462	597	135	29%	1.2%	8%	
Real estate activities	2,150	2,474	324	15.1%	0.7%	790	1,195	406	51%	2.0%	25%	
Professional, scientific & Tech	10,624	13,018	2,394	22.5%	1.0%	386	636	250	65%	2.4%	15%	
Administrative & support	7,945	10,299	2,354	29.6%	1.2%	166	258	91	55%	2.1%	6%	
Public administration & defence	7,280	6,344	-936	-12.9%	-0.7%	356	324	-31	-9%	-0.4%	-2%	
<b>Education</b>	<b>12,653</b>	<b>12,524</b>	<b>-128</b>	<b>-1.0%</b>	<b>0.0%</b>	<b>420</b>	<b>449</b>	<b>30</b>	<b>7%</b>	<b>0.3%</b>	<b>2%</b>	
Human health & social work activities	15,910	19,707	3,797	23.9%	1.0%	539	799	260	48%	1.9%	16%	
Arts, entertainment & rec	2,714	3,478	764	28.2%	1.2%	71	77	6	8%	0.4%	0%	
Other service activities	3,803	4,066	262	6.9%	0.3%	83	95	12	14%	0.6%	1%	
<b>Total</b>	<b>119,531</b>	<b>129,062</b>	<b>9,531</b>	<b>8.0%</b>	<b>0.4%</b>	<b>5,309</b>	<b>6,929</b>	<b>1,620</b>	<b>31%</b>	<b>1.3%</b>	<b>100%</b>	

Source: "York Economic Outlook: Economic Outlook and Scenario Results for the York Economy", Oxford Economics, December 2019

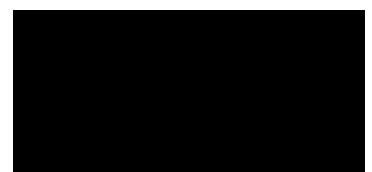


APPENDIX D

PROPOSED AMENDMENTS TO LOCAL PLAN POLICIES

RELATED TO UNIVERSITY OF YORK:

O'NEILL ASSOCIATES AUGUST 2020



## Proposed amendments to ED3, EC1 and SS22, also added ED3a

### Section 7: Education

#### Policy ED3: Campus East

The continuing development of University of York Campus East is supported. Development will be permitted in accordance with the uses outlined in Policy ED1 and the following parameters established in the outline planning permission:

- The developed footprint (buildings, car parking and access roads) shall not exceed 23% of the 65ha allocated for development;
- Total car parking shall not exceed 1,500 spaces subject to reserved matters approval by the Council;
- Maintenance of a parkland setting;
- Additional student housing shall be provided to cater for expansion of student numbers which is clearly evidenced in terms of demand. Any additional student housing provision on Campus West (above the existing 3,586 bed spaces) shall be taken into account when assessing need;
- An annual student housing survey shall be submitted to the Council;
- Knowledge based businesses including research led science park uses will be permitted to a campus indicative maximum of 20,000m<sup>2</sup>.

See also Policy EC1 and ED1

#### Explanation

7.6 The University of York Campus East is shown at Figure 7.1. Outline planning permission as implemented (currently 15/02923/OUT) and the Section 106 legal agreement provide the context for development at the campus and are summarised in the policy above. In accordance with the consent, the creation of a parkland setting and its maintenance must be of high visual quality and good design, whilst also enhancing public amenity in terms of access to the countryside and wildlife interest. This includes preservation and where possible enhancement of the views that can be seen from the site.

7.7 An annual student accommodation survey must be submitted to the Council. If in any year an annual survey demonstrates that there is likely to be unmet student housing demand on the site in excess of 50 bedspaces within the next academic year, then the University must undertake to bring forward and implement plans to provide additional accommodation on site, in units of 300 bedspaces, within two years of the date of the survey, so long as it is economically prudent to do so.

The existing campus will be permitted to deliver up to an additional 20,000 m<sup>2</sup> of commercial knowledge based and research led activities appropriate to a university campus. The University development brief will be adopted as a Supplementary Planning Document by the Council.

### **Policy ED3a: Campus East Expansion**

The continuing development of the University of York is supported. As shown on the proposals map, 56ha of land to the south of Campus East is allocated for the future expansion of the University during the plan period and beyond (ST27: University of York Expansion).

Development will be permitted in accordance with uses outlined in Policy ED1. These include knowledge-based businesses including science park uses which will be permitted to an indicative campus maximum of 26,000m<sup>2</sup> as outlined in Policy EC1;

Primary vehicular access is to be from Hull Road via Campus East;

An allocated area for development of 40ha will be identified with wide margins providing generous landscape buffers, to a minimum of 16ha;

ST27 must create an appropriately landscaped buffer between the development and the A64 in order to mitigate heritage impacts in terms of the historic character and setting of the city and to maintain key views;

A development brief will be prepared covering site considerations including design, local amenity, accessibility and transport requirements in line with parameters in policy SS22.

**See also Policy SS22, EC1, ED3 and ED1**

### **Explanation**

7.8 The University of York retains a high profile in both the UK and in the rest of the world. Its status is reflected in the high demand for student places and it is projected that growth in student numbers will continue throughout the duration of the plan. Without the campus extension, the University will not be able to continue to grow beyond 2023. As one of the leading higher education institutions, the University needs to continue to facilitate growth, within the context of its landscaped setting which gives it a special character and quality, to guarantee its future contribution to the need for higher education and research and to the local, regional and national economies. The land at ST27 is allocated for University uses to support this growth, including up to an indicative maximum of 26,000m<sup>2</sup> of commercial knowledge based and research led activities appropriate to a university campus. Housing for the additional increase in student numbers will be provided in accordance with Policy ED1 'University of York' and Policy H7 'Student Housing'.

The allocation amounts to 56ha covering the area from Low Lane to A64 as far west as Common Lane. As with Campus East, an allocated area for development, here 40ha, will be designated within the site with wide margins providing generous landscape buffers, particularly to A64. A low density, landscape dominated campus extension is proposed in character with Campus East. Whilst long term growth is anticipated, nonetheless the difficulties of forecasting means that it is appropriate to assess the likely future of the University beyond the plan period as part of a future review of the plan, rather than making the provision for safeguarded land at this stage.

7.9 The expansion site ST27, shown at Figure 7.1 (currently plan 1 appendix 4) plays an important part in the attractive setting of this section of the city. It has an open landscape quality and provides accessible countryside to walkers and cyclists on tracks and public footpaths. The land to the west of ST27 is particularly important for maintaining the setting of Heslington village and key views. To mitigate any impacts on the historic character and setting of the city, the expansion site must create an appropriately landscaped buffer between the site development and both the A64 and the western boundary. This will be established through the masterplanning of the site.

7.10 A development brief for ST27 will be prepared that will set out detailed considerations to meet similar aims to the outline planning permission for Campus East.

7.11 The primary vehicular access to ST27 will be from Hull Road via Campus East. Access by other transport modes will be provided by extending existing facilities on Campus East. For more detailed planning principles for ST27 see Policy SS22: University of York Expansion.

7.12 The University has experienced steady growth in student numbers over the past decade to the benefit of Higher Education and local, regional and national economies. In addition, demand for knowledge-based and research-led activities is accommodated by the University. Demand for further development related to these growth areas is catered for in ST27.

The campus expansion ST27 will:

- enable the city of York to contribute directly to the delivery of national growth strategies;
- enable key Local Enterprise Partnership priorities to be realised;
- support the York Economic Strategy (2016) and the City's ambitions to be a globally competitive city;
- contribute to delivering the local plan vision of supporting the delivery of sustainable economic growth; and

- meet a commercial need and a gap in York’s employment land supply to meet the business needs of economic growth sectors.

*Delivery*

- *Key Delivery Partners: University of York, research funders, student housing providers, infrastructure delivery partners, LEP, City of York Council*
- *Implementation: Design Brief, masterplan, outline planning application, reserved matters applications*

## Section 4: Economy and Retail

4.1 It is important that the Plan helps in delivery of the city’s economic ambitions by providing sufficient land to meet the level of growth set out in the Spatial Strategy. An Employment Land Review (2019) (ELR) has been prepared which brings together evidence on the demand for and supply of employment land. Demand has been calculated using a method of converting econometric forecasts into floorspace and employment land.

4.3 The policies in this section identify the locations that will accommodate employment uses, protect the overall supply of employment sites and address specific aspects of economic growth including the impact of business activity in residential areas, tourism and rural business.

### Policy EC1: Provision of Employment Land

Provision for a range of employment uses during the plan period will be made on the following strategic sites (those over 5ha):

Site	Floorspace	Suitable Employment Uses
University of York: Campus East	20,000m <sup>2</sup>	Commercial knowledge based and research led activities
UoY: Campus East Expansion site	26,000m <sup>2</sup>	

See also Policy SS1, SS22, ED3 and ED3a

#### Explanation

4.5 The Local Plan identifies land that is suitable to provide for the forecast growth in the York economy and protects this land from other uses. Demand from specific knowledge based employment uses at the University of York is not directly related to city wide growth forecasts, rather to bespoke forecasts for the University. Such uses will be accommodated on Campus East and the Campus East Expansion site.

## Section 3: Spatial Strategy

### **Policy SS22: University of York Expansion**

University of York Expansion (ST27) will provide higher education and related uses also employment floorspace for knowledge-based businesses including research-led science park uses (see Policy ED3: Campus East). A development brief will be prepared for ST27, covering site considerations, including landscaping, design, local amenity, accessibility and transport requirements. In addition to complying with policies within this Local Plan, the site must be delivered in accordance with the following key principles:

- I. Create an appropriately landscaped buffer to the A64 in order to mitigate heritage impacts and to maintain key views to the site from the south and its setting from the A64 to the south and east. A landscape buffer to the western boundary will be created to protect the setting of Heslington.
- II. The developed footprint (buildings, car parking and access roads) shall not exceed 23% of the area allocated for development which is bounded by the landscape buffers.
- III. Continue and enhance the parkland setting of Campus East, with new buildings being of a high design standard.
- IV. Additional student housing shall be provided to cater for the expansion of student numbers. Any expansion of student housing provision on Campus West (above the existing 3,586 bedspaces) or on Campus East shall be taken into account when assessing need.
- V. Deliver high quality, frequent and accessible public transport services to York City Centre as outlined in an approved travel plan.
- VI. Optimise pedestrian and cycle integration, connectivity and accessibility inside and outside of the site with connectivity to the city and surrounding area to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- VII. Demonstrate that relevant transport issues have been addressed, in consultation with the Council and Highways England as necessary, to ensure sustainable transport provision at the site is achievable. The impacts of the site individually and cumulatively with the ST15 should be addressed.
- VIII. Explore providing access through a proposed road junction on the A64 to the south of the site. There may be an opportunity for a further restricted southern access off the A64 in conjunction with ST15 (Land West of Elvington Road). Access to the A64 would require approval of Highways England.
- IX. Exploit synergies with ST15 (land West of Elvington Road) with regard to site servicing including transport, energy and waste.

## Explanation

3.98 The University of York is a key component of the long term success of the city and it is important to provide a long term opportunity for the University to expand. It offers a unique opportunity to attract businesses that draw on the University's applied research to advance knowledge with practical applications. There is significant evidence from around the country that shows the benefits of co-location of such businesses with a university. The University proposal is a key priority in the Local Economic Plan Growth Deal that has been agreed with the Government and is also included as a priority area in the York Economic Strategy (2016) which recognises the need to drive university and research led growth in high value sectors.

3.99 The proposed site is roughly triangular bounded by Low Lane and Campus East to the north, the A64 running south-west to meet Common Lane, and to the west, field boundaries running northwards to Low Lane. The area allocated for expansion of Campus East ST27 lies immediately south of Low Lane. The total site is 56ha comprising a 40ha area allocated for development and wide landscape margins, specifically to the south up to A64 and to the west to protect the setting of Heslington. On this principle, a defined boundary to the Green Belt would be the northern side of A64, a short section of Common Lane and the existing field boundaries to the west of the allocation.

3.100 Campus East has been designed and established to offer significant proportions of journeys by walking, cycling and public transport. Future proposals must continue this existing provision, including bus services.

3.101 The University of York Campus East Development Options and Masterplan for Extension Site (March 2018) shows no additional entry points into the Campus from those already existing, Lakeside Way (bus and cycle only), Field Lane to the bus interchange and Kimberlow Lane running south from Hull Road/Grimston Bar Park & Ride link road. However, a southern access road from a new junction on A64 may provide an option for a new restricted use southern access.

### *Delivery*

- *Key Delivery Partners: University of York, research funders, student housing providers, infrastructure delivery partners, LEP, City of York Council, neighbouring developers*
- *Implementation: Design Brief, masterplan, outline planning application, reserved matters applications*



Our ref:  
Your ref:

Highways England

FAO:

29 June 2021

Dear

### **Local Plan Proposed Modifications and Evidence Base Consultation**

Thank you for consulting with us on your Proposed Modifications and supporting evidence base.

The consultation clarifies the end year of the plan as 2032/33. This is helpful for our ongoing work in partnership on the York Local Plan Impact Study.

We note that the housing requirement now includes a small uplift for the shortfall in housing provision delivered between 2012 and 2017 and is now 822 per annum.

As we are about to rerun our models in support of the Impact Study, we undertook a comparison between the housing trajectory in most recent uncertainty log which has been shared for the study (dated November 2020) and the that which is included in Annex 7 (Housing Supply Update Trajectory) of the supporting information.

Annex 7 shows a windfall allowance of 182 dwellings per year, whilst the proposed Table 1a in modification 55 shows a windfall allowance of 169 per year. This should be clarified.

#### Individual site discrepancies

Discrepancies in site sizes between the November 2020 uncertainty log and Annex 7 which are in excess of 100 are outlined in the following table.



**Table 1 – Inconsistencies in allocated site total units (includes post-plan delivery)**

	Uncertainty Log (Nov 2020)	Annex 7	Difference
H1 – Former gas works, 24 Heworth Green	607	794	187
ST5 - York Central	2,050	2,500	450
ST16 - Terry's Phase 1,2,3	363	111	-252
ST22 - Germany Beck Site East of Fordlands Road	655	Not listed	-655
ST32 - Hungate (Phases 5+)	672	375	-297

It is understood that site ST22 (Germany Beck) is under construction but not fully implemented. Therefore, we would request justification as to why the site has been omitted from the housing trajectory provided in Annex 7.

We would also request that you confirm the total size of the other sites in Table 1. It is understood that ST5, ST16 and ST32 all have planning permission, so the approved number of dwellings should be included.

#### Phasing

We have also considered the difference in the phasing of development within the plan period and up to 2036 between the November 2020 uncertainty log and Annex 7. This is provided in Table 2.

**Table 2 – Allocated sites during (2017-2032/33) and post-plan period**

		Up to 2025	Up to 2030	Up to 2033	Up to 2036
<b>Annex 7 trajectory</b>	<b>Allocated Housing Site</b>	1,104	1,699	1,699	1,699
	<b>Allocated Strategic Site</b>	2,081	6,741	9,503	13,676
	<b>Total</b>	3,185	8,440	11,202	15,375
<b>Uncertainty Log (Nov 2020)</b>	<b>Allocated Housing Site</b>	1,085	1,584	1,662	1,741
	<b>Allocated Strategic Site</b>	4,435	9,503	11,279	12,955
	<b>Total</b>	5,520	11,087	12,942	14,696
<b>Total Discrepancy</b>		<b>+2,335</b>	<b>+2,647</b>	<b>+1,740</b>	<b>-679</b>

This shows a significant difference in phasing which is likely to have an impact on the scale and timing of schemes required to mitigate the impact of the plan.

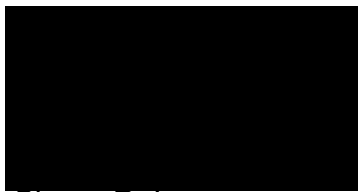
We would therefore request that the most up to date uncertainty log for development in the plan period as well as delivery of housing on Local Plan sites between 2019 and 2021 (to allow for the Aimsun model base year of 2019 being used in the Impact Study) is provided to Highways England in advance of the rerunning of the SATURN and Aimsun models as part of the Local Plan Impact Study, to avoid abortive work being undertaken by potentially both our consultants.

Given that Annex 7 identifies that 4,173 dwellings are to be delivered as part of strategic sites beyond the plan period (but presumably as part of planning applications to be approved in the plan period), an approach to how the strategic mitigation for these sites is to be identified also needs to be agreed between us to avoid significant risk being transferred to us beyond the plan period.

We look forward to continuing to work in partnership with you over the coming months to identify the schemes required on the SRN to mitigate the impact of the York Local Plan through the Local Plan Impact Study.

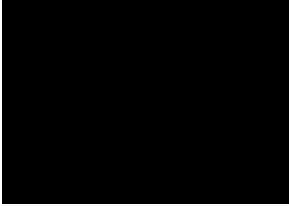
I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Yours sincerely,

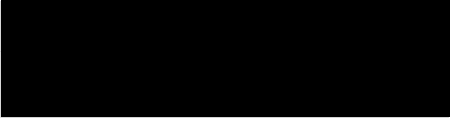


Simon D Jones  
Regional Spatial Planning Manager  
Yorkshire & North East





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



**24 June 2021**

**Dear Sir/Madam**

**Re: Draft York Local Plan - ST 33 - Station Yard - Wheldrake - York**

The proposal for ST33, Station Yard, has been brought together by combining Brown Land together with a parcel of land previously earmarked as site for potential employment and then placing it with a parcel of land that is contained within the Green Belt, which is totally out of keeping within a relatively small village.

Wheldrake is a village which has already been developed beyond the capacity that its infrastructure is able to cope. The School is over subscribed, the sewerage system is already inadequate to meet the existing needs of its residents, the public transportation system is not fit for purpose and there is a constant threat that the services could be reduced still further. This proposal to build some 147 dwellings is way over the top and is a totally unnecessary massive development to the current residents of Wheldrake. Villagers have previously acknowledged the need for some additional housing, but not on a scale of this magnitude, so any development must be restricted to the area contained within the Brown Field Land. In the absence of the correct and necessary development of the current infrastructure the village would be overwhelmed with an increase of around 50 additional dwellings let alone 147.

There are plans for a new garden village to the west of Elvington, somewhere in the order of 3,300+ dwellings, Elvington is one of the villages directly adjacent to Wheldrake, additionally there are plans afoot to add a significant number of dwellings to Escrick yet another adjacent village to Wheldrake although it is covered by the Selby District, North Yorkshire, Local Plan. The roads in and out of Wheldrake are unsuitable for the increase in traffic that would follow with such large scale developments. Specifically referring to Wheldrake an increase in the number of dwellings from around 800 to around 950 and a population increase from 2,000 to around a minimum 2,500 is unacceptable in any circumstances.

For this proposed development to progress any further it would result in an incursion of the established Green Belt and a loss of Agricultural Land at a time where this is a world shortage of food products from the land to accommodate an ever increasing population. The first priority for house building must be solely confined to Brown Field Land and any need to develop by use of the Green Belt cannot be not be taken lightly, so careful consideration must be given to the views of local residents and the impact on villages likely to be affected.

It is also very interesting to remember that the land owner of the area contained within this established Green Belt planted a hedge and trees across the southern boundary of his field before the last public enquiry, some 23 years ago. This now appears to be a standalone field, as one might expect, especially after a purpose grown hedge and tree planting that has been established for over 24 years. This now completely masks the simple fact that, from ground level, it does not appear to be part of the Green Belt. However, when one takes an elevated position the open aspects of the Green Belt are there for everyone to observe, with views for miles right across to the adjacent village of Thorganby. The Inspector, in 1994 at the Public Enquiry drew specific attention to the fact that the landowner had made a deliberate attempt to disguise the open aspect of the plot in question and also stated that the plot was contained within the Green Belt. Planning permission for a housing development was thereby refused.

I also believe that there is a wonderful opportunity with the proposed Garden Village to the South of York, almost adjacent to the A64 Trunk Road. There is a once in a lifetime chance to build a whole new self sustaining development with all the necessary infrastructure, schools doctors, retail and a public transport that would reduce dependency on polluting private cars etc, although I would imagine that the number of properties would need to be nearer to the 5,000 mark to ensure that all the necessary and supporting infrastructure was fully integrated and to facilitate a new junction being constructed to adjoin onto the A64 Trunk Road, situated at the appropriate point between the two existing junctions at the Fulford Interchange and the Hull Road Interchange. This would then remove the need to over develop the adjoining and close to villages, whilst ensuring that some limited house building can be planned without completely destroying their character and changing the whole nature of the surrounding villages.

I sincerely trust that the process of consultation is going to be a genuine exercise to take account of resident's views and not a white-wash, as has been the concern with previous Administrations (pre May 2019). It is up to the current Administration to demonstrate its seriousness to establish a Local Plan without the need to concrete over unnecessary parts of the Green Belt and to ensure that every parcel of Brown Field is developed long before any consideration is given a single square metre of the Green Belt is exploited.

**FINALLY I AM CONFIRMING THAT I WISH TO APPEAR AT THE EXAMINATION TO MAKE REPRESENTATION IN RESPECT OF MY OBJECTION TO THE HOUSING DEVELOPMENT OF THE NUMBER OF DWELLINGS PROPOSED IN ST 33 STATION FARM WHELDRAKE.**

Yours faithfully

  
R F Arnold



**From:** [Redacted]  
**Sent:** 05 July 2021 11:44  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205187  
**Attachments:** L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Approach to defining Green Belt Addendum January 2021 (EX/CYC/59)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** See attached letter

**Please justify why you do not consider the document to be sound:**

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** N/A

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate on representations

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

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Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 4005LE

Date: 29<sup>th</sup> June 2021

Dear Sir / Madam,

RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND TO THE REAR OF RUFFORTH PRIMARY SCHOOL (STRATEGIC HOUSING SITE REF: H38).

## Introduction

This submission is made on behalf of Mulgrave Developments Ltd (“the Developer”) and should be read in conjunction with the various detailed representations submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H38 (“the Site”). The representations previously submitted by DPP in support of the draft allocation of H38 confirmed that the Site remains available and suitable for housing development, and that residential development is achievable.

The Developer wishes to **support** the draft allocation of the Site within the emerging Local Plan. The Developer is of the view that the Site does not materially fulfil any of the purposes of the Green Belt around York, when reassessed using the Council’s clarified methodology. The Developer also wishes to reiterate that the allocation of the Site in the emerging Local Plan is crucial in ensuring the Council are able to meet the housing requirement cited in the emerging Local Plan, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021).

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to defining York's Green Belt Addendum March 2021
- Topic Paper 1 Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
- Topic Paper 1 Green Belt Addendum January 2021 Annex 6: Proposed Modifications
- Topic Paper 1 Green Belt Addendum January 2021 Annex 7: Housing Supply Update
- GL Hearn Housing Needs Update (September 2020)
- SHLAA Update (April 2021)





## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H38 was assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for development and did not need to be kept permanently open. The Site was subsequently included as a housing allocation in the Local Plan Preferred Options Draft (2013), Publication Draft Local Plan (2014), Local Plan Preferred Sites Consultation (2016) and the Local Plan Publication Draft (2018).

The Site is also endorsed within the Rufforth with Knapton Neighbourhood Plan ('the Neighbourhood Plan') which was formally made in 2018. The Neighbourhood Plan does not specifically allocate sites for development, leaving such to the emerging Local Plan. However, it does indicate that there is local support for the defined Green Belt boundaries and the two housing allocations in the emerging Local Plan. These are for land at the junction of Main Street and Back Lane in Knapton and at the end of Middlewood Close in Rufforth, the latter being the Site.

The suitability and appropriateness of the Site for housing development has therefore never been in question.

Throughout the various iterations of the emerging Local Plan, the Council have remained satisfied that residential development on the Site is suitable, that development is achievable, and that the Site is available. The Council have also remained satisfied that the Site does not perform an important Green Belt purpose and that the proposed Green Belt boundaries are appropriate. Overall, the Council remain satisfied that the Site does not need to remain permanently open. The Developer agrees with the Council's position.

The principle of allocating the Site for housing development within the emerging Local Plan remains firmly established. Consequently, the Developer **supports** the continued allocation of H38 within the emerging Local Plan.

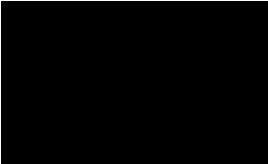
## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*





c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors during and following the Phase 1 hearings. Much of the work undertaken seeks to address concerns raised in relation to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the Green Belt boundaries.

To summarise the documents submitted, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 seeks to address the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projects will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 seeks to address the significant concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Rufforth.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. No fundamental alterations are proposed, and none which directly concern the Site.

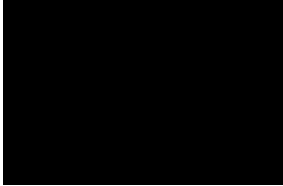
Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.

Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence.

## Comments and Observations on the Proposed Modifications

### Green Belt

As outlined in the TP1 Addendum, the Council have sought to address the concerns raised by the Inspectors relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the  
Ref: 4005LE



Green Belt boundaries. To summarise, the Inspectors have expressed concern that the criteria (referred to as ‘Shapers’) used by the Council to assess sites against the five purposes of Green Belt outlined in paragraph 134 were of little relevance to issues of Green Belt.

To address this issue, the TP1 Addendum 2021 outlines how the land within the proposed Green Belt has been assessed as well as proposed inner and outer boundaries of the Green Belt, using additional criteria to ensure that the proposed Green Belt fulfils the purposes listed in NPPF, with particular emphasis on purposes 1, 3 and 4. The criteria in question draws on evidence and work previously undertaken by the Council. The five new criteria are as follows:

- *Urban Sprawl*
- *Encroachment*
- *Compactness*
- *Landmark Monuments*
- *Landscape and Setting*

The first criterion has been introduced to assess whether land fulfils purpose 1 of Green Belt (to check the unrestricted sprawl of large built-up areas). The second is used to assess land against purpose 3 (to assist in safeguarding the countryside from encroachment). The remaining three criteria are used to assess whether land fulfils the fourth purpose of Green Belt (to preserve the setting and special character of historic towns).

We feel that the revised methodology aligns more closely with the purposes of including land within the Green Belt, although we still have some concerns. Notwithstanding these concerns, it is clear that the Site does not materially contribute to any of the purposes of including land within the Green Belt, as set out in the TP1 Addendum 2021. Therefore, the allocation of H38 remains appropriate, as acknowledged by the Council.

For completeness we have assessed the Site against the revised methodology below:

**Urban Sprawl:** Rufforth is a village of modest scale. It is not a large built-up area. Rufforth is separated from York and by some distance and the development of the Site will not affect the perception of a compact city in a rural hinterland. The Site is a modest parcel of land which is well related to the existing settlement. There is an existing dwelling to the immediate north of the Site, and a cluster of houses located to the south beyond the stable and menage and existing urban development to the west. Given the clear physical boundaries the allocation of the Site will not result in unrestricted sprawl. The Council are content that the allocation of the Site will not result in sprawl, and we agree.

**Encroachment:** The Site is modest in scale and is completely enclosed by an established hedgerow boundaries. The boundaries restrict views into and out of the Site. Whilst the Site is undeveloped, it does not otherwise exhibit the characteristics one would otherwise associate with being rural, primarily given its scale and its proximity to the village. The development of the Site will therefore not harm this criterion.

**Compactness:** This consideration relates the preservation of the setting and special character of historic towns. Rufforth is not a town. Rufforth is situated some distance away from the City of York and as referred to above the development of the Site would not affect the percept or understanding of compact city. The Site does not intrude on the strays, Ings and green wedges which are so important to the character of York or affect the flat open countryside which surrounds the city. Further, the development of the Site will not lead to the coalescence of any urban area.



**Landmark Monuments:** The Site does not need to remain open to aid the appreciation of Rufforth, as a village, or the City of York. There are no other heritage assets in the vicinity of the Site. The City of York is situated some distance to the east of the village, with the village of Knapton an intervening settlement. Consequently, the City of York (nor Knapton for that matter) are visible from within the Site. When traveling around the ring road the Site is not visible. Likewise, the Site is not visible from the approach into the village from either the north or the south. The historic setting of the village is not affected given the paucity of views of the Site and neither is the setting of York.

**Landscape Setting:** Given the distance between Rufforth and York, there is no perceptible relationship between the two within the intervening land. The Site is closely associated with Rufforth and is not located on land which is deemed as important in contributing to the setting of the village. There is a public footpath to the east of the Site, from which the Site is only visible against the backdrop of the wider village, thereby minimising any impact on the wider setting. The Site is of no particular or specific merit in landscape terms. It is well enclosed and contained by the existing established hedge boundary. It is not associated or perceived as forming part of the wider landscape that surrounds the village.

The Developer continues to **support** the conclusions reached by the Council and **supports** the allocation of the Site in the emerging Local Plan and the conclusions reached in the TP1 Addendum 2021 and the associated evidence base regarding H38.

## Boundaries

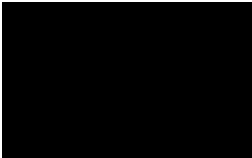
The Developer also **supports** the settlement limits and Green Belt boundary as proposed within the emerging Local Plan. In particular, the northernmost boundary is a clear and logical edge to the settlement. From the property, 'Woodlands', located to the north of the Site, the boundary extends in a southeast direction. The route of the boundary follows that of the field boundary to the rear of property boundaries off Middlewood Close. The boundary then turning southwest to follow property boundaries of Yew Tree Close, the Ridings, and the other buildings. The boundaries in question are mature and permanent in nature, having served as a field boundary for many years. It provides a logical and clear boundary between the Site and the open rural landscape beyond.

The Developer **supports** the Green Belt boundary in this location.

## Housing Need

The consultation also concerns the GL Hearn Housing Needs Update (September 2020), and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the city has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

The Developer does not wish to comment specifically on the OAN calculation used by the Council. However, they do wish to reiterate the importance of the Site's allocation in ensuring that the Council are able to achieve the delivery trajectory outlined within the SHLAA Update, and in meeting the housing requirement identified in the GL Hearn report. As noted within the SHLAA Update 2021, the Site will contribute approximately 33 dwellings within the Plan Period. The Developer is content that the development of the Site will deliver the much-needed new dwellings envisaged and remains confident



that completion of the Site can be achieved within the short term. Indeed, the Developer has recently submitted a pre-application enquiry to the Council with a view to submitting a planning application at the earliest possible opportunity.

The Developer continues to **Support** H38 as a draft allocation. The Developer remains committed to the development of the Site, which remains available and deliverable. The Developer also supports the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

### Other Matters

The Developer has no comment to make in relation to the remaining documents currently the subject of the ongoing consultation.

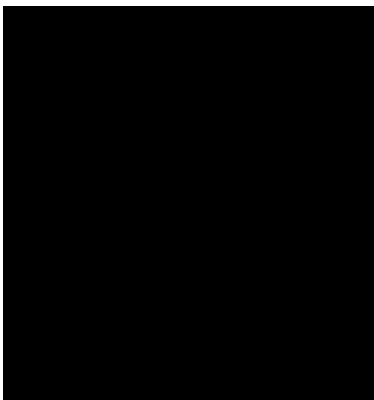
### Compliance with the Test of Soundness

Having considered the updated and additional information relating to the Council’s methodology to determine whether land needs to be kept permanently open and included in the Green Belt, and to define appropriate Green Belt boundaries, it is clear that the Site remains suitable as a housing allocation, that the Site does not need to be kept permanently open and that the Green Belt boundaries in this location are appropriate. The Developer supports the assessment of the Site and the conclusion reached regarding it. In this respect, the Developer is of the view that the Local Plan has been **positively prepared**, and that the allocation of Site H38 is **deliverable, justified** and **consistent** with NPPF.

The GL Hearn Housing Needs Update 2020, and the SHLAA Update 2021 serve to underline the importance of the Site in enabling the Council to deliver the requisite housing within the plan period. The Council have accepted that H38 is available and that the Site is suitable for residential development, and it can be delivered.

The Developer therefore wholly **supports** the allocation known as H38. The Developer also **supports** the estimated development capacity of the Site and confirm that this can be delivered within the short term.

Yours sincerely,



**From:** [REDACTED]  
**Sent:** 05 July 2021 14:31  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205284  
**Attachments:** L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: no

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 4 Other Developed Areas (EX/CYC/59f)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** See attached letter

**Please justify why you do not consider the document to be sound:**

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** N/A

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon written representations

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

---



Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA

Ref: 4005LE

Date: 29<sup>th</sup> June 2021

Dear Sir / Madam,


**RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND TO THE REAR OF RUFFORTH PRIMARY SCHOOL (STRATEGIC HOUSING SITE REF: H38).**

## Introduction

This submission is made on behalf of Mulgrave Developments Ltd (“the Developer”) and should be read in conjunction with the various detailed representations submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H38 (“the Site”). The representations previously submitted by DPP in support of the draft allocation of H38 confirmed that the Site remains available and suitable for housing development, and that residential development is achievable.

The Developer wishes to **support** the draft allocation of the Site within the emerging Local Plan. The Developer is of the view that the Site does not materially fulfil any of the purposes of the Green Belt around York, when reassessed using the Council’s clarified methodology. The Developer also wishes to reiterate that the allocation of the Site in the emerging Local Plan is crucial in ensuring the Council are able to meet the housing requirement cited in the emerging Local Plan, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021).

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to defining York's Green Belt Addendum March 2021
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 6: Proposed Modifications
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 7: Housing Supply Update
  - GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)
- 



## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H38 was assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for development and did not need to be kept permanently open. The Site was subsequently included as a housing allocation in the Local Plan Preferred Options Draft (2013), Publication Draft Local Plan (2014), Local Plan Preferred Sites Consultation (2016) and the Local Plan Publication Draft (2018).

The Site is also endorsed within the Rufforth with Knapton Neighbourhood Plan ('the Neighbourhood Plan') which was formally made in 2018. The Neighbourhood Plan does not specifically allocate sites for development, leaving such to the emerging Local Plan. However, it does indicate that there is local support for the defined Green Belt boundaries and the two housing allocations in the emerging Local Plan. These are for land at the junction of Main Street and Back Lane in Knapton and at the end of Middlewood Close in Rufforth, the latter being the Site.

The suitability and appropriateness of the Site for housing development has therefore never been in question.

Throughout the various iterations of the emerging Local Plan, the Council have remained satisfied that residential development on the Site is suitable, that development is achievable, and that the Site is available. The Council have also remained satisfied that the Site does not perform an important Green Belt purpose and that the proposed Green Belt boundaries are appropriate. Overall, the Council remain satisfied that the Site does not need to remain permanently open. The Developer agrees with the Council's position.

The principle of allocating the Site for housing development within the emerging Local Plan remains firmly established. Consequently, the Developer **supports** the continued allocation of H38 within the emerging Local Plan.

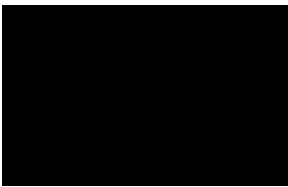
## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*





c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors during and following the Phase 1 hearings. Much of the work undertaken seeks to address concerns raised in relation to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the Green Belt boundaries.

To summarise the documents submitted, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 seeks to address the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projects will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 seeks to address the significant concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Rufforth.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. No fundamental alterations are proposed, and none which directly concern the Site.

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.


Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence.

## Comments and Observations on the Proposed Modifications

### Green Belt

As outlined in the TP1 Addendum, the Council have sought to address the concerns raised by the Inspectors relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the

Ref: 4005LE



Green Belt boundaries. To summarise, the Inspectors have expressed concern that the criteria (referred to as 'Shapers') used by the Council to assess sites against the five purposes of Green Belt outlined in paragraph 134 were of little relevance to issues of Green Belt.

To address this issue, the TP1 Addendum 2021 outlines how the land within the proposed Green Belt has been assessed as well as proposed inner and outer boundaries of the Green Belt, using additional criteria to ensure that the proposed Green Belt fulfils the purposes listed in NPPF, with particular emphasis on purposes 1, 3 and 4. The criteria in question draws on evidence and work previously undertaken by the Council. The five new criteria are as follows:

- *Urban Sprawl*
- *Encroachment*
- *Compactness*
- *Landmark Monuments*
- *Landscape and Setting*

The first criterion has been introduced to assess whether land fulfils purpose 1 of Green Belt (to check the unrestricted sprawl of large built-up areas). The second is used to assess land against purpose 3 (to assist in safeguarding the countryside from encroachment). The remaining three criteria are used to assess whether land fulfils the fourth purpose of Green Belt (to preserve the setting and special character of historic towns).


We feel that the revised methodology aligns more closely with the purposes of including land within the Green Belt, although we still have some concerns. Notwithstanding these concerns, it is clear that the Site does not materially contribute to any of the purposes of including land within the Green Belt, as set out in the TP1 Addendum 2021. Therefore, the allocation of H38 remains appropriate, as acknowledged by the Council.

For completeness we have assessed the Site against the revised methodology below:

**Urban Sprawl:** Rufforth is a village of modest scale. It is not a large built-up area. Rufforth is separated from York and by some distance and the development of the Site will not affect the perception of a compact city in a rural hinterland. The Site is a modest parcel of land which is well related to the existing settlement. There is an existing dwelling to the immediate north of the Site, and a cluster of houses located to the south beyond the stable and menage and existing urban development to the west. Given the clear physical boundaries the allocation of the Site will not result in unrestricted sprawl. The Council are content that the allocation of the Site will not result in sprawl, and we agree.

**Encroachment:** The Site is modest in scale and is completely enclosed by an established hedgerow boundaries. The boundaries restrict views into and out of the Site. Whilst the Site is undeveloped, it does not otherwise exhibit the characteristics one would otherwise associate with being rural, primarily given its scale and its proximity to the village. The development of the Site will therefore not harm this criterion.

**Compactness:** This consideration relates the preservation of the setting and special character of historic towns. Rufforth is not a town. Rufforth is situated some distance away from the City of York and as referred to above the development of the Site would not affect the percept or understanding of compact city. The Site does not intrude on the strays, lngs and green wedges which are so important to the character of York or affect the flat open countryside which surrounds the city. Further, the development of the Site will not lead to the coalescence of any urban area.



**Landmark Monuments:** The Site does not need to remain open to aid the appreciation of Rufforth, as a village, or the City of York. There are no other heritage assets in the vicinity of the Site. The City of York is situated some distance to the east of the village, with the village of Knapton an intervening settlement. Consequently, the City of York (nor Knapton for that matter) are visible from within the Site. When traveling around the ring road the Site is not visible. Likewise, the Site is not visible from the approach into the village from either the north or the south. The historic setting of the village is not affected given the paucity of views of the Site and neither is the setting of York.

**Landscape Setting:** Given the distance between Rufforth and York, there is no perceptible relationship between the two within the intervening land. The Site is closely associated with Rufforth and is not located on land which is deemed as important in contributing to the setting of the village. There is a public footpath to the east of the Site, from which the Site is only visible against the backdrop of the wider village, thereby minimising any impact on the wider setting. The Site is of no particular or specific merit in landscape terms. It is well enclosed and contained by the existing established hedge boundary. It is not associated or perceived as forming part of the wider landscape that surrounds the village.

The Developer continues to **support** the conclusions reached by the Council and **supports** the allocation of the Site in the emerging Local Plan and the conclusions reached in the TP1 Addendum 2021 and the associated evidence base regarding H38.

## Boundaries

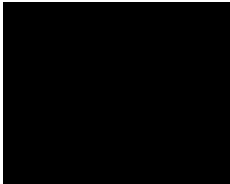
The Developer also **supports** the settlement limits and Green Belt boundary as proposed within the emerging Local Plan. In particular, the northernmost boundary is a clear and logical edge to the settlement. From the property, 'Woodlands', located to the north of the Site, the boundary extends in a southeast direction. The route of the boundary follows that of the field boundary to the rear of property boundaries off Middlewood Close. The boundary then turning southwest to follow property boundaries of Yew Tree Close, the Ridings, and the other buildings. The boundaries in question are mature and permanent in nature, having served as a field boundary for many years. It provides a logical and clear boundary between the Site and the open rural landscape beyond.

The Developer **supports** the Green Belt boundary in this location.

## Housing Need

The consultation also concerns the GL Hearn Housing Needs Update (September 2020), and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the city has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

The Developer does not wish to comment specifically on the OAN calculation used by the Council. However, they do wish to reiterate the importance of the Site's allocation in ensuring that the Council are able to achieve the delivery trajectory outlined within the SHLAA Update, and in meeting the housing requirement identified in the GL Hearn report. As noted within the SHLAA Update 2021, the Site will contribute approximately 33 dwellings within the Plan Period. The Developer is content that the development of the Site will deliver the much-needed new dwellings envisaged and remains confident



that completion of the Site can be achieved within the short term. Indeed, the Developer has recently submitted a pre-application enquiry to the Council with a view to submitting a planning application at the earliest possible opportunity.

The Developer continues to **Support** H38 as a draft allocation. The Developer remains committed to the development of the Site, which remains available and deliverable. The Developer also supports the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

**Other Matters**

The Developer has no comment to make in relation to the remaining documents currently the subject of the ongoing consultation.

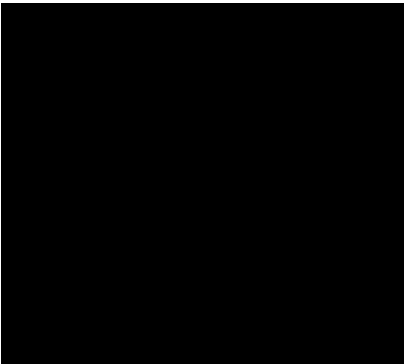
**Compliance with the Test of Soundness**

Having considered the updated and additional information relating to the Council’s methodology to determine whether land needs to be kept permanently open and included in the Green Belt, and to define appropriate Green Belt boundaries, it is clear that the Site remains suitable as a housing allocation, that the Site does not need to be kept permanently open and that the Green Belt boundaries in this location are appropriate. The Developer supports the assessment of the Site and the conclusion reached regarding it. In this respect, the Developer is of the view that the Local Plan has been **positively prepared**, and that the allocation of Site H38 is **deliverable, justified** and **consistent** with NPPF.

The GL Hearn Housing Needs Update 2020, and the SHLAA Update 2021 serve to underline the importance of the Site in enabling the Council to deliver the requisite housing within the plan period. The Council have accepted that H38 is available and that the Site is suitable for residential development, and it can be delivered.

The Developer therefore wholly **supports** the allocation known as H38. The Developer also **supports** the estimated development capacity of the Site and confirm that this can be delivered within the short term.

Yours sincerely,



[Redacted]

**From:** [Redacted]  
**Sent:** 05 July 2021 14:40  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205294  
**Attachments:** L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Housing Needs Update September 2020 (EX/CYC/43a)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** See attached letter

**Please justify why you do not consider the document to be sound:**

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** N/A

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

---



Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 4005LE

Date: 29<sup>th</sup> June 2021

Dear Sir / Madam,

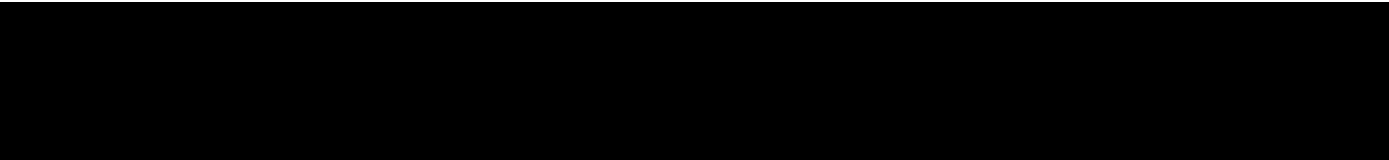
**RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND TO THE REAR OF RUFFORTH PRIMARY SCHOOL (STRATEGIC HOUSING SITE REF: H38).**

## Introduction

This submission is made on behalf of Mulgrave Developments Ltd (“the Developer”) and should be read in conjunction with the various detailed representations submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H38 (“the Site”). The representations previously submitted by DPP in support of the draft allocation of H38 confirmed that the Site remains available and suitable for housing development, and that residential development is achievable.

The Developer wishes to **support** the draft allocation of the Site within the emerging Local Plan. The Developer is of the view that the Site does not materially fulfil any of the purposes of the Green Belt around York, when reassessed using the Council’s clarified methodology. The Developer also wishes to reiterate that the allocation of the Site in the emerging Local Plan is crucial in ensuring the Council are able to meet the housing requirement cited in the emerging Local Plan, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021).

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to defining York's Green Belt Addendum March 2021
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 6: Proposed Modifications
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 7: Housing Supply Update
  - GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)
- 



## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H38 was assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for development and did not need to be kept permanently open. The Site was subsequently included as a housing allocation in the Local Plan Preferred Options Draft (2013), Publication Draft Local Plan (2014), Local Plan Preferred Sites Consultation (2016) and the Local Plan Publication Draft (2018).

The Site is also endorsed within the Rufforth with Knapton Neighbourhood Plan ('the Neighbourhood Plan') which was formally made in 2018. The Neighbourhood Plan does not specifically allocate sites for development, leaving such to the emerging Local Plan. However, it does indicate that there is local support for the defined Green Belt boundaries and the two housing allocations in the emerging Local Plan. These are for land at the junction of Main Street and Back Lane in Knapton and at the end of Middlewood Close in Rufforth, the latter being the Site.

The suitability and appropriateness of the Site for housing development has therefore never been in question.

Throughout the various iterations of the emerging Local Plan, the Council have remained satisfied that residential development on the Site is suitable, that development is achievable, and that the Site is available. The Council have also remained satisfied that the Site does not perform an important Green Belt purpose and that the proposed Green Belt boundaries are appropriate. Overall, the Council remain satisfied that the Site does not need to remain permanently open. The Developer agrees with the Council's position.

The principle of allocating the Site for housing development within the emerging Local Plan remains firmly established. Consequently, the Developer **supports** the continued allocation of H38 within the emerging Local Plan.

## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*





c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors during and following the Phase 1 hearings. Much of the work undertaken seeks to address concerns raised in relation to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the Green Belt boundaries.

To summarise the documents submitted, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 seeks to address the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projects will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 seeks to address the significant concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Rufforth.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. No fundamental alterations are proposed, and none which directly concern the Site.

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.


Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence.

## Comments and Observations on the Proposed Modifications

### Green Belt

As outlined in the TP1 Addendum, the Council have sought to address the concerns raised by the Inspectors relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the

Ref: 4005LE



Green Belt boundaries. To summarise, the Inspectors have expressed concern that the criteria (referred to as 'Shapers') used by the Council to assess sites against the five purposes of Green Belt outlined in paragraph 134 were of little relevance to issues of Green Belt.

To address this issue, the TP1 Addendum 2021 outlines how the land within the proposed Green Belt has been assessed as well as proposed inner and outer boundaries of the Green Belt, using additional criteria to ensure that the proposed Green Belt fulfils the purposes listed in NPPF, with particular emphasis on purposes 1, 3 and 4. The criteria in question draws on evidence and work previously undertaken by the Council. The five new criteria are as follows:

- *Urban Sprawl*
- *Encroachment*
- *Compactness*
- *Landmark Monuments*
- *Landscape and Setting*

The first criterion has been introduced to assess whether land fulfils purpose 1 of Green Belt (to check the unrestricted sprawl of large built-up areas). The second is used to assess land against purpose 3 (to assist in safeguarding the countryside from encroachment). The remaining three criteria are used to assess whether land fulfils the fourth purpose of Green Belt (to preserve the setting and special character of historic towns).

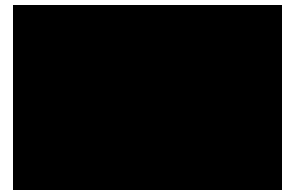
We feel that the revised methodology aligns more closely with the purposes of including land within the Green Belt, although we still have some concerns. Notwithstanding these concerns, it is clear that the Site does not materially contribute to any of the purposes of including land within the Green Belt, as set out in the TP1 Addendum 2021. Therefore, the allocation of H38 remains appropriate, as acknowledged by the Council.

For completeness we have assessed the Site against the revised methodology below:

**Urban Sprawl:** Rufforth is a village of modest scale. It is not a large built-up area. Rufforth is separated from York and by some distance and the development of the Site will not affect the perception of a compact city in a rural hinterland. The Site is a modest parcel of land which is well related to the existing settlement. There is an existing dwelling to the immediate north of the Site, and a cluster of houses located to the south beyond the stable and menage and existing urban development to the west. Given the clear physical boundaries the allocation of the Site will not result in unrestricted sprawl. The Council are content that the allocation of the Site will not result in sprawl, and we agree.

**Encroachment:** The Site is modest in scale and is completely enclosed by an established hedgerow boundaries. The boundaries restrict views into and out of the Site. Whilst the Site is undeveloped, it does not otherwise exhibit the characteristics one would otherwise associate with being rural, primarily given its scale and its proximity to the village. The development of the Site will therefore not harm this criterion.

**Compactness:** This consideration relates the preservation of the setting and special character of historic towns. Rufforth is not a town. Rufforth is situated some distance away from the City of York and as referred to above the development of the Site would not affect the percept or understanding of compact city. The Site does not intrude on the strays, Ings and green wedges which are so important to the character of York or affect the flat open countryside which surrounds the city. Further, the development of the Site will not lead to the coalescence of any urban area.



**Landmark Monuments:** The Site does not need to remain open to aid the appreciation of Rufforth, as a village, or the City of York. There are no other heritage assets in the vicinity of the Site. The City of York is situated some distance to the east of the village, with the village of Knapton an intervening settlement. Consequently, the City of York (nor Knapton for that matter) are visible from within the Site. When traveling around the ring road the Site is not visible. Likewise, the Site is not visible from the approach into the village from either the north or the south. The historic setting of the village is not affected given the paucity of views of the Site and neither is the setting of York.

**Landscape Setting:** Given the distance between Rufforth and York, there is no perceptible relationship between the two within the intervening land. The Site is closely associated with Rufforth and is not located on land which is deemed as important in contributing to the setting of the village. There is a public footpath to the east of the Site, from which the Site is only visible against the backdrop of the wider village, thereby minimising any impact on the wider setting. The Site is of no particular or specific merit in landscape terms. It is well enclosed and contained by the existing established hedge boundary. It is not associated or perceived as forming part of the wider landscape that surrounds the village.

The Developer continues to **support** the conclusions reached by the Council and **supports** the allocation of the Site in the emerging Local Plan and the conclusions reached in the TP1 Addendum 2021 and the associated evidence base regarding H38.

## Boundaries

The Developer also **supports** the settlement limits and Green Belt boundary as proposed within the emerging Local Plan. In particular, the northernmost boundary is a clear and logical edge to the settlement. From the property, 'Woodlands', located to the north of the Site, the boundary extends in a southeast direction. The route of the boundary follows that of the field boundary to the rear of property boundaries off Middlewood Close. The boundary then turning southwest to follow property boundaries of Yew Tree Close, the Ridings, and the other buildings. The boundaries in question are mature and permanent in nature, having served as a field boundary for many years. It provides a logical and clear boundary between the Site and the open rural landscape beyond.

The Developer **supports** the Green Belt boundary in this location.

## Housing Need

The consultation also concerns the GL Hearn Housing Needs Update (September 2020), and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the city has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

The Developer does not wish to comment specifically on the OAN calculation used by the Council. However, they do wish to reiterate the importance of the Site's allocation in ensuring that the Council are able to achieve the delivery trajectory outlined within the SHLAA Update, and in meeting the housing requirement identified in the GL Hearn report. As noted within the SHLAA Update 2021, the Site will contribute approximately 33 dwellings within the Plan Period. The Developer is content that the development of the Site will deliver the much-needed new dwellings envisaged and remains confident



that completion of the Site can be achieved within the short term. Indeed, the Developer has recently submitted a pre-application enquiry to the Council with a view to submitting a planning application at the earliest possible opportunity.

The Developer continues to **Support** H38 as a draft allocation. The Developer remains committed to the development of the Site, which remains available and deliverable. The Developer also supports the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

**Other Matters**

The Developer has no comment to make in relation to the remaining documents currently the subject of the ongoing consultation.

**Compliance with the Test of Soundness**

Having considered the updated and additional information relating to the Council’s methodology to determine whether land needs to be kept permanently open and included in the Green Belt, and to define appropriate Green Belt boundaries, it is clear that the Site remains suitable as a housing allocation, that the Site does not need to be kept permanently open and that the Green Belt boundaries in this location are appropriate. The Developer supports the assessment of the Site and the conclusion reached regarding it. In this respect, the Developer is of the view that the Local Plan has been **positively prepared**, and that the allocation of Site H38 is **deliverable, justified** and **consistent** with NPPF.

The GL Hearn Housing Needs Update 2020, and the SHLAA Update 2021 serve to underline the importance of the Site in enabling the Council to deliver the requisite housing within the plan period. The Council have accepted that H38 is available and that the Site is suitable for residential development, and it can be delivered.

The Developer therefore wholly **supports** the allocation known as H38. The Developer also **supports** the estimated development capacity of the Site and confirm that this can be delivered within the short term.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** [Redacted]  
**Sent:** 05 July 2021 14:37  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205286  
**Attachments:** L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

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## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 7 Housing Supply Update (EX/CYC/59i)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** See attached letter

**Please justify why you do not consider the document to be sound:**

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** N/A

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

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## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

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Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 4005LE

Date: 29<sup>th</sup> June 2021

Dear Sir / Madam,

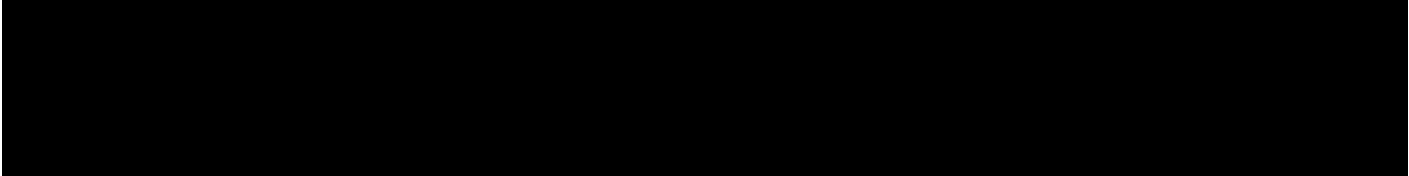
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## Background

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The suitability and appropriateness of the Site for housing development has therefore never been in question.

Throughout the various iterations of the emerging Local Plan, the Council have remained satisfied that residential development on the Site is suitable, that development is achievable, and that the Site is available. The Council have also remained satisfied that the Site does not perform an important Green Belt purpose and that the proposed Green Belt boundaries are appropriate. Overall, the Council remain satisfied that the Site does not need to remain permanently open. The Developer agrees with the Council's position.

The principle of allocating the Site for housing development within the emerging Local Plan remains firmly established. Consequently, the Developer **supports** the continued allocation of H38 within the emerging Local Plan.

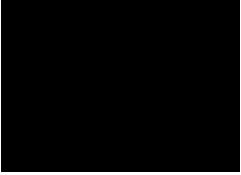
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It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

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To summarise the documents submitted, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 seeks to address the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projects will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 seeks to address the significant concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

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Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence.

## Comments and Observations on the Proposed Modifications

### Green Belt

As outlined in the TP1 Addendum, the Council have sought to address the concerns raised by the Inspectors relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the

Ref: 4005LE



Green Belt boundaries. To summarise, the Inspectors have expressed concern that the criteria (referred to as 'Shapers') used by the Council to assess sites against the five purposes of Green Belt outlined in paragraph 134 were of little relevance to issues of Green Belt.

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The first criterion has been introduced to assess whether land fulfils purpose 1 of Green Belt (to check the unrestricted sprawl of large built-up areas). The second is used to assess land against purpose 3 (to assist in safeguarding the countryside from encroachment). The remaining three criteria are used to assess whether land fulfils the fourth purpose of Green Belt (to preserve the setting and special character of historic towns).

We feel that the revised methodology aligns more closely with the purposes of including land within the Green Belt, although we still have some concerns. Notwithstanding these concerns, it is clear that the Site does not materially contribute to any of the purposes of including land within the Green Belt, as set out in the TP1 Addendum 2021. Therefore, the allocation of H38 remains appropriate, as acknowledged by the Council.

For completeness we have assessed the Site against the revised methodology below:

**Urban Sprawl:** Rufforth is a village of modest scale. It is not a large built-up area. Rufforth is separated from York and by some distance and the development of the Site will not affect the perception of a compact city in a rural hinterland. The Site is a modest parcel of land which is well related to the existing settlement. There is an existing dwelling to the immediate north of the Site, and a cluster of houses located to the south beyond the stable and menage and existing urban development to the west. Given the clear physical boundaries the allocation of the Site will not result in unrestricted sprawl. The Council are content that the allocation of the Site will not result in sprawl, and we agree.

**Encroachment:** The Site is modest in scale and is completely enclosed by an established hedgerow boundaries. The boundaries restrict views into and out of the Site. Whilst the Site is undeveloped, it does not otherwise exhibit the characteristics one would otherwise associate with being rural, primarily given its scale and its proximity to the village. The development of the Site will therefore not harm this criterion.

**Compactness:** This consideration relates the preservation of the setting and special character of historic towns. Rufforth is not a town. Rufforth is situated some distance away from the City of York and as referred to above the development of the Site would not affect the percept or understanding of compact city. The Site does not intrude on the strays, Ings and green wedges which are so important to the character of York or affect the flat open countryside which surrounds the city. Further, the development of the Site will not lead to the coalescence of any urban area.



**Landmark Monuments:** The Site does not need to remain open to aid the appreciation of Rufforth, as a village, or the City of York. There are no other heritage assets in the vicinity of the Site. The City of York is situated some distance to the east of the village, with the village of Knapton an intervening settlement. Consequently, the City of York (nor Knapton for that matter) are visible from within the Site. When traveling around the ring road the Site is not visible. Likewise, the Site is not visible from the approach into the village from either the north or the south. The historic setting of the village is not affected given the paucity of views of the Site and neither is the setting of York.

**Landscape Setting:** Given the distance between Rufforth and York, there is no perceptible relationship between the two within the intervening land. The Site is closely associated with Rufforth and is not located on land which is deemed as important in contributing to the setting of the village. There is a public footpath to the east of the Site, from which the Site is only visible against the backdrop of the wider village, thereby minimising any impact on the wider setting. The Site is of no particular or specific merit in landscape terms. It is well enclosed and contained by the existing established hedge boundary. It is not associated or perceived as forming part of the wider landscape that surrounds the village.

The Developer continues to **support** the conclusions reached by the Council and **supports** the allocation of the Site in the emerging Local Plan and the conclusions reached in the TP1 Addendum 2021 and the associated evidence base regarding H38.

## Boundaries

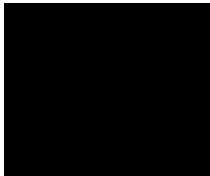
The Developer also **supports** the settlement limits and Green Belt boundary as proposed within the emerging Local Plan. In particular, the northernmost boundary is a clear and logical edge to the settlement. From the property, 'Woodlands', located to the north of the Site, the boundary extends in a southeast direction. The route of the boundary follows that of the field boundary to the rear of property boundaries off Middlewood Close. The boundary then turning southwest to follow property boundaries of Yew Tree Close, the Ridings, and the other buildings. The boundaries in question are mature and permanent in nature, having served as a field boundary for many years. It provides a logical and clear boundary between the Site and the open rural landscape beyond.

The Developer **supports** the Green Belt boundary in this location.

## Housing Need

The consultation also concerns the GL Hearn Housing Needs Update (September 2020), and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the city has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

The Developer does not wish to comment specifically on the OAN calculation used by the Council. However, they do wish to reiterate the importance of the Site's allocation in ensuring that the Council are able to achieve the delivery trajectory outlined within the SHLAA Update, and in meeting the housing requirement identified in the GL Hearn report. As noted within the SHLAA Update 2021, the Site will contribute approximately 33 dwellings within the Plan Period. The Developer is content that the development of the Site will deliver the much-needed new dwellings envisaged and remains confident



that completion of the Site can be achieved within the short term. Indeed, the Developer has recently submitted a pre-application enquiry to the Council with a view to submitting a planning application at the earliest possible opportunity.

The Developer continues to **Support** H38 as a draft allocation. The Developer remains committed to the development of the Site, which remains available and deliverable. The Developer also supports the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

## Other Matters

The Developer has no comment to make in relation to the remaining documents currently the subject of the ongoing consultation.

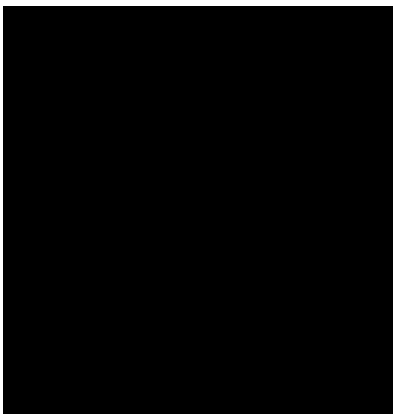
## Compliance with the Test of Soundness

Having considered the updated and additional information relating to the Council's methodology to determine whether land needs to be kept permanently open and included in the Green Belt, and to define appropriate Green Belt boundaries, it is clear that the Site remains suitable as a housing allocation, that the Site does not need to be kept permanently open and that the Green Belt boundaries in this location are appropriate. The Developer supports the assessment of the Site and the conclusion reached regarding it. In this respect, the Developer is of the view that the Local Plan has been **positively prepared**, and that the allocation of Site H38 is **deliverable, justified** and **consistent** with NPPF.

The GL Hearn Housing Needs Update 2020, and the SHLAA Update 2021 serve to underline the importance of the Site in enabling the Council to deliver the requisite housing within the plan period. The Council have accepted that H38 is available and that the Site is suitable for residential development, and it can be delivered.

The Developer therefore wholly **supports** the allocation known as H38. The Developer also **supports** the estimated development capacity of the Site and confirm that this can be delivered within the short term.

Yours sincerely,



**From:** [REDACTED]  
**Sent:** 05 July 2021 14:43  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205296  
**Attachments:** L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

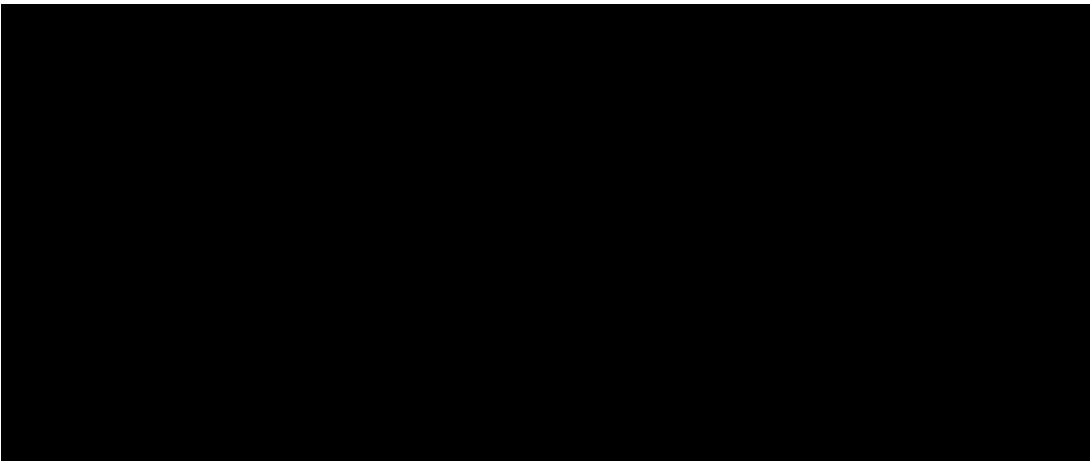
---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details



---

## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Strategic Housing Land Availability Assessment Update (April 2021) (EX/CYC/56)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** See attached letter

**Please justify why you do not consider the document to be sound:**

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** N/A

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

L001\_H38\_Land\_RO\_Rufforth\_Primary\_School.pdf

---



Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 4005LE

Date: 29<sup>th</sup> June 2021

Dear Sir / Madam,

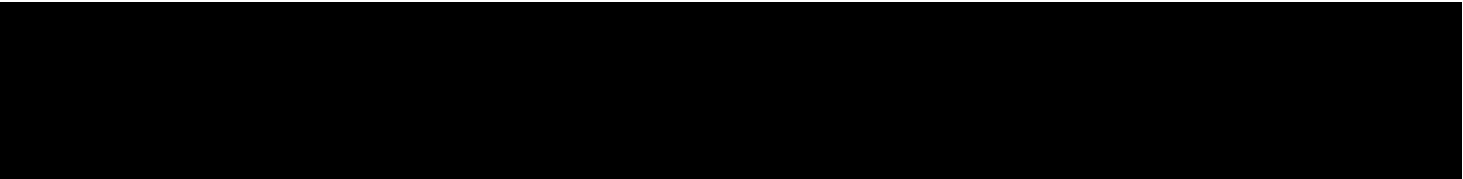
**RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND TO THE REAR OF RUFFORTH PRIMARY SCHOOL (STRATEGIC HOUSING SITE REF: H38).**

## Introduction

This submission is made on behalf of Mulgrave Developments Ltd (“the Developer”) and should be read in conjunction with the various detailed representations submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H38 (“the Site”). The representations previously submitted by DPP in support of the draft allocation of H38 confirmed that the Site remains available and suitable for housing development, and that residential development is achievable.

The Developer wishes to **support** the draft allocation of the Site within the emerging Local Plan. The Developer is of the view that the Site does not materially fulfil any of the purposes of the Green Belt around York, when reassessed using the Council’s clarified methodology. The Developer also wishes to reiterate that the allocation of the Site in the emerging Local Plan is crucial in ensuring the Council are able to meet the housing requirement cited in the emerging Local Plan, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021).

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to defining York's Green Belt Addendum March 2021
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 6: Proposed Modifications
  - Topic Paper 1 Green Belt Addendum January 2021 Annex 7: Housing Supply Update
  - GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)
- 



## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H38 was assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for development and did not need to be kept permanently open. The Site was subsequently included as a housing allocation in the Local Plan Preferred Options Draft (2013), Publication Draft Local Plan (2014), Local Plan Preferred Sites Consultation (2016) and the Local Plan Publication Draft (2018).

The Site is also endorsed within the Rufforth with Knapton Neighbourhood Plan ('the Neighbourhood Plan') which was formally made in 2018. The Neighbourhood Plan does not specifically allocate sites for development, leaving such to the emerging Local Plan. However, it does indicate that there is local support for the defined Green Belt boundaries and the two housing allocations in the emerging Local Plan. These are for land at the junction of Main Street and Back Lane in Knapton and at the end of Middlewood Close in Rufforth, the latter being the Site.

The suitability and appropriateness of the Site for housing development has therefore never been in question.

Throughout the various iterations of the emerging Local Plan, the Council have remained satisfied that residential development on the Site is suitable, that development is achievable, and that the Site is available. The Council have also remained satisfied that the Site does not perform an important Green Belt purpose and that the proposed Green Belt boundaries are appropriate. Overall, the Council remain satisfied that the Site does not need to remain permanently open. The Developer agrees with the Council's position.

The principle of allocating the Site for housing development within the emerging Local Plan remains firmly established. Consequently, the Developer **supports** the continued allocation of H38 within the emerging Local Plan.


## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*





c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors during and following the Phase 1 hearings. Much of the work undertaken seeks to address concerns raised in relation to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the Green Belt boundaries.

To summarise the documents submitted, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021) which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 seeks to address the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projects will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 seeks to address the significant concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Rufforth.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. No fundamental alterations are proposed, and none which directly concern the Site.

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.


Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence.

## Comments and Observations on the Proposed Modifications

### Green Belt

As outlined in the TP1 Addendum, the Council have sought to address the concerns raised by the Inspectors relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open and the

Ref: 4005LE



Green Belt boundaries. To summarise, the Inspectors have expressed concern that the criteria (referred to as 'Shapers') used by the Council to assess sites against the five purposes of Green Belt outlined in paragraph 134 were of little relevance to issues of Green Belt.

To address this issue, the TP1 Addendum 2021 outlines how the land within the proposed Green Belt has been assessed as well as proposed inner and outer boundaries of the Green Belt, using additional criteria to ensure that the proposed Green Belt fulfils the purposes listed in NPPF, with particular emphasis on purposes 1, 3 and 4. The criteria in question draws on evidence and work previously undertaken by the Council. The five new criteria are as follows:

- *Urban Sprawl*
- *Encroachment*
- *Compactness*
- *Landmark Monuments*
- *Landscape and Setting*

The first criterion has been introduced to assess whether land fulfils purpose 1 of Green Belt (to check the unrestricted sprawl of large built-up areas). The second is used to assess land against purpose 3 (to assist in safeguarding the countryside from encroachment). The remaining three criteria are used to assess whether land fulfils the fourth purpose of Green Belt (to preserve the setting and special character of historic towns).

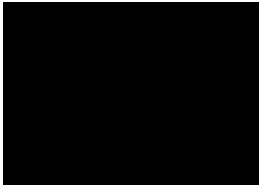
We feel that the revised methodology aligns more closely with the purposes of including land within the Green Belt, although we still have some concerns. Notwithstanding these concerns, it is clear that the Site does not materially contribute to any of the purposes of including land within the Green Belt, as set out in the TP1 Addendum 2021. Therefore, the allocation of H38 remains appropriate, as acknowledged by the Council.

For completeness we have assessed the Site against the revised methodology below:

**Urban Sprawl:** Rufforth is a village of modest scale. It is not a large built-up area. Rufforth is separated from York and by some distance and the development of the Site will not affect the perception of a compact city in a rural hinterland. The Site is a modest parcel of land which is well related to the existing settlement. There is an existing dwelling to the immediate north of the Site, and a cluster of houses located to the south beyond the stable and menage and existing urban development to the west. Given the clear physical boundaries the allocation of the Site will not result in unrestricted sprawl. The Council are content that the allocation of the Site will not result in sprawl, and we agree.

**Encroachment:** The Site is modest in scale and is completely enclosed by an established hedgerow boundaries. The boundaries restrict views into and out of the Site. Whilst the Site is undeveloped, it does not otherwise exhibit the characteristics one would otherwise associate with being rural, primarily given its scale and its proximity to the village. The development of the Site will therefore not harm this criterion.

**Compactness:** This consideration relates the preservation of the setting and special character of historic towns. Rufforth is not a town. Rufforth is situated some distance away from the City of York and as referred to above the development of the Site would not affect the percept or understanding of compact city. The Site does not intrude on the strays, lngs and green wedges which are so important to the character of York or affect the flat open countryside which surrounds the city. Further, the development of the Site will not lead to the coalescence of any urban area.



**Landmark Monuments:** The Site does not need to remain open to aid the appreciation of Rufforth, as a village, or the City of York. There are no other heritage assets in the vicinity of the Site. The City of York is situated some distance to the east of the village, with the village of Knapton an intervening settlement. Consequently, the City of York (nor Knapton for that matter) are visible from within the Site. When traveling around the ring road the Site is not visible. Likewise, the Site is not visible from the approach into the village from either the north or the south. The historic setting of the village is not affected given the paucity of views of the Site and neither is the setting of York.

**Landscape Setting:** Given the distance between Rufforth and York, there is no perceptible relationship between the two within the intervening land. The Site is closely associated with Rufforth and is not located on land which is deemed as important in contributing to the setting of the village. There is a public footpath to the east of the Site, from which the Site is only visible against the backdrop of the wider village, thereby minimising any impact on the wider setting. The Site is of no particular or specific merit in landscape terms. It is well enclosed and contained by the existing established hedge boundary. It is not associated or perceived as forming part of the wider landscape that surrounds the village.

The Developer continues to **support** the conclusions reached by the Council and **supports** the allocation of the Site in the emerging Local Plan and the conclusions reached in the TP1 Addendum 2021 and the associated evidence base regarding H38.

## Boundaries

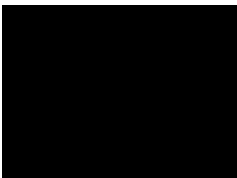
The Developer also **supports** the settlement limits and Green Belt boundary as proposed within the emerging Local Plan. In particular, the northernmost boundary is a clear and logical edge to the settlement. From the property, 'Woodlands', located to the north of the Site, the boundary extends in a southeast direction. The route of the boundary follows that of the field boundary to the rear of property boundaries off Middlewood Close. The boundary then turning southwest to follow property boundaries of Yew Tree Close, the Ridings, and the other buildings. The boundaries in question are mature and permanent in nature, having served as a field boundary for many years. It provides a logical and clear boundary between the Site and the open rural landscape beyond.

The Developer **supports** the Green Belt boundary in this location.

## Housing Need

The consultation also concerns the GL Hearn Housing Needs Update (September 2020), and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the city has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

The Developer does not wish to comment specifically on the OAN calculation used by the Council. However, they do wish to reiterate the importance of the Site's allocation in ensuring that the Council are able to achieve the delivery trajectory outlined within the SHLAA Update, and in meeting the housing requirement identified in the GL Hearn report. As noted within the SHLAA Update 2021, the Site will contribute approximately 33 dwellings within the Plan Period. The Developer is content that the development of the Site will deliver the much-needed new dwellings envisaged and remains confident



that completion of the Site can be achieved within the short term. Indeed, the Developer has recently submitted a pre-application enquiry to the Council with a view to submitting a planning application at the earliest possible opportunity.

The Developer continues to **Support** H38 as a draft allocation. The Developer remains committed to the development of the Site, which remains available and deliverable. The Developer also supports the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

**Other Matters**

The Developer has no comment to make in relation to the remaining documents currently the subject of the ongoing consultation.

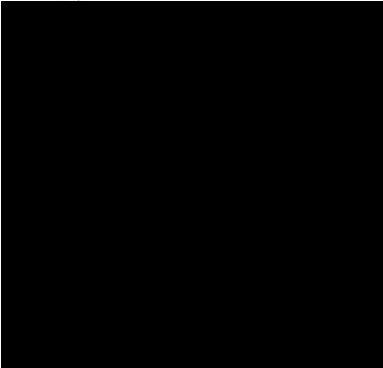
**Compliance with the Test of Soundness**

Having considered the updated and additional information relating to the Council’s methodology to determine whether land needs to be kept permanently open and included in the Green Belt, and to define appropriate Green Belt boundaries, it is clear that the Site remains suitable as a housing allocation, that the Site does not need to be kept permanently open and that the Green Belt boundaries in this location are appropriate. The Developer supports the assessment of the Site and the conclusion reached regarding it. In this respect, the Developer is of the view that the Local Plan has been **positively prepared**, and that the allocation of Site H38 is **deliverable, justified** and **consistent** with NPPF.

The GL Hearn Housing Needs Update 2020, and the SHLAA Update 2021 serve to underline the importance of the Site in enabling the Council to deliver the requisite housing within the plan period. The Council have accepted that H38 is available and that the Site is suitable for residential development, and it can be delivered.

The Developer therefore wholly **supports** the allocation known as H38. The Developer also **supports** the estimated development capacity of the Site and confirm that this can be delivered within the short term.

Yours sincerely,



[Redacted]

**From:** [Redacted]  
**Sent:** 05 July 2021 16:07  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205368

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

---

## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 6 Proposed Modifications (EX/CYC/59h)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

---

**From:** [Redacted]  
**Sent:** 05 July 2021 16:08  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205369

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 7 Housing Supply Update (EX/CYC/59i)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

---



[Redacted]

**From:** [Redacted]  
**Sent:** 05 July 2021 16:06  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205367  
**Attachments:** L001\_H26\_Elvington.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

---

## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 4 Other Developed Areas (EX/CYC/59f)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

---

## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

---

## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

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## **Supporting documentation**

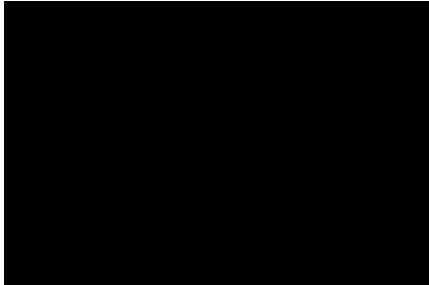
**Please provide any documents which support the comments made as part of this submission:**

L001\_H26\_Elvington.pdf





Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 3533LE  
29<sup>th</sup> June 2021

Dear Sir / Madam,

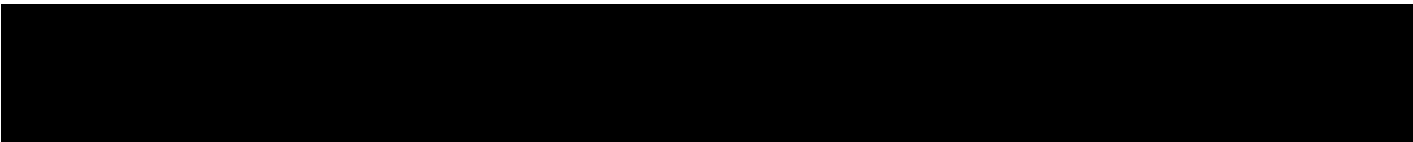
**RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND AT DAUBY LANE, ELVINGTON (HOUSING SITE REF: H26).**

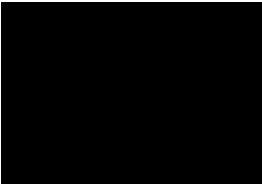
## Introduction

This submission is made on behalf of Yorvik Homes (“the Developer”) and should be read in conjunction with the various detailed representations previously submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H26 (‘the Site’). The representations previously submitted by DPP in support of the draft allocation of the land known H26 confirmed that the Site is available and suitable for housing development and that the Site is capable of accommodating residential development.

The Developer wishes to **object** to the continued omission of the Site from the emerging Local Plan. The Developer is of the view that the revised methodology used by the Council to determine Green Belt boundaries, as set out in the TP1 Addendum 2021, is not sound in respect of the Site, and that the OAN calculation of housing requirement simply does not meet the need for market and affordable housing within the City of York and will not result in a permanent Green Belt. The developer wishes to **object** on this basis.

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to Defining York's Green Belt Addendum January 2021
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 6 Proposed Modifications
  - Topic Paper TP1 Approach to Defining York’s Green Belt Annex 7 Housing Supply Update
- 

- 
- GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)

## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H26 was originally assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for housing development. The Site was subsequently included as a housing allocation in the Preferred Options Draft Local Plan (2013) and the Publication Draft Local Plan (2014). In proposing to allocate H26 for housing development the Council concluded that the Site did not need to be kept permanently open, that it accorded with the spatial strategy and did not conflict with the fundamental purpose of the Green Belt around York. However, the Site was subsequently deleted as a draft allocation in the Local Plan Preferred Sites Consultation (2016). The reason given for the deletion of the Site was as follows:

*"The site is currently an area of open land lying outside of the main village and settlement boundary and is not well related to the village in terms of shape and character. Its development would extend the village well beyond its current boundaries and would close what is currently an important gap between the edge of the residential area of Elvington village and the industrial estate to the north.*

*The site is not considered to be well contained and would result in the existing urban form of Elvington village coalescing with the commercial area at Elvington Industrial Estate. The site is therefore considered to perform greenbelt purposes."*

The Site is not allocated within the Publication Draft Local Plan (2018).

## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*



c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors following the Phase 1 hearings. Much of the work undertaken seeks to address issues relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open, and to formulate the Green Belt boundaries.

To summarise the work undertaken, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 responds to the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projections will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 responds to the key concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

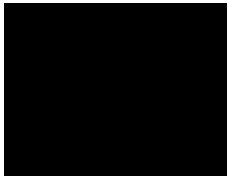
Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Elvington.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. It is proposed to alter the Green Belt boundary to the north of Elvington Primary School in proximity of the Site. The alteration is indicated as per the red line on the below plan extract.



Extract from *Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 6: Proposed Modifications Schedule for Green Belt*

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.



Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence. None of these other documents have any direct implications in relation to the Site.

## Comments and Observations on the Proposed Modifications

### The Inspectors' Concerns

To summarise, the Inspectors expressed concern that the criteria used by the Council to assess sites and the Green Belt boundaries (referred to as “Shapers”) were of little relevance to the issues associated with the definition of Green Belt, specifically in relation to openness, and the five purposes of Green Belt as defined in NPPF. The Inspectors noted that many of the “Shapers” used by the Council, including, *ensuring accessibility to sustainable modes of transport and a range of services*; and *preventing unacceptable levels of congestion and pollution*, were of very little relevance to Green Belt policy.

Of particular concern to the Inspectors was the manner in which the Council had assessed land against the third purpose of Green Belt *to assist in safeguarding the countryside from encroachment*. In assessing various sites, the Council had previously sought to exclude land accommodating features such as nature conservation sites and ancient woodland. The Inspectors noted that such designations again bear little relevance to the issue of *safeguarding the countryside from encroachment*.

The Inspectors considered that the approach taken again suggested a conflation of this Green Belt purpose and the “Shapers” in the emerging Local Plan and deemed such an insufficiently robust substitute for a proper analysis of the degree to which land performs the Green Belt function in question. As a result, the Inspectors rightly raised doubts as to the likelihood of the resulting Green Belt boundaries being reasonable and justified.


### General Comments Relating to the Clarified Methodology

The TP1 Addendum 2021, now the subject of this consultation, seeks to demonstrate that the resulting Green Belt boundaries are sound, despite the originally flawed methodology, and that the land included in the Green Belt needs to be designated in order to protect the special character of the historic city of York. Having now had opportunity to assess the TP1 Addendum 2021 and annexes, the Developer remains wholly unconvinced that the work undertaken by the Council in respect to the methodology gives rise to Green Belt boundaries which are justified, reasonable, and ultimately sound.

We would like to take this opportunity to highlight a number of issues with the methodology, which we believe undermines the robustness of the assessment undertaken as a whole.

The TP1 Addendum 2021 confirms how the Council have sought to assess land and the Green Belt boundaries against the purposes of Green Belt. We consider how each purpose has been considered in turn.

#### *Purpose 2 – To Prevent Neighbouring Towns from Merging into One Another*



Within the original Topic Paper1: Approach to defining York's Green Belt (TP1) 2018, the Council explained that the primary purpose of the York Green Belt is to protect the setting and special character of the historic city. As such, they sought to identify land most important to maintaining the historic character and setting of York, using 'criteria 1'. They noted that the same criteria would also be used to assess land against the second purpose of the Green Belt *to prevent neighbouring towns merging into one another*.

In the letter of June 2020, which followed Phase 1 hearings, the Inspectors were critical of this approach. In paragraph 39, they stated the following:

*'Purpose two – "to prevent neighbouring towns merging into one another" – is considered. But there are no towns around York, and as paragraph 4.27 of the Addendum says "the potential issue of towns merging does not arise". We recognise that the analysis here relates to preventing the coalescence of smaller settlements and villages where their individual identity is important to the setting and special character of York. That being so, this should be considered under the fourth purpose of including land in the Green Belt.'*

In the TP1 Addendum 2021, the Council acknowledge in paragraph 5.7 that, as there are no towns within the York authority area, the need to assess whether land should be kept permanently open to prevent neighbouring towns from merging does not arise. We have no objection to this approach.

#### ***Purpose 5 – To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and Other Urban Land***


As for the fifth purpose (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land), the Council considered such to be achieved through the overall effect of the York Green Belt, rather than through the identification of individual parcels of land. As such, no site-specific assessment of this final purpose has been undertaken by the Council within the original Topic Paper 1: Approach to defining York's Green Belt (TP1). The Inspectors made no comment in respect of such. Consequently, no further site-specific assessment has been undertaken in respect of the fifth purpose within the TP1 Addendum 2021. Again, we have no comment to make in relation to this approach to ensuring the York Green Belt fulfils the fifth purpose of Green Belt.

On this basis, and taking in to account the Inspector's letter of June 2020, the Council have determined that the need to keep land permanently open only needs to be assessed against the first, third and fourth purpose of including land within the Green Belt. The TP1 Addendum 2021 therefore introduces additional criteria to assess land against the first, third and fourth purposes of including land within the Green Belt. It is the use of these new criteria which is of concern to us. We have identified a number of flaws, specifically in relation to how they relate to each of the three relevant purposes. Our concerns are outlined below, following the chronology of purposes cited within the TP1 Addendum 2021.

#### ***Purpose 4 - To Preserve the Setting and Special Character of Historic Towns***

Starting with the fourth purpose, the Council have sought to explain how the evidence and findings within the *"The Approach to the Green Belt Appraisal 2003"* and the *"Heritage Topic Paper Update 2014"* documents were used to assess land against the fourth purpose of the Green Belt. It is explained that the latter document seeks to describe the strategic understanding of the City's special historical qualities through the use of *factors, themes, and six principal characteristics*. Of these six principal characteristics, the TP1 Addendum 2021 has utilised three: *compactness; landmark monuments; and landscape setting*, to indicate to what extent land performs the fourth purpose of Green Belt.





No explanation is provided as to why these three characteristics have been used, and how they specifically relate to the fourth purpose.

Our concerns in relation to the assessment criteria are highlighted below.

In relation to the first criterion *compactness* this outlines the need to retain the dense compact city or village form in an open or rural landscape. This is applied without regard to the facts of the situation, as many locations around the City, and some of the surrounding villages cannot be described as being compact, as they have been expanded over many years by suburban development. Just because land has not been built on does not make it important to the understanding of the special character of an area which is what the criterion suggests. The further flaw that the TP1 Addendum 2021 makes is to include villages in the assessment question. Villages are not relevant to this purpose of including land within the Green Belt. If the NPPF had meant for villages to be included, it would have used words like “historic settlements”. It does not. The relationship between the city and the villages is important but this purpose of including land within the Green Belt does not require villages to be compact.


In relation to the second criterion - *landmark monuments* gives rise to a need to assess whether land is needed to remain open to aid the understanding and significance of a building, landmark or monument. Again, it is difficult to understand how an assessment of every heritage asset, as required under this criterion, will ensure the fourth purpose has been duly considered. This is particularly relevant as this purpose of including land within the Green Belt relates to the setting and special character of historic towns as a whole. It is not an isolated exercise and certainly does not relate to a single building, landmark or monument.

In relation to the third criterion *landscape and setting* it is noted that the significance of designated landscapes, parks and gardens are considered to be important. It is difficult to discern why the significance of historic gardens is considered under this criterion, and it exemplifies a general confusion and conflation as to what is and what is not historic, and how such ultimately contributes to the *setting and special character of historic towns*. A further example relates to nature conservation designations, which are used as an indicator of *landscape and setting*. The supporting text suggests that, in terms of Green Belt, the nature conservation designations are a consideration only within a historical context, but it is unclear as to why the presence of nature conservation designations, historic or otherwise, are considered under *landscape and setting*, and again how they relate to the fourth purpose of including land within the Green Belt.

The TP1 Addendum 2021 also notes that all three of these criteria have the potential to render the whole of the York authority area relevant to the fourth purpose. It is unclear as to how this could be true, or what exactly is meant by this. This is plainly an absurd assertion, as not all land around a settlement will be important to this purpose of including land within the Green Belt. It is considered that this criterion does not provide clear guidance as to what land should or should not be included in the Green Belt.

### ***Purpose 1 - To Check the Unrestricted Sprawl of Large Built-Up Areas***

In order to assess land against the first purpose, the Council have used the criterion, *urban sprawl*. This criterion seeks to establish whether land has an increased risk of sprawl occurring through such matters as the proximity of the urban area and presence of existing agricultural / recreational development. However, the proximity of the urban area is not in itself linked to sprawl or the presence of existing buildings / farmsteads etc. By this logic, any existing buildings / farmsteads would need including within the Green Belt to reduce the chance of sprawl occurring. This lacks logic. Surely the purpose of this criterion is to stop unrestricted sprawl. This is achieved by defining Green Belt boundaries which



follow logical and permanent features but at the same time not including land that does not have to be kept permanently open. Indeed, where the urban area lacks definition or a proper transition into the countryside there may be a case for redefining the boundary to ensure it remains permanent.

### ***Purpose 3 - to assist in safeguarding the countryside from encroachment***

The Council have used an *encroachment* criterion to assess the performance of the boundaries and land against the third purpose. Under this criterion, the Council consider *whether or not land functions as part of the countryside in terms of relationships within it or acceptable uses within it; including those for agriculture, forestry, woodland, equestrian and other uses, small villages, rural business parks or other building clusters*. These uses may be associated with the countryside, but the assessment question would suggest that it should include every parcel of land outside the urban area. Again, it remains unclear how this as an assessment would aid one's understanding of whether or not land needs safeguarding from encroachment or what is truly countryside as opposed to land that has been influenced by urban development.

### ***Summary***

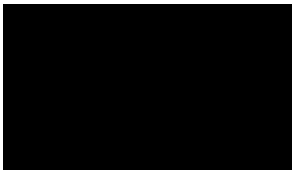
The above issues exemplify the contrived and often perplexing methodology used in the TP1 Addendum 2021 to determine the Green Belt boundaries. The use of selected parts of historic evidence makes it difficult to understand the overarching approach to the Green Belt taken by the Council, and it is hard to dispel the impression that the TP1 Addendum 2021 document is an exercise in retrospectively justifying the proposed Green Belt boundaries rather than a proper exercise to determine the most appropriate boundaries. Irrespective of such, the various anomalies and inconsistencies cumulatively serve to undermine the robustness of the Green Belt assessment conducted by the Council. Given the extent of flaws within the revised methodology, it remains clear to the Developer that the Green Belt boundaries are anything but justified and reasonable.

## **Alterations to the Green Belt**

There are various examples of the confused and muddled approach to defining the Green Belt boundaries throughout the plan. The Developer wishes to highlight, and specifically **object** to PM97, which concerns land immediately adjacent to the Site. Under PM97, the Council are proposing to relocate the Green Belt boundary to the north of Elvington. The extent of the settlement limit in the Publication Draft Local Plan (2018) encompassed the full extent of Elvington Primary School and its associated playing field. The Green Belt boundary, whilst excluding the Site as an allocation, previously followed the existing hedge boundary associated with the school. This boundary had a degree of logic even if the Developer objected to it.

Under the revised methodology, the TP1 Addendum 2021 now proposes to relocate the boundary, to add the school playing field to the north, and part of the main school building, into the Green Belt. The reasoning and rationale behind such a move are difficult to understand. Whilst the Council are perhaps seeking to establish a permanent boundary using the built edge of the school as a guide, it appears that part of the existing school building has been included within the Green Belt.

Further, the proposed boundary excludes the access road and some open space to the southwest of the school. See the proposed modification and aerial image below. This is illogical and means that the boundary is anything but clear and certainly does not follow defined physical features. In any event the use a building is a poor boundary. Buildings can be



extended, replaced or just demolished. A building is considered to be a bad boundary and can result in uncertainty as to the location of the Green Belt. Whilst it is the Developer's view that the boundary should include H26 it is not known why the boundary around the perimeter of the playing field proposed in the Publication Draft Local Plan (2018) would not serve as a suitable edge. The school playing field, whilst evidently open, shares few other characteristics with the purposes of including land within the Green Belt, and likewise it's difficult to see how the inclusion of the playing field within the Green Belt serves any of the five purposes. The Developer wishes to **object** to PM97 as a result.




### Permanent Green Belt Boundaries

The Council are also consulting on the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the City has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

DPP have repeatedly objected to the housing requirement used within the Publication Draft Local Plan (2018) and have outlined the reasons why it fails to meet the housing needs of the City.

Apart from the reasons already cited which include concealed households, historic under delivery and market signals we have a further concern which relates to the TP1 Addendum 2021 and the permanence of the Green Belt. The Council's housing requirement has been calculated using the OAN (objectively assessed needs) process. As the emerging Local Plan was submitted prior to the cut-off date of the 24<sup>th</sup> January 2019, Paragraph 214 of NPPF allows the use of this process, rather than the standard method process, which is now the prevailing approach to calculating housing requirement.

**Paragraph 33** of the NPPF 2019 requires policies in local plans and spatial development strategies to be reviewed and updated as necessary and at least once every five years. It also indicates that relevant strategic policies will need updating if their applicable local housing need figure has changed significantly. The NPPF indicates that LPAs are likely to require earlier reviews if local housing need changes significantly following the adoption of a plan.



This being the case, the Council's decision to continue to use the OAN process will almost certainly result in a significant change to their local housing need figure once the standard method is used as part of a local plan review. Even if it is not regarded as a significant change, it will still represent an increase in the housing requirement.

DPP estimates that, using the standard method, the Council would have to increase the housing requirement in the Publication Draft Local Plan (2018) to over 1,000 dwellings per annum. The Council will therefore have to find a significant number of additional housing sites in order to meet the housing requirement defined by the standard method and this will mean additional land will almost certainly have to be released from what the Council hope will be a recently adopted Green Belt.

**Paragraph 133** of the Framework indicates that the essential characteristics of Green Belts are their openness and their permanence. **Paragraph 136** goes on to indicate that once established, Green Belt boundaries should only be altered in exceptional circumstances and notes that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. **Paragraph 139** also indicates that plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period.

It is clear that the inevitable transition from the OAN process to the standard method will result in an increase in the housing requirement which will necessitate further alterations to the Green Belt boundaries within a maximum of five years following adoption of the emerging Local Plan. On the basis of the above the Developer considers that housing requirement in the emerging Local Plan is unsound on the basis that it will not deliver a permanent Green Belt in accordance with the requirements of NPPF.

## Suitability of the Site

The Developer considers that H26 and the dense woodland and hedgerow around it formed a clear, logical and defensible long term Green Belt boundary. The Site is bound on two sides by existing development and is otherwise entirely enclosed and contained from the wider surrounding landscape by the existing boundary. As such the Developer maintains their **objections** to the continued omission of the Site as an allocation within the emerging Local Plan.

However, in light of the above it remains telling that the Site has previously been assessed by the Council and deemed suitable as a housing allocation within the emerging Local Plan. The Site was only deleted from the emerging Local Plan when the housing requirement was reduced at the time the Preferred Sites Local Plan (2016). On the basis of our view that the Council will soon need to reassess the housing requirement using the standard method instead of OAN it is clear to us that the Council will need to identify new sites to accommodate the increased housing requirement. The Developer wholly believes that if Site H26 is not to be included within the emerging Local Plan as a housing allocation, it should be identified as safeguarded land in anticipation of the review.

As outlined in the previous representations submitted by DPP, the Site remains a logical and natural addition to the village. The allocation and development of the Site would effectively infill the modest gap between the Primary School and the village medical centre. The Site, whilst admittedly undeveloped, does not fulfil any the purposes of Green Belt (particularly the first, third and fourth), and its allocation within the plan could be achieved without undermining or compromising the role and function of the York Green Belt.



## Assessment of the Site Against TP1 Addendum 2021

Setting aside the Developer's concerns relating to the updated methodology used by the Council, we have assessed the Site against the criteria in the TP1 Addendum 2021 below:

**Compactness:** the continued absence of development on the Site does not aid one's impression of a compact City of York. Elvington is a significant distance from the city and is not viewed in the same context. The City of York will retain its compact form. Even if the consideration of compactness related to villages, which it does not, Elvington would still be compact as the allocation of H26 would do no more than fill a gap in between existing development. If anything, infilling a vacant plot of land within the developed extent of Elvington would give rise to a more compact settlement.

**Landmark Monuments:** there are no landmark monuments within the vicinity of the Site. Views into York and its associated landmarks are obscured by existing development and vegetation. Given the distance between Elvington and York, it is not possible to view both separate entities. This consideration would not be harmed.

**Landscape and Setting:** the Site does not need to be kept permanently open as part of the wider landscape associated with the historic character and setting of York. The Site lies a considerable distance from York, it is not on one of the approaches to the city and remains discreet and separate from the wider landscape that surrounds the city and the village itself. H26 does not lie within a protected landscape, form an area of public open space, and nor does it form part of any other area which contributes to the setting of York. The Site is well enclosed by existing established natural boundaries, which divorces the Site from the landscape that surrounds Elvington. It does not form part of the wider setting within which Elvington is viewed.

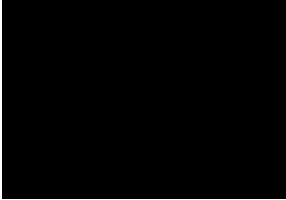
**Urban Sprawl:** the Site forms parts of Elvington, a sustainable but relatively small village. Elvington is not a large built-up area. The development of the Site will therefore not give rise to the sprawl of a large built-up area and, whilst not relevant, the development of the Site would not even give rise to the unrestricted sprawl of the village given the clear boundaries around the Site.

**Encroachment:** in its setting, the Site does not have the characteristics of land that could be deemed countryside. It contains a number of former military buildings, and it is bound on two sides by the existing developed confines of Elvington and woodland belts and hedgerows. H26, whilst largely open, is heavily influenced by urban development and cannot sensibly be regarded as being part of the wider countryside. The development of the Site would not therefore result in encroachment. Rather, the Site has the characteristics of a small well contained gap between development.

On the basis that the Site does not fulfil the purposes of Green Belt, when assessed against the clarified methodology, the Developer remains wholly of the view that Site H26 should be included as an allocation within the Publication Draft Local Plan 2018.

## Compliance with the Test of Soundness

Having considered the updated and additional clarification concerning the Council's methodology to determine the land that needs to be kept permanently open and to define Green Belt boundaries, it remains clear that there are a number of issues and anomalies which undermine the robustness of the exercise. As a result, and for the reasons explained, the Developer is of the view that the revised methodology does not provide a robust basis to determine which parcels of



land need to remain permanently open, and the Green Belt boundaries therefore remain unreasonable and insufficiently justified, and therefore unsound.

Additionally, it is evident that the emerging Local Plan, in its current guise, will not result in a permanent Green Belt, contrary to the requirements of the NPPF. It is inevitable that the Council will soon need to identify additional sites for housing, once the switch is made from the OAN process of calculating the housing requirement to the standard method. The Council have therefore failed to fully account for the City's future housing need, which will ultimately necessitate a review of the emerging Local Plan if it is adopted, and the Green Belt boundaries, rendering such unsound as a result.

Overall, the Developer considers that the emerging Local Plan has **not been positively prepared**, the land that is included within the Green Belt has **not been justified**, it will **not be effective** and is **not consistent with national policy** in that the Green Belt will not endure, and land has been included in the Green Belt which does not need to be kept permanently open.

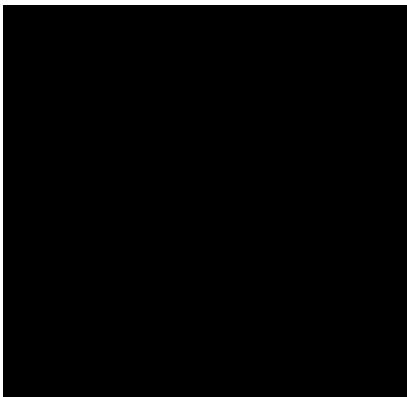
There are also a number of significant deficiencies in the City of York Housing Needs Update which mean that the 822 dwellings per annum OAN figure which the Council continue to use within the Proposed Modifications is unsound. The housing requirement and evidence base are **not justified**, and the local plan will **not be effective** in meeting the City's needs. It has **not been positively prepared**, and the approach adopted **does not reflect national policy**.

These representations confirm that H26 remains available, and capable of accommodating housing growth. The Site contributes very little, if anything, to the purposes of the Green Belt, whilst the technical issues previously raised by the Council have been addressed in detail in previous representations submitted to the Council. The Developer therefore **Objects** to the continued omission of H26 as either an allocation or safeguarded land within the emerging Local Plan.

## Our Proposed Modifications

To make the local plan sound it is recommended that the housing requirement is recalculated and should reflect a figure similar to that produced by using the standard method. We also suggest that the Site, H26, is reinstated as an allocation within the emerging Local Plan to cater for the increase in housing requirement that is required in order to render the Local Plan sound. Finally, we recommend that the PM97 is omitted from the Local Plan, and the boundary reinstated along the existing field boundary which encloses the school playing field.

Yours sincerely,



**From:** [REDACTED]  
**Sent:** 05 July 2021 16:04  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205365  
**Attachments:** L001\_H26\_Elvington.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

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## Organisation or group details

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Approach to defining Green Belt Addendum January 2021 (EX/CYC/59)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

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## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

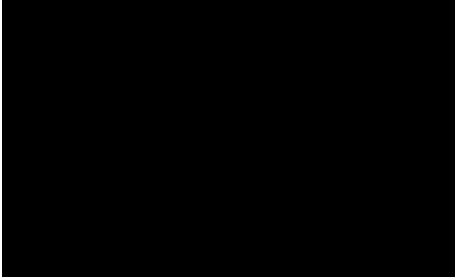
L001\_H26\_Elvington.pdf







Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 3533LE  
29<sup>th</sup> June 2021

Dear Sir / Madam,

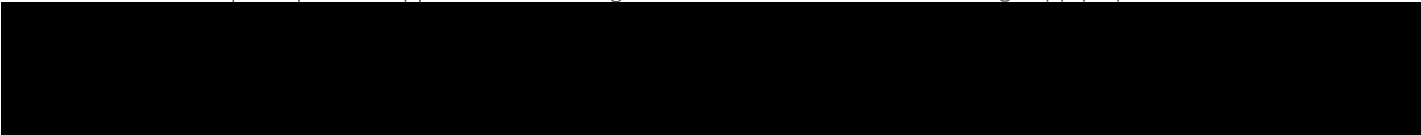
RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND AT DAUBY LANE, ELVINGTON (HOUSING SITE REF: H26).


## Introduction

This submission is made on behalf of Yorvik Homes (“the Developer”) and should be read in conjunction with the various detailed representations previously submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H26 (‘the Site’). The representations previously submitted by DPP in support of the draft allocation of the land known H26 confirmed that the Site is available and suitable for housing development and that the Site is capable of accommodating residential development.

The Developer wishes to **object** to the continued omission of the Site from the emerging Local Plan. The Developer is of the view that the revised methodology used by the Council to determine Green Belt boundaries, as set out in the TP1 Addendum 2021, is not sound in respect of the Site, and that the OAN calculation of housing requirement simply does not meet the need for market and affordable housing within the City of York and will not result in a permanent Green Belt. The developer wishes to **object** on this basis.

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to Defining York's Green Belt Addendum January 2021
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 6 Proposed Modifications
  - Topic Paper TP1 Approach to Defining York’s Green Belt Annex 7 Housing Supply Update
- 

- 
- GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)

## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H26 was originally assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for housing development. The Site was subsequently included as a housing allocation in the Preferred Options Draft Local Plan (2013) and the Publication Draft Local Plan (2014). In proposing to allocate H26 for housing development the Council concluded that the Site did not need to be kept permanently open, that it accorded with the spatial strategy and did not conflict with the fundamental purpose of the Green Belt around York. However, the Site was subsequently deleted as a draft allocation in the Local Plan Preferred Sites Consultation (2016). The reason given for the deletion of the Site was as follows:

*"The site is currently an area of open land lying outside of the main village and settlement boundary and is not well related to the village in terms of shape and character. Its development would extend the village well beyond its current boundaries and would close what is currently an important gap between the edge of the residential area of Elvington village and the industrial estate to the north.*

*The site is not considered to be well contained and would result in the existing urban form of Elvington village coalescing with the commercial area at Elvington Industrial Estate. The site is therefore considered to perform greenbelt purposes."*

The Site is not allocated within the Publication Draft Local Plan (2018).

## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors following the Phase 1 hearings. Much of the work undertaken seeks to address issues relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open, and to formulate the Green Belt boundaries.

To summarise the work undertaken, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 responds to the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projections will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 responds to the key concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.


Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Elvington.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. It is proposed to alter the Green Belt boundary to the north of Elvington Primary School in proximity of the Site. The alteration is indicated as per the red line on the below plan extract.



Extract from *Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 6: Proposed Modifications Schedule for Green Belt*

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.



Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence. None of these other documents have any direct implications in relation to the Site.

## Comments and Observations on the Proposed Modifications

### The Inspectors' Concerns

To summarise, the Inspectors expressed concern that the criteria used by the Council to assess sites and the Green Belt boundaries (referred to as “Shapers”) were of little relevance to the issues associated with the definition of Green Belt, specifically in relation to openness, and the five purposes of Green Belt as defined in NPPF. The Inspectors noted that many of the “Shapers” used by the Council, including, *ensuring accessibility to sustainable modes of transport and a range of services*; and *preventing unacceptable levels of congestion and pollution*, were of very little relevance to Green Belt policy.

Of particular concern to the Inspectors was the manner in which the Council had assessed land against the third purpose of Green Belt *to assist in safeguarding the countryside from encroachment*. In assessing various sites, the Council had previously sought to exclude land accommodating features such as nature conservation sites and ancient woodland. The Inspectors noted that such designations again bear little relevance to the issue of *safeguarding the countryside from encroachment*.

The Inspectors considered that the approach taken again suggested a conflation of this Green Belt purpose and the “Shapers” in the emerging Local Plan and deemed such an insufficiently robust substitute for a proper analysis of the degree to which land performs the Green Belt function in question. As a result, the Inspectors rightly raised doubts as to the likelihood of the resulting Green Belt boundaries being reasonable and justified.

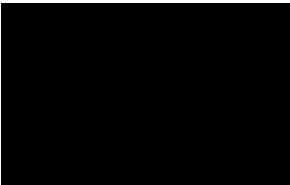
### General Comments Relating to the Clarified Methodology

The TP1 Addendum 2021, now the subject of this consultation, seeks to demonstrate that the resulting Green Belt boundaries are sound, despite the originally flawed methodology, and that the land included in the Green Belt needs to be designated in order to protect the special character of the historic city of York. Having now had opportunity to assess the TP1 Addendum 2021 and annexes, the Developer remains wholly unconvinced that the work undertaken by the Council in respect to the methodology gives rise to Green Belt boundaries which are justified, reasonable, and ultimately sound.

We would like to take this opportunity to highlight a number of issues with the methodology, which we believe undermines the robustness of the assessment undertaken as a whole.

The TP1 Addendum 2021 confirms how the Council have sought to assess land and the Green Belt boundaries against the purposes of Green Belt. We consider how each purpose has been considered in turn.

#### *Purpose 2 – To Prevent Neighbouring Towns from Merging into One Another*



Within the original Topic Paper1: Approach to defining York's Green Belt (TP1) 2018, the Council explained that the primary purpose of the York Green Belt is to protect the setting and special character of the historic city. As such, they sought to identify land most important to maintaining the historic character and setting of York, using 'criteria 1'. They noted that the same criteria would also be used to assess land against the second purpose of the Green Belt *to prevent neighbouring towns merging into one another*.

In the letter of June 2020, which followed Phase 1 hearings, the Inspectors were critical of this approach. In paragraph 39, they stated the following:

*'Purpose two – "to prevent neighbouring towns merging into one another" – is considered. But there are no towns around York, and as paragraph 4.27 of the Addendum says "the potential issue of towns merging does not arise". We recognise that the analysis here relates to preventing the coalescence of smaller settlements and villages where their individual identity is important to the setting and special character of York. That being so, this should be considered under the fourth purpose of including land in the Green Belt.'*

In the TP1 Addendum 2021, the Council acknowledge in paragraph 5.7 that, as there are no towns within the York authority area, the need to assess whether land should be kept permanently open to prevent neighbouring towns from merging does not arise. We have no objection to this approach.


#### ***Purpose 5 – To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and Other Urban Land***

As for the fifth purpose (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land), the Council considered such to be achieved through the overall effect of the York Green Belt, rather than through the identification of individual parcels of land. As such, no site-specific assessment of this final purpose has been undertaken by the Council within the original Topic Paper 1: Approach to defining York's Green Belt (TP1). The Inspectors made no comment in respect of such. Consequently, no further site-specific assessment has been undertaken in respect of the fifth purpose within the TP1 Addendum 2021. Again, we have no comment to make in relation to this approach to ensuring the York Green Belt fulfils the fifth purpose of Green Belt.

On this basis, and taking in to account the Inspector's letter of June 2020, the Council have determined that the need to keep land permanently open only needs to be assessed against the first, third and fourth purpose of including land within the Green Belt. The TP1 Addendum 2021 therefore introduces additional criteria to assess land against the first, third and fourth purposes of including land within the Green Belt. It is the use of these new criteria which is of concern to us. We have identified a number of flaws, specifically in relation to how they relate to each of the three relevant purposes. Our concerns are outlined below, following the chronology of purposes cited within the TP1 Addendum 2021.

#### ***Purpose 4 - To Preserve the Setting and Special Character of Historic Towns***

Starting with the fourth purpose, the Council have sought to explain how the evidence and findings within the *"The Approach to the Green Belt Appraisal 2003"* and the *"Heritage Topic Paper Update 2014"* documents were used to assess land against the fourth purpose of the Green Belt. It is explained that the latter document seeks to describe the strategic understanding of the City's special historical qualities through the use of *factors, themes, and six principal characteristics*. Of these six principal characteristics, the TP1 Addendum 2021 has utilised three: *compactness; landmark monuments; and landscape setting*, to indicate to what extent land performs the fourth purpose of Green Belt.



No explanation is provided as to why these three characteristics have been used, and how they specifically relate to the fourth purpose.

Our concerns in relation to the assessment criteria are highlighted below.

In relation to the first criterion *compactness* this outlines the need to retain the dense compact city or village form in an open or rural landscape. This is applied without regard to the facts of the situation, as many locations around the City, and some of the surrounding villages cannot be described as being compact, as they have been expanded over many years by suburban development. Just because land has not been built on does not make it important to the understanding of the special character of an area which is what the criterion suggests. The further flaw that the TP1 Addendum 2021 makes is to include villages in the assessment question. Villages are not relevant to this purpose of including land within the Green Belt. If the NPPF had meant for villages to be included, it would have used words like “historic settlements”. It does not. The relationship between the city and the villages is important but this purpose of including land within the Green Belt does not require villages to be compact.


In relation to the second criterion - *landmark monuments* gives rise to a need to assess whether land is needed to remain open to aid the understanding and significance of a building, landmark or monument. Again, it is difficult to understand how an assessment of every heritage asset, as required under this criterion, will ensure the fourth purpose has been duly considered. This is particularly relevant as this purpose of including land within the Green Belt relates to the setting and special character of historic towns as a whole. It is not an isolated exercise and certainly does not relate to a single building, landmark or monument.

In relation to the third criterion *landscape and setting* it is noted that the significance of designated landscapes, parks and gardens are considered to be important. It is difficult to discern why the significance of historic gardens is considered under this criterion, and it exemplifies a general confusion and conflation as to what is and what is not historic, and how such ultimately contributes to the *setting and special character of historic towns*. A further example relates to nature conservation designations, which are used as an indicator of *landscape and setting*. The supporting text suggests that, in terms of Green Belt, the nature conservation designations are a consideration only within a historical context, but it is unclear as to why the presence of nature conservation designations, historic or otherwise, are considered under *landscape and setting*, and again how they relate to the fourth purpose of including land within the Green Belt.

The TP1 Addendum 2021 also notes that all three of these criteria have the potential to render the whole of the York authority area relevant to the fourth purpose. It is unclear as to how this could be true, or what exactly is meant by this. This is plainly an absurd assertion, as not all land around a settlement will be important to this purpose of including land within the Green Belt. It is considered that this criterion does not provide clear guidance as to what land should or should not be included in the Green Belt.

### ***Purpose 1 - To Check the Unrestricted Sprawl of Large Built-Up Areas***

In order to assess land against the first purpose, the Council have used the criterion, *urban sprawl*. This criterion seeks to establish whether land has an increased risk of sprawl occurring through such matters as the proximity of the urban area and presence of existing agricultural / recreational development. However, the proximity of the urban area is not in itself linked to sprawl or the presence of existing buildings / farmsteads etc. By this logic, any existing buildings / farmsteads would need including within the Green Belt to reduce the chance of sprawl occurring. This lacks logic. Surely the purpose of this criterion is to stop unrestricted sprawl. This is achieved by defining Green Belt boundaries which



follow logical and permanent features but at the same time not including land that does not have to be kept permanently open. Indeed, where the urban area lacks definition or a proper transition into the countryside there may be a case for redefining the boundary to ensure it remains permanent.

### ***Purpose 3 - to assist in safeguarding the countryside from encroachment***

The Council have used an *encroachment* criterion to assess the performance of the boundaries and land against the third purpose. Under this criterion, the Council consider *whether or not land functions as part of the countryside in terms of relationships within it or acceptable uses within it; including those for agriculture, forestry, woodland, equestrian and other uses, small villages, rural business parks or other building clusters*. These uses may be associated with the countryside, but the assessment question would suggest that it should include every parcel of land outside the urban area. Again, it remains unclear how this as an assessment would aid one's understanding of whether or not land needs safeguarding from encroachment or what is truly countryside as opposed to land that has been influenced by urban development.

### ***Summary***

The above issues exemplify the contrived and often perplexing methodology used in the TP1 Addendum 2021 to determine the Green Belt boundaries. The use of selected parts of historic evidence makes it difficult to understand the overarching approach to the Green Belt taken by the Council, and it is hard to dispel the impression that the TP1 Addendum 2021 document is an exercise in retrospectively justifying the proposed Green Belt boundaries rather than a proper exercise to determine the most appropriate boundaries. Irrespective of such, the various anomalies and inconsistencies cumulatively serve to undermine the robustness of the Green Belt assessment conducted by the Council. Given the extent of flaws within the revised methodology, it remains clear to the Developer that the Green Belt boundaries are anything but justified and reasonable.

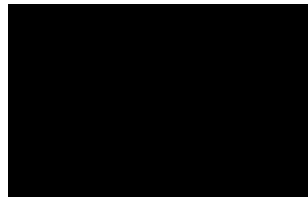
## **Alterations to the Green Belt**

There are various examples of the confused and muddled approach to defining the Green Belt boundaries throughout the plan. The Developer wishes to highlight, and specifically **object** to PM97, which concerns land immediately adjacent to the Site. Under PM97, the Council are proposing to relocate the Green Belt boundary to the north of Elvington. The extent of the settlement limit in the Publication Draft Local Plan (2018) encompassed the full extent of Elvington Primary School and its associated playing field. The Green Belt boundary, whilst excluding the Site as an allocation, previously followed the existing hedge boundary associated with the school. This boundary had a degree of logic even if the Developer objected to it.

Under the revised methodology, the TP1 Addendum 2021 now proposes to relocate the boundary, to add the school playing field to the north, and part of the main school building, into the Green Belt. The reasoning and rationale behind such a move are difficult to understand. Whilst the Council are perhaps seeking to establish a permanent boundary using the built edge of the school as a guide, it appears that part of the existing school building has been included within the Green Belt.

Further, the proposed boundary excludes the access road and some open space to the southwest of the school. See the proposed modification and aerial image below. This is illogical and means that the boundary is anything but clear and certainly does not follow defined physical features. In any event the use a building is a poor boundary. Buildings can be





extended, replaced or just demolished. A building is considered to be a bad boundary and can result in uncertainty as to the location of the Green Belt. Whilst it is the Developer's view that the boundary should include H26 it is not known why the boundary around the perimeter of the playing field proposed in the Publication Draft Local Plan (2018) would not serve as a suitable edge. The school playing field, whilst evidently open, shares few other characteristics with the purposes of including land within the Green Belt, and likewise it's difficult to see how the inclusion of the playing field within the Green Belt serves any of the five purposes. The Developer wishes to **object** to PM97 as a result.




## Permanent Green Belt Boundaries

The Council are also consulting on the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the City has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

DPP have repeatedly objected to the housing requirement used within the Publication Draft Local Plan (2018) and have outlined the reasons why it fails to meet the housing needs of the City.

Apart from the reasons already cited which include concealed households, historic under delivery and market signals we have a further concern which relates to the TP1 Addendum 2021 and the permanence of the Green Belt. The Council's housing requirement has been calculated using the OAN (objectively assessed needs) process. As the emerging Local Plan was submitted prior to the cut-off date of the 24<sup>th</sup> January 2019, Paragraph 214 of NPPF allows the use of this process, rather than the standard method process, which is now the prevailing approach to calculating housing requirement.

**Paragraph 33** of the NPPF 2019 requires policies in local plans and spatial development strategies to be reviewed and updated as necessary and at least once every five years. It also indicates that relevant strategic policies will need updating if their applicable local housing need figure has changed significantly. The NPPF indicates that LPAs are likely to require earlier reviews if local housing need changes significantly following the adoption of a plan.



This being the case, the Council's decision to continue to use the OAN process will almost certainly result in a significant change to their local housing need figure once the standard method is used as part of a local plan review. Even if it is not regarded as a significant change, it will still represent an increase in the housing requirement.

DPP estimates that, using the standard method, the Council would have to increase the housing requirement in the Publication Draft Local Plan (2018) to over 1,000 dwellings per annum. The Council will therefore have to find a significant number of additional housing sites in order to meet the housing requirement defined by the standard method and this will mean additional land will almost certainly have to be released from what the Council hope will be a recently adopted Green Belt.

**Paragraph 133** of the Framework indicates that the essential characteristics of Green Belts are their openness and their permanence. **Paragraph 136** goes on to indicate that once established, Green Belt boundaries should only be altered in exceptional circumstances and notes that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. **Paragraph 139** also indicates that plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period.

It is clear that the inevitable transition from the OAN process to the standard method will result in an increase in the housing requirement which will necessitate further alterations to the Green Belt boundaries within a maximum of five years following adoption of the emerging Local Plan. On the basis of the above the Developer considers that housing requirement in the emerging Local Plan is unsound on the basis that it will not deliver a permanent Green Belt in accordance with the requirements of NPPF.

## Suitability of the Site

The Developer considers that H26 and the dense woodland and hedgerow around it formed a clear, logical and defensible long term Green Belt boundary. The Site is bound on two sides by existing development and is otherwise entirely enclosed and contained from the wider surrounding landscape by the existing boundary. As such the Developer maintains their **objections** to the continued omission of the Site as an allocation within the emerging Local Plan.

However, in light of the above it remains telling that the Site has previously been assessed by the Council and deemed suitable as a housing allocation within the emerging Local Plan. The Site was only deleted from the emerging Local Plan when the housing requirement was reduced at the time the Preferred Sites Local Plan (2016). On the basis of our view that the Council will soon need to reassess the housing requirement using the standard method instead of OAN it is clear to us that the Council will need to identify new sites to accommodate the increased housing requirement. The Developer wholly believes that if Site H26 is not to be included within the emerging Local Plan as a housing allocation, it should be identified as safeguarded land in anticipation of the review.

As outlined in the previous representations submitted by DPP, the Site remains a logical and natural addition to the village. The allocation and development of the Site would effectively infill the modest gap between the Primary School and the village medical centre. The Site, whilst admittedly undeveloped, does not fulfil any the purposes of Green Belt (particularly the first, third and fourth), and its allocation within the plan could be achieved without undermining or compromising the role and function of the York Green Belt.



## Assessment of the Site Against TP1 Addendum 2021

Setting aside the Developer's concerns relating to the updated methodology used by the Council, we have assessed the Site against the criteria in the TP1 Addendum 2021 below:

**Compactness:** the continued absence of development on the Site does not aid one's impression of a compact City of York. Elvington is a significant distance from the city and is not viewed in the same context. The City of York will retain its compact form. Even if the consideration of compactness related to villages, which it does not, Elvington would still be compact as the allocation of H26 would do no more than fill a gap in between existing development. If anything, infilling a vacant plot of land within the developed extent of Elvington would give rise to a more compact settlement.

**Landmark Monuments:** there are no landmark monuments within the vicinity of the Site. Views into York and its associated landmarks are obscured by existing development and vegetation. Given the distance between Elvington and York, it is not possible to view both separate entities. This consideration would not be harmed.

**Landscape and Setting:** the Site does not need to be kept permanently open as part of the wider landscape associated with the historic character and setting of York. The Site lies a considerable distance from York, it is not on one of the approaches to the city and remains discreet and separate from the wider landscape that surrounds the city and the village itself. H26 does not lie within a protected landscape, form an area of public open space, and nor does it form part of any other area which contributes to the setting of York. The Site is well enclosed by existing established natural boundaries, which divorces the Site from the landscape that surrounds Elvington. It does not form part of the wider setting within which Elvington is viewed.


**Urban Sprawl:** the Site forms parts of Elvington, a sustainable but relatively small village. Elvington is not a large built-up area. The development of the Site will therefore not give rise to the sprawl of a large built-up area and, whilst not relevant, the development of the Site would not even give rise to the unrestricted sprawl of the village given the clear boundaries around the Site.

**Encroachment:** in its setting, the Site does not have the characteristics of land that could be deemed countryside. It contains a number of former military buildings, and it is bound on two sides by the existing developed confines of Elvington and woodland belts and hedgerows. H26, whilst largely open, is heavily influenced by urban development and cannot sensibly be regarded as being part of the wider countryside. The development of the Site would not therefore result in encroachment. Rather, the Site has the characteristics of a small well contained gap between development.

On the basis that the Site does not fulfil the purposes of Green Belt, when assessed against the clarified methodology, the Developer remains wholly of the view that Site H26 should be included as an allocation within the Publication Draft Local Plan 2018.

## Compliance with the Test of Soundness

Having considered the updated and additional clarification concerning the Council's methodology to determine the land that needs to be kept permanently open and to define Green Belt boundaries, it remains clear that there are a number of issues and anomalies which undermine the robustness of the exercise. As a result, and for the reasons explained, the Developer is of the view that the revised methodology does not provide a robust basis to determine which parcels of



land need to remain permanently open, and the Green Belt boundaries therefore remain unreasonable and insufficiently justified, and therefore unsound.

Additionally, it is evident that the emerging Local Plan, in its current guise, will not result in a permanent Green Belt, contrary to the requirements of the NPPF. It is inevitable that the Council will soon need to identify additional sites for housing, once the switch is made from the OAN process of calculating the housing requirement to the standard method. The Council have therefore failed to fully account for the City's future housing need, which will ultimately necessitate a review of the emerging Local Plan if it is adopted, and the Green Belt boundaries, rendering such unsound as a result.

Overall, the Developer considers that the emerging Local Plan has **not been positively prepared**, the land that is included within the Green Belt has **not been justified**, it will **not be effective** and is **not consistent with national policy** in that the Green Belt will not endure, and land has been included in the Green Belt which does not need to be kept permanently open.

There are also a number of significant deficiencies in the City of York Housing Needs Update which mean that the 822 dwellings per annum OAN figure which the Council continue to use within the Proposed Modifications is unsound. The housing requirement and evidence base are **not justified**, and the local plan will **not be effective** in meeting the City's needs. It has **not been positively prepared**, and the approach adopted **does not reflect national policy**.

These representations confirm that H26 remains available, and capable of accommodating housing growth. The Site contributes very little, if anything, to the purposes of the Green Belt, whilst the technical issues previously raised by the Council have been addressed in detail in previous representations submitted to the Council. The Developer therefore **Objects** to the continued omission of H26 as either an allocation or safeguarded land within the emerging Local Plan.

## Our Proposed Modifications

To make the local plan sound it is recommended that the housing requirement is recalculated and should reflect a figure similar to that produced by using the standard method. We also suggest that the Site, H26, is reinstated as an allocation within the emerging Local Plan to cater for the increase in housing requirement that is required in order to render the Local Plan sound. Finally, we recommend that the PM97 is omitted from the Local Plan, and the boundary reinstated along the existing field boundary which encloses the school playing field.

Yours sincerely,



**From:** [Redacted]  
**Sent:** 05 July 2021 16:17  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205375  
**Attachments:** L001\_H26\_Elvington.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Housing Needs Update September 2020 (EX/CYC/43a)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

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## **Supporting documentation**

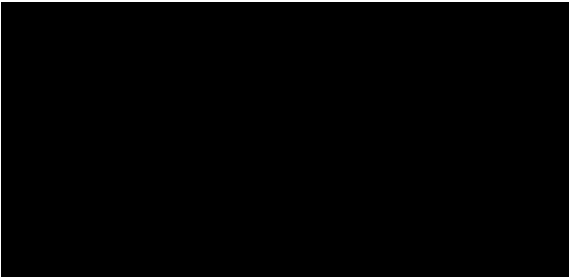
**Please provide any documents which support the comments made as part of this submission:**

L001\_H26\_Elvington.pdf





Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 3533LE  
29<sup>th</sup> June 2021

Dear Sir / Madam,

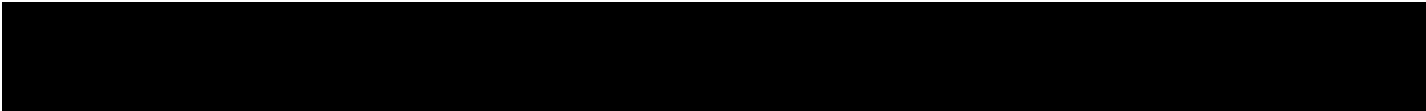
**RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND AT DAUBY LANE, ELVINGTON (HOUSING SITE REF: H26).**

## Introduction

This submission is made on behalf of Yorvik Homes (“the Developer”) and should be read in conjunction with the various detailed representations previously submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H26 (‘the Site’). The representations previously submitted by DPP in support of the draft allocation of the land known H26 confirmed that the Site is available and suitable for housing development and that the Site is capable of accommodating residential development.

The Developer wishes to **object** to the continued omission of the Site from the emerging Local Plan. The Developer is of the view that the revised methodology used by the Council to determine Green Belt boundaries, as set out in the TP1 Addendum 2021, is not sound in respect of the Site, and that the OAN calculation of housing requirement simply does not meet the need for market and affordable housing within the City of York and will not result in a permanent Green Belt. The developer wishes to **object** on this basis.

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to Defining York's Green Belt Addendum January 2021
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 6 Proposed Modifications
  - Topic Paper TP1 Approach to Defining York’s Green Belt Annex 7 Housing Supply Update
- 



- 
- GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)

## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H26 was originally assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for housing development. The Site was subsequently included as a housing allocation in the Preferred Options Draft Local Plan (2013) and the Publication Draft Local Plan (2014). In proposing to allocate H26 for housing development the Council concluded that the Site did not need to be kept permanently open, that it accorded with the spatial strategy and did not conflict with the fundamental purpose of the Green Belt around York. However, the Site was subsequently deleted as a draft allocation in the Local Plan Preferred Sites Consultation (2016). The reason given for the deletion of the Site was as follows:

*"The site is currently an area of open land lying outside of the main village and settlement boundary and is not well related to the village in terms of shape and character. Its development would extend the village well beyond its current boundaries and would close what is currently an important gap between the edge of the residential area of Elvington village and the industrial estate to the north.*

*The site is not considered to be well contained and would result in the existing urban form of Elvington village coalescing with the commercial area at Elvington Industrial Estate. The site is therefore considered to perform greenbelt purposes."*

The Site is not allocated within the Publication Draft Local Plan (2018).

## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors following the Phase 1 hearings. Much of the work undertaken seeks to address issues relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open, and to formulate the Green Belt boundaries.

To summarise the work undertaken, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 responds to the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projections will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 responds to the key concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.


Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Elvington.

Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. It is proposed to alter the Green Belt boundary to the north of Elvington Primary School in proximity of the Site. The alteration is indicated as per the red line on the below plan extract.



Extract from *Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 6: Proposed Modifications Schedule for Green Belt*

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.



Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence. None of these other documents have any direct implications in relation to the Site.

## Comments and Observations on the Proposed Modifications

### The Inspectors' Concerns

To summarise, the Inspectors expressed concern that the criteria used by the Council to assess sites and the Green Belt boundaries (referred to as “Shapers”) were of little relevance to the issues associated with the definition of Green Belt, specifically in relation to openness, and the five purposes of Green Belt as defined in NPPF. The Inspectors noted that many of the “Shapers” used by the Council, including, *ensuring accessibility to sustainable modes of transport and a range of services*; and *preventing unacceptable levels of congestion and pollution*, were of very little relevance to Green Belt policy.

Of particular concern to the Inspectors was the manner in which the Council had assessed land against the third purpose of Green Belt *to assist in safeguarding the countryside from encroachment*. In assessing various sites, the Council had previously sought to exclude land accommodating features such as nature conservation sites and ancient woodland. The Inspectors noted that such designations again bear little relevance to the issue of *safeguarding the countryside from encroachment*.

The Inspectors considered that the approach taken again suggested a conflation of this Green Belt purpose and the “Shapers” in the emerging Local Plan and deemed such an insufficiently robust substitute for a proper analysis of the degree to which land performs the Green Belt function in question. As a result, the Inspectors rightly raised doubts as to the likelihood of the resulting Green Belt boundaries being reasonable and justified.

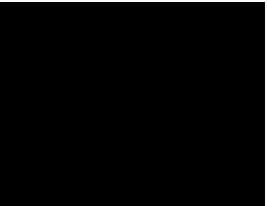
### General Comments Relating to the Clarified Methodology

The TP1 Addendum 2021, now the subject of this consultation, seeks to demonstrate that the resulting Green Belt boundaries are sound, despite the originally flawed methodology, and that the land included in the Green Belt needs to be designated in order to protect the special character of the historic city of York. Having now had opportunity to assess the TP1 Addendum 2021 and annexes, the Developer remains wholly unconvinced that the work undertaken by the Council in respect to the methodology gives rise to Green Belt boundaries which are justified, reasonable, and ultimately sound.

We would like to take this opportunity to highlight a number of issues with the methodology, which we believe undermines the robustness of the assessment undertaken as a whole.

The TP1 Addendum 2021 confirms how the Council have sought to assess land and the Green Belt boundaries against the purposes of Green Belt. We consider how each purpose has been considered in turn.

#### *Purpose 2 – To Prevent Neighbouring Towns from Merging into One Another*



Within the original Topic Paper1: Approach to defining York's Green Belt (TP1) 2018, the Council explained that the primary purpose of the York Green Belt is to protect the setting and special character of the historic city. As such, they sought to identify land most important to maintaining the historic character and setting of York, using 'criteria 1'. They noted that the same criteria would also be used to assess land against the second purpose of the Green Belt *to prevent neighbouring towns merging into one another*.

In the letter of June 2020, which followed Phase 1 hearings, the Inspectors were critical of this approach. In paragraph 39, they stated the following:

*'Purpose two – "to prevent neighbouring towns merging into one another" – is considered. But there are no towns around York, and as paragraph 4.27 of the Addendum says "the potential issue of towns merging does not arise". We recognise that the analysis here relates to preventing the coalescence of smaller settlements and villages where their individual identity is important to the setting and special character of York. That being so, this should be considered under the fourth purpose of including land in the Green Belt.'*

In the TP1 Addendum 2021, the Council acknowledge in paragraph 5.7 that, as there are no towns within the York authority area, the need to assess whether land should be kept permanently open to prevent neighbouring towns from merging does not arise. We have no objection to this approach.


#### ***Purpose 5 – To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and Other Urban Land***

As for the fifth purpose (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land), the Council considered such to be achieved through the overall effect of the York Green Belt, rather than through the identification of individual parcels of land. As such, no site-specific assessment of this final purpose has been undertaken by the Council within the original Topic Paper 1: Approach to defining York's Green Belt (TP1). The Inspectors made no comment in respect of such. Consequently, no further site-specific assessment has been undertaken in respect of the fifth purpose within the TP1 Addendum 2021. Again, we have no comment to make in relation to this approach to ensuring the York Green Belt fulfils the fifth purpose of Green Belt.

On this basis, and taking in to account the Inspector's letter of June 2020, the Council have determined that the need to keep land permanently open only needs to be assessed against the first, third and fourth purpose of including land within the Green Belt. The TP1 Addendum 2021 therefore introduces additional criteria to assess land against the first, third and fourth purposes of including land within the Green Belt. It is the use of these new criteria which is of concern to us. We have identified a number of flaws, specifically in relation to how they relate to each of the three relevant purposes. Our concerns are outlined below, following the chronology of purposes cited within the TP1 Addendum 2021.

#### ***Purpose 4 - To Preserve the Setting and Special Character of Historic Towns***

Starting with the fourth purpose, the Council have sought to explain how the evidence and findings within the *"The Approach to the Green Belt Appraisal 2003"* and the *"Heritage Topic Paper Update 2014"* documents were used to assess land against the fourth purpose of the Green Belt. It is explained that the latter document seeks to describe the strategic understanding of the City's special historical qualities through the use of *factors, themes, and six principal characteristics*. Of these six principal characteristics, the TP1 Addendum 2021 has utilised three: *compactness; landmark monuments; and landscape setting*, to indicate to what extent land performs the fourth purpose of Green Belt.



No explanation is provided as to why these three characteristics have been used, and how they specifically relate to the fourth purpose.

Our concerns in relation to the assessment criteria are highlighted below.

In relation to the first criterion *compactness* this outlines the need to retain the dense compact city or village form in an open or rural landscape. This is applied without regard to the facts of the situation, as many locations around the City, and some of the surrounding villages cannot be described as being compact, as they have been expanded over many years by suburban development. Just because land has not been built on does not make it important to the understanding of the special character of an area which is what the criterion suggests. The further flaw that the TP1 Addendum 2021 makes is to include villages in the assessment question. Villages are not relevant to this purpose of including land within the Green Belt. If the NPPF had meant for villages to be included, it would have used words like “historic settlements”. It does not. The relationship between the city and the villages is important but this purpose of including land within the Green Belt does not require villages to be compact.

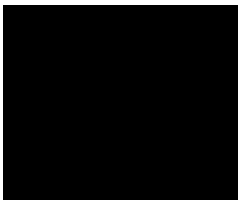
In relation to the second criterion - *landmark monuments* gives rise to a need to assess whether land is needed to remain open to aid the understanding and significance of a building, landmark or monument. Again, it is difficult to understand how an assessment of every heritage asset, as required under this criterion, will ensure the fourth purpose has been duly considered. This is particularly relevant as this purpose of including land within the Green Belt relates to the setting and special character of historic towns as a whole. It is not an isolated exercise and certainly does not relate to a single building, landmark or monument.

In relation to the third criterion *landscape and setting* it is noted that the significance of designated landscapes, parks and gardens are considered to be important. It is difficult to discern why the significance of historic gardens is considered under this criterion, and it exemplifies a general confusion and conflation as to what is and what is not historic, and how such ultimately contributes to the *setting and special character of historic towns*. A further example relates to nature conservation designations, which are used as an indicator of *landscape and setting*. The supporting text suggests that, in terms of Green Belt, the nature conservation designations are a consideration only within a historical context, but it is unclear as to why the presence of nature conservation designations, historic or otherwise, are considered under *landscape and setting*, and again how they relate to the fourth purpose of including land within the Green Belt.

The TP1 Addendum 2021 also notes that all three of these criteria have the potential to render the whole of the York authority area relevant to the fourth purpose. It is unclear as to how this could be true, or what exactly is meant by this. This is plainly an absurd assertion, as not all land around a settlement will be important to this purpose of including land within the Green Belt. It is considered that this criterion does not provide clear guidance as to what land should or should not be included in the Green Belt.

### ***Purpose 1 - To Check the Unrestricted Sprawl of Large Built-Up Areas***

In order to assess land against the first purpose, the Council have used the criterion, *urban sprawl*. This criterion seeks to establish whether land has an increased risk of sprawl occurring through such matters as the proximity of the urban area and presence of existing agricultural / recreational development. However, the proximity of the urban area is not in itself linked to sprawl or the presence of existing buildings / farmsteads etc. By this logic, any existing buildings / farmsteads would need including within the Green Belt to reduce the chance of sprawl occurring. This lacks logic. Surely the purpose of this criterion is to stop unrestricted sprawl. This is achieved by defining Green Belt boundaries which



follow logical and permanent features but at the same time not including land that does not have to be open. Indeed, where the urban area lacks definition or a proper transition into the countryside there may be a case for redefining the boundary to ensure it remains permanent.

### ***Purpose 3 - to assist in safeguarding the countryside from encroachment***

The Council have used an *encroachment* criterion to assess the performance of the boundaries and land against the third purpose. Under this criterion, the Council consider *whether or not land functions as part of the countryside in terms of relationships within it or acceptable uses within it; including those for agriculture, forestry, woodland, equestrian and other uses, small villages, rural business parks or other building clusters*. These uses may be associated with the countryside, but the assessment question would suggest that it should include every parcel of land outside the urban area. Again, it remains unclear how this as an assessment would aid one's understanding of whether or not land needs safeguarding from encroachment or what is truly countryside as opposed to land that has been influenced by urban development.

### ***Summary***

The above issues exemplify the contrived and often perplexing methodology used in the TP1 Addendum 2021 to determine the Green Belt boundaries. The use of selected parts of historic evidence makes it difficult to understand the overarching approach to the Green Belt taken by the Council, and it is hard to dispel the impression that the TP1 Addendum 2021 document is an exercise in retrospectively justifying the proposed Green Belt boundaries rather than a proper exercise to determine the most appropriate boundaries. Irrespective of such, the various anomalies and inconsistencies cumulatively serve to undermine the robustness of the Green Belt assessment conducted by the Council. Given the extent of flaws within the revised methodology, it remains clear to the Developer that the Green Belt boundaries are anything but justified and reasonable.

## **Alterations to the Green Belt**

There are various examples of the confused and muddled approach to defining the Green Belt boundaries throughout the plan. The Developer wishes to highlight, and specifically **object** to PM97, which concerns land immediately adjacent to the Site. Under PM97, the Council are proposing to relocate the Green Belt boundary to the north of Elvington. The extent of the settlement limit in the Publication Draft Local Plan (2018) encompassed the full extent of Elvington Primary School and its associated playing field. The Green Belt boundary, whilst excluding the Site as an allocation, previously followed the existing hedge boundary associated with the school. This boundary had a degree of logic even if the Developer objected to it.

Under the revised methodology, the TP1 Addendum 2021 now proposes to relocate the boundary, to add the school playing field to the north, and part of the main school building, into the Green Belt. The reasoning and rationale behind such a move are difficult to understand. Whilst the Council are perhaps seeking to establish a permanent boundary using the built edge of the school as a guide, it appears that part of the existing school building has been included within the Green Belt.

Further, the proposed boundary excludes the access road and some open space to the southwest of the school. See the proposed modification and aerial image below. This is illogical and means that the boundary is anything but clear and certainly does not follow defined physical features. In any event the use a building is a poor boundary. Buildings can be

extended, replaced or just demolished. A building is considered to be a bad boundary and can result in uncertainty as to the location of the Green Belt. Whilst it is the Developer's view that the boundary should include H26 it is not known why the boundary around the perimeter of the playing field proposed in the Publication Draft Local Plan (2018) would not serve as a suitable edge. The school playing field, whilst evidently open, shares few other characteristics with the purposes of including land within the Green Belt, and likewise it's difficult to see how the inclusion of the playing field within the Green Belt serves any of the five purposes. The Developer wishes to **object** to PM97 as a result.




## Permanent Green Belt Boundaries

The Council are also consulting on the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the City has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

DPP have repeatedly objected to the housing requirement used within the Publication Draft Local Plan (2018) and have outlined the reasons why it fails to meet the housing needs of the City.

Apart from the reasons already cited which include concealed households, historic under delivery and market signals we have a further concern which relates to the TP1 Addendum 2021 and the permanence of the Green Belt. The Council's housing requirement has been calculated using the OAN (objectively assessed needs) process. As the emerging Local Plan was submitted prior to the cut-off date of the 24<sup>th</sup> January 2019, Paragraph 214 of NPPF allows the use of this process, rather than the standard method process, which is now the prevailing approach to calculating housing requirement.

**Paragraph 33** of the NPPF 2019 requires policies in local plans and spatial development strategies to be reviewed and updated as necessary and at least once every five years. It also indicates that relevant strategic policies will need updating if their applicable local housing need figure has changed significantly. The NPPF indicates that LPAs are likely to require earlier reviews if local housing need changes significantly following the adoption of a plan.



This being the case, the Council's decision to continue to use the OAN process will almost certainly result in a significant change to their local housing need figure once the standard method is used as part of a local plan review. Even if it is not regarded as a significant change, it will still represent an increase in the housing requirement.

DPP estimates that, using the standard method, the Council would have to increase the housing requirement in the Publication Draft Local Plan (2018) to over 1,000 dwellings per annum. The Council will therefore have to find a significant number of additional housing sites in order to meet the housing requirement defined by the standard method and this will mean additional land will almost certainly have to be released from what the Council hope will be a recently adopted Green Belt.

**Paragraph 133** of the Framework indicates that the essential characteristics of Green Belts are their openness and their permanence. **Paragraph 136** goes on to indicate that once established, Green Belt boundaries should only be altered in exceptional circumstances and notes that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. **Paragraph 139** also indicates that plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period.

It is clear that the inevitable transition from the OAN process to the standard method will result in an increase in the housing requirement which will necessitate further alterations to the Green Belt boundaries within a maximum of five years following adoption of the emerging Local Plan. On the basis of the above the Developer considers that housing requirement in the emerging Local Plan is unsound on the basis that it will not deliver a permanent Green Belt in accordance with the requirements of NPPF.

## Suitability of the Site

The Developer considers that H26 and the dense woodland and hedgerow around it formed a clear, logical and defensible long term Green Belt boundary. The Site is bound on two sides by existing development and is otherwise entirely enclosed and contained from the wider surrounding landscape by the existing boundary. As such the Developer maintains their **objections** to the continued omission of the Site as an allocation within the emerging Local Plan.

However, in light of the above it remains telling that the Site has previously been assessed by the Council and deemed suitable as a housing allocation within the emerging Local Plan. The Site was only deleted from the emerging Local Plan when the housing requirement was reduced at the time the Preferred Sites Local Plan (2016). On the basis of our view that the Council will soon need to reassess the housing requirement using the standard method instead of OAN it is clear to us that the Council will need to identify new sites to accommodate the increased housing requirement. The Developer wholly believes that if Site H26 is not to be included within the emerging Local Plan as a housing allocation, it should be identified as safeguarded land in anticipation of the review.

As outlined in the previous representations submitted by DPP, the Site remains a logical and natural addition to the village. The allocation and development of the Site would effectively infill the modest gap between the Primary School and the village medical centre. The Site, whilst admittedly undeveloped, does not fulfil any the purposes of Green Belt (particularly the first, third and fourth), and its allocation within the plan could be achieved without undermining or compromising the role and function of the York Green Belt.





## Assessment of the Site Against TP1 Addendum 2021

Setting aside the Developer's concerns relating to the updated methodology used by the Council, we have assessed the Site against the criteria in the TP1 Addendum 2021 below:

**Compactness:** the continued absence of development on the Site does not aid one's impression of a compact City of York. Elvington is a significant distance from the city and is not viewed in the same context. The City of York will retain its compact form. Even if the consideration of compactness related to villages, which it does not, Elvington would still be compact as the allocation of H26 would do no more than fill a gap in between existing development. If anything, infilling a vacant plot of land within the developed extent of Elvington would give rise to a more compact settlement.

**Landmark Monuments:** there are no landmark monuments within the vicinity of the Site. Views into York and its associated landmarks are obscured by existing development and vegetation. Given the distance between Elvington and York, it is not possible to view both separate entities. This consideration would not be harmed.

**Landscape and Setting:** the Site does not need to be kept permanently open as part of the wider landscape associated with the historic character and setting of York. The Site lies a considerable distance from York, it is not on one of the approaches to the city and remains discreet and separate from the wider landscape that surrounds the city and the village itself. H26 does not lie within a protected landscape, form an area of public open space, and nor does it form part of any other area which contributes to the setting of York. The Site is well enclosed by existing established natural boundaries, which divorces the Site from the landscape that surrounds Elvington. It does not form part of the wider setting within which Elvington is viewed.

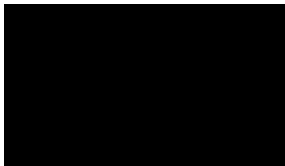
**Urban Sprawl:** the Site forms parts of Elvington, a sustainable but relatively small village. Elvington is not a large built-up area. The development of the Site will therefore not give rise to the sprawl of a large built-up area and, whilst not relevant, the development of the Site would not even give rise to the unrestricted sprawl of the village given the clear boundaries around the Site.

**Encroachment:** in its setting, the Site does not have the characteristics of land that could be deemed countryside. It contains a number of former military buildings, and it is bound on two sides by the existing developed confines of Elvington and woodland belts and hedgerows. H26, whilst largely open, is heavily influenced by urban development and cannot sensibly be regarded as being part of the wider countryside. The development of the Site would not therefore result in encroachment. Rather, the Site has the characteristics of a small well contained gap between development.

On the basis that the Site does not fulfil the purposes of Green Belt, when assessed against the clarified methodology, the Developer remains wholly of the view that Site H26 should be included as an allocation within the Publication Draft Local Plan 2018.

## Compliance with the Test of Soundness

Having considered the updated and additional clarification concerning the Council's methodology to determine the land that needs to be kept permanently open and to define Green Belt boundaries, it remains clear that there are a number of issues and anomalies which undermine the robustness of the exercise. As a result, and for the reasons explained, the Developer is of the view that the revised methodology does not provide a robust basis to determine which parcels of



land need to remain permanently open, and the Green Belt boundaries therefore remain unreasonable and insufficiently justified, and therefore unsound.

Additionally, it is evident that the emerging Local Plan, in its current guise, will not result in a permanent Green Belt, contrary to the requirements of the NPPF. It is inevitable that the Council will soon need to identify additional sites for housing, once the switch is made from the OAN process of calculating the housing requirement to the standard method. The Council have therefore failed to fully account for the City's future housing need, which will ultimately necessitate a review of the emerging Local Plan if it is adopted, and the Green Belt boundaries, rendering such unsound as a result.

Overall, the Developer considers that the emerging Local Plan has **not been positively prepared**, the land that is included within the Green Belt has **not been justified**, it will **not be effective** and is **not consistent with national policy** in that the Green Belt will not endure, and land has been included in the Green Belt which does not need to be kept permanently open.

There are also a number of significant deficiencies in the City of York Housing Needs Update which mean that the 822 dwellings per annum OAN figure which the Council continue to use within the Proposed Modifications is unsound. The housing requirement and evidence base are **not justified**, and the local plan will **not be effective** in meeting the City's needs. It has **not been positively prepared**, and the approach adopted **does not reflect national policy**.

These representations confirm that H26 remains available, and capable of accommodating housing growth. The Site contributes very little, if anything, to the purposes of the Green Belt, whilst the technical issues previously raised by the Council have been addressed in detail in previous representations submitted to the Council. The Developer therefore **Objects** to the continued omission of H26 as either an allocation or safeguarded land within the emerging Local Plan.

## Our Proposed Modifications

To make the local plan sound it is recommended that the housing requirement is recalculated and should reflect a figure similar to that produced by using the standard method. We also suggest that the Site, H26, is reinstated as an allocation within the emerging Local Plan to cater for the increase in housing requirement that is required in order to render the Local Plan sound. Finally, we recommend that the PM97 is omitted from the Local Plan, and the boundary reinstated along the existing field boundary which encloses the school playing field.

Yours sincerely,



**From:** [Redacted]  
**Sent:** 05 July 2021 16:21  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, ORGANISATION - reference: 205377  
**Attachments:** L001\_H26\_Elvington.pdf

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent an organisation or group

---

## Organisation or group details

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

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Strategic Housing Land Availability Assessment Update (April 2021) (EX/CYC/56)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** See attached letter

**Please justify why you do not consider the document to be legally compliant:**

---

## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** See attached letter

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** See attached letter

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** See attached letter

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

**If you do wish to participate at hearing sessions, please state why:** To elaborate upon attached letter

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## **Supporting documentation**

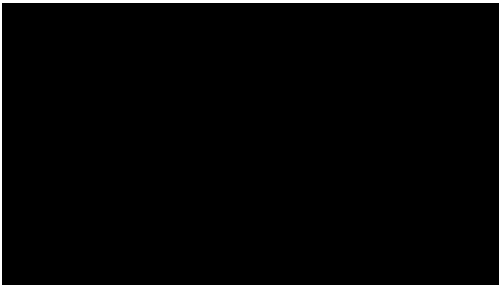
**Please provide any documents which support the comments made as part of this submission:**

L001\_H26\_Elvington.pdf





Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO61 6GA



Ref: 3533LE  
29<sup>th</sup> June 2021

Dear Sir / Madam,

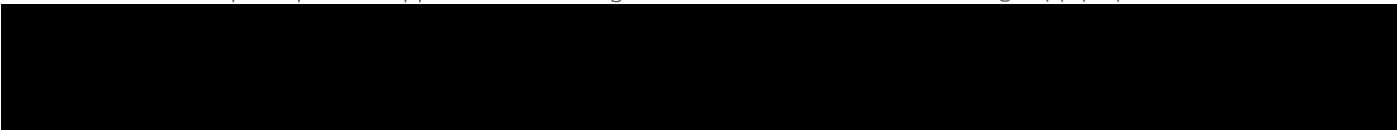
RE: COMMENTS ON THE CITY OF YORK LOCAL PLAN PROPOSED MODIFICATIONS (27<sup>TH</sup> MAY TO 7<sup>TH</sup> JULY), IN RELATION TO LAND AT DAUBY LANE, ELVINGTON (HOUSING SITE REF: H26).

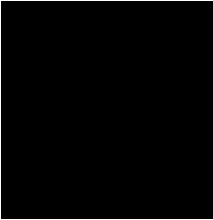
## Introduction

This submission is made on behalf of Yorvik Homes (“the Developer”) and should be read in conjunction with the various detailed representations previously submitted to the City of York Council (“the Council”), throughout the plan making process in relation to the land referenced as H26 (‘the Site’). The representations previously submitted by DPP in support of the draft allocation of the land known H26 confirmed that the Site is available and suitable for housing development and that the Site is capable of accommodating residential development.

The Developer wishes to **object** to the continued omission of the Site from the emerging Local Plan. The Developer is of the view that the revised methodology used by the Council to determine Green Belt boundaries, as set out in the TP1 Addendum 2021, is not sound in respect of the Site, and that the OAN calculation of housing requirement simply does not meet the need for market and affordable housing within the City of York and will not result in a permanent Green Belt. The developer wishes to **object** on this basis.

These comments are made in respect of the following documents:

- Topic Paper TP1 Approach to Defining York's Green Belt Addendum January 2021
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt
  - Topic Paper TP1 Approach to Defining York’s Green Belt Addendum January 2021 Annex 6 Proposed Modifications
  - Topic Paper TP1 Approach to Defining York’s Green Belt Annex 7 Housing Supply Update
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- GL Hearn Housing Needs Update (September 2020)
  - SHLAA Update (April 2021)

## Background

By way of brief background information, the Council launched a third Regulation 19 consultation concerning the City of York Local Plan in May 2021. The consultation concerns various documents comprising the requested Composite Proposed Modifications Schedule. The documents in question have been prepared by the Council in response to a number of issues raised by the Inspectors during and following the Phase 1 hearings sessions which took place in December of 2019.

In terms of the Site, H26 was originally assessed as part of the Council's site selection methodology and was deemed suitable and appropriate for housing development. The Site was subsequently included as a housing allocation in the Preferred Options Draft Local Plan (2013) and the Publication Draft Local Plan (2014). In proposing to allocate H26 for housing development the Council concluded that the Site did not need to be kept permanently open, that it accorded with the spatial strategy and did not conflict with the fundamental purpose of the Green Belt around York. However, the Site was subsequently deleted as a draft allocation in the Local Plan Preferred Sites Consultation (2016). The reason given for the deletion of the Site was as follows:

*"The site is currently an area of open land lying outside of the main village and settlement boundary and is not well related to the village in terms of shape and character. Its development would extend the village well beyond its current boundaries and would close what is currently an important gap between the edge of the residential area of Elvington village and the industrial estate to the north.*

*The site is not considered to be well contained and would result in the existing urban form of Elvington village coalescing with the commercial area at Elvington Industrial Estate. The site is therefore considered to perform greenbelt purposes."*

The Site is not allocated within the Publication Draft Local Plan (2018).

## The Test of Soundness

Paragraph 35 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is "sound". In order to be sound, NPPF confirms that a plan should be:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>19</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

c) **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

d) **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

It is against the above tests of soundness that the emerging Local Plan, including the proposed modifications, must be assessed.

## The Proposed Modifications

The Council have published a number of additional documents, devised to address concerns raised by the Inspectors following the Phase 1 hearings. Much of the work undertaken seeks to address issues relating to the methodology used by the Council to determine whether a parcel of land needs to be kept permanently open, and to formulate the Green Belt boundaries.

To summarise the work undertaken, the Council have published an addendum paper, *Topic Paper 1 Approach to defining Green Belt Addendum January 2021*, ('the TP1 Addendum 2021') which seeks to update the original Topic Paper 1: Approach to the Green Belt (2018) in three key respects. First, the TP1 Addendum 2021 responds to the various issues which arose during the Phase 1 hearings. Secondly, the TP1 Addendum 2021 confirms that, in the opinion of the Council, the latest household projections will not have any implications in terms of the permanence of the boundaries. Finally, the TP1 Addendum 2021 responds to the key concerns raised by the Inspectors concerning the methodology used by the Council in establishing the Green Belt boundaries.

Annex 4 of the TP1 Addendum 2021 contains the local level assessment of the boundaries surrounding developed areas within the Green Belt, including Elvington.

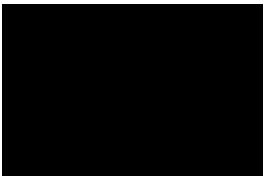
Annex 6 of the TP1 Addendum 2021 outlines the proposed amendments to the Green Belt boundaries as a result of the revisions to the methodology. It is proposed to alter the Green Belt boundary to the north of Elvington Primary School in proximity of the Site. The alteration is indicated as per the red line on the below plan extract.



*Extract from Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 6: Proposed Modifications Schedule for Green Belt*

Annex 7 of TP1 Addendum 2021 (Housing Supply Update) seeks to demonstrate that the proposed Green Belt boundaries will endure through the plan period of the emerging Local Plan and beyond, taking into account the GL Hearn Housing Needs Update September 2020, and the SHLAA update (2021). Both of these documents are also the subject of the consultation.





Otherwise, a number of other supporting documentation and key evidence has been published by the Council, which are also the subject of the current consultation exercise. The additional documents include an updated Habitats Regulation Assessment, and other pieces of new evidence. None of these other documents have any direct implications in relation to the Site.

## Comments and Observations on the Proposed Modifications

### The Inspectors' Concerns

To summarise, the Inspectors expressed concern that the criteria used by the Council to assess sites and the Green Belt boundaries (referred to as “Shapers”) were of little relevance to the issues associated with the definition of Green Belt, specifically in relation to openness, and the five purposes of Green Belt as defined in NPPF. The Inspectors noted that many of the “Shapers” used by the Council, including, *ensuring accessibility to sustainable modes of transport and a range of services*; and *preventing unacceptable levels of congestion and pollution*, were of very little relevance to Green Belt policy.

Of particular concern to the Inspectors was the manner in which the Council had assessed land against the third purpose of Green Belt *to assist in safeguarding the countryside from encroachment*. In assessing various sites, the Council had previously sought to exclude land accommodating features such as nature conservation sites and ancient woodland. The Inspectors noted that such designations again bear little relevance to the issue of *safeguarding the countryside from encroachment*.

The Inspectors considered that the approach taken again suggested a conflation of this Green Belt purpose and the “Shapers” in the emerging Local Plan and deemed such an insufficiently robust substitute for a proper analysis of the degree to which land performs the Green Belt function in question. As a result, the Inspectors rightly raised doubts as to the likelihood of the resulting Green Belt boundaries being reasonable and justified.


### General Comments Relating to the Clarified Methodology

The TP1 Addendum 2021, now the subject of this consultation, seeks to demonstrate that the resulting Green Belt boundaries are sound, despite the originally flawed methodology, and that the land included in the Green Belt needs to be designated in order to protect the special character of the historic city of York. Having now had opportunity to assess the TP1 Addendum 2021 and annexes, the Developer remains wholly unconvinced that the work undertaken by the Council in respect to the methodology gives rise to Green Belt boundaries which are justified, reasonable, and ultimately sound.

We would like to take this opportunity to highlight a number of issues with the methodology, which we believe undermines the robustness of the assessment undertaken as a whole.

The TP1 Addendum 2021 confirms how the Council have sought to assess land and the Green Belt boundaries against the purposes of Green Belt. We consider how each purpose has been considered in turn.

#### *Purpose 2 – To Prevent Neighbouring Towns from Merging into One Another*



Within the original Topic Paper1: Approach to defining York's Green Belt (TP1) 2018, the Council explained that the primary purpose of the York Green Belt is to protect the setting and special character of the historic city. As such, they sought to identify land most important to maintaining the historic character and setting of York, using 'criteria 1'. They noted that the same criteria would also be used to assess land against the second purpose of the Green Belt *to prevent neighbouring towns merging into one another*.

In the letter of June 2020, which followed Phase 1 hearings, the Inspectors were critical of this approach. In paragraph 39, they stated the following:

*'Purpose two – "to prevent neighbouring towns merging into one another" – is considered. But there are no towns around York, and as paragraph 4.27 of the Addendum says "the potential issue of towns merging does not arise". We recognise that the analysis here relates to preventing the coalescence of smaller settlements and villages where their individual identity is important to the setting and special character of York. That being so, this should be considered under the fourth purpose of including land in the Green Belt.'*

In the TP1 Addendum 2021, the Council acknowledge in paragraph 5.7 that, as there are no towns within the York authority area, the need to assess whether land should be kept permanently open to prevent neighbouring towns from merging does not arise. We have no objection to this approach.

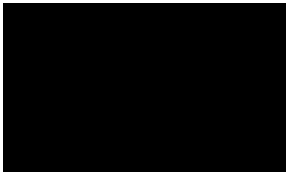
#### ***Purpose 5 – To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and Other Urban Land***

As for the fifth purpose (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land), the Council considered such to be achieved through the overall effect of the York Green Belt, rather than through the identification of individual parcels of land. As such, no site-specific assessment of this final purpose has been undertaken by the Council within the original Topic Paper 1: Approach to defining York's Green Belt (TP1). The Inspectors made no comment in respect of such. Consequently, no further site-specific assessment has been undertaken in respect of the fifth purpose within the TP1 Addendum 2021. Again, we have no comment to make in relation to this approach to ensuring the York Green Belt fulfils the fifth purpose of Green Belt.

On this basis, and taking in to account the Inspector's letter of June 2020, the Council have determined that the need to keep land permanently open only needs to be assessed against the first, third and fourth purpose of including land within the Green Belt. The TP1 Addendum 2021 therefore introduces additional criteria to assess land against the first, third and fourth purposes of including land within the Green Belt. It is the use of these new criteria which is of concern to us. We have identified a number of flaws, specifically in relation to how they relate to each of the three relevant purposes. Our concerns are outlined below, following the chronology of purposes cited within the TP1 Addendum 2021.

#### ***Purpose 4 - To Preserve the Setting and Special Character of Historic Towns***

Starting with the fourth purpose, the Council have sought to explain how the evidence and findings within the *"The Approach to the Green Belt Appraisal 2003"* and the *"Heritage Topic Paper Update 2014"* documents were used to assess land against the fourth purpose of the Green Belt. It is explained that the latter document seeks to describe the strategic understanding of the City's special historical qualities through the use of *factors, themes, and six principal characteristics*. Of these six principal characteristics, the TP1 Addendum 2021 has utilised three: *compactness; landmark monuments; and landscape setting*, to indicate to what extent land performs the fourth purpose of Green Belt.



No explanation is provided as to why these three characteristics have been used, and how they specifically relate to the fourth purpose.

Our concerns in relation to the assessment criteria are highlighted below.

In relation to the first criterion *compactness* this outlines the need to retain the dense compact city or village form in an open or rural landscape. This is applied without regard to the facts of the situation, as many locations around the City, and some of the surrounding villages cannot be described as being compact, as they have been expanded over many years by suburban development. Just because land has not been built on does not make it important to the understanding of the special character of an area which is what the criterion suggests. The further flaw that the TP1 Addendum 2021 makes is to include villages in the assessment question. Villages are not relevant to this purpose of including land within the Green Belt. If the NPPF had meant for villages to be included, it would have used words like “historic settlements”. It does not. The relationship between the city and the villages is important but this purpose of including land within the Green Belt does not require villages to be compact.

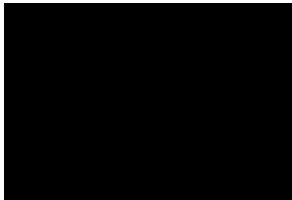
In relation to the second criterion - *landmark monuments* gives rise to a need to assess whether land is needed to remain open to aid the understanding and significance of a building, landmark or monument. Again, it is difficult to understand how an assessment of every heritage asset, as required under this criterion, will ensure the fourth purpose has been duly considered. This is particularly relevant as this purpose of including land within the Green Belt relates to the setting and special character of historic towns as a whole. It is not an isolated exercise and certainly does not relate to a single building, landmark or monument.

In relation to the third criterion *landscape and setting* it is noted that the significance of designated landscapes, parks and gardens are considered to be important. It is difficult to discern why the significance of historic gardens is considered under this criterion, and it exemplifies a general confusion and conflation as to what is and what is not historic, and how such ultimately contributes to the *setting and special character of historic towns*. A further example relates to nature conservation designations, which are used as an indicator of *landscape and setting*. The supporting text suggests that, in terms of Green Belt, the nature conservation designations are a consideration only within a historical context, but it is unclear as to why the presence of nature conservation designations, historic or otherwise, are considered under *landscape and setting*, and again how they relate to the fourth purpose of including land within the Green Belt.

The TP1 Addendum 2021 also notes that all three of these criteria have the potential to render the whole of the York authority area relevant to the fourth purpose. It is unclear as to how this could be true, or what exactly is meant by this. This is plainly an absurd assertion, as not all land around a settlement will be important to this purpose of including land within the Green Belt. It is considered that this criterion does not provide clear guidance as to what land should or should not be included in the Green Belt.

### ***Purpose 1 - To Check the Unrestricted Sprawl of Large Built-Up Areas***

In order to assess land against the first purpose, the Council have used the criterion, *urban sprawl*. This criterion seeks to establish whether land has an increased risk of sprawl occurring through such matters as the proximity of the urban area and presence of existing agricultural / recreational development. However, the proximity of the urban area is not in itself linked to sprawl or the presence of existing buildings / farmsteads etc. By this logic, any existing buildings / farmsteads would need including within the Green Belt to reduce the chance of sprawl occurring. This lacks logic. Surely the purpose of this criterion is to stop unrestricted sprawl. This is achieved by defining Green Belt boundaries which



follow logical and permanent features but at the same time not including land that does not have to be kept permanently open. Indeed, where the urban area lacks definition or a proper transition into the countryside there may be a case for redefining the boundary to ensure it remains permanent.

### ***Purpose 3 - to assist in safeguarding the countryside from encroachment***

The Council have used an *encroachment* criterion to assess the performance of the boundaries and land against the third purpose. Under this criterion, the Council consider *whether or not land functions as part of the countryside in terms of relationships within it or acceptable uses within it; including those for agriculture, forestry, woodland, equestrian and other uses, small villages, rural business parks or other building clusters*. These uses may be associated with the countryside, but the assessment question would suggest that it should include every parcel of land outside the urban area. Again, it remains unclear how this as an assessment would aid one's understanding of whether or not land needs safeguarding from encroachment or what is truly countryside as opposed to land that has been influenced by urban development.

### ***Summary***

The above issues exemplify the contrived and often perplexing methodology used in the TP1 Addendum 2021 to determine the Green Belt boundaries. The use of selected parts of historic evidence makes it difficult to understand the overarching approach to the Green Belt taken by the Council, and it is hard to dispel the impression that the TP1 Addendum 2021 document is an exercise in retrospectively justifying the proposed Green Belt boundaries rather than a proper exercise to determine the most appropriate boundaries. Irrespective of such, the various anomalies and inconsistencies cumulatively serve to undermine the robustness of the Green Belt assessment conducted by the Council. Given the extent of flaws within the revised methodology, it remains clear to the Developer that the Green Belt boundaries are anything but justified and reasonable.

## **Alterations to the Green Belt**

There are various examples of the confused and muddled approach to defining the Green Belt boundaries throughout the plan. The Developer wishes to highlight, and specifically **object** to PM97, which concerns land immediately adjacent to the Site. Under PM97, the Council are proposing to relocate the Green Belt boundary to the north of Elvington. The extent of the settlement limit in the Publication Draft Local Plan (2018) encompassed the full extent of Elvington Primary School and its associated playing field. The Green Belt boundary, whilst excluding the Site as an allocation, previously followed the existing hedge boundary associated with the school. This boundary had a degree of logic even if the Developer objected to it.

Under the revised methodology, the TP1 Addendum 2021 now proposes to relocate the boundary, to add the school playing field to the north, and part of the main school building, into the Green Belt. The reasoning and rationale behind such a move are difficult to understand. Whilst the Council are perhaps seeking to establish a permanent boundary using the built edge of the school as a guide, it appears that part of the existing school building has been included within the Green Belt.

Further, the proposed boundary excludes the access road and some open space to the southwest of the school. See the proposed modification and aerial image below. This is illogical and means that the boundary is anything but clear and certainly does not follow defined physical features. In any event the use a building is a poor boundary. Buildings can be

extended, replaced or just demolished. A building is considered to be a bad boundary and can result in uncertainty as to the location of the Green Belt. Whilst it is the Developer's view that the boundary should include H26 it is not known why the boundary around the perimeter of the playing field proposed in the Publication Draft Local Plan (2018) would not serve as a suitable edge. The school playing field, whilst evidently open, shares few other characteristics with the purposes of including land within the Green Belt, and likewise it's difficult to see how the inclusion of the playing field within the Green Belt serves any of the five purposes. The Developer wishes to **object** to PM97 as a result.




## Permanent Green Belt Boundaries

The Council are also consulting on the GL Hearn Housing Needs Update September 2020, and the SHLAA Update (April 2021). Within the former document, GL Hearn report that the housing requirement of 790 dpa identified within the Housing Need Update 2019 remains an appropriate figure, given that the need for housing in the City has not materially changed. The Council therefore continue to use a housing requirement of 822 dwellings per annum, first cited within the Proposed Modifications Consultation (2019). This is based upon a revised OAN of 790 dwellings per annum, plus a further 32 dwellings per annum to account for a shortfall in completions between 2012-2017.

DPP have repeatedly objected to the housing requirement used within the Publication Draft Local Plan (2018) and have outlined the reasons why it fails to meet the housing needs of the City.

Apart from the reasons already cited which include concealed households, historic under delivery and market signals we have a further concern which relates to the TP1 Addendum 2021 and the permanence of the Green Belt. The Council's housing requirement has been calculated using the OAN (objectively assessed needs) process. As the emerging Local Plan was submitted prior to the cut-off date of the 24<sup>th</sup> January 2019, Paragraph 214 of NPPF allows the use of this process, rather than the standard method process, which is now the prevailing approach to calculating housing requirement.

**Paragraph 33** of the NPPF 2019 requires policies in local plans and spatial development strategies to be reviewed and updated as necessary and at least once every five years. It also indicates that relevant strategic policies will need updating if their applicable local housing need figure has changed significantly. The NPPF indicates that LPAs are likely to require earlier reviews if local housing need changes significantly following the adoption of a plan.



This being the case, the Council's decision to continue to use the OAN process will almost certainly result in a significant change to their local housing need figure once the standard method is used as part of a local plan review. Even if it is not regarded as a significant change, it will still represent an increase in the housing requirement.

DPP estimates that, using the standard method, the Council would have to increase the housing requirement in the Publication Draft Local Plan (2018) to over 1,000 dwellings per annum. The Council will therefore have to find a significant number of additional housing sites in order to meet the housing requirement defined by the standard method and this will mean additional land will almost certainly have to be released from what the Council hope will be a recently adopted Green Belt.

**Paragraph 133** of the Framework indicates that the essential characteristics of Green Belts are their openness and their permanence. **Paragraph 136** goes on to indicate that once established, Green Belt boundaries should only be altered in exceptional circumstances and notes that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. **Paragraph 139** also indicates that plans should be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period.

It is clear that the inevitable transition from the OAN process to the standard method will result in an increase in the housing requirement which will necessitate further alterations to the Green Belt boundaries within a maximum of five years following adoption of the emerging Local Plan. On the basis of the above the Developer considers that housing requirement in the emerging Local Plan is unsound on the basis that it will not deliver a permanent Green Belt in accordance with the requirements of NPPF.

## Suitability of the Site

The Developer considers that H26 and the dense woodland and hedgerow around it formed a clear, logical and defensible long term Green Belt boundary. The Site is bound on two sides by existing development and is otherwise entirely enclosed and contained from the wider surrounding landscape by the existing boundary. As such the Developer maintains their **objections** to the continued omission of the Site as an allocation within the emerging Local Plan.

However, in light of the above it remains telling that the Site has previously been assessed by the Council and deemed suitable as a housing allocation within the emerging Local Plan. The Site was only deleted from the emerging Local Plan when the housing requirement was reduced at the time the Preferred Sites Local Plan (2016). On the basis of our view that the Council will soon need to reassess the housing requirement using the standard method instead of OAN it is clear to us that the Council will need to identify new sites to accommodate the increased housing requirement. The Developer wholly believes that if Site H26 is not to be included within the emerging Local Plan as a housing allocation, it should be identified as safeguarded land in anticipation of the review.

As outlined in the previous representations submitted by DPP, the Site remains a logical and natural addition to the village. The allocation and development of the Site would effectively infill the modest gap between the Primary School and the village medical centre. The Site, whilst admittedly undeveloped, does not fulfil any the purposes of Green Belt (particularly the first, third and fourth), and its allocation within the plan could be achieved without undermining or compromising the role and function of the York Green Belt.



## Assessment of the Site Against TP1 Addendum 2021

Setting aside the Developer's concerns relating to the updated methodology used by the Council, we have assessed the Site against the criteria in the TP1 Addendum 2021 below:

**Compactness:** the continued absence of development on the Site does not aid one's impression of a compact City of York. Elvington is a significant distance from the city and is not viewed in the same context. The City of York will retain its compact form. Even if the consideration of compactness related to villages, which it does not, Elvington would still be compact as the allocation of H26 would do no more than fill a gap in between existing development. If anything, infilling a vacant plot of land within the developed extent of Elvington would give rise to a more compact settlement.

**Landmark Monuments:** there are no landmark monuments within the vicinity of the Site. Views into York and its associated landmarks are obscured by existing development and vegetation. Given the distance between Elvington and York, it is not possible to view both separate entities. This consideration would not be harmed.

**Landscape and Setting:** the Site does not need to be kept permanently open as part of the wider landscape associated with the historic character and setting of York. The Site lies a considerable distance from York, it is not on one of the approaches to the city and remains discreet and separate from the wider landscape that surrounds the city and the village itself. H26 does not lie within a protected landscape, form an area of public open space, and nor does it form part of any other area which contributes to the setting of York. The Site is well enclosed by existing established natural boundaries, which divorces the Site from the landscape that surrounds Elvington. It does not form part of the wider setting within which Elvington is viewed.

**Urban Sprawl:** the Site forms parts of Elvington, a sustainable but relatively small village. Elvington is not a large built-up area. The development of the Site will therefore not give rise to the sprawl of a large built-up area and, whilst not relevant, the development of the Site would not even give rise to the unrestricted sprawl of the village given the clear boundaries around the Site.

**Encroachment:** in its setting, the Site does not have the characteristics of land that could be deemed countryside. It contains a number of former military buildings, and it is bound on two sides by the existing developed confines of Elvington and woodland belts and hedgerows. H26, whilst largely open, is heavily influenced by urban development and cannot sensibly be regarded as being part of the wider countryside. The development of the Site would not therefore result in encroachment. Rather, the Site has the characteristics of a small well contained gap between development.

On the basis that the Site does not fulfil the purposes of Green Belt, when assessed against the clarified methodology, the Developer remains wholly of the view that Site H26 should be included as an allocation within the Publication Draft Local Plan 2018.

## Compliance with the Test of Soundness

Having considered the updated and additional clarification concerning the Council's methodology to determine the land that needs to be kept permanently open and to define Green Belt boundaries, it remains clear that there are a number of issues and anomalies which undermine the robustness of the exercise. As a result, and for the reasons explained, the Developer is of the view that the revised methodology does not provide a robust basis to determine which parcels of



land need to remain permanently open, and the Green Belt boundaries therefore remain unreasonable and insufficiently justified, and therefore unsound.

Additionally, it is evident that the emerging Local Plan, in its current guise, will not result in a permanent Green Belt, contrary to the requirements of the NPPF. It is inevitable that the Council will soon need to identify additional sites for housing, once the switch is made from the OAN process of calculating the housing requirement to the standard method. The Council have therefore failed to fully account for the City's future housing need, which will ultimately necessitate a review of the emerging Local Plan if it is adopted, and the Green Belt boundaries, rendering such unsound as a result.

Overall, the Developer considers that the emerging Local Plan has **not been positively prepared**, the land that is included within the Green Belt has **not been justified**, it will **not be effective** and is **not consistent with national policy** in that the Green Belt will not endure, and land has been included in the Green Belt which does not need to be kept permanently open.

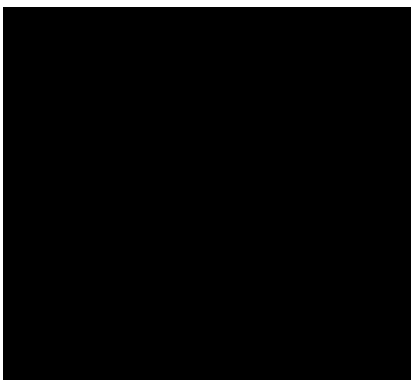
There are also a number of significant deficiencies in the City of York Housing Needs Update which mean that the 822 dwellings per annum OAN figure which the Council continue to use within the Proposed Modifications is unsound. The housing requirement and evidence base are **not justified**, and the local plan will **not be effective** in meeting the City's needs. It has **not been positively prepared**, and the approach adopted **does not reflect national policy**.

These representations confirm that H26 remains available, and capable of accommodating housing growth. The Site contributes very little, if anything, to the purposes of the Green Belt, whilst the technical issues previously raised by the Council have been addressed in detail in previous representations submitted to the Council. The Developer therefore **Objects** to the continued omission of H26 as either an allocation or safeguarded land within the emerging Local Plan.

## Our Proposed Modifications

To make the local plan sound it is recommended that the housing requirement is recalculated and should reflect a figure similar to that produced by using the standard method. We also suggest that the Site, H26, is reinstated as an allocation within the emerging Local Plan to cater for the increase in housing requirement that is required in order to render the Local Plan sound. Finally, we recommend that the PM97 is omitted from the Local Plan, and the boundary reinstated along the existing field boundary which encloses the school playing field.

Yours sincerely,







**From:** [Redacted]  
**Sent:** 10 June 2021 09:31  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, INDIVIDUAL - reference: 198019

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent my own views

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## Your personal information

**Title:** Dr

**Name:** Jeffrey Stern

**Email address:** [Redacted]

**Telephone:** [Redacted]

**Address:** [Redacted]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Composite Modifications Schedule April 2021 (EX/CYC/58)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant: I do**

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** I do

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** Yes, I consider the document to be sound

**Please justify why you consider the document to be sound:** I do

**Please justify why you do not consider the document to be sound:**

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** I approve of the proposed changes to the green belt so far as they address Heslington and its area

**If you are seeking to change the Local Plan, do you want to participate at the hearings sessions of the Public Examination?:** No, I do not wish to participate at hearings sessions

**If you do not wish to participate at hearing sessions, please state why:** I don't

---

## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

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**From:** [REDACTED]  
**Sent:** 07 July 2021 23:34  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, INDIVIDUAL - reference: 206169

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

---

## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent my own views

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## Your personal information

**Title:** Mrs

**Name:** Joanne Kinder

**Email address:** [REDACTED]

**Telephone:** [REDACTED]

**Address:** [REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Topic Paper 1 Green Belt Addendum January 2021 Annex 4 Other Developed Areas (EX/CYC/59f)

---

## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:**

**Please justify why you do not consider the document to be legally compliant:** The Parish Council is a statutory body elected by the Parish residents to represent their views. At no time during the drafting of the local plan has City of York (CYC) council paid any more than lip service to the wishes of the village residents as expressed either through the Parish Council or as highly significant numbers of formal individual consultation responses to various stage of the Draft Plan. On first publication of the Draft local plan inc Site Selection, the Parish held Drop-in sessions on the 6th & 26th August 2016 and then on the 14th October 2017 including a questionnaire about the various sites being put forward. The overwhelming response (over 90%) was that Site 95 (allocated as H39) would be a detriment to the village largely due to traffic flows through an already overcrowded residential estate plus the detriment to Church Lane which borders the site to the south. This site was also previously examined and rejected by the Inspector at the previous Local Plan Public Enquiry due to the harm to the village. CYC has nevertheless persisted with putting forward H39 for removal from the greenbelt, purely to achieve dwelling numbers, without addressing these reasoned arguments. Furthermore, CYC has been disingenuous in reporting this in the document SD54 – SHLAA Sept 2017 Annexes, where they appear to balance the reasoned arguments of the Parish Council and many villagers against those of a single landowner. A more suitable site offering the ability to deliver a greater number of houses was Site 55 (Former H26, roughly the site behind the school) which the residents and Parish Council supported but was never accepted by CYC despite having been originally "set aside" for development from the days of Selby DC. The reasoning given by CYC is as follows: "There is a risk that, in allowing further expansion west along Elvington Lane (Boundary 1), the village will coalesce with its outlying Business Parks, significantly altering the experience of entering the village through rural landscape and impacting on compactness" The fact that CYC describes the mainly residential area to the West of the traditional village centre as the "outlying Business Park" highlights the officers' lack of knowledge and fails completely to take account of the 'on the ground' geography, the social geography and the social interactions within the village. They appear to be based on a remote map-reading exercise and do not reflect the reality. Thus, the Greenbelt addendum seeks to permanently divide the village against the wishes of the community. The inset should run from Sutton bridge to The Conifers.

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** No, I do not consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:**

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:** The fact that CYC describes the mainly residential area to the West of the traditional village centre as the "outlying Business Park" highlights the officers' lack of knowledge and fails completely to take account of the 'on the ground' geography, the social geography and the social interactions within the village. They appear to be based on a remote map-reading exercise and do not reflect the reality. Thus, the Greenbelt addendum seeks to permanently divide the village against the wishes of the community. The inset should run from Sutton bridge to The Conifers.

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## **Your comments: Whether the document is 'sound'**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** Positively Prepared: We do not believe the plan has been positively prepared, as more suitable sites offering more deliverable houses and less disruption to existing residents have been proposed (see our duty to cooperate comments) and rejected or ignored by CYC given their views on how they believe the village should grow. It is actually CYC that will be ultimately stifling the natural development of the village not the residents or the Parish Council. The Plan’s impact on the lives and welfare of those who live in Elvington, as well as the appearance and environment of the village, has not been considered in the preparation of the plan. Hence the plan fails the test of “Cooperation” and has not been positively prepared. Justified: The elephant in the room in terms of any further development of Elvington is the allocation of ST15, a 159ha “Garden Village”, yielding 3339 dwellings, whose proposed boundary currently abuts the Parish Boundary. Garden Village seems a complete misnomer given it will be home to 8,000 people (based on ONS figures of occupancy) – broadly comparable in terms of population to the present town of Pocklington. Is there then any actual justification for any extra houses in Elvington given the close proximity of this? Given the acknowledged importance of Elvington retaining its rural character, and thus making a contribution to the overall York environment, we suggest that with the proposed massive ST15 site so close by, it is all the more important to retain such character; and that would suggest no further attrition of the greenbelt around the village. Consistent with national policy: The proposal to remove SP1 from Greenbelt (to which the Parish Council have previously objected) elsewhere in the Plan does not comply with the National Planning Policy Framework specifically “Policy E: Traveller sites in Green Belt” of the Planning policy for Traveller sites. Which states that “Traveller sites (definition includes travelling showpeople) (temporary or permanent) in the Green Belt are inappropriate development.” The planning inspector who granted a temporary consent on site SP1 said there were no exceptional circumstances why SP1 should be given a permanent consent and CYC should find suitable alternative sites which they haven’t done and this is now the exceptional circumstance!

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:**

Necessary changes: The green belt for Elvington should be extended to cover the area for The Conifers development through to Sutton Bridge, (see plan: EPC Green Belt Proposal). The Village is already largely linear and the perceived rural gap between the poorly named “outlying Business Park” and the traditional village is already broken up with houses, offices, the Doctor’s surgery and some former RAF munitions stores set back but largely visible from the road; it does not offer the entirely rural landscape the officers seem to believe exists. Site 95 (Allocated as H39.) should not be removed from the Greenbelt as it would spoil the quintessential rural nature of Church Lane and would render Beckside more of a large and disproportionately sized housing estate not in keeping with the rest of the village. The village is however not opposed to appropriate development and has already proposed site H26 to be removed from the Green Belt as this offers the chance for more homes to be built of various sizes to cater for the demand for both starter and larger family homes which are under-represented within the village; development on this site would furthermore have virtually no visual impact upon the village and minimal environmental impact (including ease of walking children to school). SP1 to remain in the Greenbelt as it is not complaint with National planning policy. Given the above arguments EX/CYC/59f: Topic Paper 1 Green Belt Addendum January 2021 Annex 4 Other Developed Areas is NOT Legally compliant due to lack of duty to co-operate; is NOT Positively Prepared; is NOT Justified.

**If you are seeking to change the Local Plan, do you want to participate at the hearings sessions of the Public Examination?:** No, I do not wish to participate at hearings sessions

**If you do wish to participate at hearing sessions, please state why:**

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## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

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**From:** [REDACTED]  
**Sent:** 07 July 2021 17:14  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, INDIVIDUAL - reference: 206088

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent my own views

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## Your personal information

**Title:** Mrs

**Name:** S Mills

**Email address:** [REDACTED]

**Telephone:**

**Address:** [REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Composite Modifications Schedule April 2021 (EX/CYC/58)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** Th plan has been created with statutory regulations in mind.

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** I consider that the Duty to Cooperate has been considered.

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** I believe that attempts have been made to prepare the plan positively and attempts made to justify the decisions made within it. However, these decisions and the reasons for them are flawed. As a result the plan will not be effective in providing appropriate housing for residents in the city or meeting its own spatial principles. The plan maybe consistent with national policy, but national policy resolutely refuses to acknowledge the real issues behind housing problems.

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** PM52 policy SS1 p26 I note with interest “The location of development through the plan will be guided by the following five spatial principles: • Conserving and enhancing York’s historic and natural environment. This includes the city’s character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function. • Prioritise making the best use of previously developed land. • Directing development to the most sustainable locations, • Ensuring accessibility to sustainable modes of transport and a range of services. • Preventing unacceptable levels of congestion, pollution and/or air quality. • Ensuring flood risk is appropriately managed. • Where viable and deliverable, the re-use of previously developed land will be phased first. I approve of the inclusion of the 2nd and 3rd bullet points. I am concerned by the removal of the final bullet point. The retention of this would assist the plan in its meeting of the previous six principles. Further to this I believe there should be a ‘condition of build’ within the plan stating that builders can only build on identified green space land once all other brownfield sites and previously developed land have been exhausted. Only then can the plan claim to ‘conserve and enhance York’s historic and natural environment. PM62 Policy H1 P91 I disagree with the removal of this paragraph from the plan. I believe that housing



development should be phased in the city with the use of brownfield sites being prioritised – in line with the above. PM 63 policy H1 P92 I disagree with the number of proposed small housing developments (less than 100) squeezed onto pockets of green/rural land when the city has access to so many brownfield sites. Whilst I see reference to some of these brownfield sites in the plan I ask whether there are planned housing allocations for the Barbican site, Fulford Barracks or the near derelict portion of Piccadilly? I don't believe that the council has fully explored the acquirement of other land for housing that already has good access to infrastructure. Nor has it taken into account the changed retail landscape left as a result of the pandemic. For example a significant portion of the units on the Clifton Moor retail park could be relocated to other now empty units across the city, and the huge expanse of land at Clifton Moor used to meet the required housing allocation. It would be preferable to make adequate use of larger planned sites around the city to ensure that building is complemented by adequate infrastructure rather than overwhelming existing areas with increased traffic congestion and pollution by panning smaller 'infill' developments that will strain existing infrastructure. For example the large garden village planned at Elvington and the corresponding adaptation of infrastructure could better accommodate the 76 houses planned to overwhelm the narrow country lane of Eastfield Lane Dunnington. Currently the plan does not meet its own five spatial principles. Whilst I applaud the spatial principle of 'Conserving and enhancing York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function.' I don't believe the plan goes far enough towards this. I would like to see greater attempts made to preserve the green space in and around our city by ensuring that building on green space carries a condition to retain significant amounts of open space. The National Planning Framework states that where the status of land is changed from 'green belt' it should then be identified as open space. Where the Local Plan changes the green belt status of land, I believe that a condition of building should be to that 33% of the land is retained as 'open space'. This should not include land for gardens. This would significantly support and promote the plan in the meeting of all its spatial principles. PM 54 Policy SS1 para 3.3 P27 Changing of housing target from 790 p/a to 820. The term housing crisis implies that there aren't enough properties in the country to house the population. This is not the case. In the UK there are many properties that instead of being places to live, are being used as money making businesses. In the UK there are large numbers of properties, in some cases near complete villages, that lay empty for most of the year because they are being let as holiday accommodation. This is happening in York where a search on AirBnB yields a number of properties in the city that are being used as holiday accommodation rather than homes. How can this be right? If there was a housing crisis a 'one family one home' policy would address it easily. We appear to be heading towards a Victorian situation where the wealthy get rich from letting housing to the poor and it would be tragic if this plan allowed that to escalate within our city. The Local Plan should attempt to address this issue and work to prevent family homes and starter homes across the city from laying empty and being used as holiday accommodation. Not only does this contribute to the 'housing crisis', it also negatively impacts local hotel and guest house business. The average salary of a York resident is £25,000. The properties built under this plan will never be affordable for York residents starting out in their quest to live independently. The Local Plan should attempt to address this by ensuring that a significant number of the properties built under the plan are affordable by York residents, based on the average earnings. This would involve a number of properties being sold for no more than £200,000. Unless the issue of holiday homes, unaffordable pricing and destroyed green space are adequately addressed I fail to see how this plan can meet its own stated principles and worry that the result will be a plan that finances builders and the wealthy who buy up housing stock, rather than a plan for the benefit of the residents of York.

**If you are seeking to change the Local Plan, do you want to participate at the hearings sessions of the Public Examination?:** No, I do not wish to participate at hearings sessions

**If you do wish to participate at hearing sessions, please state why:**

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## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

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**From:** [REDACTED]  
**Sent:** 07 July 2021 21:15  
**To:** localplan@york.gov.uk  
**Subject:** New Local Plan Consultation submission, INDIVIDUAL - reference: 206142

## Local Plan consultation May 2021

I confirm that I have read and understood the Local Plan Consultation Privacy Notice, and consent to my information being used as set out in the privacy notice.

Can we contact you in the future about similar planning policy matters, including neighbourhood planning and supplementary planning documents?: yes

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## About your comments

Whose views on the consultation documents do your comments represent?: My comments represent my own views

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## Your personal information

**Title:** mr

**Name:** pat mills

**Email address:** [REDACTED]

**Telephone:**

**Address:** [REDACTED]

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## Key Evidence and Supporting Documentation

Which documents do your comments relate to?: Composite Modifications Schedule April 2021 (EX/CYC/58)

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## Your comments: Legal Compliance of the document

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

**Please justify why you consider the document to be legally compliant:** I would assume yes, but I cannot say factually that the document has been prepared within all appropriate laws.

**Please justify why you do not consider the document to be legally compliant:**

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## **Your comments: Duty to cooperate**

**Do you consider the document to comply with the Duty to Cooperate?:** Yes, I consider the document to comply with the Duty to Cooperate

**Please justify why you consider the document to be in compliance with the Duty to Cooperate:** as per last answer I would assume this is the case.

**Please justify why you do not consider the document to be in compliance with the Duty to Cooperate:**

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## **Your comments: Whether the document is ‘sound’**

**Do you consider the document to be ‘sound’?:** No, I do not consider the document to be sound

**Please justify why you consider the document to be sound:**

**Please justify why you do not consider the document to be sound:** I believe that this has been positively prepared however I do not think all parts of the plan are justified and effective. I do not also believe that all parts of the plan as consistent is consistent with national policy.

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## **Your comments: Necessary changes**

**I suggest the following changes to make the Local Plan legally compliant or ‘sound’:** PM52 policy SS1 p26 I note with interest “The location of development through the plan will be guided by the following five spatial principles: • Conserving and enhancing York’s historic and natural environment. This includes the city’s character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function. • Prioritise making the best use of previously developed land. • Directing development to the most sustainable locations, • Ensuring accessibility to sustainable modes of transport and a range of services. • Preventing unacceptable levels of congestion, pollution and/or air quality. • Ensuring flood risk is appropriately managed. • Where viable and deliverable, the re-use of previously developed land will be phased first. I am in agreement with the inclusion of the 2nd and 3rd bullet points. I disagree with the removal of the final bullet point. The retention of this would assist the plan in its meeting of the previous six principles. Further to this I believe there should be a ‘condition of build’ within the plan stating that builders can only build on identified green space land once all other brownfield sites and previously developed land have been exhausted. Only then can the plan claim to ‘conserve and enhance York’s historic and natural environment. PM62 Policy H1 P91 I disagree with the removal of this paragraph from the plan. I believe that housing development should be phased in the city with the use of brownfield sites being prioritised – in line with the above. PM 63 policy H1 P92 I disagree with the number of proposed small housing developments (less than 100) squeezed onto pockets of green/rural land

when the city has access to so many brownfield sites. Whilst I see reference to some of these brownfield sites in the plan I ask whether there are planned housing allocations for the Barbican site, Fulford Barracks or the near derelict portion of Piccadilly? I don't believe that the council has fully explored the acquirement of other land for housing that already has good access to infrastructure. Nor has it taken into account the changed retail landscape left as a result of the pandemic. For example a significant portion of the units on the Clifton Moor retail park could be relocated to other now empty units across the city, and the huge expanse of land at Clifton Moor used to meet the required housing allocation. It would be preferable to make adequate use of larger planned sites around the city to ensure that building is complemented by adequate infrastructure rather than overwhelming existing areas with increased traffic congestion and pollution by panning smaller 'infill' developments that will strain existing infrastructure. For example the large garden village planned at Elvington and the corresponding adaptation of infrastructure could better accommodate the 76 houses planned to overwhelm the narrow country lane of Eastfield Lane Dunnington. Currently the plan does not meet its own five spatial principles. Whilst I applaud the spatial principle of 'Conserving and enhancing York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function.' I don't believe the plan goes far enough towards this. I would like to see greater attempts made to preserve the green space in and around our city by ensuring that building on green space carries a condition to retain significant amounts of open space. The National Planning Framework states that where the status of land is changed from 'green belt' it should then be identified as open space. Where the Local Plan changes the green belt status of land, I believe that a condition of building should be to that 33% of the land is retained as 'open space'. This should not include land for gardens. This would significantly support and promote the plan in the meeting of all its spatial principles. PM 54 Policy SS1 para 3.3 P27 Changing of housing target from 790 p/a to 820. The term housing crisis implies that there aren't enough properties in the country to house the population. This is not the case. In the UK there are many properties that instead of being places to live, are being used as money making businesses. In the UK there are large numbers of properties, in some cases near complete villages, that lay empty for most of the year because they are being let as holiday accommodation. This is happening in York where a search on AirBnB yields a number of properties in the city that are being used as holiday accommodation rather than homes. How can this be right? If there was a housing crisis a 'one family one home' policy would address it easily. We appear to be heading towards a Victorian situation where the wealthy get rich from letting housing to the poor and it would be tragic if this plan allowed that to escalate within our city. The Local Plan should attempt to address this issue and work to prevent family homes and starter homes across the city from laying empty and being used as holiday accommodation. Not only does this contribute to the 'housing crisis', it also negatively impacts local hotel and guest house business. The average salary of a York resident is £25,000. The properties built under this plan will never be affordable for York residents starting out in their quest to live independently. The Local Plan should attempt to address this by ensuring that a significant number of the properties built under the plan are affordable by York residents, based on the average earnings. This would involve a number of properties being sold for no more than £200,000. Unless the issue of holiday homes, unaffordable pricing and destroyed green space are adequately addressed I fail to see how this plan can meet its own stated principles and worry that the result will be a plan that finances builders and the wealthy who buy up housing stock, rather than a plan for the benefit of the residents of York. I would also like to flag that re-defining land that has been previously through CYC planning applications been defined as green should not be re-classified as land for development which appears to circumnavigate the procedures outlines in the national planning framework.

**If you are seeking to change the Local Plan, do you want to participate at the hearings sessions of the Public Examination?:** No, I do not wish to participate at hearings sessions

**If you do wish to participate at hearing sessions, please state why:**

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## **Supporting documentation**

**Please provide any documents which support the comments made as part of this submission:**

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