

## HEARING STATEMENT

---

# CITY OF YORK LOCAL PLAN EXAMINATION

MATTER 1: STRATEGIC VISION, OUTCOMES  
AND DEVELOPMENT PRINCIPLES

March 2022

**Carter Jonas**

**Date: March 2022**

**Client: L&Q Estates (formerly Gallagher Estates)**

**Job Number: J0015918**

<b>Project Ref:</b>	J0015918		
<b>Status:</b>	Draft	Draft	Final
<b>Issue/Rev:</b>	01	01a	01b
<b>Date:</b>	02/03/22	14/03/22	28/03/22
<b>Prepared by:</b>	EW	EW	EW
<b>Checked by:</b>	SC	SC	SC

First Floor  
9 Bond Court  
Leeds  
LS1 2JZ  
T: 0113 242 5155

## CONTENTS

---

<b>1.0 INTRODUCTION</b>	<b>4</b>
<b>2.0 MATTER 1: STRATEGIC VISION, OUTCOMES AND DEVELOPMENT PRINCIPLES</b>	<b>6</b>

---

## 1.0 INTRODUCTION

- 1.1 Carter Jonas LLP (CJ) welcomes the opportunity to participate in the City of York Local Plan Examination in Public (the EiP) on behalf of L&Q Estates (formerly Gallagher Estates) (L&QE). This Statement responds to selected questions set out within Matter 1: Strategic Vision, Outcomes and Development Principles of the Inspector's Matters, Issues and Questions.
- 1.2 The Inspector's Issues and Questions are included in bold for ease of reference. Where a specific question is not covered L&QE has no further comment to make as part of this Hearing Statement.
- 1.3 This Hearing Statement is pursuant to, and cross-references with: previous representations by Carter Jonas in respect of the Pre-Publication Draft (Regulation 18); Main Modifications (Regulation 19) consultations in July 2019; Phase 1 Hearing Statements (December 2019); and, City of York Local Plan Proposed Modifications and Evidence Base Consultation (Regulation 19) in July 2021.
- 1.4 L&QE has a controlling interest in the land at North Field, York, which Carter Jonas continues to promote for release from the General Extent of Green Belt and as an allocation for housing, with the proposed inner green belt boundary being drawn along the A1237 York Outer Ring Road. The land is Site Reference 871 (please see Figure 1 below) within the Strategic Housing Land Availability Assessment (SHLAA) (2018).



Figure 1: Site Location

1.5 We continue to have grave concerns over the soundness of the plan in its current form and the proposed main modifications, which will impact upon the examination timetable and prolong the continued failure to adopt the policy and proposals required to meet the development needs of the City of York in full. Our specific concerns relate to the following matters to be considered under the Phase 2 Hearings and associated Matters, Issues and Questions (MIQS).

- Matter 1: Strategic Vision, Outcomes and Development Principles
- Matter 2: Housing Need Requirement
- Matter 4: Spatial Strategy and Site Selection Process
- Matter 5: Housing Land Supply
- Matter 7: Approach to Green Belt Boundaries

## 2.0 MATTER 1: STRATEGIC VISION, OUTCOMES AND DEVELOPMENT PRINCIPLES

**MIQ 1.1 Does the Strategic Vision, Outcomes and Development Principles set out within Section 2 and provided in policies DP1, DP2 and DP3 of the Plan provide a clear and appropriate framework for the strategic policies set out primarily within Sections 2 and 3 of the Plan?**

- 2.1 As previously highlighted the Vision and Outcomes on page 16 of the Plan are generic and fail to highlight or even reference the need for housing growth to assist in delivering and underpinning sustainable development aims and objectives.
- 2.2 We note the explanation of City of York Housing Needs has been updated PM3 (paragraph 2.5) as part of the Proposed Modifications (June 2019) to align with the updated housing requirement evidenced through the City of York – Housing Needs Update January 2019 published by GL Hearn.
- 2.3 For consistency and clarity, the Vision and Outcomes needs to better align with the Development Principles and policies DP1, DP2 and DP3 and include reference to addressing housing and employment needs. This should also make reference to the need to provide affordable housing and diversify the housing market. Given the recent Environment Bill the Vision, Outcomes and Development Principles and Policies DP1, 2 and 3 should also be referenced to securing biodiversity net gain.
- 2.4 We continue to consider however that the Vision and Outcomes are not justified or effective as they are not backed up by sufficient evidence and positive policies to meet housing need in full.

**MIQ 1.2 Are the Development Principles set out in the Plan justified, effective and in accordance with national policy?**

- 2.5 Paragraph 152 of the NPPF (2012) requires Local Plans to be *“prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies of the Framework, including the presumption in favour of sustainable development”*.
- 2.6 In broad terms the Development Principles set out within Policy DP1 are in accordance with national policy and the objective of contributing to the achievement of sustainable development and are therefore justified and effective.

**MIQ 1.3 Is the overall strategic approach, in terms of the vision, outcomes and principles relating to development, its management and delivering the Plan's development requirements positively prepared, justified, effective and consistent with the Framework?**

- 2.7 As previously highlighted, we support the overall Vision subject to amendments highlighted in our response to MIQ 1.1. In terms of the delivery of the Vision we continue to have concerns that the Plan will not effectively meet the development principles of Policy DP1, as the housing targets set out within Policy SS1 are not appropriately justified and need to be increased to ensure that the housing needs can be met in full and that economic growth ambitions can be achieved sustainably. We expand upon this within our Matter 2 Hearing Statement.

**MIQ 1.4 Has the Plan been informed by an adequate process of Sustainability Appraisal and Habitats Regulations Assessment in this regard?**

- 2.8 The Council has published a new Sustainability Appraisal at each stage of the plan making process, which seek to provide justification for the strategy that has been proposed. This includes the publication of various addendums, which relate and respond to proposed post submission modifications of the Local Plan that were consulted upon in June/July 2019 and June/July 2021. They seek to provide an update to the existing appraisal of policies and sites as a result of the new evidence.
- 2.9 The Council has followed guidance set out within Planning Practice Guidance (PPG) regarding the need for a Sustainability Appraisal in relation to plan preparation.
- 2.10 The evidence base for the Plan has been continually retrofitted following the Plan's submission, in an attempt to justify the previously selected approach. Our concern is that the Sustainability Appraisal has also been continually retrofitted to align with the Plan as it has been modified, rather than being a process to shape the refinement and testing of options. Such an approach is problematic in terms of supporting a robust, justified and transparent process for selecting the preferred option.

