

**CITY OF YORK
LOCAL PLAN EXAMINATION IN PUBLIC**

STATEMENT OF CASE

PREPARED ON BEHALF OF VARIOUS CLIENTS



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1.0 INTRODUCTION

- 1.1 Directions Planning Consultancy Ltd has been instructed to act on behalf of a number of clients concerning their land and property interests in regard to the City of York Local Plan. As such, we have made representations at the various Local Plan consultation stages since the start of the current process in 2012.
- 1.2 Our representations to the Regulation 19 consultation in February 2018 and subsequent consultations provide us with the opportunity to take part in the Examination into the Local Plan.
- 1.3 This Statement now responds directly to various Matters to which our previous comments relate in advance of the Hearings. Not all of the Matters and questions have been addressed which our representations previously addressed. Instead, we have attempted to provide concise responses to only those questions where we wish to bring particular points of note to the attention of the Inspectors to supplement our previous representations to the Regulation 19 consultation and subsequent Proposed Modifications consultation.

MATTER 2

THE OBJECTIVELY ASSESSED HOUSING NEED (THE 'OAHN')

Question 2.2

In the Housing Needs Update (2020) what methodological approach has been used to establish the OAHN and does it follow the advice set out in the Planning Policy Guidance (under the heading 'Methodology: assessing housing need')? In particular:

a) Has the 2018-based household projection provided the starting point estimate of overall housing need? In this specific regard, has the Council's approach to identifying the OAHN been consistent with national guidance? If not, what is the justification for that?

We note within the Planning Practice Guidance the following at Paragraph: 015 Reference ID: 2a-015-20190220 "Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method."

With this in mind, we would like to highlight how the Housing Needs Update (2020) clearly states under paragraph 2.10 how "According to the PPG (Reference ID: 2a-015-20140306), the demographic starting-point are the latest household projections. These are the 2018-based household projections published in June 2020."

With respect to which version of the PPG should be referenced as the starting point for determining housing need, paragraph 61 of the NPPF (2012) states that "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance." Paragraph 220 of the NPPF then makes clear how it is only the policies in the original NPPF that are to apply for the purpose of examining plans. As such, the Housing Needs Updated should have referred to the latest version of the PPG and based the assessment of housing need on the 2014-based household projects in order to comply with the requirements of the Guidance, especially as the latest Housing Needs Update was expected to provide an update to previous assessments, which would be expected to include an update of the methodology to reflect changes in guidance.

Instead, it appears the Housing Need Assessment refers to a previous version of the Planning Practice Guidance from March 2014 and the consultation version of the standard method rather than the version

published within the latest version of the Guidance from 2019. The conclusions to the report then summarise how the Housing Needs Update has tested whether the previous housing target of 790 dpa is still robust, but only in the context of the 2018-based household projections and previous housing need assessment provided as evidence in support of the Plan.

The Housing Needs Update is therefore unsound evidence on which to base any assessment of housing need because it has not been prepared in accordance with the standard method set out in the latest version of the Planning Practice Guidance. Furthermore, the standard method has only been used as a reference to determine whether the recommended 790 dpa is still an appropriate target and has ignored how the standard method is expected to provide a minimum housing need figure. Consequently, it means the housing need figure is unsound because it does not accord with the requirements of the Framework under paragraph 61 or the latest version of the PPG.

In order for the Housing Needs Update to accord with the requirements of the NPPF and PPG then the assessment needs to be undertaken again to take into account the latest version of the standard method. The Plan is otherwise unsound.

b) What bearing, if any, does the ‘standard method’ have on this Plan’s OAHN or on any other aspect of the Plan’s approach to housing?

The starting point for determining housing need is expected to be the standard method, rather than household projections, migration rates or economic growth strategies. The PPG makes clear under Paragraph: 010 Reference ID: 2a-010-20201216 how “The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area.”

The Housing Needs Update does include an assessment of need based on the standard method, but a previous version that has now been replaced so the assessment is, again, not compliant with the PPG. For the purposes of calculating the standard method within the Housing Needs Update, the Council has relied on the 2018-based projections rather than the 2014-based projections in accordance with the Guidance.

The impact of using the wrong projections as the starting point is apparent under paragraph 4.17 of the Housing Needs Update, where it is stated that “The starting point is therefore 450 dwelling per annum. This is almost half the rate of the 2014-based projections.” So, the assessment of housing need based on the standard method therefore begins with less than half the level of projected annual growth that would have otherwise formed the basis of the standard method if it were undertaken in accordance with the Guidance.

Basing the assessment on out-of-date guidance and the wrong set of projections means the Council is advocating a housing need requirement that falls far short of the starting point for determining the housing land supply. As such, the Local Plan sets out a housing requirement that will not satisfy housing need in accordance with the NPPF, as insufficient land has been allocated.

It should also be noted that the Council has not identified any exceptional circumstances to deviate from the standard method in accordance with the requirement set out under paragraph 61 to justify the approach being taken within the Housing Needs Update.

Paragraph 60 of the NPPF states that it is important that a sufficient amount of variety of land can come forward where it is needed. Paragraph 66 sets out how “Strategic policy-making authorities should

establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.” We do not believe the Plan satisfies this policy requirement and so the Plan is unsound. The discrepancy between the level of housing need resulting from the standard method is much greater than that being proposed within the current Local Plan. In turn this means that the Plan does not show the extent to which housing need can be met over the Plan period.

For the Plan to be found sound, we believe the housing need calculation will need to be repeated and then the Plan needs to identify more land to deliver the requirement. In turn, other policies in the Plan will need to be updated to take account of the overall impact of uplifting the level of housing development above the current level.

It is worth noting that one of the earliest stages of the Plan identified a housing target of 1090 dpa. The Council published a version of the Plan for consultation that identified sufficient sites to deliver this rate of development of the Plan period. Consequently, the Council has already undertaken a Sustainability Appraisal and all the necessary work to allow for the Plan to be updated to accommodate the OAHN based on the correct methodology of the standard method, subject to further consultation. We therefore believe that, subject to further consultation, the Plan is not currently sound.

c) Have market signals been taken into account and, if so, what effect have they had on calculating the OAHN?

Paragraph 5.7 of the Housing Needs Update states “We have not updated market signals for the City.” Market signals have therefore not been taken into account within the latest target of 790dpa. We believe the information on which market signals has informed the target are also more than five years old. Paragraph 33 of the NPPF makes clear how policies within local plans should be updated every five years. This requirement should also apply to all plans, irrespective of whether they are adopted or in draft form.

With reference to the standard method, the Housing Needs Update suggests that an uplift of 26% needs to be taken into consideration to account for market signals.

As we have mentioned, the calculation for housing need has not been undertaken in accordance with the requirements of the NPPF, which sets out how the standard method should be used. It therefore appears that the requirement of 790 dpa falls short of addressing housing need given how constrained the figure is compared to the housing need resulting from the standard method. Consequently, the Plan is considered unsound and will remain so until the housing need is re-assessed.

With these points in mind, the OAHN should be reviewed so the OAHN is complete and up to date, and also so it complies with the NPPG. Only once the OAHN has been reviewed will the housing requirement have any chance of being considered sound.

e) Does the economic-led OAHN assessment now still reflect an appropriate OAHN to be addressed and delivered through the Plan during the Plan period?

We believe that to accord with national policy and guidance then the latest version of the standard method needs to be used as the basis of the housing need assessment. This is further justified by how local authorities should always aim to significantly boost the supply of homes by planning for the delivery of housing need.

The economic-led OAHN requires the base population growth and household formation figures to be bolstered, whilst the standard method certainly suggests the Council needs to be more robust in ensuring the Plan caters for sufficient growth to meet housing need.

At the moment, the assessment is not policy compliant to be considered sound, and so the methodology needs to be reviewed before the assessment is undertaken again to allow for the Plan to be found sound.

f) Overall, has the OAHN figure been arrived at on the basis of a robust methodology and is it justified?

Quite simply, 'no'. The methodology is highly flawed because it does not comply with planning policy or guidance. Also, the Council has not justified why there are exceptional circumstances to plan for far less than the standard method.

On this basis the Plan is currently considered to be unsound. The methodology needs to be reviewed before the assessment is undertaken again to allow for the Plan to be found sound.

The housing requirement

2.6 Overall, is the housing requirement figure now proposed underpinned by robust evidence and adequately justified?

We understand that following the 2021 Census, the Office for National Statistics plan to start releasing data this summer. We therefore ask, as the Examination is likely to be on-going when the data starts to be released, that the outputs are reviewed to allow the estimates produced to date to be sense checked.

The 2018-based household projections provide a starting point of 305 dpa and the standard methodology suggests 1026 dpa, which is a huge range that is then influenced by in-migration, economic growth and adjustments advocated by a methodology prepared by civil servants rather than driven by the needs of the district.

We are also ten years on from the 2011 Census on which the projections and estimates are based, which also introduces the opportunity for the annual target to be far from accurate or helpful in supporting the Government's objective of significantly boosting the housing supply.

Given the shortcomings of the assessment to date, and how it has not been prepared in compliance with national guidance or policy then the housing requirement cannot be considered sound. For the Plan to be found sound, the methodology needs to be reviewed to conform with the guidance in the NPPG to provide a starting point for determining the housing requirement.

**MATTER 3
ECONOMIC DEVELOPMENT**

The plan requirement for economic development

3.1 Policy SS1, as currently worded in the Plan, says that sufficient land will be provided to accommodate around 650 new jobs per year.

a) In effect, is 650 new jobs per year the Plan's requirement or target for economic growth?

Having read the evidence prepared in support of the Plan, it appears the 650 new jobs per year is neither a requirement nor target. Instead, the figure represents a forecast / projection of the average number of jobs expected to emerge each year over the Plan period.

This is evident from section 2.9 of Council's Economic and Retail Growth Analysis and Visioning Work Main Report (June 2013), in which there is a table that sets out "Forecast Employment and GVA Change" for 2012 to 2020 and also 2030. Additionally, the 'York Economic Outlook' review prepared by Oxford Economics in 2019 also provides a comparison of forecasted job growth between 2015 and 2019. Furthermore, the various iterations of the Employment Land Review (July 2016 and September 2017) refer to how the level of job growth is based on projections, which in turn informs the amount of land to be allocated. Under paragraph 2.14 of the Employment Land Review (September 2017) it is stated "2.14 Therefore, in conclusion, the original job projections that are used to determine land supply remain those in the original ELR (2016) as shown below at Table 2."

It is worth noting how the 2019 forecast prepared by Oxford Economics states under Appendix A that the assessment should not be used to set employment targets, as such targets need to take into account local opportunities, constraints and community aspirations. Clearly, the 650 jobs per annum is neither a requirement or target, but simply a forecast of potential job growth. Additionally, the purpose of the Employment Land Review was to identify the amount of land to be allocated during the Plan period rather than to determine a target or requirement for job growth.

A review of the various housing needs assessments also reveals how 650 jobs per annum is simply a forecast / projection of job growth over the Plan period rather than a requirement or target. For example, paragraph 5.7 of the Housing Needs Update (GL Hearn, January 2019) states "We have calculated the housing need required to meet an economic growth of 650 jobs per annum (based on the ELR Update and Draft Local Plan)."

b) How has the 650 figure been arrived at and is the evidence underpinning it both robust and consistent with national policy and guidance?

We wish to mention how the Council commissioned Oxford Economics to prepare a 'York Economic Outlook' review in 2019 (EX-CYC-29), which sets out an update of previous economic forecasts. The document presents simply an explanation of how the 2019 forecast differs from the 2015 forecast taking into consideration the 2018-mid population forecast and changes in various economic indicators.

Under section 6, it states how "To compare the employment results with the shorter forecast period used in the 2015 output, we can first look at the years 2019-2031. The reprofiled growth scenario results show an increase of 660 jobs on average per year over this period, compared to 610 in the baseline forecasts."

In suggesting that the job growth rate is now expected to be higher than previously forecast, the report makes clear how circumstances have changed since the original forecast was undertaken. The change in circumstances relates to changes in population growth, migration and also economic conditions,

which are all suggested to be more confident and positive than the previous forecast. Consequently, the previous forecast of 650 jobs (based on a baseline forecast of 610 jobs per annum in 2015) represents a conservative picture of the potential for growth within the district over the Plan period. The conservative nature of the forecast job growth becomes even more evident within the context of the Council's Economic and Retail Growth Analysis and Visioning Work Main Report (June 2013) where the table on page 22 suggests there might be 654 full time equivalent jobs to 2030 per annum, which is higher than the 650 per annum quoted within policy SS1.

Paragraph 19 of the NPPF makes clear how the planning system should do everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system. To this end, paragraph 82 then goes on to explain how local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

As it currently stands, we do not believe that the Plan conforms with the requirements of the NPPF given policy SS1 quotes a conservative level of forecasted job growth and as the amount of land is insufficient to respond to demand.

The most significant reason for suggesting that the Plan does not allow for sufficient growth is because the evidence base has been prepared on the basis of a forecast / projection of previous trends in job growth and the take up of employment land. We have previously made the case, as have others, of the fact that the greatest constraint of previous levels of economic growth and activity has been the shortage of land. The developed extent of the City provides very little opportunity for new development or redevelopment, whilst the application of Green Belt policy means there has been little opportunity to expand beyond the limits of the urban area.

In recent years, the largest development of new employment opportunities has involved sites on existing business parks within the Green Belt where a successful case has been made for very special circumstances in accordance with paragraph 148 of the NPPF. Beyond such schemes, including at Northminster and Elvington Business Park, there have been very few new sites coming forward to accommodate demand from businesses to locate within York.

At the same time, vacancy rates are extremely low and where vacancies occur the units do not stay available for long. Also, there are very few opportunities for businesses to purchase land, as most availability is for buildings to let. This is mentioned in the Council's Employment Land Review. Furthermore, there has been a loss of existing employment uses, particularly offices, to other uses as a result of permitted development rights.

Given the absolute constraints on supply that have existed for decades then attempting to project forward historic trends paints a very misleading picture of potential demand. If economic growth is to be supported, in accordance with national planning policy, then market signals need to be given more weight.

Whilst some of these considerations have been taken into account, their significance and potential to act as constraints have been ignored. Consequently, we believe that the supply of land and opportunity for job growth is much greater than is suggested by historic trends.

3.2 Table 4.1 of the submitted Plan (page 77), sets out employment land and floorspace requirements by use class for the Plan period (2017-2033) and also in the post Plan period 2033-2038. Is this assessment still the most up-to-date? If not, what is the most up-to-date position and how should this be rectified in the Plan?

The Council's evidence suggests the table presents the most up-to-date assessment. The assessment does, however, date from 2016. This means the assessment is more than five years old. Paragraph 33 of the NPPF makes clear how policies within local plans should be updated every five years. This requirement should apply to all plans, irrespective of whether they are adopted or in draft form. We therefore urge for the Council to be asked to update Table 4.1 based on an up-to-date assessment. Updating the assessment would also allow for the table to be updated to refer to the latest version of the Use Class Order.

3.4 If Table 4.1 in the submitted Plan is not up-to-date, how much land or floorspace is needed for each of the employment sectors expected to deliver jobs growth?

Another reason to update the assessment to inform a revised version of Table 4.1 is that the Environment Act will result in a greater amount of land to deliver the same amount of floorspace. This is because delivering a minimum of 10% 'net biodiversity gain' as part of any development proposal usually results in the need for compensatory planting that requires land. We are finding that proposals concerning the development of greenfield land for employment uses more often than not now require a large land take to deliver the same amount of development when compensation associated with net biodiversity gain needs to be delivered, or else, less development can be delivered to allow for the amount of land required for habitat creation.

We are also finding that in respect of drainage, the amount of land required to service the erection of new buildings is increasing. This is because the drainage hierarchy requires SuDs to be considered first. In turn, the introduction of ponds or drainage channels requires land that would not otherwise be required if tanks underground could be considered in preference to the creation of ponds.

However, under policy EC1 there is no reference to the amount of land required to deliver the amount of floorspace quoted. This is despite the proposal map showing clearly defined areas. We are therefore struggling to reconcile whether the amount of floorspace quoted in respect of each allocation can be delivered within the extent of the allocations shown on the proposal map. Given that some of the sites are surrounded by green belt then the site area is constrained.

The need to quote site areas alongside floorspace is important because, on allocation ST19, over 5ha of land has already been developed with respect to over 8000 sq m of predominantly B8 floorspace. Whilst at ST26, 0.4ha has delivered 3066 sqm of predominantly B2 floorspace.

Delivery of B2 floorspace on ST26 also raises an issue with Table 4.1 because the figures quoted do not suggest there is any employment land requirement for B2 Uses. This is also despite the allocations specifically mentioning the suitability of the sites for B2 Uses. Clearly, there is a requirement for B2 floorspace otherwise Directions Planning Consultancy would not have been able to demonstrate very special circumstances in accordance with paragraph 148 of the NPPF for development for a B2 use under application 18/02839/FULM of the land at ST26, which is currently considered to be within the general extent of the green belt.

We would also suggest there is a requirement for B2 Uses because of the increasing costs of importing goods as a direct result of leaving the EU. Manufacturing of goods must return to the UK, which in part can be facilitated by allocating land. However, without an update of the evidence base it will not be possible to assess how much land is required.

3.7 Is it likely that the departure of the UK from the EU and/or the Covid-19 pandemic could have an impact on jobs growth during the Plan period? If so, is it possible for the Plan to properly gauge those impacts with any degree of certainty? How should the Plan respond to these issues, if at all?

Along with this submission, we have provided a copy of an Alternative Site Assessment (Appendix 1) prepared by Gent Visick that was submitted alongside application 21/00796/FULM. The application was for a new distribution centre for DPD Ltd. at Northminster Business Park to replace their existing facility at Clifton Moor. It is worth noting how one of the drivers for finding new premises is because of the impact of Covid-19, as the last two years has seen a surge of internet sales and an increasing demand for home deliveries that requires larger distribution centres.

Such demand is expected to continue now that people have become used to ordering more goods on line, especially in relation to food and clothes. It is notable how many clothes retailers have moved online or have increased their online presence. For example, Gap no longer have any high street stores and are now solely online, while shops that previously went into liquidation, such as Topshop, are now re-emerging as online stores but with no high street presence. This trend towards online sales, that relies upon delivery services, appears to be continuing to grow, which is evident from the closure of many high street outlets and the obvious decline of town centres. The Press have reported that 50 shops are closing each day, where 83% of department stores have closed over the last five years. In contrast, online sales rose by over 50% over 2020.

It is important that the Plan includes allocations of sufficient scale to accommodate new distribution centres in order to provide the opportunity for companies to locate to York as part of creating a network of sites to add the efficient distribution of goods. Currently, there are only three strategic sites allocated for B8 uses, but only two of the sites (ST19 and ST26) are available and suitable for B8 uses. However, planning permission has already been secured in the last few years for development on both sites so the full extent of the allocations is no longer required. Also, the sites are allocated for other employment uses besides simply B8. This raises the question as to whether there is sufficient land still available to meet development needs within the Plan period. This is particularly in light of structural changes within the economy as a direct result of recent world events, which more latterly now includes the Ukraine conflict that is driving the need to move away from the use of fossil fuels at a faster pace than previously.

We therefore believe more land needs to be allocated to allow for flexibility, as a direct result of recent and emerging economic changes and conditions within different markets. If the Plan is to conform with the requirements of paragraph 18, 19 and 20, particularly in relation to allowing for flexibility then more land now needs to be allocated.

The supply of land for economic development

3.8 Policy EC1 of the submitted Plan sets out the amount of employment floorspace that is to be provided on each identified site allocation during the Plan period. These are set out within the policy both on strategic and non-strategic sites. Are the floorspace figures in Policy EC1 for these sites still correct and justified?

We need to bring to the attention of the Inspectors how planning permissions have been granted over the last few years for development of land allocated within the Plan.

For example, with respect to allocation ST19, permission is extant in respect of the development of 7222 sq m of floorspace. With reference to allocation ST26, 3066 sqm of floorspace has been granted permission.

This means that these allocations can no longer deliver the amount of floorspace quoted in policy EC1 because it is no longer available. The Plan therefore needs to be updated to make sure sufficient land is still available to meet the identified requirements.

Please note that the density of development granted permission so far is much lower than envisaged by the Plan. This is in respect of the amount of land that has been identified on the Plan compared with the amount of floorspace quoted under policy EC1. The reason for this is that the buildings need to be served by sufficient parking and drainage to serve the development, plus the developments have required substantial landscape buffers. Site ST19 has therefore been reduced by approximately 6ha whilst only delivering 7222 sqm of floorspace. If the level of development at ST19 is to be realised then more land will be required, especially with the impending introduction of needing to deliver net biodiversity gain, which will also require land for compensatory planting. So far, accommodating net biodiversity gain has not featured in the Plan, but will become a requirement once the Environment Bill has been enacted.

3.9 Is the amount of employment floorspace provision and its proposed distribution consistent with the evidence base?

With respect to offices, clearly the loss of office space from within the town centre can be evidenced through the high vacancy rate, low rent values and loss of space to residential use. However, these same trends are not evident in respect of research, manufacturing and distribution uses on the out-of-town business parks where values have held firm and vacancy rates are low. The disparity in trends between employment space within the urban extent of York and other employment uses on out-of-centre business parks raises the question as to whether the amount of floorspace allocated across employment uses and to different locations is correct.

My clients include the landowners of ST19: Northminster Business Park and ST26: Elvington Airfield Business Park. Directions Planning has represented the interests of both clients for the last ten years, which includes advising on both land promotion and planning applications. Both clients have been extremely frustrated by the constraints placed on the well-established business parks by local plan policies, particularly in relation to green belt policy, which has meant potential occupants have consistently been turned away. What is notable is that where planning applications have been submitted, and been granted permission, the proposed occupant has been an existing York business that cannot find an alternative site within the district that is large enough to meet their needs outside of the green belt. At the same time, there has been no large-scale inward investment from companies currently located outside of the district. This is despite regular enquiries from companies wanting to move into York due to business requirements, who have instead located to neighbouring authorities where the same green belt policy constraint does not apply.

What this means is that the Council has based the Plan strategy on various policy options and projections, rather than having the opportunity to understand from which direction demand arises or how best demand might be addressed. For the Plan to be solely based on patterns of development that have historically been influenced by planning policies intended to apply constraint on development means there is little real evidence on which to determine whether the amount of floorspace provision is realistic other than by turning to market trends to provide explanation. All that can be evidenced is how the business parks have very little vacancy and that there is no land for sale as indicators that

there is insufficient supply to meet demand, whilst there is more churn and a loss of floorspace to redevelopment within the urban extent of York.

We understand why the Plan would seek to redevelop York Central and include new office space within the allocation, but we do question the requirement for floorspace identified within the evidence base in light of market trends that suggest a downturn in demand. At the same time, we do not understand why other employment sectors should continue to be constrained for the sole purpose of upholding green belt policy when market demand suggests more floorspace is required than the level of forecasted growth or that might be accommodated within the allocations.

It is worth noting that at earlier stages of the Local Plan process, the Council determined land should be safeguarded adjacent to the business parks at Elvington and Northminster because of the level of growth being proposed and how the green belt assessments had found it unnecessary to keep the land permanently open to uphold the purpose of green belt policy. Furthermore, earlier iterations of the Plan also allocated more land for development at both locations.

We believe the evidence clearly shows how too much emphasis has been placed on historic market trends rather than market signals, and that the Council has under-estimated the importance of the out-of-centre business parks on the economy of the district. In order for the Plan to be found sound, we believe more floorspace needs to be allocated to allow for larger occupants and inward investment at ST19 and ST26 to address market demand.

3.10 In line with Policy SS1, has sufficient land been identified to meet employment needs of the City of York over the Plan period?

We do not believe sufficient land has been identified within the Plan period to meet employment needs. There has been a long-standing issue in York with the supply of land, or rather the total lack of supply. All existing employment sites within development limits are full and over the last few years Directions Planning Consultancy has secured planning permission for more than 10,000 sq m of new employment floorspace within the general extent of the green belt. This is on the basis that we have successfully presented a case for very special circumstances because of obvious business need and lack of alternative supply.

The land agents we speak with on a regular basis make clear how they have a long list of potential businesses wishing to locate to York who are prevented from doing so by the lack of available sites. Green belt policy and the delays in the adoption of the Local Plan have, therefore, had a direct impact on the level of employment growth by constricting supply.

The lack of supply is then carried into the projections for future growth due to the way in which historic trends are generally taken into consideration. However, attempting to suggest historic trends is any measure of future growth is flawed by the fact that the past take up of land has been constrained by the lack of available sites. It is not that business do not want to come to York, but that they cannot.

Projections and forecasts therefore need to be adjusted to allow for the historic lack of supply, and instead market signals need to be given more weight in determining floorspace requirements. The threads of this situation that are mentioned within the Employment Land Review, but the implications are not fully recognised, particularly in relation to why the level of rent and land values on the out-of-centre business parks might outperform other employment sectors and neighbouring districts. High prices are usually a reflection of demand outstripping supply, where the usual response is to adjust supply to better address demand. However, the evidence base and subsequently the Plan instead appears to continue to apply tight green belt boundaries in preference to attempting to address historic trends created purely

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from the constraints of a planning policy that was primarily intended to protect the historic character of the City rather than control supply.

We would suggest that more land needs to be allocated at the out-of-centre business parks if the Plan is to reasonably support economic growth over the Plan period in accordance with the NPPF.

MATTER 4

SPATIAL STRATEGY AND SITE SELECTION PROCESS

Spatial strategy

4.1 Is the Spatial Strategy set out in the Plan based on an appropriate and reasonable assessment and justified by robust evidence?

The policy needs to be updated with respect to the employment and housing targets with reference to up-to-date assessments of need. The current assessment for housing need is flawed because it does not conform with the standard method set out in the Planning Practice Guidance. The assessment for employment land is more than five years out of date and therefore needs to be updated to conform with the NPPF. For these reasons, the evidence cannot be considered to be robust. Following an update of the evidence base then we expect the Plan will be justified and found to be compliant with planning policy and guidance.

4.3 Does Policy SS1 provide an appropriate basis for the delivery of sustainable development and growth within the City of York?

As far as we can discern, there is no specific spatial strategy set out in the Plan. Policy SS1 lists principles for development, but any influence on how the principles affect the location to create a spatial strategy appears to simply direct development away from environmentally sensitive designations or constraints to flood free accessible locations but not accessible enough to cause congestion as a result of development. As the spatial strategy appears to simply set principles then it cannot be considered to outline a strategy for direction development spatially and across the district. A true spatial strategy should refer to hierarchies of settlements

Criticisms raised previously with respect to how the Plan only provides a policy framework up to 2033, but then allocated land beyond the Plan period that is not supported by a policy framework still needs to be addressed. It is not effective, or in the spirit of plan making, to allocate specific sites beyond the end of a Plan period when there is no policy framework to determine whether the allocations are in the right location or will help address as-yet-unidentified strategic objectives.

Within policy SS1 it states “Where viable and deliverable, the re-use of previously developed land will be phased first.” This raises the question of where in the Plan is there any suggestion of development being released on a phased basis? The latest version of the Housing Trajectory confirms that brownfield sites will not be released in advance of greenfield sites. Furthermore, there is no suggestion that greenfield employment sites will only be released after development of brownfield sites. This spatial principle is therefore not justified and will not be effective in assisting with the delivery of the Plan. It therefore needs to be deleted for the policy to be sound.

4.5 Is the proposed approach to new development and its location, as outlined by Policy SS1, sufficiently clear within the submitted Plan and is it supported by a robust and up to date evidence base?

Whilst we understand the thrust of what the Council is attempting to achieve, we do question the phrasing and also whether the Plan actually follows through.

One of the principles is “Ensuring flood risk is appropriately managed.” This statement does not suggest areas of flood risk will be avoided when determining the allocation of land. As such, the statement does not conform with the requirements of the NPPF to direct development away from areas of flood risk or else to satisfy the sequential or exceptions tests. Instead, the statement just makes clear that any flood risk needs to be managed. By referring to managing flood risk, the statement does not even suggest that management needs to be satisfactory or not lead to problems elsewhere. Consequently, the

statement is meaningless and provides no framework for determining the location of development beyond it being a technical consideration. Instead, we would suggest the statement “reducing flood risk by ensuring that new development is not subject to or does not contribute to flooding” taken from policy DP2(iii) might be more appropriate and also ensure consistency between policies.

The final spatial principle states “Where viable and deliverable, the re-use of previously developed land will be phased first.” If the various policies are reviewed, there is only mention of phasing in relation to the housing allocations under policy H1. The same principle of phasing has not been applied to any other types of development. We therefore believe the spatial principle needs to be clarified to make clear how it only intends to seek the phasing of housing development rather than development in general.

Would, however, like to point out that Table 5.1 makes clear how the development of previously developed sites is not being prioritised consistently in preference to greenfield sites. For example, in respect of allocations ST35 and ST36 (irrespective of ST35 now having been deleted) both are brownfield but have been phased for delivery in the medium to long term. There are also plenty of greenfield sites identified for release within the first five years of the Plan alongside previously developed sites. We are therefore unclear of the purpose of the spatial principle referring to the phasing of previously developed land in advance of greenfield given the statement has not been carried through into the Plan. It would be more accurate for the spatial principle to read: “Where viable and deliverable, the re-use of previously developed land for residential development will be allocated in preference to greenfield sites,” or else: “sites will be selected for allocation in order to ensure a continuous supply of sufficient land where the redevelopment previously developed land for residential development will be prioritised.”

In respect of employment land, the various sites offer different opportunities, are of different scales and will attract different end users, so it would not be appropriate to phase their delivery, especially as the allocation of ST5 is for a very different purpose to the allocation of other employment sites. Also, not all previously developed employment sites are currently available, including E18, E16 and ST37, which means that it would not be appropriate to release other sites that are available until these sites were vacated, especially as there is now no guarantee that these three allocations will even become available within the Plan period for development.

For the Plan to be found sound, we believe the wording of the last two spatial principles need to be updated in order to ensure they are consistent with the policies in the Plan.

Spatial distribution of development

The following questions about the spatial distribution of development and the site selection process are strategic in nature and do not intend to relate to specific sites proposed within the Plan. More detailed questions on specific sites will be considered during the Phase 3 hearing sessions.

4.6 Are the (broad) locations for new development the most appropriate locations when considered against all reasonable alternatives?

We have expressed concern previously regarding the Council’s reliance on ST5 York Central for accommodating growth. Whilst the site is previously developed and in a sustainable location with respect to accessing existing facilities and services, the nature of the site means viability is an issue but also that it cannot respond to demand for employment land in particular. For this reason, it is allocated for office use and the allocation excludes B1c, B2 and B8 uses, which are instead channelled

to allocations on the outskirts of the urban extent of the city. We are also concerned that it is being relied upon heavily to deliver housing growth when the viability of the site is questionable given how funding has had to be sought to assist with the release of the site, which is now no longer available. Previous attempts to encourage development of the site have so far failed, as it is proving to be technically challenging and also unviable. The challenges of the site do not appear to have been fairly represented in the Local Plan Viability Final Report (April 2018) which does not appear to reference the reclamation costs due to the presence of contamination or the highways improvements required.

In respect of the general spatial distribution of employment sites, the location of the strategic employment sites largely on the outskirts of the city is sensible because the occupants are often not good neighbours to residential properties and also require access to the outlying strategic road network. Apart from the allocation of two new settlements, the remaining allocations focus on redevelopment opportunities or else expansion of existing business parks around the ring road and located close to the strategic road network. To look to expand existing parks first has always to be considered preferable to creating new business parks because of the ability to utilise existing infrastructure and as supporting services are usually already established.

The locational requirements of businesses is also an important consideration in determining where employment land should be located especially for B8 Uses that require convenient access to the wider road network. The strategic road network is predominantly to be found to the west of the district with connections north and south. However, there is also an important connection to the east coast that radiates eastwards from the city. As such, the current locations are distributed in a way that makes the most of the road network and its existing connections to the strategic network.

The existing business parks proposed for expansion, such as Northminster Business Park at Poppleton, are already in sustainable locations that comply with the principles set out in SS1. By way of example, Northminster Business Park is an established estate of predominantly B1a, B1c, B2 and B8 Uses located to the west of the city. There are no nature conservation designations or heritage assets nearby and the park is not subject to flood risk. The business park is located in close proximity to the strategic network where it is accessed from the A59 that provides a direct route onto the A1 to the west and into York city centre to the east, as well as linking with the outer ring road. Assessments have demonstrated how expansion of the park can be accommodated within the existing road network. The business park is also accessible via public transport because it is located adjacent to the Poppleton Park & Ride and within walking distance of the train station at Poppleton.

There is strong demand from businesses to be located at the park, where units for let are owner occupied or else the units for let are never vacant for long despite some of the buildings having permission for very specific uses. We have been informed that there is a waiting list of businesses who wish to locate to Northminster Business Park due to locational requirements, but are being prevented by the lack of available floorspace that is currently constrained by the green belt designation.

The pent-up demand also outstrips the amount of land that has been allocated within the Plan, which means that smaller York companies wishing to expand and businesses wanting to move into York will not be accommodated by the extent of the allocation currently being proposed. It should be noted that the west of York in particular is an extremely popular location for businesses because of access to the strategic road network, which is important for B8 Uses in particular. This was one of the key reasons why DPD Ltd pursued planning permission for a new depot last year. Their existing depot could not be expanded to accommodate further floorspace or the parking requirements for a fleet of electric vehicles to be used for deliveries across the City. Their new facility at Northminster was therefore necessary to

allow their business to respond to demand created by the growth of on-line sales and also the pandemic.

We expect that if more land is not allocated at the business park then we will have to continue to argue very special circumstances for further development within the Plan period on land that continues to be designated green belt in order to meet continued demand.

With regard to the broad locations for housing development, it appears that a large proportion is to be located to the east of the city through substantial expansion and new settlements. Our main concern is that the level of housing growth does not appear to be consistently commensurate with the distribution of proposed employment growth. Also, the housing allocations are not located close to existing employment opportunities, especially following the loss of the allocations at ST35 Queen Elizabeth Barracks, which would have been accessible to Monks Cross and Clifton Moor. We therefore believe the distribution of the residential allocations need to be reviewed in order to assess their accessibility to employment opportunities as being an important factor rather than green belt determining how development might be distributed.

With this in mind, there is land between New Earswick and the ring road, to the west of Haxby Road, which offers a residential development opportunity that satisfies the principles of policy SS1. The site reference is 184: land to the south of the A1237. The suitability of the site with reference to the Spatial Strategy is on the basis that the land is not subject to flood risk and would not impact on any nature conservation designations or heritage assets. The site is also accessible by public transport and would not lead to the creation of congestion. The site also offers a natural extension to New Earswick, which is one of the original Garden Villages and therefore of important social history to York. New Earswick has been expanding northwards since development of the Garden Village began, whereby Hartrigg Oaks and allocation H46 are some of the latest phases that have been developed on the outer edge of the urban extent of York.

Each phase represents a response by Joseph Rowntree Housing Trust to the social needs of the community, particularly in relation to responding to local affordable housing needs. If JRHT is to be able to continue with providing social housing for the benefit of the York then more land will be required as subsequent phases to more recent development. It should be noted that Joseph Rowntree purposefully purchased land at New Earswick in one block, which included the land on which the original Garden Village has been constructed, all the way out to Haxby. This was in order to deliver development in direct response to housing needs into the future. The application of green belt policy therefore conflicts with the social aspirations of Joseph Rowntree and his family from well before the concept of green belt policy was even conceived.

Such considerations, which includes continuing historic patterns of development into the future, have not been taken into consideration, as the Approach to the Green Belt Appraisal (2003) has been taken to be an absolute constraint on development, even though green belt policy is simply meant to be a policy tool.

We do not believe the Council has fully considered all reasonable alternatives, which we have raised previously with respect to how the various addendums to the Green Belt Topic Papers have introduced a change in emphasis within the evidence and consequently to the preferred option. This change in emphasis is considered to be significant enough to represent a 'reasonable alternative' that should have been assessed at the options stage of the drafting process rather than being introduced at Examination. On this basis, we believe the Plan is not legally compliant because all the options were not defined and assessed at the correct stage of the process.

Site selection process

b) has the degree to which land does or does not serve the purposes of including land in the Green Belt been an influencing factor?

We have previously expressed our concerns as to how the Council's methodology is heavily flawed and that through the various Addendums, prepared following submission of the Plan, the Council is now attempting to offer wholly new evidence with a view to justifying the green belt boundaries for the first time.

A case in point is how the process began with the Council identifying those areas that are important to York's historic character and setting, as illustrated by figure 3.1 in the Publication Draft version of the Plan. Those areas found to be important to York's historic character and setting were then used as one of the criteria for determining 'environmental assets protection', as part of the site selection process, as described in the Site Selection Paper (June 2013). The other four purposes of green belt then appear to have been ignored. This is evident because The Approach to the Green Belt Appraisal (February 2003) is only concerned with the historic setting of the City and does not refer to the other four purposes of green belt. Furthermore, the City of York Green Belt Topic Paper (2018) explains under section 4.4 how the various purposes have been considered, but there is no mention of the fifth purpose which is "to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

We note within the City of York Green Belt Topic Paper (2018) that under paragraph 5.9 the Council attempt to suggest that assisting in urban regeneration is not pertinent to setting green belt boundaries. We, however, disagree. This is because the Council is ignoring how the redevelopment of existing developed sites within the general extent of the green belt, particularly on the edge of the urban extent, would be encouraged if undeveloped land adjacent were to be excluded from the green belt or else the Council simply supported the redevelopment of sites that are currently developed and located on the edge of urban areas. Instead, new settlements are proposed and greenfield allocations have been made rather than attempting to put to better use sites that have already been developed.

There is a site to the east of Clifton Moor and on the south side of Clifton Moor Gate, which offers an opportunity for redevelopment as part of a larger proposal adjacent to the urban edge at Wigginton. The former Bumper Castle public house and its car park has now been changed into a motor car sales showroom and forecourt. The change of use of the building and the appearance of all the cars for sale in the former pub car park is unattractive and certainly not in keeping with the rural character of the agricultural land on the opposite side of Wigginton Road. If the land to the west of Wigginton Road and the former public house were to be allocated, as an extension southwards of Clifton Moor then it is likely to encourage the wholesale redevelopment of the car sales site.

The same situation exists on the roundabout with the A1237 and A59 where there is a garden nursery opposite allocation E16. The site is already covered by structures and residential development fronts the site. Redevelopment would therefore offer an opportunity for better use of the site that would also remove the need to allocate open greenfield land elsewhere.

There are other situations we are aware of where sites in a margin use remain within the green belt even though their redevelopment would actively encourage enhancements to the appearance of the site and also uses that would generate more economic benefit for the district. Maintaining such sites in the green belt will not, however, encourage regeneration within the existing extent of York or assist with bringing forward previously developed allocations because of different markets and catchment areas.

This brings us back to a point we have previously raised, which is that Government guidance documents and legislation on the drafting of local plans make it clear that the Government expects local plans to be drafted on the basis of an evidence base that sets out the justification for policies within the plan. On this basis, it would be reasonable to have expected the Council to have formulated the methodology and consulted upon the evidence behind the identification of the inner and outer boundaries in the same level of detail now found within the Addendums prior to the Regulation 19 consultation. Instead, the Council is relying on Addendums to a Topic Paper to form the evidence as to how decisions were reached concerning the boundaries.

Our concern is that the Topic Paper is supposed to be a summary of the journey in the policy formulation and the means by which the Council can explain how the evidence influenced the policies in the Plan. In this instance, it appears the Council has instead used the first Addendum to the Topic Paper to set out the methodology for the first time and is now attempting to revise the methodology and introduce changes to the results of the assessment through the current Addendums. This is evident because a number of Proposed Modifications are now tabled whereby changes to the methodology and a review of the assessment requires the Green Belt boundary to be updated.

Our understanding of the meaning of an 'Addendum' is that it is usually an item to be added to a document to correct an error or for clarification, but in this instance the first addendum extends to 89 pages with six appendices attached and the second addendum is 11 pages long with seven appendices. Clearly, the addendums go beyond simply clarifying a point or correcting an error. Additionally, many of the matters raised represent wholly new evidence rather than corrections or points of clarity.

Furthermore, the Council sets out how the emphasis of the assessment has been altered in the latest Addendum so as to remove emphasis on the various 'shapers' and instead focus on 'purpose four'. As such the Addendums raise new evidence at an extremely late stage in the process that is fundamental to the Council's ability to make decisions concerning Green Belt boundaries. Also, the change in emphasis is considered to represent a 'reasonable alternative' that should have been assessed at the options stage of the drafting process. Since when has it been acceptable for the Council to decide to change the emphasis of an assessment, which in effect represents altering the preferred option on which the Plan is based during examination?

Quite simply, the proposed modifications to the boundaries should not need to be introduced at such a late stage in the process, as the work should have been completed before the Plan was finalised and submitted for Examination. The Plan is simply unsound due to the shortcomings of the evidence base. The Plan is also not legally compliant as all the options were not defined and assessed at the correct stage of the process.

We therefore believe the evidence now presented through the Addendum is pertinent to decisions that were made at previous stages of the Plan process. Given that the latest Addendum changes the emphasis of the assessment and has resulted in Proposed Modifications then the Plan, as submitted, cannot be considered to have been drafted on the necessary evidence required for the Plan to be effective or justified. The implications of the Addendum are significant, especially as Green Belt policy is of national significance, so we are most concerned at the Council's less than attentive approach to date.

In short, events to date are not sound and not in the spirit of the process, never mind the actual requirements of the process that are set out clearly in legislation, national policy and guidance. How can retrospectively attempting to amend the methodology on which the boundaries have been drawn

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PREPARED ON BEHALF OF VARIOUS CLIENTS**

be considered to be sound? This point is pertinent because the Council first chose to mention 'shapers' and has now removed reference to some, which means the subsequent assessment that impacts on the drafting of the boundaries has altered (please refer to paragraph 2.14 of EX/CYC/59). We believe the Council needs to take ownership of the heavily flawed process rather than attempting to hold on to the last few bare threads.

MATTER 5 HOUSING LAND SUPPLY

The housing land supply overall

5.1 Does Policy SS1, and the Plan as a whole, provide an appropriate policy framework for the delivery of housing over the Plan period? If not, how is this to be addressed?

Given how the housing target has been set too low (particularly in light of the standard method) and the green belt boundaries have been set too tight (with no provision of safeguarded land) then we believe the Plan as a whole fails to provide an appropriate framework for the delivery of housing over the Plan period and (just as importantly) beyond the Plan period.

5.5 Are the suggested rates of planned housing development realistic and achievable when considered in the context of the past completion rates? What actions are being taken to accelerate housing delivery? Where is the evidence to support the approach adopted?

We wish to bring to the attention of the Inspectors that Directions Planning Consultancy has submitted an application concerning allocation H46 under reference 20/02495/FULM. The application is currently expected to be presented to Planning Committee in April with a recommendation for approval. The ownership of all 117 houses is to be retained by my client and offered for either social rent or shared ownership. Consequently, the dwellings will not contribute to the supply of general market housing.

Please note that the application is for 117 dwellings rather than 104 as suggested under allocation H46. In terms of delivery, my client has suggested "I would anticipate based on a start on site in early 2023 that we will achieve a relatively small number in year 1 15-20 units followed by 35 in year2 40 in year 3 and remaining 22 units in year4 to arrive at 117 homes." The delivery rate quoted in the trajectory therefore needs to be updated because it does not reflect the current situation.

Five-year housing land supply

5.10 Does the five-year housing land supply position, as set out in the updated Housing Trajectory 2021 [EX/CYC/69], present the most up-to-date position? Is it consistent with all other remaining up-to-date housing evidence? If not, how is this to be addressed?

We have already mentioned how the Trajectory needs to be updated with reference to allocation H46. The Trajectory should also be updated to take account of the standard method for the OAHN, which requires the annual target to be substantially increased. Additional site will then need to be allocated to make up the expected shortfall resulting from the housing need assessment conforming with the PPG.

5.12 Overall, is there a supply of specific deliverable sites sufficient to provide five years' worth of housing, with an appropriate buffer (moved forward from later in the Plan) to ensure choice and competition in the market for land?

We would like to mention how most of the sites are already owned or under option by developers. The allocations therefore will not offer any real choice or competition in the market for land. More land therefore needs to be allocated to create more choice within the market.

**MATTER 7
APPROACH TO SETTING GREEN BELT BOUNDARIES**

The questions concerning Green Belt are aimed at the strategic level. Later questions during the Phase 3 hearings will address issues in relation to specific parts of the boundaries proposed, including those around development sites. In responding to the following questions, consideration should be in the context of the Council's submitted evidence to date, including its Topic Paper 1 relating to the Green Belt [CD021], its subsequent Addenda to Topic Paper 1 [EX/CYC/18;

EX/CYC/18a-f; EX/CYC/50 and EX/CYC/50a-d and EX/CYC/59 and EX/CYC/59a-g]; and the modifications proposed by the Council, to the submitted Plan resulting from these documents set out in the Examination Document Library.

7.1 This Local Plan will formally define the boundaries of the York Green Belt for the first time.

The Council's approach to defining the Green Belt boundaries now proposed is set out in 'Topic Paper TP1 – Approach to Defining York's Green Belt: Addendum' (January 2021) [EX/CYC/59]. In the light for the evidence, in setting the proposed Green Belt boundaries:

d) how has the need to promote sustainable patterns of development been taken into account?

This is where the lack of safeguarded land comes into play and how the Council is attempting to allocate land beyond the Plan period where no strategy is in place to determine whether the allocated sites are in the right place or of the necessary scale to meet development needs. The whole purpose of safeguarded land is to allow for future decisions in respect of the distribution and quantity of development to be made once the strategy has been determined. We would therefore suggest that by allocating land beyond the end of the Plan period is counter-productive to promoting sustainable patterns of development.

f) how do the proposed Green Belt boundaries ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development?

We have set out in previous representations and statements how the green belt boundaries will not endure beyond the Plan period due to how tightly they have been drawn around existing development. We have also set out how safeguarded land should be identified where land does not need to be kept permanently open rather than allocating five years of additional land beyond the Plan period.

Within this Statement, we have set out how the Plan does not allocate sufficient land for development given that market signals clearly communicate the need for more employment land and that the housing need assessment does not comply with the standard methodology.

Consequently, the green belt boundaries are too tightly drawn to allow for the allocation of sufficient land to satisfy development requirements during and beyond the Plan period. On this basis the green belt boundaries are not consistent with the strategy set out in the Plan because the boundaries apply constraint that exceeds the level required to prevent urban sprawl.

For the Plan to be found sound, we believe that more land needs to be allocated and that green belt boundaries should be drawn to endure beyond the Plan period.

7.2 As a matter of principle, do the proposed Green Belt boundaries include any land which it is unnecessary to keep permanently open?

Winding the clock back to 2013, the Council prepared a 'Site Selection Paper' (June 2013) in which figure 4 identified those areas that are considered key to protecting the historic character and setting of York. As protecting the historic setting is the primary purpose for York's green belt then these could be considered to be the areas that need to be kept permanently open. If then coupled with the main objective of green belt policy preventing urban sprawl then it would be expected for the designation to encircle the City. Given that the NPPF sets out the means by which to define boundaries using recognisable and permanent features, the ring road would appear to be a sensible and defensible boundary to prevent urban sprawl into the wider countryside. This would be in the spirit of the Key Diagram included within the Yorkshire and Humber Local Plan, which quite clearly suggests the green belt should encircle the City, although it does not stipulate whether the boundary should be within or outside of the ring road. Instead, YH9C makes clear the boundary should be set so that it might endure beyond the Plan period.

On this basis, there are pockets of land that are not considered to be important to the historic setting of the City within the ring road that could be excluded from the Green Belt without leading to widespread urban sprawl into the countryside beyond in the long term. There are also previously developed sites on the edge of the urban area where exclusion from the green belt would allow for their redevelopment for more productive economic uses.

Equally, the existing villages and a number of strategic sites within the general extent are located outside of the area identified as being important to protecting the historic setting of the City and would not lead to the coalescence of settlements. Such settlements and strategic sites also do not need to be kept permanently open and offer the opportunity for long term growth without undermining the objectives of green belt policy.

Furthermore, the Council has previously identified safeguarded land, which was deemed unnecessary to keep permanently open, as it would not harm the purposes of green belt policy.

Consequently, we believe there are a wide range of sites across the district that do not need to be kept permanently open, but at this time have been included within the general extent of the green belt.

7.3 Overall, is the approach to setting Green Belt boundaries clear, justified and effective and is it consistent with national policy?

Following the various Addendums, there is now a methodology that can be referenced. We do not however believe it is still consistent with national policy and neither will it prove to be effective. This is because it does not take into account all five purposes of the green belt and has resulted in land being included in the general extent that does not need to be kept permanently open.

Furthermore, the Plan still does not allow for the safeguarding of land to enable green belt boundaries to endure. We believe this is a serious omission which will require boundaries to be reviewed within the next iteration of the Plan. Seeing how City of York has not had an adopted Local Plan in place for 68 years then we do not hold out hope that the Council will be able to maintain a sufficient supply of land going forward due to the short-term perspective being taken with respect to the setting of green belt boundaries. On this basis, the Plan is not effective or consistent with national policy.

APPENDIX 1

NORTHMINSTER BUSINESS PARK ALTERNATIVE SITE ASSESSMENT



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24th March 2021

Dear Kathryn

Northminster Business Park, York – Alternative Site Assessment

Please find set out below background and supporting market information in relation to the proposed new development with DPD Group UK Ltd at Northminster Business Park in York.

Background

In September 2014 DPD Group UK Ltd first identified that their existing premises of 1,607 sq. m (17,300 sq. ft) on a 1.64 acre (0.66 hectare) site at Clifton Moor Business Park in York had reached capacity both in terms of size of building and external areas.

This was as a consequence of the growth in internet retailing and the demands for parcel deliveries within the York conurbation and surrounds, which meant their existing warehouse / distribution facility was deemed inadequate in terms of both capacity and capabilities.

The limited size of the existing site meant the company could not consider extending the current building, because there would not be enough service area for vehicles. Also, there is not enough space on the existing site to allow for a replacement building for the same reason. Irrespective of the fact that replacing the existing building would mean the current business operations would need to cease whilst redevelopment took place. Furthermore, due to the way in which DPD operate, and the bespoke nature of the sortation equipment used, it is unfeasible to consider operating a split site.

DPD therefore had to make the decision to find a new site for a purpose-built facility to serve the existing catchment area as it simply is not possible for them to continue to operate from the existing site. The intention of finding a new site was, therefore, to secure a larger building to handle a greater volume of parcels, and also a larger service area to accommodate more vehicles. Due to the bespoke operational demands of this parcel delivery service, a specific building design is required, which also influences the size of site now required to accommodate the business plan for the continued growth of the company.

DPD spent time searching for alternative premises / sites in and around the York area and identified Northminster Business Park as the most suitable location that would be deliverable and capable of accommodating a new purpose built bespoke premises. The requirement at that time was for a 42,650 sq ft distribution centre on approximately 4.9 acres providing 10 HGV parking spaces, 64 van parking spaces and 91 car parking spaces.

Following the initial search DPD decided to review their operation both nationally and internationally. For this reason the initial search was put on hold.



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At the end of 2019 / start 2020 DPD started again to search for new premises in York with a new distribution centre model and a timescale for delivery by 2024. The recent Covid 19 pandemic has seen a sudden increase in demand for online retail, and in line with this DPD has brought their current requirement forward for delivery by August 2022.

The purpose of this document is to set out the process by which the site at Northminster Business Park was selected, and how it has not been possible to identify any other sites as suitable in the York area that are currently available to satisfy the requirements of DPD.

Experience

My background comprises almost 20 years as a qualified Chartered Surveyor and Member of the Royal Institution of Chartered Surveyors. I worked for 13 years within the industrial and logistics team at DTZ where I was made a Director and Head of the Yorkshire Region. Since then I joined Gent Visick, a specialist firm based in Leeds providing expertise in the Yorkshire Industrial & Logistics market, as an Equity Partner and Director of their Yorkshire Industrial & Logistics Team.

I have been in discussions with DPD regarding their requirement for a distribution facility since September 2014, where they had identified that their existing premises of 1,607 sq. m (17,300 sq. ft) on a 1.64 acre (0.66 hectare) site at Clifton Moor Business Park in York had reached capacity both in terms of size of building and external areas.

DPD Property Requirement

DPD currently operate from an existing parcel distribution facility at Clifton Moor Business Park in York.

The parcel delivery sector has seen unprecedented growth due to huge increases in internet retailing over the last 15 years (online sales accounting for 19.2% of all retail sales in 2019 compared to 3.4% in 2007).

Customer expectations / demands have also changed significantly over this period, as consumers now expect same day deliveries or within 24 hours.

Forecasts had shown that online retail sales would grow to 29.6% by 2024, however online retailers and parcel delivery companies have reported 5 years planned growth within the last eight months due to the current Covid 19 pandemic. The building must therefore be fully operational by the summer of 2022 to meet DPD's growth and order projections as well as being ready for the Christmas period of that calendar year.

The new DPD distribution facility is bespoke in shape and design. The building itself is to provide 5,505 sq m (59,250 sq ft) of distribution accommodation including offices and staff welfare facilities. Crucially, the warehouse element must be exactly 41 metres wide and 117 metres long to accommodate the specialist sortation and conveyor belt system that will be installed. To service the unit effectively the building will provide 30 level access loading doors



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and 11 dock level loading doors. It will sit on a site of approximately 6.9 acres and provide 15 HGV parking spaces, 145 van parking spaces and 165 car parking spaces.

Such a building is particularly unusual within the market place. It is uniquely designed for the distribution of parcels given the shape, multiple loading doors across all four elevations, as well as the significant parking requirements for vans, HGV's and cars.

Furthermore, the positioning of this new facility is absolutely critical in order to meet the following criteria:

- Retention of their existing workforce (81 employees)
- Ability to attract new employees (the new facility will result in the addition initially of 125 new employees)
- Ability to reach consumers living and working in both York City Centre and the surrounding areas. The new depot will not only serve York City Centre but also an area from Northallerton across the Scarborough and southwards to Hull and back to Selby. Good road access is essential to deliver goods within extremely tight timescales.
- Increase their usage of electric vehicles and the ability to serve York City Centre solely with an electric fleet (EV's currently require more frequent charging and operate on restricted distances).

Property Search

In attempting to locate a building (existing or capable of conversion) or site suitable for accommodating DPD's requirements, a thorough search across the York area has been undertaken in order to establish whether a suitable property exists.

DPD have regularly undertaken their own search over the last few years for a suitable site via their retained property consultants SBH Chartered Surveyors. SBH have systematically contacted all local, regional and national property surveyors that deal in industrial / warehouse premises and land in the Yorkshire region. We have also reviewed the availability of all industrial premises in the York area through agency contacts, Make It York and our own knowledge of the local area. Additionally, sites allocated within the City of York Publication Draft Local Plan (2018) have also been considered.

The findings of our assessment are set out here, whereby we have undertaken an assessment to identify all potential sites within the York area that might be considered to serve the existing catchment area. The first stage of the assessment was to identify all sites that were of a suitable size to accommodate the necessary building and service area. Attached is a schedule of the sites that were initially identified as potentially being available, but were then found to be too small (Table A).

Once sites that were too small had been removed from the site selection process, the remaining sites were then assessed to determine whether they would meet DPD's requirements with reference to:

- Availability within the prescribed delivery timescales
- Compatibility with neighbouring land uses
- Accessible to public transport for employees



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- Ability to serve the centre of York
- Distance to the strategic road network.

The attached schedule (Table B) sets out the findings of the assessment.

Findings of the Site Selection Process

On the whole, the site selection assessment demonstrates how sites have been found to either be too small or not currently available to meet the needs of DPD. The only site that might be considered as a reasonable alternative is the draft allocation at Elvington Airfield Business Park. However, it is comparatively unsustainable when compared with the site at Northminster Business Park. This is because the existing employees of DPD cannot access Elvington Airfield Business Park by public transport due to there being no bus or train services to the site, or designated cycle route. By comparison, the Poppleton Park & Ride is within walking distance, along with bus stops on the A59 and the train station at Poppleton, plus cycle routes. Additionally, the site at Elvington Airfield Business Park is located further from the centre of York than the site at Northminster Business Park. Finally, Northminster Business Park is much closer to the strategic road network that connects York to the wider area. As such, it is considered to be preferable for DPD to be based at Northminster Business Park rather than Elvington Airfield Business Park due to the sustainability credentials of Poppleton compared to Elvington.

In Conclusion

Having considered all options Northminster Business Park is considered to be the only sustainable, available and deliverable location in York that would accommodate DPD's property requirement.

Therefore it can be concluded that it would be unreasonable to suggest a new parcel delivery depot for DPD could be accommodated anywhere other than on land to the south of Northminster Business Park, York.

A handwritten signature in blue ink that reads 'Paul Mack'.

Paul Mack BSc (Hons) MRICS

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YORK INDUSTRIAL PROPERTY AVAILABILITY SCHEDULE

TABLE A - AVAILABLE PROPERTIES & SITES DISCOUNTED FOR NOT BEING LARGE ENOUGH TO ACCOMMODATE DPD REQUIREMENTS

Property	Size	Description
Unit 43 - 48 Auster Road, Clifton Moor, York	911 sq ft	Terraced industrial unit with parking and external yard area. To let.
Unit 7 Yorvale Business Park, Hazel Court, York	2,515 sq ft	Modern trade industrial unit with dedicated parking. To let.
3 Harrier Court, Elvington, York	2,860 sq ft	Modern industrial unit with parking. To let.
2C Derwent Valley Trading Estate, Common Road, Dunnington, York	3,900 sq ft	General industrial unit with on site parking and yard. To let.
Easy Space, York Business Park, York	Upto 4,032 sq ft	Terraced industrial & office units with parking. To let.
Unit 17D & E, Malton Road Industrial Estate, York	4,112 sq ft	Terraced industrial unit with parking and external yard area. To let.
Unit C, Mar Centre, Dunnington, York	4,661 sq ft	General industrial unit with parking and yard. To let.
Units 12 - 18 Auster Road, Clifton Moor, York	Upto 4,885 sq ft	Terraced industrial units with parking and external yard area. To let.
Quad 4, Great North Way, York Business Park, York	5,252 sq ft	New build industrial unit with dedicated parking. To let.
Unit 2 Severus Court, Centurion Way, Clifton Moor, York	5,441 sq ft	Modern warehouse accommodation with office and mezzanine. On site parking. To let.
Units 8 & 9, Osbaldwick Industrial Estate, York	5,500 sq ft	Existing industrial premises with two storey offices and 7 car parking spaces. To let.
Millfield Industrial Estate, Wheldrake, York	5,798 sq ft	Modern industrial unit with integral offices. Yard and parking. To let.

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Sterling Park, Clifton Moor, York	5,876 sq ft	Modern general industrial unit with on site parking and yard. To let.
Unit 2 Seafire Close, Clifton Moor, York	6,000 sq ft	Proposed new build industrial unit. Dedicated on site parking. To let.
Units 14 - 16 Stirling Park, Clifton Moor, York	6,061 sq ft	Modern general industrial unit with on site parking and yard. To let.
Unit 3A, Hessay Industrial Estate, Hessay, York	6,586 sq ft	Secondary industrial unit as a part of a terrace, with ancillary offices, welfare and stores facilities. On site parking, limited yard. To let.
2 George Cayley Drive, Clifton Moor, York	6,818 sq ft	Modern industrial unit with accommodation generally over 2 floors. For sale.
27 Hospital Fields Road, York	8,918 sq ft	General industrial unit with on site parking and yard. To let.
Former G4S Unit, Green Lane Trading Estate, Clifton, York	9,760 sq ft	Detached industrial building with a combination of workshop, warehouse, office and welfare accommodation. Yard and car parking. To let.
Unit 4, Brooklands, Outgang Lane, Osbaldwick, York	9,915 sq ft	General industrial unit with yard and parking. To let.
Units 1 - 6 Auster Road, Clifton Moor, York	Upto 9,997 sq ft	Terraced industrial units with parking and external yard area. To let.
Unit 3, George Cayley Drive, Clifton Moor, York	10,092 sq ft	General industrial unit with on site parking and yard. To let.
Unit 5 - 6, Elvington Industrial Estate, York	11,948 sq ft	General industrial unit with parking and yard. To let.
Unit 18 Green Park Business Centre, Sutton on the Forest, York	12,077 sq ft	General industrial unit with on site parking and yard. To let.
Unit 2B, Hessay Industrial Estate, Hessay, York	17,840 sq ft	Secondary industrial unit as a part of a terrace, on site parking, limited yard. To let.
Denwent Valley Trading Estate, Common Road, Dunnington, York	Upto 18,140 sq ft	Range of industrial premises and offices on a site of 3.77 acres. To let.
Kinloch House, Northminster Business Park, York	18,355 sq ft	Modern warehouse with 2 storey internal offices, dedicated parking. For sale.

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New Unit, Kettlestring Lane, Clifton Moor, York	20,000 sq ft	Proposed new build industrial unit. Dedicated on site parking. To let.
Kettlestring Park, Clifton Moor, York	31,640 sq ft	Proposed development of 9 trade industrial units that could be combined. Dedicated on site car parking. To let.
Land to South of Elvington Airfield	32,992 sq ft	Planning permission approved for Sheppee International. Building and site not large enough.
York 35, The Airfield Industrial Estate, Elvington, York	35,162 sq ft	Refurbished industrial unit with parking and yard. For sale.
Draft Local Plan Site, E8 Wheldrake Industrial Estate	0.45 hectares (1.08 acres)	Not large enough to accommodate this requirement and in an unsuitable unsustainable location.
Draft Local Plan Site, E10 Chessington Park, Dunnington	0.24 hectares (0.59 acres)	Not large enough to accommodate this requirement and in an unsuitable unsustainable location.
Draft Local Plan Site, E9 Elvington Industrial Estate	1 hectares (2.41 acres)	Not large enough to accommodate this requirement and in an unsuitable unsustainable location.
Draft Local Plan Site, E11 Annamine Nurseries, Jockey Lane	1 hectare (2.41 acres)	Not large enough to accommodate this requirement.
Land at Bumper Castle, Clifton Moor, York	4.26 acres	Not large enough to accommodate this requirement and does not have a proposed employment allocation.

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TABLE B - SITES CONSIDERED LARGE ENOUGH IN SIZE TO ACCOMMODATE DPD AND ASSESSED TO DETERMINE WHETHER SUITABLE, AVAILABLE AND DELIVERABLE

Property	Size	Brownfield/ Greenfield	Available within Timescales	Distance to York City Centre	Immediate Access to Strategic Road Network	Access to public transport	Comment
Draft Local Plan Site T5, York Central	45 hectares (111 acres)	Brownfield	Available	1 mile	Poor	Good	The site is not deliverable within the timescales, is earmarked for predominantly residential and office uses and is not a suitable location for a parcel distribution depot.
Draft Local Plan Site ST27, University of York Expansion Land	21.5 hectares (53.13 acres)	Greenfield	Available	2.2 miles	Good	Good	The site is not deliverable within the timescales. It is designated for knowledge based businesses including research led science park uses in addition to additional student accommodation incompatible with a parcel distribution depot.
Draft Local Plan Site ST19, Land at Northminster Business Park	15 hectares (37.1 acres)	Greenfield	Available	4.6 miles	Good	Good	The site is deliverable within the timescales, is sustainable in terms of location and ability to service York and the surrounding area. Has good access to labour. A planning permission for an industrial premise on the site is already in place.

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Draft Local Plan Site ST26, Land South of Airfield Business Park, Evington	7.6 hectares (18.78 acres)	Greenfield	Available	6.8 miles	Poor	Poor	The site was considered but discounted for the following reasons: The unsustainable nature of the location and distance from York City Centre. Distance from their existing site and their ability to retain their workforce as well as attracting new employees. The quality of the road network and distance to the A64 and A1.
Land to the North of Mill Lane, Askham Bryan	3.12 hectares (7.7 acres)	Greenfield	Available	5.5 miles	Good	Poor	The site was considered but discounted for the following reasons: It has poor public transport links. It does not have a proposed employment allocation. It has poor access off Mill Lane.
Draft Local Plan Site ST37, Whitehall Grange, Wigginton Road, Clifton Moor	10.1 hectares (24.96 acres)	Greenfield	Not Available	2.6 miles	Good	Good	The site is not available as it is owned and used by Autohorn. Therefore it is not deliverable and is seen as a less sustainable location than Northminster Business Park.
Draft Local Plan Site E18, Towthorpe Lines, Strensall	4 hectares (9.88 acres)	Brownfield	Not Available	5.9 miles	Poor	Poor	The site is not available and in an unsuitable unsustainable location.
Draft Local Plan Site E16, Poppleton Garden Centre, Poppleton	2.8 hectares (6.92 acres)	Brownfield	Not Available	3.9 miles	Good	Good	The site is not available as it is owned and used by Dobbies Garden Centre.