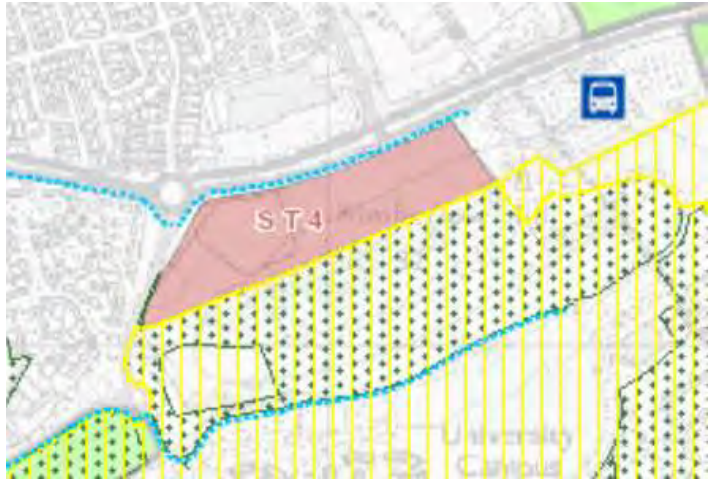


**LOCAL PLAN ALLOCATIONS – NO CONSENT**

Allocation Reference	ST4		
Site Name/Address	Land Adjacent to Hull Road		
<p><b>Site Overview</b></p> <p>This is a greenfield site located within the urban area to the east of York. The site forms part of the York Moraine and provides a shallow sloping site adjacent to the A1079 and Field Lane.</p>			
<p><b>Site planning status @ 1 April 2022</b></p>	<p>Full planning applications pending consideration:</p> <p>Proposed erection of 175 dwellings, café/retail unit with associated access, highways, landscaping, open space and engineering works. (Ref: 15/00166/FULM)</p> <p>Proposed erection of 53 dwellings, with associated access, highways, landscaping, open space and engineering works. (Ref: 15/00167/FULM)</p>		
<p><b>Delivery Record (if appropriate)</b></p>	None		
<p><b>Capacity in May 2022 Trajectory</b></p>	211	<b>Site size (ha)</b>	7.54
<p><b>Delivery Projections</b></p>	<p>(Yr 3) 2024/25 – 35 homes</p> <p>(Yr 4 to Yr 7) 2025/26 to 2028/29 – 40 homes pa</p> <p>(Yr 8) 2029/30 – 16 homes</p>		
<p><b>Developer / Landowner</b></p>	Persimmon Homes		
<p><b>SoCG/Proforma submitted:</b></p>	Yes		
<p><b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b></p>	<p>Yes</p> <p>Note: capacity of 211 as proposed in the Local Plan rather than 228 on the schemes pending consideration</p>		
<p><b>Site deemed deliverable?</b></p>	Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years		
<p><b>Assessment</b></p>			

**Application progress**

Full applications initially submitted in 2017 and pending consideration. A revised scheme was submitted in June 2021, but a further revision is expected to be submitted in June/July 2022, which will be fully compliant with policy SS8 (capacity reduced to 211 dwellings) and addresses outstanding technical issues.

The 2021 submissions were supported by a full suite of updated technical reports:

- Site Investigation and Land Contamination Assessment (Lithos, May 2021)
- Noise Survey (Environmental Noise Solutions, May 2021)
- Arboricultural Survey / Arboricultural Impact Assessment (Quants Environmental, May 2021)
- Air Quality Survey (ENSafe, May 2021)
- Ecology & Biodiversity Survey (Quants Environmental, May 2021)
- Heritage Statement (MAP Archaeological Practice, May 2021)
- Transport Assessment (Bryan G Hall, May 2021)
- Travel Plan (Bryan G Hall, May 2021)
- Flood Risk Assessment (Fortem Civil Engineering Consultants Ltd, May 2021)
- Noise Impact Assessment (Environmental Noise Solutions, May 2021)
- Landscape and Visual Impact Assessment (Robinson Landscape Design Limited, May 2021)
- Landscape Masterplan (Robinson Landscape Design Limited, May 2021)

**Viability / ownership / infrastructure**

There are no significant infrastructure, ownership or viability constraints. The applicant is a national housebuilder with options agreed on the site.

**Justification for lead-in**

The site falls within the general extent of the green belt and the timing of the applications' initial submission sought to align with the then Local Plan's progression to adoption. Without formal setting of the green belt boundaries, applications are technically required to demonstrate exceptional circumstances or be subject to SoS call in if recommended for approval. Local Plan delays have, therefore, contributed to the protracted determination period.

Lead in time assumes application approved late 2022, with delivery in 2024/25. This accords with the Council's standard lead in for a site with planning permission is working towards adoption in early 2023, This is a realistic timeframe.

**Justification for build rates**

Single developer on site, forecast to reach a rate only slightly higher than the standard 35 dpa. Persimmon Homes consistently deliver above this rate on sites with the City and wider region, and the site is in a viable and attractive area. Build rates submitted are considered realistic (taking due account for site levels which may impact on speed of development) and have therefore been applied.

## Bellerby, Neil

---

**From:** Whiteford, Graham <graham.whiteford@persimmonhomes.com>  
**Sent:** 28 April 2022 14:21  
**To:** Bellerby, Neil  
**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM, Germany Beck Planning Application 12/00384/REMM & The Barbican Planning Application 13/02135/FULM

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Neil,

Please see the completed table below with all of our active or pipeline sites in York.

I am hopeful we can get approval at Hull Road, York, but the completion dates are reflective of the delays to the planning applications.

Similarly, at the Barbican, I have added the dwelling numbers for the revised pre-app scheme we've submitted to the Council, rather than the extant planning permission for 187 dwellings. The pre-app scheme has been with the Council for one month and we are hoping to proceed to a detailed application later this year. We would expect to complete the building all at once. However, the precise details of the internal fit out and when these apartments can be brought to the market will have a significant bearing on whether 205 dwelling completions in 2026/2027 is reasonable or likely. This should come out of the negotiations on design and internal layout.

I will send a separate email on what factors are causing delays to dwelling completions in York and across our region.

Site Address	YEAR						TOTAL
	Completions to date	1 2022/23	2 2023/24	3 2024/25	4 2025/26	5 2026/27	Yrs 1-5
Germany Beck, Fulford (12/00384/REMM) for 655 dwellings	194	50	75	75	75	75	350

Site Address	YEAR						TOTAL
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	Completions	1	2	3	4	5	Yrs 1-5
<b>York Barbican Paragon Street (planning app: 13/02135/FULM) for 187 homes.</b>	to date	2022/23	2023/24	2024/25	2025/26	2026/27	
	0	0	0	0	10	205	215
<b>Pre-App for 215 homes</b>							

Site Address	YEAR						TOTAL
	Completions	1	2	3	4	5	Yrs 1-5
<b>York City Football Club Bootham Crescent York YO30 7AQ (planning application 19/00246/FULM) for 93 homes</b>	to date	2022/23	2023/24	2024/25	2025/26	2026/27	
	0	25	35	33			93

Site Address	YEAR						TOTAL
	Completions	1	2	3	4	5	Yrs 1-5
<b>Land at Hull Road, York (refs: 15/00166/FULM &amp; 15/00167/FULM for 228 dwellings combined)</b>	to date	2022/23	2023/24	2024/25	2025/26	2026/27	
	0	0	0	35	40	40	115

Kind regards,

Graham

**Graham Whiteford** MRTPI  
 Planning Manager  
 Persimmon Homes Yorkshire

Persimmon House | Fulford | York | YO19 4FE

Direct dial: 01904 946191

Mobile: 07471354238

---

**From:** Bellerby, Neil <Neil.Bellerby@york.gov.uk>

**Sent:** 12 April 2022 14:22

**To:** Whiteford, Graham <graham.whiteford@persimmonhomes.com>

**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM, Germany Beck Planning Application 12/00384/REMM & The Barbican Planning Application 13/02135/FULM

Thank you Graham

Neil Bellerby | Strategic Planning Policy Officer (Land Use Monitoring)

Forward Planning

t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

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**From:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>

**Sent:** 12 April 2022 14:21

**To:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>

**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM, Germany Beck Planning Application 12/00384/REMM & The Barbican Planning Application 13/02135/FULM

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Neil,

Thanks for your email.

The Germany Beck completions figure looks accurate.

I'll drop in some anticipated figures later today, once I've spoken to the site co-ordinators and construction teams.

I'll also add our Hull Road, York site to the table, as we are hoping to obtain full planning permission here this year.

Kind regards,

Graham

**Graham Whiteford** MRTPI  
Planning Manager  
Persimmon Homes Yorkshire  
Persimmon House | Fulford | York | YO19 4FE

Direct dial: 01904 946191  
Mobile: 07471354238

---

**From:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>

**Sent:** 11 April 2022 15:42

**To:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>

**Subject:** Bootham Crescent Planning Application 19/00246/FULM, Germany Beck Planning Application 12/00384/REMM & The Barbican Planning Application 13/02135/FULM

Hi Graham

Last year you kindly provided an update to delivery estimates at the Germany Beck, The Barbican and Bootham Crescent approved housing sites that fed into our housing trajectory.

I should be grateful if you could provide similar information with your latest estimates for the three sites.

I have populated the completions to date following contact with the site manager at Germany Beck, I trust these figures align with your information?

Site Address	YEAR					TOTAL	
	Completions to date	1	2	3	4	5	Yrs 1-5
Germany Beck, Fulford (12/00384/REMM) for 655 dwellings		2022/23	2023/24	2024/25	2025/26	2026/27	
	177						

Site Address	YEAR					TOTAL	
	Completions to date	1	2	3	4	5	Yrs 1-5
York Barbican Paragon Street (planning app: 13/02135/FULM) for 187 homes		2022/23	2023/24	2024/25	2025/26	2026/27	

Site Address	YEAR					TOTAL	
	Completions to date	1	2	3	4	5	Yrs 1-5
York City Football Club Bootham Crescent York YO30 7AQ (planning application 19/00246/FULM) for 93 homes		2022/23	2023/24	2024/25	2025/26	2026/27	

Please contact me if you require any clarification of my request or need any further information from me in order to complete the above tables.

Kind regards

Neil

Neil Bellerby | Strategic Planning Policy Officer (Land Use Monitoring)

Forward Planning

t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

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---

**From:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>

**Sent:** 21 July 2021 11:54

**To:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>

**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Neil,

As discussed earlier this week, please see the completed tables below. I have removed the Hull Road site, but given the positive responses received on this application so far, I am happy to re-include it with the caveat that completions are entirely dependent on an approval being forthcoming in the short-term.

Kind regards,

Graham

**Graham Whiteford** MRTPI

Planning Manager

Persimmon Homes Yorkshire

Persimmon House | Fulford | York | YO19 4FE

Direct dial: 01904 946191

Mobile: 07471354238



---

**From:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>  
**Sent:** 01 July 2021 13:00  
**To:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>  
**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM

Thank you Graham

This information is most useful – your earliest details on the remaining sites would be much appreciated

Kind regards

Neil

Neil Bellerby | Assistant Development Officer  
Forward Planning  
t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

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### Coronavirus update

There are a number of changes in the way the CYC Forward Planning team are working during the current Coronavirus crisis. The Forward Planning team are now working remotely away from the office. We ask that you assist in this process and communicate with us by email, and not by telephoning or posting items to the office address. If your enquiry is urgent please start the subject of your email with the word 'urgent' and where possible tick the urgent marker in options. Thank you

---

**From:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>  
**Sent:** 01 July 2021 12:34  
**To:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>  
**Subject:** RE: Bootham Crescent Planning Application 19/00246/FULM

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Neil,

Apologies I haven't been able to get this info back to you in good time. I am still chasing our construction teams for build out rates on Germany Beck and expected delivery rates on the other sites.

I hope to get this info across to you early next week.

To that end, I have also added our recent re-submission at Hull Road for 228 dwellings, which is currently under consideration with the Council. I'll update the table with build rates on the Hull Road site, but as you'll appreciate, given this application is still pending, these will be rough estimates.

Kind regards,

Graham

Site Address	YEAR					TOTAL Yrs 1-5
	Completions to date	1 2021/22	2 2022/23	3 2023/24	4 2024/25	
York City Football Club Bootham Crescent York YO30 7AQ (planning application 19/00246/FULM) for 93 homes			15	35	35	35

Site Address	YEAR					TOTAL Yrs 1-5
	Completions to date	1 2021/22	2 2022/23	3 2023/24	4 2024/25	

<b>York Barbican Paragon Street (planning app: 13/02135/FULM) for 187 homes</b>							0. Expected to start delivering in years 6 onwards.
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Site Address	YEAR						TOTAL Yrs 1-5
	Completions to date	1 2021/22	2 2022/23	3 2023/24	4 2024/25	5 2025/26	
<b>Germany Beck, Fulford (12/00384/REMM) for 655 dwellings</b>	146	65	65	65	65	65	325

**Graham Whiteford** MRTPI  
 Planning Manager  
 Persimmon Homes Yorkshire  
 Persimmon House | Fulford | York | YO19 4FE

Direct dial: 01904 946191  
 Mobile: 07471354238

---

**From:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>  
**Sent:** 09 June 2021 09:00  
**To:** Whiteford, Graham <[graham.whiteford@persimmonhomes.com](mailto:graham.whiteford@persimmonhomes.com)>  
**Subject:** Bootham Crescent Planning Application 19/00246/FULM

Hi Graham

Similar to my request for details of projected housing delivery rates on approvals for York Barbican and Germany Beck last week, I should be grateful if you could provide anticipated housing delivery rates for the York City Football Club site at Bootham Crescent. This application was

approved on 13/08/2020 at Main Planning Committee and is awaiting a legal agreement. As this site falls within the category of ‘sites with a resolution to grant planning permission subject to the execution of a section 106 agreement’, it can be included within our 5 year housing supply, as such, your best estimates for the delivery of housing on this site would be most appreciated.

Site Address	YEAR					TOTAL	
	Completions to date	1	2	3	4	5	Yrs 1-5
York City Football Club Bootham Crescent York YO30 7AQ (planning application 19/00246/FULM) for 93 homes		2021/22	2022/23	2023/24	2024/25	2025/26	

<p><b>Notes / Further Information</b> E.g: issues that influence delivery and lead in times to development; any problems or barriers taking forward the scheme.</p>
<p><b>Are you happy for us to contact you in the future regarding housing delivery evidence base in York?</b> Please confirm your contact details if so. Yes / No</p>

I should be grateful if you would return details to myself **by Friday 25<sup>th</sup> June 2021**. In the meantime should you need any clarification of this request or require any further details in order that you may complete the housing delivery table please do not hesitate to contact me.

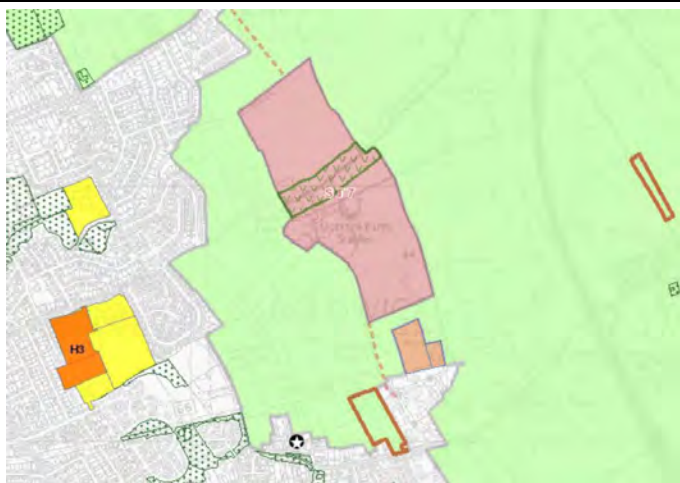
Kind regards

Neil

Neil Bellerby | Assistant Development Officer  
Forward Planning  
t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

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## LOCAL PLAN ALLOCATIONS

Allocation Reference	ST7		
Site Name/Address	Land East of Metcalfe Lane		
<p><b>Site Overview</b></p> <p>This is a large greenfield site and will form a freestanding settlement with the provision of open space protecting the setting of Millennium Way to the east of the urban area, adjacent to Osbaldwick and Appletree Village</p>			
<b>Site planning status @ 1 April 2022</b>	Emerging allocation		
<b>Delivery Record (if appropriate)</b>	None		
<b>Capacity in May 2022 Trajectory</b>	845 (within the plan period)	<b>Site size (ha)</b>	34.5
<b>Delivery Projections</b>	(Yr 4) 2025/26 – 50 homes, (Yr 5) 2026/27 – 90 homes, (Yr 6 – Yr10) 2027/28 to 2031/32 – 120 dpa (Yr 11) – 105 homes		
<b>Developer / Landowner</b>	Taylor Wimpey, Barratt Developments, TW Fields.		
<b>SoCG/Proforma submitted:</b>	Yes		
<b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b>	Yes		
<b>Site deemed deliverable?</b>	Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years		
<b>Assessment</b>			
<p><b>Application progress</b>            Technical work has been undertaken on the site to inform initial concept masterplan developed to support the allocation.</p> <p>In light of the site's greenbelt location, a planning application is scheduled to be prepared as the Local Plan moves closer to adoption. Updates to technical work is required and is being commissioned.</p> <p><b>Viability / ownership / infrastructure</b>            The land within the allocation is available as confirmed by email dated 27 April 2022 from the agent representing the land promoters.</p>			

There is general agreement with the developer on infrastructure requirements and costs, which have been formalised through Phase 2 Statement of Common Ground (SoCG).

### **Justification for lead-in**

Projections for this site are agreed through SoCG in recognition of the work undertaken on and around the site to date, the work being commissioned to update technical investigations and the general readiness to advance a planning application.

Period 1 – Pre-Submission of Planning Application: -

- Finalise technical reports to support a hybrid planning application.
- Undertake 'pre-application' work with CYC as part of SoCG work associated with the Local Plan.
- Undertake community consultation work.
- Resolution of final allocation boundary as part of the Local Plan process is expected before end of 2022.
- Submit planning application prior to end of March 2023.

Total Period = 10 months (Monitoring Year Period 2022/2023) •

Period 2 – Post-Submission Timescales:

- Local Plan adopted in 2023.
- Determination of the planning application (and signing of S106) expected to take up to 12months but this could be quicker based on site's allocation in the Local Plan & 'Pre-App' work undertaken as part of Local Plan SoCG work
- Land negotiations expected to take place within the same period due to historical discussions that have taken place.

Total Period = 12 Months (Monitoring Year Period 2023/2024)

Period 3 – Post-Determination Timescales:

- Discharge of Planning Conditions - 6 months
- Construction of access roads to the site expected to take 6-12months.
- Simultaneous construction of other required initial site delivery/infrastructure works for first phases including roads, sewers, and foundations served by temporary access road (6-12months)

Total Period = 18 Months (Monitoring Year Period 2024/2025 to 2025/2026)

Completion of First Phases of Homes in the monitoring year 2025/2026

Overall – Proposed Lead in Time of 3.5 years to 4-years

### **Justification for build rates**

Rates agreed through discussion with the agent and confirmed in SoCG

Based on 3-4 selling outlets delivering 30% affordable homes across a mix of 1,2, 3, 4 & 5 bedroom homes:

1. Taylor Wimpey Homes – 40 Homes Per Annum
2. Barratt Homes – 40 Homes Per Annum
3. David Wilson Homes - 40 Homes Per Annum
4. Smaller/Sub-Regional Housebuilder as required by CYC policy – treated as an addition to the above due to the small number of homes from this 'sales outlet' in total.

Projections are higher per outlet than the Council's standard assumption, but the rates are considered achievable. The expectation that multiple outlets will be capable of delivering simultaneously is reasonable given the product variation across the housebuilders. The rates have therefore been applied.

## Bartle, Laura

---

**From:** Paul Butler <paul.butler@pbplanning.co.uk>  
**Sent:** 06 May 2022 14:03  
**To:** Bartle, Laura; Dilmamode, Sara; Cartwright, Patrycja; Clow, Kirstin  
**Cc:** Mark Johnson; liam.tate@barratthomes.co.uk; zak.brotherston@barratthomes.co.uk; Stuart Natkus; Richard Wood  
**Subject:** ST7 - Housing Trajectory and SoCG  
**Attachments:** ST7 - Osbaldwick - Revised Housing Trajectory - 06.05.22.xlsx

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon All,

Further to Wednesday's constructive meeting, as promised here is our 'refined' or 'articulated' version of the Lead-in-times and annual delivery rates for ST7. I have placed them in the enclosed spreadsheet for ease of re-use. I have also included the revised trajectory for our expanded 975 home proposal as well.

If agreeable, we could look to place this information into the SoCG. To that end, can you please update me on progress of getting comments over on the SoCG?

### Lead-in-times: -

- Period 1 – Pre-Submission of Planning Application: -
  - Finalise technical reports to support a hybrid planning application. Reports to be prepared based on the larger developer desired allocation boundary to ensure that the 'maximum' area/scenario is covered.
  - Undertake 'pre-application' work with CYC as part of SoCG work associated with the Local Plan.
  - Undertake community consultation work.
  - Resolution of final allocation boundary as part of the Local Plan process is expected before end of 2022.
  - Submit planning application prior to end of March 2023.
  - **Total Period = 10 months (Monitoring Year Period 2022/2023)**
- Period 2 – Post-Submission Timescales: -
  - Local Plan adopted in 2023.
  - Determination of the planning application (and signing of S106) expected to take up to 12months but this could be quicker based on site's allocation in the Local Plan & 'Pre-App' work undertaken as part of Local Plan SoCG work.
  - Land negotiations expected to take place within the same period due to historical discussions that have taken place.
  - **Total Period = 12 Months (Monitoring Year Period 2023/2024)**
- Period 3 – Post-Determination Timescales: -
  - Discharge of Planning Conditions - 6 months
  - Construction of access roads to the site expected to take 6-12months.
  - Simultaneous construction of other required initial site delivery/infrastructure works for first phases including roads, sewers, and foundations served by temporary access road (6-12months)
  - **Total Period = 18 Months (Monitoring Year Period 2024/2025 to 2025/2026)**
- Completion of First Phases of Homes in second 6-months of the monitoring year **2025/2026**
- Overall – **Proposed Lead in Time of 3.5 years to 4-years**

### Annual Delivery Rates: -

- Based on 3-4 selling outlets delivering 30% affordable homes across a mix of 1,2, 3, 4 & 5 bedroom homes:-
  1. Taylor Wimpey Homes – 40 Homes Per Annum
  2. Barratt Homes – 40 Homes Per Annum
  3. David Wilson Homes - 40 Homes Per Annum
  4. Smaller/Sub-Regional Housebuilder as required by CYC policy – treated as an addition to the above due to the small number of homes from this 'sales outlet' in total.

**Paul Butler**  
**Director**



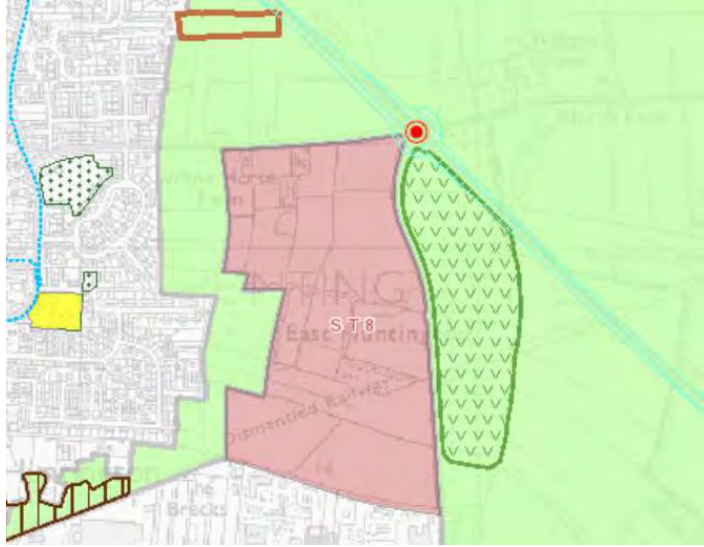
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[paul.butler@pbplanning.co.uk](mailto:paul.butler@pbplanning.co.uk)

07970 506702  
PO Box 778, York, YO1 0LT



## LOCAL PLAN ALLOCATIONS

Allocation Reference	ST8		
Site Name/Address	Land North of Monks Cross		
<p><b>Site Overview</b></p> <p>This is a large greenfield site and will form an urban extension to the north-east of York. Access to the site is from the A1237 York Outer Ring Road and service road to Monks Cross.</p>			
<p><b>Site planning status @ 1 April 2022</b></p>	<p>Outline planning application submitted January 2018 (18/00017/OUTM) for:                      for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities and convenience store and a country park. Full details of means of access                      Appeal against non-determination, decision pending (21/00033/NON).</p>		
<p><b>Delivery Record (if appropriate)</b></p>	<p>None</p>		
<p><b>Capacity in May 2022 Trajectory</b></p>	<p>968</p>	<p><b>Site size (ha)</b></p>	<p>39.5</p>
<p><b>Delivery Projections</b></p>	<p>(Yr 2) 2023/24 – 30 homes                      (Yr 3) 2024/25 – 70 homes,                      (Yr 4 – Yr11) 2025/26 to 2032/33 – 100 dpa                      (Yr 12) 2033/34 – 70 homes</p>		
<p><b>Developer / Landowner</b></p>	<p>Redrow Homes                      Barratt and David Wilson Homes</p>		
<p><b>SoCG/Proforma submitted:</b></p>	<p>Yes</p>		
<p><b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b></p>	<p>Yes</p>		
<p><b>Site deemed deliverable?</b></p>	<p>Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years</p>		

## Assessment

### Application progress

The site falls within the general extent of the green belt and the timing of the applications' initial submission sought to align with the then Local Plan's progression to adoption. Without formal setting of the green belt boundaries, the application is technically required to demonstrate exceptional circumstances or be subject to SoS call-in if recommended for approval.

Local Plan delays have, therefore, contributed to the protracted determination period and it is within this context that the appeal against non-determination was lodged.

The application was supported by an Environmental Statement and suite of technical reports

The EIA addressed the following matters to assess the impacts of the proposed scheme:

- Construction Methodology And Phasing
- Socio-Economics Transport
- Landscape And Visual Impact
- Flood Risk And Drainage
- Ecology
- Air Quality
- Noise
- Land Classification
- Archaeology
- Ground Conditions

Inquiry held January 2022 and SoS confirmed decision due mid July. At closing statements parties had reached agreement on all matters and agreed very special circumstances exist.

### Viability / ownership / infrastructure

There are no ownership issues that constrain the development of the site.

Developer's and landowner commitment to this site is demonstrated by the decision to advance an appeal against non-determination.

The site's viability underwent detailed scrutiny through the inquiry and the Council and appellant have agreed draft S.106 for contributions to and provision of: education facilities, highways and country park.

### Justification for lead-in

Notwithstanding the pending appeal decision, work is underway to progress the reserved matters application to ensure it can be submitted soon after approval of the outline, which is expected July 2022. Developer expects approval of reserved matters spring 2023 with access work starting late 2023. The work undertaken between the parties throughout the inquiry significantly reduces the risk of delays arising from the reserved matters process. Timeline proposed is realistic in these circumstances and have been applied.

### Justification for build rates

Build rates provided by developer have been applied as they do not significantly deviate from the Council's standard rate per outlet. The assumption that multiple outlets can deliver simultaneously is accepted as there is sufficient diversity of product between each developer. The site is also within an attractive area with good links to existing facilities.



# The Planning Inspectorate

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Gareth Arnold  
City of York Council  
Head Of Development Control  
Directorate of City and Environmental  
Services  
West Offices, Station Rise  
York  
YO1 6GA

Your Ref: 18/00017/OUTM  
Our Ref: APP/C2741/W/21/3282969

21 March 2022

Dear Mr Arnold,

PLANNING AND COMPULSORY PURCHASE ACT 2004 SECTION 55 AND SCHEDULE  
2

Appeal by Redrow Homes (Yorkshire) Limited

Site Address: Site to the west of the A1237 and south of North lane, Huntington,  
York, YO32 9WN

I refer to the above. The Inspector's report has been sent to the Secretary of State for  
consideration.

In accordance with Schedule 2 of the above Act, I am writing to let you know that a decision  
will be issued on or before 16 June 2022.

Yours sincerely,

***Leanne Palmer***

Leanne Palmer

*Where applicable, you can use the internet to submit documents, to see information and to check the  
progress of cases through GOV.UK. The address of the search page is - [https://www.gov.uk/appeal-planning-  
inspectorate](https://www.gov.uk/appeal-planning-inspectorate)*

**APPEAL BY REDROW HOMES (YORKSHIRE) LTD**

**LAND WEST OF MONKS CROSS LINK, YORK**

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**CLOSING SUBMISSIONS ON BEHALF OF THE APPELLANT**

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**Introduction**

1. This appeal relates to the non-determination by the Council of an outline planning application for:

*Phased residential development of circa 970 units with associated demolition, infrastructure works, open space, primary school and associated community facilities, and convenience store all on land west of Monks Cross Link Road and a Country Park with drainage infrastructure east of Monks Cross Link Road.*

2. Unusually in a s.78 appeal for a major development such as this, the Appellant and Council share exactly the same goal, i.e. that the appeal scheme is brought forward asap and that much needed residential development is built and occupied in order to assist in making inroads into helping to resolve the Council's current dire housing need.<sup>1</sup>

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<sup>1</sup> Said by NM in XX to be "urgent" and "genuine", and with the Council being described as "under performing" in respect of affordable housing provision.

3. The application was submitted at a time when the expectation was that the plan would have been adopted by now. The anticipation was that the application would have flushed out any issues arising from the consultation responses and that the application could have been consented rapidly after the plan had been adopted. However, the glacial progress of the local plan and the absence of much progress on the application meant that the point was reached when the landowners and developers considered that their commercial interests coincided with the public interest and the appeal was commenced. That decision galvanised all of the parties into assessing how the scheme could be properly progressed, as a result the Parish Council, Officers of the City of York and the Appellant's consultants have all closely cooperated in order to agree how the scheme could be best progressed and the basis upon which it could and should be consented.
4. Thus, after a very significant amount of work by the parties following submission of the appeal a very substantial level of agreement has been reached. By the time that evidence was exchanged there were a number of issues in relation to education and highways – but by the start of the inquiry the only outstanding matter is whether two pedestrian/cycle links, Garth Road and Alpha Court, are needed in order for the appeal development to be considered to be sustainable development. The Council (wrongly) consider that both are necessary. However, more realistically, the Appellant accepts that those two links would be a positive addition to the scheme – i.e. 'nice to have', but they could not plausibly be alleged to be necessary in order to characterise the scheme as 'sustainable'.
5. As a sense check this is a scheme which proposes development next to a very large retail area, which has numerous links to the existing facilities in NE York, which promotes a nursery, a primary school and a neighbourhood centre in the heart of the development and a country park next to it. And if that wasn't enough it is proposed that there should be a bus service running through the heart of the development to the major locations around the City. The scheme also proposes 3 direct high quality walking and cycling links to the existing urban area along with hundreds of thousands of pounds to improve off-site sustainability links (including a detailed and robust Travel Plan). To characterise such a scheme as not sustainable is faintly ludicrous. To the

contrary it is patently a highly sustainable proposals and patently it conforms to the requirements of policy SS10 of the emerging local plan.

6. In opening the Appellant and the Council presented an almost identical development plan history, suffice to say in summary that the Council finds itself with virtually no functional development plan, save for a residue of the RSS which establishes the broad extent of Green Belt around the City but neglects to fix the precise boundaries. This is a position which has subsisted since the creation of the Council in 1996 as a unitary authority, despite numerous attempts to promote City-wide plans. The consequence of the lack of a functional development plan since 1956 is that the Council finds itself unable to meet its immediate and medium term housing needs (general and affordable) and unable to point to a solution contained within an adopted plan as to how to address those needs. The need is an acute one and is the foundation for this appeal.
7. The Council are presently engaged in the process of promoting a City wide plan which includes the release of a number of large-scale allocations around the City to meet immediate and future needs, which since the very first iteration of the draft plan has included the appeal site as a sustainable urban extension. Had things gone to plan then this would have been the solution to this long standing and grave failure of the local plan led system. The complication is that whilst the saved part of the RSS has identified the strategic location of green belt as extending beyond the urban area to a point six miles from the City Centre there has been no inner boundary of the green belt established in any adopted plan. That is the role of the emerging Local Plan, with the Publication Draft City of York Local Plan 2018 (“eLP”) having been submitted for examination on 25 May 2018, and examination of the eLP is ongoing with Phase 1 hearings having taken place in December 2019 and Phases 2-4 hearing sessions confirmed to be commencing from February 2022.
8. It is agreed between the Parties that the polices in the eLP can be afforded weight in accordance with §48 NPPF, the Appellant considering that limited/little weight can be attached to the polices contained therein.<sup>2</sup>

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<sup>2</sup> PoE MJ §4.35

9. Although there is uncertainty over the inner boundary of the green belt and whether or not the appeal site should be treated as de facto green belt, the Appellant has taken the cautious approach that the site should be treated as being within the green belt with the starting point on its case being that what is proposed comprises inappropriate development in the green belt and for the decision maker to assess whether the necessary very special circumstances (“VSC”) have been demonstrated, whilst recognising that it would, in theory, be possible for the decision maker to treat the site as not being in the green belt. Indeed it is somewhat paradoxical that had the plan been adopted and the inner boundary of the green belt been fixed then this site would never have been in the adopted green belt. There can be few other instances where policy sits in a liminal state – the policy equivalent of Schrödinger’s Cat.
10. The starting point of presuming that the appeal site is located in the green belt in other circumstances might present an insurmountable challenge to an Appellant. However, on a reading of the officers report to members (which NM expressly endorses) it becomes immediately apparent that the principle of development is and has long been conceded by the Council & the Parish Council, and consequently all parties before this appeal consider that the appeal should be allowed provided that the decision maker concludes that appropriate provision is made for transportation and education infrastructure, the latter having now been agreed.<sup>3</sup> The Appellant and the Council agree that VSC are proven in this case – with an area of dispute which only goes to whether an additional 2 links are required to make this site even more accessible.
11. As will now be readily apparent, a huge amount of work has been done behind the scenes to secure the drafting of a suitable s.106 Agreement, which although lengthy, is accompanied by a useful ‘road-map’ document entitled “*Summary of Principal Terms*” which will hopefully assist the decision maker in distilling the significant benefits that would be provided by the appeal development. These include appropriate contributions towards nursery, primary and secondary education provision paid at agreed times. In opening it was said that it was the Appellant’s strongly preferred approach that both a 1.5FE primary school and nursery provision is made on site and not funded off-site. At the end of the inquiry that position can now confidently be said to be a joint position

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<sup>3</sup> See SOCG §2.64.

which is reflected in the s.106. The very significant Highways related contributions, to include a bus service through the appeal site, on-site open space, affordable housing (at 30%) and waste collection are all agreed together with provision for (albeit agnosticism about) contributions towards the provision of pitches for the travelling community.

12. The only outstanding matter between the parties is now a very, very narrow one, and entirely surmountable, so much so that as MJ has explained the Council are confident enough to rely upon delivery of units from the appeal site starting this year as part of its latest housing trajectory, as published in January 2022, the Council clearly considering that the rapid delivery of units from this site is essential to meet its immediate and short-term housing needs.<sup>4</sup>
13. Consequently, subject to the minor outstanding issue of the two pedestrian/cycle links, the common position of the Appellant and the Council is that VSC exist and that the appeal should be allowed. If the SOS agrees with the Council then it is agreed that the triggers for providing the links are 200 (Garth Road) and 260 (Alpha Court); if the SOS agrees with the Appellant then no such restriction should be imposed.
14. What is perhaps worth noting is that if the SOS agrees with the Appellant then that does not mean that the Appellant will stop seeking to negotiate to secure those links – because there are good commercial reasons to do so in order to increase links to and from the site even if they are not essential. But that patently does not mean that without them that the site can be rationally described as unsustainable.

### **Sustainable Development**

15. Following resolution of the issues between the Parties in respect of the education contributions it is common ground that in “...*circumstances where the outstanding highway mitigation and access issues...are resolved, both parties agree the appeal proposals represent sustainable development and that the very special circumstances required to mitigate any Green belt harm can be demonstrated and delivered through*

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<sup>4</sup> See Rebuttal PoE MJ at §2.1.



*the implementation of appropriately worded Conditions and s.106 Planning Agreement...”.<sup>5</sup>*

16. In his PoE at §7.0 (pg42) MJ sets out at length a review of the three main topics in the consideration of sustainable development, demonstrating that the appeal development mitigates any environmental harms and provides a significant range of both social and economic benefits. In the circumstances, that analysis is not repeated in these closing submissions, suffice to say he concludes at §7.34 PoE that the appeal development represents sustainable development, as do the Council, subject to the single remaining issue of the provision of the pedestrian/cycle links at Garth Road (“GR”) and Alpha Court (“AC”).
  
17. In terms of highways there has been a significant amount of agreement between the parties. Thus, it is now agreed that:
  - (i) Sufficient sums are provided for within the obligation to mitigate the agreed off site impacts of the proposed development upon the wider road network;
  - (ii) That sufficient sums are provided to assist in the provision of off-site sustainable travel, in the form of footway, cycleway improvements, traffic management and enhanced bus provision;
  - (iii) That controlled access to the proposed country park will be achieved and available; and
  - (iv) That suitable triggers have been agreed for the provision of the 5 ‘sustainable links’ that have been sought by the Council to the adjacent urban area.
  
18. As to the latter, 3 of the links will be provided and will be in place prior to first occupation in the relevant part of the site. However, 2 of the links, GR and AC, are not presently within the control of the Appellant, and agreed suitable triggers are

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<sup>5</sup> See SoCG §2.62, MJ PoE §48.

proposed<sup>6</sup> to ensure that they are provided as and when the need for them arises, if (and only if) they are concluded to be necessary.

19. From the time when highway officers first provided a response to the case officer to inform the officer's report last Autumn, indicating that the GR and AC links would, in their opinion, be required, approaches were made by the Appellant to the owners of both links to determine whether they would be willing to treat with the Appellant. The Appellant has continued to make their position clear that they wish to continue to treat with the owners of both links notwithstanding their position that neither is needed. Further, the Council has also made it clear (understandably given that the appeal site is an allocation in the emerging Local Plan) that it will consider using CPO powers if the links are considered to be needed and if the Appellant are not able to secure rights over them by private treaty by that point in the development.
20. Thus, although there remains a live issue between the parties as to whether or not either or both of the GR and AC links are needed (which is for determination at this stage), there is clear evidence that either through the private or the public law route they will be deliverable at the appropriate point in time, that is when the proposals progress to the occupation of 200/260 units.
21. However, in blunt terms the Appellant considers that the provision of the GR and AC links are not necessary to make the appeal development sustainable, and that the approach of the Council is one of an aspirational desire, not a necessity. There is no policy or evidential basis to support requiring their provision.
22. The baseline for the analysis of the necessity is that it is proposed to provide a primary school, nursery facilities and shops on site, to provide a central bus service through the site and that the site is adjacent to large retail areas and currently has excellent access to the city centre through the existing bus services and cycling accessibility.<sup>7</sup>

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<sup>6</sup> 200 units for Garth Road and 260 units for Alpha Court.

<sup>7</sup> PO App L CD2.09.04

23. The approach of the Council, as illuminated in the XX of PO and the EiC of NM is that, applying the provisions of NPPF §9 (primarily §104 and §112a) the delivery of both GR and AC is “necessary” to ensure compliance with policy and guidance, by “maximising” sustainable transport solutions.
24. PO in his PoE sets out at pg18 Table 4.4 the existing walking distances to necessary services and facilities, and at Table 4.5 pg21 the distances following provision of GR and AC.<sup>8</sup> The tables address the current position, but not the situation where a primary school, nursery facilities and shopping facilities are provided on site. As can be seen from the tables, the provision of AC makes no difference to walking distances from the southern or northern half of the site. It is only if one posits that the destination would be Sainsburys and not the whole of the Monks Cross Retail Park or Asda that AC might render the distance marginally shorter. Indeed the Council’s position descended into the absurd when it was suggested that the use of Monks Cross Link rather than Alpha Court to cycle to the Park and Ride SW of Vangarde Park (which is south of Monks Cross Retail Park) would deter would be commuters. On any view a link using AC is nice to have but patently not necessary.
25. The provision of GR does have an impact to the extent of a reduction in travel distance to Huntington Primary School of 355m, to the secondary school of 275m and to the Garth Road medical Centre of 340m, a maximum reduction of 5 minutes travel time, which PO firmly considers to be immaterial. That is both given the total distances in question, but more importantly when proper account is taken of the provision of a primary school, a nursery and retail facilities on site.
26. PO takes the approach of assessing distances from a centroid on each of the northern and southern half of the site.<sup>9</sup> This assessment is criticised by HV, who asserts that this approach is a “non-standard” approach, without being able to point to any standard guidance, and who in her own assessment provides no credible alternative, as well as claiming the approach is illogical without actually being able to identify the illogicality claimed.<sup>10</sup> It is, with respect, entirely logical that reasonable and proportionate site

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<sup>8</sup> See also Appendix P, CD2.09.06

<sup>9</sup> PO Appendix K CD2.09.04

<sup>10</sup> XX HV

specific centroids are adopted in the circumstances of this site, rather than a single site centroid, which would be unrepresentative of the actual travelling distances. Further, HV appears to have taken no account of the proposed on site provision of primary school and nursery facilities as well as shopping facilities. It might not be unreasonable to suggest that the approach of HV to justifying the GR and AC links is somewhat contrived.

27. Additionally, provision is being made for a bus service through the appeal site itself, which would comprise what is agreed to be the primary public transport facility, with there being no requirement for GR and/or AC to access that service.<sup>11</sup> The Council sought to emphasis the importance of including the secondary bus services as part of maximising access (or catchment areas) but, as illustrated by PO in his Appendix M,<sup>12</sup> the provision of both or either link makes no material difference to the ability to access the secondary bus services. GR is not necessary to improve access to the No.5 and 5a services, there being entirely convenient and adequate exiting access via North Lane, and the other services are all more easily accessed from Monks Cross Link, making the AC link redundant. Moreover service No5 only additionally only serves the village of Strensall<sup>13</sup> compared to service No12 which will be diverted through the site.
28. MfS2 at §5.1.3,<sup>14</sup> restating MfS1, emphasises that the preferred approach is to accommodate pedestrians on multifunctional streets, as provided for by North Lane and Monks Cross Link, rather than on routes of the nature of the proposed GR and AC links advanced by the Council. HV accepted in terms that GR would not conform to the guidance in MfS2 and would not therefore be the preferred form of link envisaged by national policy.
29. The somewhat flawed approach of the Council to the necessity of providing the two links in order to maximise sustainable transport solutions is wholly undermined by the careful analysis of PO, as compared to the unsupported assertions advanced by HV, based to some extent on anecdotal evidence gathered on a site visit.<sup>15</sup>

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<sup>11</sup> XX HV

<sup>12</sup> CD2.09.05

<sup>13</sup> & Acomb in the extreme west of the City

<sup>14</sup> CD4.04

<sup>15</sup> HV XX

30. Further reliance was placed by the Council on the criteria contained in SS10, specifically criteria (x) to (xiii). In fact there is nothing in SS10 that requires either GR or AC to be provided.<sup>16</sup> It is only in bullet point (xii) and (xiii) that reference is made to “maximising”, and both in respect of pedestrian and cycle routes. For the reasons set out above, the development proposal achieves this expectation. Bullet point (xi) has an anticipation that 15% of trips will be undertaken by using public transport, and both parties agree that this modal split, which relates to journeys to work only, can be achieved. The illogicality of HV’s position is that she supposes that if additional walk and cycle routes are provided to get to the secondary school and the doctors then that will make up for a deficit in a 15% bus modal share for travel to work. With respect providing the Garth Road link would only improve the sustainability of the travel to work for those who live in the centre of the appeal site and work at the secondary school or the doctors.
31. PO concluded his XX by stating that the appeal development is “...*fully complaint with the NPPF and SS10, delivering pedestrian and cycle provision that will provide satisfactory access, that ...is without touching on the fact that facilities are being provided on site...*”.
32. It is plainly apparent that the approach of the Council to “*maximising catchment areas*”, “*maximising options*” and “*maximising suitability*” is one that extends beyond national and local policy provisions and does not justify the claimed necessity of the provision of GR and AC in order for the appeal development to be found to be sustainable. The Council approach to “maximising” is unreasonable, and could be utilised to require access links to the n<sup>th</sup> degree, each and every additional link contributing to the claimed requirement to “maximise” accessibility. The correct approach is one of reasonableness and proportionality, and the professional opinion of PO is unequivocal and persuasive. That the Council would like those links to be provide, as an attractive addition to the development rather than a necessity, does not have any material impact on the sustainability of the appeal development. It is sustainable development without the provision of either of GR or AC.

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<sup>16</sup> XX NM

33. However, should it be determined by the decision maker that either or both of the links are necessary, then the decision maker can be satisfied that both can be delivered. In either scenario, there is no bar to concluding that the appeal development is sustainable development.

### **Planning Balance**

34. Taking the approach that the appeal site lies in the green belt then NPPF §137, §138, §147 and §148 all apply. It is accepted that the appeal proposal constitutes inappropriate development in the green belt and that VSC will have to be demonstrated in order for the appeal to succeed (§147). VSC will not exist unless the substantial weight to be given to any harm to the Green Belt and other harm is clearly outweighed by other considerations.
35. As will be entirely familiar to the decision maker, in order for VSC to exist the totality of any harm identified must be clearly outweighed by material considerations relied upon in favour of the proposed development. It is not the material considerations themselves that must amount to very special circumstances, they can indeed be very ordinary when considered individually, but when considered cumulatively clearly outweigh the harm identified, such that overall, the VSC necessary for the grant of planning permission in the green belt exist.
36. It is of course accepted that the appeal proposals will significantly impact upon the openness of the GB as well as giving rise to definitional harm by reason of the development's inappropriateness. However, for a large scale peripheral greenfield site the range of other harms are in reality remarkably limited. As against those are a range of benefits put into the context of the remarkable circumstances of the pitiful level of market and affordable housing delivery and plan preparation in York set out by MJ at §8 of his evidence and in particular §8.9 which are:
- a) A failure to deliver a Development Plan in the last 65 years with a continued whiff of unsoundness hanging over the current eLP;

- b) A general expectation from successive draft Local Plans since 2011 that the appeal site is a location for residential growth;
- c) The continued slippage of the strategic sites in housing trajectory updates to the draft Local Plan – this is now the time to call a halt to that pushing back exercise in order to deliver the economic and social benefits that flow from the proposal;
- d) A general public expectation of housing on the appeal site that is manifested in a low level of objection;
- e) The appearance of the draft allocation in the made HNP. A point that weighs in its favour;
- f) The lack of a five-year land supply<sup>17</sup> and the significant benefit that is to be attached to the delivery of housing, and the failure of the plan led system to resolve that urgent need;
- g) The significant benefit associated with the delivery of affordable housing, in the context of that same failure<sup>18</sup>, but with an even greater degree of urgency;
- h) The delivery of land and monies for a Primary school to meet local educational needs – without this school, capacity in local schools will continue to be stretched;
- i) The provision of green space and new footpaths through the site and into a new Country Park that goes beyond the sites own needs and demands such that it lessens the impact on intrusions at Strensall Common SSSI.

37. All of the above were expressly endorsed by NM, albeit that he applied a different weighting to MJ. Nonetheless NM's view is that VSC are proven and that the GR/AC issue is determinative of whether or not additional controls should be applied not whether or not the appeal should be allowed.

38. Rightly, it is agreed that prematurity is not a determinative issue in this case.

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<sup>17</sup> Most recently concluded to be between 2.79 and 3.45 years

<sup>18</sup> CYC has met only 14% of its actual need for AH over the last decade

39. Education provision forms a fundamentally important element of the Appellant's case and has been agreed between the parties, being provided for by way of the s.106 Agreement. The now agreed position provides for the following:
- (i) A site for a new primary school and nursery is to be provided on site and Plan A is that this will be built on site. However, a mechanism has been agreed to determine part way through the development whether or not it is necessary *at that point in time* to construct an on-site nursery and primary school or whether Plan B is engaged and monies in the s.106 Agreement can be deployed to make off site provision;<sup>19</sup>
  - (ii) It is agreed that there is no need for temporary primary school accommodation at existing primary schools to be provided;
  - (iii) On secondary school provision an off-site contribution has been agreed which is subject to payment at each of three stages of development and with a review as to whether or not there is a need which has actually arisen at that time;
  - (iv) A payment towards the provision of places for additional special educational needs and disabilities ("SEND") pupils in York and a further payment towards SEND transport requirements.
40. The reason for the Plan A/B and Review approach is because what is proposed is inevitably a predictive exercise with uncertainty involved at a point which may be some years hence. The proposals balance the need to ensure that sums are properly available to be deployed with a requirement for an assessment at a point in time when the extent of need is better known.
41. As will be obvious to the Inspector there is no policy in a development plan as anticipated by §34 of NPPF to establish a formulaic approach to the payment of contributions which has then been tested through examination. Rather the above has been arrived at using first principles by assessing likely land use consequences and

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<sup>19</sup> i.e. for primary education along with a smaller on-site nursery



trying to mitigate them. It is considered that the obligation as now proposed achieves that objective.

42. With regards to primary education, eLP policy SS10<sup>20</sup> includes a requirement for a primary school on site, and the s.106 Agreement provides for Plan A with the school on site and, as a secondary position, a Plan B with off-site provision. The Appellant's primary and preferred approach, and the one which accords with the current draft of SS10, is for the provision of a primary school (and nursery provision) on site.<sup>21</sup> As well as providing financially for an essential service provision the on-site provision is clearly to be preferred in the context of a holistic planning perspective, obviously contributing to sustainable travel patterns and place-making.
43. Under Plan A, £8M would be paid towards the construction of a new 1.5FE primary school on site. The payment triggers are set at 20% prior to any occupation of dwellings, 40% at occupation of 100 dwellings and 40% at occupation of 200 dwellings. There is a review mechanism for the Council to assess whether provision is needed on-site, set at 200 dwellings occupation for commencement of review and 300 dwellings occupation for a decision. If it is decided that there are insufficient pupils coming forward from the site, then the council may opt for Plan B.
44. Plan B will involve a payment of up to £909,306 towards a second early years/nursery provision on site and a payment of up to approximately £5.7M towards the provision of primary places at other local primary schools within 2 miles of the perimeter of the appeal development, where need arises because of the appeal development. Once again payment triggers have been agreed,
45. The s.106 Agreement also includes for payment, independent of the matters set out above under Plan A/B, for off-site nursery provision of £909,306, to be paid on occupation of 100 dwellings.

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<sup>20</sup> CD4.17.01

<sup>21</sup> The proposal is for a 1.5FE school, albeit this is an over-provision. There is space for a 2FE and should the Council so decide they could adopt a modular approach on site, commencing with a 1FE and expanding as necessary.

46. There is further provision for payments towards off-site secondary education provision, at two local schools, amounting to approximately £5M with payment triggers at occupation of 399/599/799 dwellings, at 30%/30%/40% of the total payment. There is provision included for a review process at each trigger point to ensure the relevant payment is only made if there are insufficient places available for need arising from the site.
47. Finally, there is a payment provision of £823,944 for SEND which will provide for additional places at local schools in York, with the same percentage payment triggers as for the secondary education provision, although without the review mechanism<sup>22</sup>. There is a further contribution of £180,000 towards associated transportation costs.
48. In summary, in the context of a site where the principle of development is accepted by the parties, the appeal development will bring forward significant benefits in terms of meeting the urgent and pressing housing need in York, where there has been a long term failure of the plan led system to resolve that urgent need, and further, will make a significant contribution to the provision of affordable housing in an area which has a long history of serious under provision. There are significant economic and social benefits flowing from the appeal development, not least the education provision which will go to assisting the capacity problems in local schools.
49. Finally, in respect of the planning balance, the tilted balance is engaged as a consequence of §11(d) NPPF due to the out of datedness of the virtually non-existent development plan as well as the absence of a 5YHLS. The issue is then whether it should be disengaged by the fact that the appeal proposals comprise inappropriate development in the GB even if VSC are demonstrated.
50. As MJ notes in his PoE, the SOS took the approach in the Burley in Wharfedale appeal<sup>23</sup> that the tilted balance was engaged and not disengaged by the site being within the Bradford green belt, where VSC were demonstrated. However, The Appellant's case

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<sup>22</sup> NB this scheme will deliver a new 1.5 FE primary school a nursery on site at no cost to the public purse in accordance with policy SS10 – which can be contrasted with the eLP which expects delivery public and private sector funding of those elements.

<sup>23</sup> CD5.05 3<sup>rd</sup> March 2021

is not reliant upon the tilted balance being engaged since even without that as part of the decision-making matrix, MJ is firmly of the view that VSC exist, as is common ground between the parties.

### **Conclusions**

51. In summary, for a scheme of this scale in the putative GB the level of objection is remarkably low. Moreover, there is now no opposition to allowing the appeal from any elected local body at Parish or District level. Indeed the appeal site features prominently in the made neighbourhood plan as an expected allocation. Nor is there any unresolved objection from any statutory or internal consultee. The site has been identified as a draft allocation in the emerging York LP and whilst that has limited weight as policy, the level of opposition to this scheme as a draft allocation or a s.78 appeal is remarkably low.
52. There is a general expectation locally that this site will be developed and the Parish Council has positively commended the Appellant over its continued and positive engagement. Furthermore this is a scheme which does not look to duck its responsibilities. In total on the Appellant's case the s.106 will deliver over £18,000,000 of benefits<sup>24</sup> of which £15,033,946 will be directed towards education (in addition to providing a site for a 2FE school for no cost), £2,850,000 will be directed towards highways<sup>25</sup> and a huge new country park will be provided<sup>26</sup>.
53. Whilst the approach should be to treat the site as being in the green belt, nonetheless it is firmly submitted that the merits of the case are overwhelming, and the Appellant would respectfully but firmly invite you to recommend to the SOS that the appeal be allowed and planning permission granted, subject to the s.106 Agreement and conditions.

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<sup>24</sup> i.e. around £20,000 per house.

<sup>25</sup> Excluding the cost of s.278 works to create links along Monks Cross Link , North Lane which would add several hundred thousand pounds of additional investment into highway works

<sup>26</sup> Including New Homes Bonus of £7,760,000

*Paul G Tucker QC*

*Michael Rudd*

**27<sup>th</sup> January 2022**

**KINGS CHAMBERS**

**Manchester-Birmingham-Leeds**

## COMMITTEE REPORT

**Date:** 4 November 2021      **Ward:** Huntington/New Earswick  
**Team:** East Area      **Parish:** Huntington Parish Council

**Reference:** 18/00017/OUTM

**Application at:** Site to the west of the A1237 and south of North Lane  
Huntington York

**For:** Outline planning application with full details of means of access for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities and convenience store on land west of Monks Cross Link Road and a country park with drainage infrastructure east of Monks Cross Link Road

**By:** Redrow Homes

**Application Type:** Major Outline Application

**Recommendation:** 1. That Committee endorse the conclusions of the report and that subject to the satisfactory resolution of the issues identified in 6.2 they will be presented to the Planning Inspectorate as part of the Council's Statement of Case at the forthcoming appeal.

2. That delegated authority is given to the Chief Planner, having regard to the heads of terms set out in this report, addendums and/or Planning Committee minutes, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to meet the requirement of the Planning Inspector.

### 1.0 PROPOSAL

1.1 This matter is reported to Planning Committee following the recent submission of an appeal against non-determination to the Secretary of State by the applicant. Members are requested to consider this report and to endorse the approach that will be presented to the Planning Inspectorate as the Council's case at the public inquiry.

1.2 The application is for outline consent with full details of means of access. It proposes residential development of circa 970 dwellings with associated demolition,  
Application Reference Number: 18/00017/OUTM      Item No: 4a

infrastructure works, open space, primary school, community facilities and convenience store (use class A1) on land west of Monks Cross Link Road and a country park with drainage infrastructure east of Monks Cross Link Road. It was submitted with the intention to align the determination of the Outline application with the adoption of the Local Plan.

### Application Site

1.3 The application site relates to two parcels of land on either side of the Monks Cross Link road. The western parcel of land is proposed for the built development with the eastern parcel proposed for the creation of a country park and drainage infrastructure.

1.4 The overall site extends to 59ha (approx.) of agricultural land comprising of fields separated by tracks, hedgerows, and trees. There are two dwellings and farm/commercial premises to the north. A former railway line crosses the site to the south of the site. The site is generally flat.

1.5 The current emerging Local Plan allocates the western parcel of land as a strategic housing site (ST8) with the parcel of land to the east allocated as open space (OS8). The site is within the general extent of the Green Belt as per the saved policies from the Regional Spatial Strategy.

### Proposal

1.6 The application seeks outline consent with all matters reserved except means of access for residential development of circa 970 dwellings on land west of the Monks Cross Link road. A country park with drainage infrastructure is proposed to land to the east of the Monks Cross Link road.

1.7 To serve the development, a number of community facilities are proposed including a local shop (not exceeding 200sqm floorspace), a primary school which will also form a community hub, public open space, playing fields as well as a number of playing areas. The illustrative masterplan has been revised, and now includes two areas for self and custom build in the south western corner.

1.8 The development is proposed to be delivered in phases, although any phasing strategy has not been developed to date. The construction period for the development is anticipated to be between five and fifteen years.

1.9 The development will adopt the principles of a 'Garden Village'. Predominantly dwellings across the development will be 2 storeys, although there is an intention for 2.5-3 storey dwellings along the tree lined boulevard (spine road) to the south of the site, with a small pocket in the north eastern corner of the site. The site area is 59ha with an expected housing yield of 970 resulting in a density of 16dph.

1.10 Vehicular access to the development will be via two new junctions to Monks Cross Link road with a minor junction to North Lane. There will be a 3m wide shared pedestrian and cycleway between the two new junctions on Monks Cross Link road. On North Lane, the existing access will be closed with a new access moved further west. A new 2m wide footpath would be positioned along the site frontage, tying into the footpath at the edge of the existing urban development in Huntington.

1.11 A 3m wide surfaced footway and cycleway is proposed to tie into Woodland Way to the south of the site.

1.12 It is noted that the red line boundary excludes an area positioned in a central location in the western part of the site along with existing access to Garth Road and the land associated with Top Show and Catterton House, located to the north of the site, off North Lane.

1.13 The proposal constitutes schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as updated). The information in the associated environmental statement is sufficient for the Local Planning Authority to understand the likely effects of the proposals and any required mitigation.

## **2.0 LEGISLATIVE & POLICY CONTEXT**

2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.2 The National Planning Policy Framework 2021 (“NPPF”) is a material consideration in planning decisions.

2.3 The statutory Development Plan for the City of York comprises of the saved policies and key diagram of the (otherwise revoked) Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

### The Regional Spatial Strategy for Yorkshire and the Humber (May 2008)

2.4 The Regional Spatial Strategy for Yorkshire and the Humber (May 2008) policies which relate to the York Green Belt have been saved together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York. The environmental assessment process for the RSS abolition highlighted that York does not currently have a local plan in place and indicated that revocation of the

York Green Belt policies before an adopted local plan was in place could lead to a significant negative effect upon the special character and setting of York. As such, the Government concluded that the York Green Belt policies that are part of the regional strategy be retained.

2.5 Saved policies are as follows -

**POLICY YH9C: Green Belts**

The detailed inner boundaries of the Green Belt around York should be defined in order to establish long-term development limits that safeguard the special character and setting of the historic city.

**POLICY Y1C: York sub area policy**

Plans, strategies, investment decisions and programmes for the York sub area should:

- Define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.
- Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

Huntington Neighbourhood Plan adopted July 2021

2.6 The Neighbourhood Plan was adopted in July 2021 and it therefore forms part of the development plan. The site is within the boundaries of the Neighbourhood Plan area. Policies relevant to this application are –

- H1 Meeting housing need
- H2 Housing mix in new housing development proposals
- H3 Affordable housing provision and mix
- H4 Design Principles
- H14 Green Belt

**National Planning Policy Framework (NPPF)**

2.8 The revised NPPF (2021) sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).



2.9 The relevant sections of the NPPF include sections 5 'Delivering a sufficient supply of homes', 8 'Promoting healthy and safe communities', 9 'Promoting sustainable transport', 12 'Achieving well-designed places', 13 'Protecting Green Belt land', 14 'Meeting the challenge of climate change, flooding and coastal change', and 15 'Conserving and enhancing the natural environment'.

2.10 Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development which means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies; or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.11 The presumption does not apply if the proposal conflicts with restrictive Green Belt policies as set out in the NPPF.

## **Draft Local Plans**

2.12 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for development management purposes in April 2005 (2005 DCLP). Whilst the 2005 DCLP does not form part of the statutory development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF, although the weight that can be afforded to them is very limited.

2.13 The southern half of the application site was allocated as a Schedule 1 'Premier Employment Allocation' (Ref E1a.2/North of Monks Cross) and specifically identified as an out of centre premier employment site which were identified for companies in the Science City York sector of the economy.

2.14 The Publication Draft City of York Local Plan 2018 (2018 Draft Plan) was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the 2018 Draft Plan took place in December 2019. Following the Phase 1 hearings the Council has completed a scheduled of further work set by the Inspectors during the hearings and as part of subsequent requests for further

information. Due to new evidence being fundamental to the overall approach to the Green Belt and the assessed Objectively Assessed Housing Need (OAHN) the Council consulted on a series of modifications and new evidence to the emerging 2018 Draft Plan, the consultation period expiring July 2021. The Inspectors are currently considering the responses to the consultation. The 2018 Draft Plan is at an advanced stage and is a material consideration in the determination of planning applications.

2.15 The application site is allocated for housing in the emerging 2018 Draft Plan, identified as a strategic housing site ST8 (Land North of Monks Cross) with the area to the east of the Monk Cross Link Road allocated as open space OS8.

2.16 In accordance with paragraph 48 of the NPPF the 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging 2018 Draft Plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

2.17 The following policies within the 2018 Draft Plan which are directly and most relevant within the consideration of this proposal are:

DP2	Sustainable Development
DP3	Sustainable Communities
SS1	Delivering Sustainable Growth for York
SS2	The Role of York's Green Belt
SS10	Land North of Monks Cross
H1	Housing Allocations
H2	Density of Residential Development
H3	Balancing the Housing Market
H4	Promoting Self and Custom House Building
H5	Gypsies and Travellers
H10	Affordable Housing
HW2	New Community Facilities
HW4	Childcare Provision
HW6	Emergency Services
HW7	Healthy Places
ED6	Preschool, Primary and Secondary Education
D1	Placemaking
D2	Landscape and Setting
D6	Archaeology

GI2a	Strensall Common Special Area of Conservation (SAC)
GI6	New Open Space Provision
CC1	Renewable and Low Carbon Energy Generation and Storage
CC2	Sustainable Design and Construction of New Development
CC3	District Heating and Combined Heat and Power Networks
ENV1	Air Quality
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV5	Sustainable Drainage
T1	Sustainable Access
T7	Minimising and Accommodating Generated Trips
DM1	Infrastructure and Developer Contributions

### 3.0 CONSULTATIONS

#### INTERNAL

#### Forward Planning

3.1 The site is a proposed housing allocation in the emerging 2018 Draft Plan known as ST8 'Land North of Monks Cross'. Policy SS10 states that the proposed allocation will deliver approximately 968 dwellings at this urban extension development site. Policy SS10 also sets out a series of planning principles detailing issues that must be addressed as part of the development. Policy SS2 'The Role of York's Green Belt' of the emerging plan proposes to take the site out of the Green Belt. Having consideration to the advanced stage of the 2018 Draft Plan's preparation, the extent and significance of unresolved objections to emerging Policies SS2, and the consistency with the National Planning Policy Framework (NPPF), we would advise that Policy SS2 can only be applied with limited weight. It is against the NPPF (as revised) and the saved RSS policies relating to the general extent of the York Green Belt that this proposal would principally be assessed. As such, the site falls within the general extent of the green belt and should be treated as such.

3.2 Given the advanced stage of the emerging Plan's preparation, the level of significant unresolved objection to the emerging policies relevant to the principal of development in this location and the consistency with the NPPF, we would advise that the policy requirements of emerging plan Policy SS2 (the Green Belt boundary) can only be applied with limited weight. It is against the NPPF (as revised) and the saved RSS policies relating to the general extent of the York Green Belt that this proposal should principally be assessed. It is necessary for the applicant to demonstrate that very special circumstance exist to justify development in this Green Belt location.

3.3 Given the advanced stage of the emerging 2018 Draft Plan's preparation, the lack of significant objection to the emerging policies relevant to this application and the stated consistency with the Framework, we would advise that the policy requirements of emerging plan policies DP2, DP3, SS10, R1, H2, H3, H4, H9, H10, HW2, HW3, HW4, HW6, HW7, D1, D2, D3, GI6, CC1, CC2, CC3, ENV1, ENV2, ENV4, ENV5, T1, T7 and DM1 should be applied with moderate weight. Moderate weight can also be applied to policy H1 for site allocation ST8 insofar as considering the criteria of approving an allocated site in advance of the plan, the associated monetary contributions required and assessment of open space required.

3.4 Policy H5: Gypsies and Travellers can be afforded limited weight. Although consistent with national policy, this policy has outstanding objections, which will be resolved through the Local Plan Examination. Policy GI2a complies with the outcomes and recommendations of the Habitat Regulations Assessment 2020 (EX/CYC/45) and was subject to consultation as part of the proposed modifications 2021. The Inspectors have not considered this policy and accordingly can be afforded only limited weight at this time.

3.5 The site is supported through the emerging 2018 Draft Plan process through proposed allocation ST8. As such, there is no policy objection to the principle of development in this location. On matters of detail it is important that relevant colleagues are consulted to establish within the planning balance whether the proposals are policy compliant with Policy SS10. It is currently unclear whether provisions of policies HW2, HW3, HW4, HW7 and D3 have been met without the submission of the required information. It may be that these matters can be satisfactorily conditioned to ensure the provisions of these policies are met.

## Education

3.6 A summary of the costs and land associated with the requirement of a new primary school on site (Plan A) as well as the costs associated with expansion at an existing primary school (Plan B), should new provision be deemed in future years, by the Local Planning Authority or changes in legislation, to be unviable and undesirable, are provided below:

### **Plan A**

- New standalone nursesey – off site	£957,413
- New primary school on site – full cost of to be provided (estimate provided for guidance)	£7,223,840
- New nursery adjoining the primary on site	£1,268,440
- Temporary primary accommodation projected to be required before completion of new school	£540,420
- Secondary – expansion at catchment Huntington School and/or Joseph Rowntree School	£5,120,696

- Special Educational Needs and Disabilities (SEND) – off site (formula-based contribution based on likely yield)	£823,944
SEND Transport (formula- based contribution based on full likely yield, non-refundable)	£180,000
<b>Total</b>	<b>£16,114,753</b>
<b>Land for new primary and adjoining nursery</b>	<b>19352sqm</b>

### **Plan B**

- New standalone nursery – on or off site	£957,413
- Expanded or new nursery off site	£957,413
- Expanded primary school off site	£5,711,776
<b>Total</b>	<b>£7,626,602</b>

### Housing

3.7 Policy H10 of the 2018 Draft Plan specifies 30% on site provision for greenfield schemes, which would comprise 291 of 970 total proposed. Any approved scheme should incorporate the following to be secured through a Section 106 agreement to comply with policies H3 (Housing Mix) and H10 (Affordable Housing):

- affordable housing should be provided in line with the viability policy position which currently requires a minimum of 30% of home to be affordable
- the requirements will apply to each phase of a phased development
- 80% of the affordable housing will be social rented and 20% discounted sale tenure

### Design, Conservation and Sustainable Development

#### **Archaeology**

3.8 A desk-based assessment and a geophysical survey highlighted the possibility of prehistoric and Romano-British archaeology to survive on the site beneath the former medieval ridge and furrow, which lies across the site. No other features of interest were recorded. In line with other large scale development applications for substantial green field sites, further intrusive investigation in the form of trial trenching needs to take place. This must happen prior to any other ground disturbing works taking place. Given that the geotechnical test pits were monitored with largely negative results, the evaluation can be conditioned in this instance. A WSI was produced by Prospect Archaeology for the evaluation in 2018 although the fieldwork hasn't yet taken place.

#### **Ecology**

3.9 The ecological surveys provided are up-to-date, well considered and provide an appropriate level of detail. It is considered that the recommendations provided within these reports should be adhered to through reserved matters. It should be noted that ecology surveys may need repeating to support phase development or where delays to project commencement are incurred. Updated survey information will also likely be required in support of European Protected Species Mitigation Licences (including great crested newts) and should be addressed as a reserved matter.

3.10 Although the majority of the mitigation and compensation will be provided within the land to the east of the Monks Cross Link road, as shown on the Landscape Strategy Plan, strong 'green links' will be retained and enhanced throughout the proposed development area, a clear programme of safeguarding these retained 'green' areas will need to be put in place throughout the lifespan of the development to ensure that these links remain viable throughout the project.

3.11 Biodiversity Net Gain (BNG) has been made in support of this application; each reserved matters application will need to demonstrate how it will achieve biodiversity net gain in accordance with the site wide BMP.

3.12 The applicant has provided an appropriate level of assessment regarding potential impacts on Strensall Common as detailed in the updated Habitats Regulations Assessment (HRA). Any changes to design, which reduces public open space within the proposed development will need to be re-assessed within the HRA.

## **Landscape**

3.13 It is important to maintain a significant degree of separation between the commercial environment of Monks Cross retail/business park and the site so that Huntington retains its identity as a separate entity. The previous masterplan provided good perceived separation, in the south east corner but this is not reflected in the latest masterplan or parameters.

3.14 Landscape Strategy Plan – relates to the land to the east of Monks Cross Link Road; the nature of the proposals is appropriate and there is time for the detail to evolve. There is scope to create greater variety in the shapes of the ponds to increase visual interest and bio-diversity value. The scheme also has the capacity to include some large stand-alone trees and a few more small groups.

3.15 Development Drainage Strategy – concerns about the provision of pumping stations that will compromise views and the quality of open space.

3.16 Proposed access off North Lane - the additional extension to the new pavement further eastwards will increase the harmful impact on North Lane by further eroding its rural character.

3.17 Other considerations should be given too;

- the north-south green infrastructure/ecological corridors need to comfortably accommodate the existing mature trees and hedgerows
- the full length of the historic railway line should be included in the open space infrastructure
- a central open space to the northern half of the site should be included, to relieve the density but to also retain the existing Oak (T17) tree
- play areas should be included within the parameters plans; to greater understand their distribution
- substantial set back of the built extent from the junction with the northern ring road; to protect the perceived setting of the city from the outer ring road
- connectivity between new and existing open spaces.

## **Design**

3.18 The layout appears logical, with the potential to retain a number of hedgerows and trees in a planned green corridors. Density around which the built form have been arranged; this approach is welcomed. The concept of a garden village with vibrant village centre around the school and local facilities is also supported.

3.19 Density/Height – a lower density rural village character is suggested for the northern part of the site. While a mix of densities is welcomed, the built form should still define hierarchies of streets and spaces to aid legibility and opportunities for natural surveillance. Design and integration of parking is important across the whole site, but especially in higher density areas such as the village centre. The entrance to the development will need careful design consideration, it is unlikely 3 storey development will be deemed appropriate at the very edge of the settlement.

3.20 Heritage- Views to the Minster have been considered and should continue to inform the detailed layouts, so that the rural context of the Minster can still be appreciated.

3.21 The old railway line bisects the site, and continues across the proposed country park, could be used to provide a link to the history of this site, particularly if there was some interpretation of this on the site, perhaps manifested within some art provision within the site.

3.22 The northern section appears quite dense, with little open space. One way to relieve this could be to retain an area of the ridge and furrow pasture which would also help connect the site to its agricultural past.

## **Public Realm**

3.23 It is positive to see the developer has looked at providing outdoor sport on site. The City of York 2018 Draft Plan Evidence Base: Open Space and Green Infrastructure Update 2017 shows that although the Ward has an overprovision of outdoor sports, this development is on the Ward boundary and connecting wards have a shortfall of outdoor sports provision which this development will help to reduce.

3.24 The sports provision would need to consider the makeup of the c.970 dwelling and the population that would live on site and then support the appropriate provision. We are awaiting the completion of the Playing Pitch Strategy for the city that would support the need for outdoor sport (playing pitches) within the area and would identify what these should be.

### Highway Network Management

3.25 The original proposal and Transport Assessment (“TA”) submitted in 2018 aimed to meet the objectives of sections xi, xii and xiii of Policy SS10 but the direct walk and cycle links to the west and to Monks Cross have now disappeared (apart from the proposed link through Woodland Way). This means that the Highway Authority is not in a position to support this planning application on two grounds:

- Non-compliance with policy (local and national), specifically SS10 for the emerging Local Plan and Para 112 for NPPF
- Inadequate information (NPPF para 113) supplied to enable the Highway Authority and Local Planning Authority to assess the impact of the proposed development on road safety and on the wider road network (resulting in our inability to assess under NPPF para 111). This is specifically an issue for the trip rates used in the TA.

### Public Protection

3.26 Noise- Noise levels in this area have increased since the noise report was done and there are new noise sources that have not yet been adequately considered. Therefore recommend that the noise report is updated prior to a decision being made on any planning approval to ensure that the areas proposed for residential are suitable. If however approval is due to be granted then conditions should be applied

3.27 Land Contamination – the site predominately comprises arable and pastoral farmland, with two residential dwellings, a farmyard and commercial area on the northern part of the site. Conditions are required to secure further site investigations.

3.28 Air Quality – The development is not within an Air Quality Management Area (AQMA) or an area of existing air quality concern. An Air Quality Assessment has been carried out to consider the air quality impacts associated with the development during construction and operational phases.



3.29 A wider Construction Environmental Management Plan (CEMP) is required for the site incorporating an Air Quality and Dust Management Plan (AQDMP) which takes into account the site phasing/construction programme.

3.30 In line with paragraph 112(e) of the NPPF, developments should be designed to incorporate facilities for charging plug-in and other ultra low emission vehicles. The Council's Low Emission Strategy (adopted 2021) seeks facilities for charging electric vehicles on all new developments that include off-street parking facilities. A strategy for the provision of electric vehicle charging facilities is recommended.

#### Flood Risk Management Team

3.31 There are outstanding matters and insufficient work undertaken to agree a drainage scheme in principle. Site specific infiltration testing has not been witnessed by us nor has a sufficient number of trial excavations been carried out for a development of this size. No evidence has been provided of existing connects impermeable and permeable areas to establish an existing run-off or where the site currently drains to nor has sufficient evidence been provided to identify a suitable watercourse, which the proposed appears to be remote from the site.

#### Public Rights of Way

3.32 No comments to make; the areas outlined on the planning documents is not crossed or abutted by any public rights of way.

#### Waste Services

3.33 We need to be assured that there area will be easily accessible to 8 wheeled refuse and recycling collection vehicles; assurance that there are adequate turning circles for the vehicles.

3.34 Adequate bin storage should be allocated for both houses and flats, and the costs of supplying the bins will be paid by the developer (current cost estimate £110K).

3.35 The addition of this development is likely to require the Council to purchase additional waste collection vehicles (at a cost circa £300K per staffed vehicle).

#### EXTERNAL

#### Huntington Parish Council (note comments date from 2018)

3.36 We do not object but wish to make comments or safeguards:

- concerns in respect to traffic congestion the new development may cause on Monks Cross Link Road and the wider Monks Cross/Hopgrove area
- we do not believe the development should be accessed from North Lane; this is a very narrow road and will cause problems for traffic already using the road
- drainage - we do not believe that the two existing sewers (Southdown Road and Woodland Way) was designed to take this extra volume of waste and a new separate system should be installed
- two pumping stations to draw water across the Monks Cross Link Road into the Country Park; the ponds could become overwhelmed and enter the drainage system and result in localised flooding on A1237
- we would like to see two new footpaths installed to tie the development to the wider community, one from Garth Road and the other from Woodland Way, with a drop off/turning point at the end of Woodland Way
- would like drop-off/one-way system for the new school
- A small car park for the Country Park and bus stop to allow users to access this area
- the pedestrian access to the country park via pedestrian crossing appears dangerous due to the speed and volume of the vehicles on Monks Cross Link Road; we would like to see footbridges installed
- the mix of housing must reflect need within the community
- affordable housing must be 30% of total
- play areas need to be viewable from dwellings
- it's not clear whether rear access is available to terrace house
- do not agree with the statement that there will be negligible impact on health care facilities, or that the GP/Patient ratio assessment , the total numbers of patients and doctors is for the whole group and does not reflect Huntingdon numbers
- the green area to the east of the larger playing area is not part of planning submission. This area belongs to another developer, and as such should not be shown green on the application, as it implies open space with public access
- concerns over local wildlife in particular the resident Barn Owl population, which should be protected.

### Highways England

3.38 Conditional approval-conditions include compliance with the Travel Plan as well as a Construction Traffic Management Plan (CTMP).

### Environment Agency

3.39 No objection. The risks to groundwater resources from this development are not significant and based on the site investigation, contamination at the site is small and localised. Therefore we would not require a remediation strategy for this site.

### Natural England

3.40 An agricultural land classification (ALC) and soil survey of the development site should be undertaken. The development could have the potential significant effects on 60 hectares of Best and Most Versatile Agricultural land.

#### Police Architectural Liaison Officer

3.41 The illustrative masterplan drawing contains a number of positive features in terms of Designing out Crime, which should be retained in any future design. It is recommended that a condition requiring full details of any crime prevention measures to be incorporated into the site are detailed in any reserved matters application.

#### Fire and Rescue

3.42 No objections or observations to make at this stage.

#### Yorkshire Water

3.43 We are currently investigating the impact of the allocations on its water and waste water infrastructure and given the quantum of likely new development in York over the next 15 years, it is essential that the company adopts a sustainable, holistic approach. Waste Water – The Flood Risk Assessment (prepared by Fortem 2017) is acceptable. With regard to surface water, sub-soil conditions do not support the use of soakaways so it will drain to nearby watercourse.

#### Foss Internal Drainage Board

3.44 The application site sites within the Drainage Board's district; and has assets adjacent to the development to the east in the form of Shaws Dyke and Pigeon Cote Dyke. These are known to be subject to high flows during storm events.

### **4.0 REPRESENTATIONS**

#### Ward Councillors (Cllr Orrell, Cllr Runciman and Cllr Cullwick)

4.1 Application is premature. We believe that until the Local Plan is agreed by the Secretary of State, the land is Green Belt and any application to develop it should be dealt with on this basis.

4.2 Infrastructure – concerns about the impact on the already heavily congested Outer Ring Road. Local Huntington roads have become increasingly congested since the opening of the Vanguard, the stadium and retail park, it is critical that all access to the site is from Monks Cross.

4.3 Flooding – measures detailed in the application need to be in place before the site is developed.

4.4 North Lane Access – we are opposed access to the development from North Lane; this is in conflict with the promise when the site was included in the LP that all access would be from Monks Cross Link Road. It is narrow and dangerous for access and egressing the site. It is also unsuitable for cyclists.

4.5 Green Wedge Keith Avenue – it is reassuring that the green wedge councillors argued for is retained, but this is limited to the rear of Keith Avenue and Leafield Close; it is not appropriate to have play areas at the western edge of the development.

4.6 Self-Build – it is disappointing that Redrow are opting out of the Local Plan policy for 5% allocation of self-build homes, which gives an opportunity for local people to design and build their homes to their own specification.

#### Neighbour Notification and Publicity

4.7 A total of 13 no letters of objection and general comment have been received from local residents and local business (Portakabin, Helmsley Group) as well as the Shepherd Group Brass Band (some have sent more than one letter of representation). The objections and comments received can be summarised as follows:

- local road infrastructure should be improved to cope with the increased traffic, particularly the A1237
- the access/footpath along North Lane should be extended up to the roundabout and link to the footpath of the Monks Cross Link Road and reduction to 30mph along North Lane
- vehicular, pedestrian and cycle access requires more thought as it will impact greatly on traffic flows. Should be some pedestrian and cycle links to the retail/pubs/community facilities at Monks Cross via access points at McDonalds and Taco Bell
- insufficient land drainage leading to high water table; seeks assurances that the water course development to the east will not negatively affect the water table
- increase in congested parking via the eastern Garth Road if this access becomes closed to traffic and limit access to some properties by emergency vehicles
- impact upon wildlife including deer, foxes, rabbits and herons and the development will result in a loss of their habitat
- secondary school will be oversubscribed and families forced to go elsewhere out of the catchment area

- design- these properties will have little architectural merit and have an overall look and appearance of non-location specific 'noddy' housing that is built all over England
- contrary to policy D1 Placemaking
- contemporary house design can be a real success for occupants and surrounding residents and overall area (Derwenthorpe is cited)
- lack of self- build plots; developer should provide a further site and these to be made available before first occupation
- electric vehicle charging facilities should be provided
- could have an adverse impact on future operations of business by virtue of noise and disturbance leading to noise complaints; affecting day –to –day operation and flexibility for future rationalisation or expansion plans
- adequate noise mitigation measures must be included within the application to minimise the potential for future noise complaints; existing operations are not predictable or confined to any particular shift pattern
- acoustic barriers (3m high) can still lead to noise complaints (from Brecks Lane development)
- a building on the portakabin site is used for rehearsal space and located on the corner boundary; 5 bands play at different musical standards on Monday, Tuesday, Wednesday and Friday evenings with occasional weekend use; there may be an impact upon new residents and potential complaints would have an adverse impact on rehearsals in the building. Sound attenuation measures are therefore necessary and proximity of houses in the SW corner of the proposed site is revisited along with acoustic fencing and/or landscape bund to mitigate
- further noise assessment should be undertaken prior to the determination of the application to understand the noise climate in the area and likely noise mitigation and further surveys when a detailed scheme is produced

4.9 A joint letter from Barratt and David Wilson Homes has also been received who have land under option located within the centre of the site, which is excluded from the application boundary. They state that this represents piecemeal development and fails to address the principles set out in the proposed allocation, most notably that the whole allocation should be master planned to maximise the full potential of the site. The two sites will result in being built out independently and will form two separate communities with little or no connectivity. Concerns that mitigation measures put forward on third party land where the applicants have no control.

4.110 Two letters of support have been received and the points raised are summarised below:

- the development will provide much needed housing for York
- it is a designated site in many recent iterations of the Local Plan

## **5.0 APPRAISAL**

## 5.1 Key Issues:

- Principle of development
- Assessment of the scheme against policy SS10 of the 2018 Draft Plan (which relates to the allocation ST8)
- Drainage and flood risk
- Ecology
- Design and layout of the site
- Residential amenity
- Archaeology
- Sustainable design and construction
- Consideration of very special circumstances
- Prematurity

### **Principle of development**

#### **Whether the site is within the Green Belt**

5.2 For the purposes of s.38(6) of the Planning and Compulsory Purchase Act, the proposal should be assessed against the saved RSS Green Belt policies and the Huntington Neighbourhood Plan. The policies in the NPPF are also material considerations.

5.3 The Neighbourhood Plan does not alter the Green Belt boundaries; and continues to apply the approach to the identification of the Green Belt as set out in the RSS and the DCLP 2005 on an interim basis until the emerging 2018 Draft Plan is adopted.

5.4 The application site is shown to fall within the Green Belt under Policy SP2 in the DCLP 2005, although the weight that can be attached to this is very limited. The proposed residential areas within the application site are proposed to be outside of the proposed Green Belt under Policy SS2 in the emerging 2018 Draft Plan, although due to unresolved objections the policy requirements of policy SS2 can only be applied with limited weight. A thorough and detailed methodology has been followed in the setting of inner and outer Green Belt boundaries and is set out in the Addendum to Topic Paper 1: Approach to defining York's Green Belt (2021) Annex 3 Inner Boundaries Part 2: Section 5; this is part of the evidence base and is capable of being a material consideration in the determination of planning applications. The Local Plan strategy sets out that the open land to the north and east in this location has potential for development as a strategic housing site to help meet the overall needs of the city and the inner boundary of the green belt will therefore be defined by boundaries 27a-27c.

5.5 The site should be regarded as within the general extent of the Green Belt, until the Local Plan is adopted. Green belt policies are set out in the NPPF apply to the determination of the application. NPPF paragraph 137 states that the essential characteristics of Green Belts are their openness and their permanence. Development of the site would conflict with such characteristics.

5.6 Having regard to NPPF paragraph 149, the development proposed does not fall within any of the exceptions to inappropriate development in the Green Belt. The proposed development therefore represents inappropriate development in the Green Belt.

5.7 NPPF paragraph 147 explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 says when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations. Whether there are such circumstances will be assessed at the end of this report, following consideration of other material planning considerations. This approach is consistent with policy H14 of the Neighbourhood Plan.

**Assessment of the scheme against policy SS10 of the Local Plan** (which relates to the allocation ST8)

5.8 The policy relating to the site in the emerging 2018 Draft Plan (SS10) identifies the number of house to be provided on site (which the application is consistent with) and advises the principles the site should be delivered in adherence with (in addition to complying with the policies within the plan).

*i. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.*

5.9 The application is at outline stage, with all matters other than means of access reserved. The application seeks circa 970 dwellings to be provided, however the mix of dwellings have not been provided at this stage. The mix of dwellings to be provided can be established via the reserved matters stage, and legal agreement, in line with the Council's Strategic Housing Market Assessment. The proposed development is of a sufficient scale to accommodate a broad range of house sizes, tenures and types.

5.10 In accordance with emerging plan policy H10 on affordable housing the scheme would deliver 30% affordable housing (291 dwellings) on site. An affordable housing layout would be approved through condition or legal agreement,

with dwellings pepper potted throughout. The size and type of homes shall be a pro rata mix of the total homes.

5.11 Furthermore, the masterplan indicates two areas for self and custom build housing, consistent with emerging plan policy H4. Policy H4 sets out that strategic sites are required to supply at least 5% of the dwelling plots for sale, equating to 49 plots and it is considered this can be provided within the development.

*ii. Create strategic landscape buffering along the existing road network that borders the site. This will retain key views towards the Minster as well as to the north that should be preserved.*

5.12 The illustrative masterplan and parameter plans indicate buffer strips along both North Land and Monks Cross Link road. There is time for the landscape buffers to evolve, with emphasis on incorporating well designed views through the buffer into the development at key points, rather than attempting to screen the whole development. Developing this through reserved matters will be important to avoid compromising key views.

*iii. Include an appropriate landscape treatment adjacent to the link road, with landscaping where appropriate, to protect the setting and character of York.*

5.13 As above, the illustrative masterplan and parameter plans indicate landscaping adjacent to the Monks Cross Link road. This again can evolve through reserved matters to ensure that the setting and character of York is protected.

*iv. Explore the creation of a new green wedge to the west of the site to play an important role in protecting ecological assets, safeguarding the historic character and setting of the city and conserving on-site heritage assets including Ridge and Furrow, archaeology, hedgerows and trees that contribute to the setting of Huntington. It should be linked into the adjacent new housing scheme currently under construction at Windy Ridge/Brecks Lane. The provision of the new green wedge to the west of the site will also create an appropriate setting for the existing village of Huntington, allowing Huntington to maintain its identity and not sprawl outwards, with ST8 forming a new contained neighbourhood within the main urban area.*

5.14 To the west there is a green wedge, in the form of playing fields and amenity open space. The south western corner of the site is indicated to be open, providing a link to the Windy Ridge/Brecks Lane development. The safeguarding of heritage assets can be development via reserved matters and conditions. It is considered that the proposal will create an appropriate setting for the existing village of Huntington and retain its identity.



*v. Increase biodiversity and connectivity with the natural environment. The site intersects with local green infrastructure corridors and contains some trees with protection orders. There are opportunities for this site to interconnect with existing green infrastructure corridors and to integrate a scheme throughout the site which should be exploited.*

5.15 The development will retain and enhance strong 'green links' within the development area. The public open space to the east will provide mitigation and compensation for biodiversity and local biodiversity. A programme of safeguarding the 'green' areas to ensure these links remain viable throughout the project can be development through conditions. The relocation of the access from North Lane allows an existing Oak tree to be retained.

*vi. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:*

*- Creation of a new open space on additional land to the east of the Monks Cross Link Road (as shown on the policies map as allocation OS8). This land remains in the Green Belt. Traffic calming measures should be provided along Monks Cross Link Road alongside the provision of pedestrian footways and safe crossing points. Ecological mitigation is also required on land to the east of the Link Road.*

*- Open space provision that satisfies policies GI2a and GI6.*

5.16 There is the creation of a new open space to the east of the Monks Cross Link road. There is a pedestrian island on the southern junction to provide pedestrian crossing along the Monk Cross Link road, and further measures, can be explored through legal agreement or other highway legislation, such as the proposed reduction to a 40mph speed limit. This area of open space will provide newt habitats and ecological mitigation for the development.

5.17 Emerging plan policy GI6 seeks to provide open space within the main residential area. The illustrative masterplan indicates that there will be areas of public open space and amenity comprising playing fields and playing areas, which are integrated into the site's layout and can be developed via reserved matters.

5.18 Emerging plan policy GI2a seeks safeguards regarding development not directly connected with or management of the Strensall Common Special Area of Conservation and Site of Special Scientific Interest (SSSI). The application site is situated within the 'zone of influence' of Strensall Common and part b of policy GI2a requires the provision of open space within allocated housing site as mitigation to compensate for increase recreational pressure that Strensall Common is likely to be subject to. There is an allocated area (OS8) to the west of the application site that will provide new open space. Furthermore, a Habitats Regulation Assessment (HRA) has been submitted by the applicant. This has been assessed by the Council's Ecologist and it is concluded that the activities associated with the

proposed development are unlikely to have a significant effect on Strensall Common SAC or its qualifying interests.

*vii. Provide new social infrastructure which meets the needs of future residents of ST8 and, where viable, surrounding communities, including local retail, health, community space, educational facilities and sports provision.*

5.19 The application indicates that there will be a local shop (no larger than 200sqm), a new primary school which will also provide a community hub as well as playing fields to be provided.

5.20 There is no audit in respect to existing health facilities provided; emerging policy HW6 identifies this allocated site as one of the sites requiring additional spoke facilities for the Yorkshire Ambulance Service NHS Foundation Trust. There is no specific provision of an ambulance 'spoke facility' however the applicant have outlined that they will explore the potential to integrate such a facility within the community hub. This will be in discussions with the NHS Foundation Trust and can be developed through reserved matters and legal agreement.

5.21 Officers consider that a single shop providing a floorspace of 200sqm to serve the day-to-day needs of the proposed development is unlikely to be adequate; it is not clear as to its location within the development and whether it will be linked sufficiently by walking/cycle links; the site from north to south is over 800m and there may need to be a number of other shops to fully serve the development. Other community facilities are likely to be necessary, such as a café and are not provided for within the scheme. This will be discussed with the applicant prior to, and if necessary at the appeal.

5.22 The community hub is proposed to be located within the school which is proposed for the south western corner of the site, and not necessarily in the heart of the community. Further consideration should be given to its location at reserved matters stage.

*viii. Deliver a new primary school in an accessible location (to be assessed further based on generated need) as well as providing appropriate contributions for nursery and secondary education.*

5.23 The plans indicate a primary school will be directly accessed from the southern access from the Monks Cross Link road and local roads and footpaths within the site. The playing fields will be to the north of the proposed school.

*ix. Provide new site access from Monks Cross Link Road with no new direct access to the A1237.*

5.24 There is no new direct access from the A1237; two new vehicular accesses will be from the Monks Cross Link Road, along with an access from North Lane.

*x. Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The site will exacerbate congestion in the area, particularly at peak times given its scale and the capacity of the existing road network. The impacts of the site individually and cumulatively with sites ST7, ST9, ST14 and ST35 should be addressed.*

5.25 Highways England have removed their objection and offer conditional approval, they state that review of modelling and assessment results has demonstrated that the proposed development will not have an adverse impact on the Strategic Road Network.

5.26 However, the Council's Highways Network Management team consider that the lack of direct pedestrian and cycle links to the west and south of the site (which were indicated to be previously provided) would have an impact upon the representative trip rates of the proposed development.

5.27 It is highlighted that there is reliance on committed scheme (A1237 Ring Road/Strensall Junction 1, A1237/North Lane/Monks Cross Link Junction 2) that are to be delivered by the Council. At the present time, these schemes are progressing through the York Outer Ring Road Phase 1 Duelling Project with funding through the West Yorkshire and Transport Fund, however there a number of stages of delivery that the scheme needs to deliver before funding is released, including securing planning approval. It is anticipated that the project to allow the release of funding will be delivered by summer 2023. However, there remains a risk that the junction improvements may not be delivered, or they may take longer than anticipated. The Transport Assessment has not assessed the impact of the proposed development on the existing A1237 junctions.

*xi. Deliver high quality, frequent and accessible public transport services through the whole site including facilitation of links to local employment centres and York City Centre. It is envisaged such measures will enable 15% of trips to be undertaken using public transport.*

5.28 There are two bus services that could potentially serve the development site; bus service No. 9 (Monks Cross P&R to York city centre via Heworth) or service 12 (Monks Cross- York city centre- Askham Bar). No. 9 is a limited stopping service via the most direct route into the city centre with No. 12 taking a longer route but provides access to more facilities. Service No. 12 is proposed to be extended, along the spine road of the development and would use to the two new roundabouts on the Monks Cross Link. This service currently operates every 30 minutes and the

frequency could be increased to every 15 minutes, requiring two new additional buses to operate along the route.

*xii. Provide enhanced safe and integrated pedestrian and cycle routes to the existing available facilities at Monks Cross to maximise the sites sustainable location. The site is bordered by existing road infrastructure to enable access onto the site but further strategic connections for pedestrian and cycle routes would be required.*

5.29 Monks Cross is located to the south of the site, and primary access to Monks Cross Drive will be via the Monks Cross Link Road with a shared pedestrian and cycleway, although it does not tie into existing off road cycling infrastructure on the Monks Cross estate. This would offer sustainable transport links to the park and ride facility, and highways request that improvements are made to the cycle infrastructure in this location.

5.30 In contrast, Alpha Court, to the south of the site is part of the cycle route network, and was previously considered suitable to extend into the site to provide connectivity to the site. This option has been revoked within the latest Transport Assessment in favour of those connections from the Monks Cross Link road. The Council considers that an Alpha Court connection would offer a more convenient and attractive route to the Monks Cross facilities for the residents of the proposed development which would increase the likelihood of active travel choices.

*xiii. Maximise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding areas creating well connected internal streets and walkable neighbourhoods.*

5.31 The illustrative masterplan indicate a proposed pedestrian and cycle connection to Woodland Way, situated to the west of the site, although this is further away from the facilities and services provided in Huntington. The Council have identified that a more direct link to the west of the site could be via Garth Road. A further connection in and out of the site is via North Lane, however the pedestrian and cycle provisions, including lighting would need to be improved and continued to North Moor Road, which has not been indicated in the proposed application.

5.32 Within the site, the street design and layout can be developed via reserved matters to ensure appropriate connectivity to the community facilities such as the school including community hub, public open space and shop. There may be some by-passing of traffic at Monks Cross Link/North Lane roundabout via the internal spine road, and it is suggested that access is limited to vehicular traffic via modal filters, whilst providing through routes to cyclists, pedestrian and emergency vehicles.

5.33 Pedestrian access to the allocated OS8 public open space (Country Park) to the west is limited. However, there will be a reduction to the speed limit along

Monks Cross Link road which will help to promote pedestrian accessibility from the main residential areas of the proposed development. Consultees have suggested the continuation of the discontinued railway line, the tree lined boulevard as a wayfinder within the site to the country park, enhancing the local and natural environment. This can be developed via reserved matters.

### **Drainage and Flood Risk**

5.34 National policy outlined in the NPPF seeks to steer development away from areas at risk of flooding to ensure development is safe from flood risk and to avoid increased flood risk elsewhere (para 159). Local requirements, as detailed in the York Strategic Flood Risk Assessment, with regards to drainage are to require a 30% reduction on existing run off rates where practical, to protect against climate change and prevent increased flood risk.

5.35 The site is not in either flood zones 2 or 3 and is therefore acceptable in principle for residential development in terms of policies regarding flood risk.

5.36 The submitted risk assessment (January 2021) sets out that in terms of surface water, this will discharge from the development to the unnamed watercourse located to the east; the discharge rate will be limited to 87.82l/s (greenfield + brownfield -30%), with the development split into three catchments requiring a total of 13,650m<sup>3</sup> attenuation and due to the topography of the site, it will be necessary to pump the surface water discharge to two separate outfalls.

5.37 Both the Local Lead Flood Authority and the Foss Internal Drainage Board have raised objections to the proposals, citing that the soakaway testing carried out is not extensive for a development of this size, and which has not been witnessed along with no evidence presented of existing connections to impermeable and permeable areas. Whilst these objections are acknowledged, these issues are not insurmountable nor would they represent an objection in principle. It is considered that a drainage strategy could be designed for this greenfield site via reserved matters and conditions.

### **Ecology**

5.38 The NPPF (para 174 d)) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

5.39 Above in the report, there has been assessment of how the proposed development would protect and mitigate ecological assets and increase biodiversity throughout the development and particularly within the green wedge area to the west and the new public open space to the east. However, in terms of assessing the ecological and biodiversity impacts of the development, it is important to note that

consideration has been given to Biodiversity Net Gain (BNG), required by in line with NPPF paragraph 180 d). There is a site wide biodiversity net gain proposed by the applicant, and supported by the Council's Ecologist. Each reserved matter application shall demonstrate how the development will achieve BNG in accordance with the site-wide BNG.

5.40 In terms of specific protected species, the ecological surveys supporting the development are well considered and provide an appropriate level of detail.

### **Design and Layout of the site**

5.41 There is general conformity that the indicative masterplan layout is logical, retaining a number of natural features including hedgerows and trees in a planned green corridor. The applicant supports the principles of a garden village concept, which is considered suitable for this suburban village development. The density and height of the proposals are acceptable with detail established though the reserved matters stage.

5.42 There are a number of areas of concerns however, particularly the lack of integration of playing areas within the residential areas in order to benefit from natural surveillance and the loss of the green corridor to demonstrate the former railway line, from the south western corner of the site. The continuation of this could help to provide a link to the historical past of the site, as well as providing a pedestrian/cycle link to the country park to the east, further enhanced if connected to the crossing points of the Monks Cross Link road.

### **Residential amenity**

5.43 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. It goes on to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

5.44 The proposed houses would be a mix of 2 and 2.5-3 storey, the higher dwellings within the site along the tree lined boulevard (spine road), with a small pocket in the north eastern corner of the site. The illustrative masterplan is indicative at this stage, however the position of new dwellings adjacent to site boundaries would maintain adequate levels of amenity for neighbouring residents.

- to the west, properties on North Moor are over 170m away, open fields form a buffer
- to the west, Keith Avenue, Lea Court, Woodlands Way will be sited adjacent to the green wedge in the form of playing fields and amenity space. This area is also indicated to contain the school and self-build areas, and would be positioned over 50m away from existing houses.

- to the north, there is a curtilage area surrounding Top Show, and proposed houses could be orientated to avoid overshadowing and overlooking.

5.46 A noise assessment outlines that dominant noise sources is from road traffic, with some occasional noise from the commercial and industrial units along Monk Cross Drive and the Portakabin site. It is also acknowledged that a building within the Portakabin site provides space for band practice during the evening over several evenings a week with some occasional weekend practice. There is concern that there has been additional development around the Monks Cross area that may have substantial increased both traffic and commercial noise in the area, and the noise report may not be representative of current noise conditions in the area.

5.47 The noise report concludes that the site is suitable for residential occupation and measures such as construction mitigation (glazing, dwelling orientation), layout and orientation of dwellings and other measures such as the use of bund boundary treatment and other boundary treatments can be secured through reserved matters and conditions. Internal noise levels within habitable areas of dwellings as well as external area will achieve complaint noise levels.

### **Air quality**

5.48 It is set out in paragraph 186 of the NPPF that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.

5.49 A sustainable travel plan can be secured by legal agreement which will provide reasonable and proportionate mitigation in respect to overall damage costs arising from emission impacts associated with the development of the site and provided by pollutant, source and location. Further mitigation shall be in the form of electric vehicle recharging points and conditions can secure appropriate infrastructure and facilities to incorporate charging facilities across the site including residential properties and community facilities.

### **Archaeology**

5.50 The desk based assessment and geophysical survey confirmed the possibility of surviving prehistoric and Romano-British archaeology and other archaeological features may exist across the site. Further intrusive investigation will need to be undertaken prior to any other ground disturbing works through an evaluation, which can be conditioned.

## **Sustainable Design and Construction**

5.51 The Council's emerging 2018 Draft Plan policies CC1, CC2 and CC3 seek to tackle the challenges of climate change through ensuring development generates renewable/low carbon energy, uses natural resources prudently and is built to high standards of sustainable design and construction. The following would be required through condition:

- At least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013)
- A (maximum) water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations)
- New buildings to achieve a reasonable reduction in carbon emissions of at least 28%
- New non-residential buildings should achieve BREEAM 'Excellent' (or equivalent)
- BREEAM Communities assessment (or equivalent)
- demonstrate that heating and cooling technologies have been selected in accordance with the heating and cooling hierarchy, unless such requirements are not viable and/or that an alternative approach would be more sustainable

## **Land contamination**

5.52 Investigations within the site identified that no contamination was detected across the majority of the site and therefore only remedial works were required to make the site safe and suitable for residential use. Further investigation work to commercial areas and the farmyard area is required to areas where access was unavailable and to characterise the extent of possible contamination.

## **Education**

5.53 In terms of education the preference is for the provision of a primary and nursery school on site including contributions for secondary education and special educational needs. This can be secured via the s106 agreement

## **Open space**

5.54 The 2018 Draft Plan Policy GI6 relates to new open space in conjunction with development proposals and a new area of open space has been identified in connection with this strategic site (ST8); OS8 (new parkland) and will complement further on-site provision which is the area of green wedge providing playing fields and amenity space to the west of the site. It is recommended that these areas are secured under the section 106 with long term management plans in place for circa 30years.



## **Gypsy and Traveller provision**

5.55 Policy H5 of the emerging local plan requires strategic sites to deliver a number of pitches proportion to the number of dwellings to be provided; in this case 3 pitches should be provided. This policy also allows a choice of how to deliver the requisite number of pitches, in line with the NPPF, including on-site, on alternative land consistent with part C of the policy or via a commuted sum payment to contribute towards the development of pitches elsewhere. The required contribution, based on the provision of 3 pitches is £450,000.

## **Whether there are very special circumstances**

5.56 The site is within the general extent of the Green Belt. The development proposed is classed as inappropriate in the Green Belt (in NPPF paragraph 149). The NPPF establishes inappropriate development should not be permitted unless very special circumstances exist. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

### **i Housing Land Supply**

5.56 For decision making, it is accepted that the Council cannot currently demonstrate a NPPF compliant five year supply of deliverable sites on land that is outside of the general extent of York's Green Belt. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. The presumption applies a 'tilted balance' to cases where housing supply policies are out of date. However, the presumption does not apply if the proposal conflicts with restrictive Green Belt policies (NPPF paragraph 11 footnote 7). The provision of housing at a site that the Council supports through the Local Plan process is considered to be a substantial benefit of the scheme.

### **ii Affordable Housing Delivery**

5.57 The housing market in York is not currently delivering the quantity or quality of homes the city needs. The submitted 2018 Draft Plan and subsequent evidence updates (Housing Needs Update January 2019 and Affordable Housing Note) contains a housing figure for York that includes affordability adjustments as well as making a significant contribution to affordable housing needs. Affordable housing provision at this site is included within these calculations. The 30% affordable housing at this site is considered to be a substantial benefit of the scheme.

### **iii Delivery of a Planned Garden Village**

5.58 The emerging 2018 Draft Plan, which has been submitted for examination identifies the site for housing. There is a comprehensive evidence base behind the proposed site allocation which consider deliverability (site which are available, suitable and viable) and an assessment as to whether the development of such sites would be broadly NPPF compliant. Given the advanced stage of the emerging Local Plan, aside from the issue of Green Belt the site is considered to be acceptable for residential development in principle. Given the scale of housing development proposed, subject to the concerns noted above being addressed, the development incorporates a range of facilities that are for the public benefit, to meet the needs of future and existing residents. This includes community facilities, a small convenience store and a new primary school. Alongside this, a large area of new public open space is proposed. Subject to their satisfactory resolution, the proposals have the potential to maximise sustainable access such as pedestrian/cycle linkages in and out of the site and to the existing facilities at Monks Cross. The delivery of these elements will promote sustainable patterns of development which carries significant weight in the case for very special circumstances at this site.

5.59 This site has been identified in the site selection process as a sustainable location for development, to meet development needs which cannot be accommodated in the identified urban areas. It is considered that the proposed allocation allows the city to preserve its compactness and to protect the rural setting of the city. Furthermore, this site offers access to services and facilities within 800m Monks Cross to the South and Huntington to the west. In strengthening a clear and defensible boundary, the development has been stepped back from Huntington with a new green wedge to the west of the site to safeguard the setting and distinct identity of Huntington. This single boundary acts as a defined and recognisable urban edge which will be permanent in the long term.

5.60 It is considered that collectively, the provision of housing and affordable housing, alongside the delivery of key infrastructure at this proposed local plan housing site carry sufficient weight to demonstrate very special circumstances. It is considered that, even when substantial weight is attached to the harm to the Green Belt, cumulatively there are very special circumstances which, subject to the satisfactory resolution of the outstanding transport, highway and access issues outlined in paragraphs 3.25, 5.26-5.27, 5.29-5.31, would clearly outweigh the harm to the Green Belt and any other harm as a result of the development which is currently within the general extent of the Green Belt.

### **Whether prematurity is grounds to refuse the application**

5.61 Paragraph 49 of the NPPF states that "in the context of the Framework - and in particular the presumption in favour of sustainable development - arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area".

5.62 Paragraph 50 of the NPPF states: "Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process".

5.63 It is considered that to grant planning permission for this scheme would not undermine the plan-making process because the Council's assessment of the Green Belt to inform the emerging 2018 Draft Plan (as detailed within Topic Paper 1: Approach to defining the Green Belt Addendum 2021) concluded that the open land to the north and east in this location has potential for development as a strategic housing site to help meet the overall needs of the city, in line with the spatial strategy and the inner boundary of the Green Belt will therefore be re-defined.

5.64 Whilst it is a larger housing site (providing circa 968 dwellings), and to be delivered over 1 – 16 years of the plan, it equates to about 7% of the total number of housings to be provided across the plan period. Therefore, there are no clear grounds (as is required by the NPPF) to refuse this particular application on the basis that it would prejudice the plan-making process.

## **Planning Obligations**

5.65 The draft S106 heads of terms for the proposed development include:

- Affordable Housing (30% of dwellings)
- Education
  - education contribution and transfer of land on site for Primary School
- Transport and Highways
  - extension to Bus Service 12 (funded for a minimum of 5 years)
  - car club membership
  - bus passes/cycle equipment
  - Sustainable Transport travel Plan and cost of implementation
  - improvements to pedestrian/cycle connections to existing cycle routes on the Monk Cross estate and North Lane (and onto North Moor Road)
- Public Open space (long term management and strategy for country park and playing pitches)

- Waste collection (additional vehicles and bins for dwellings)
- Ambulance 'spoke facility'
- Gypsy and Travellers – commuted sum of £450,000 (based on the provision of 3 pitches)

## **6.0 CONCLUSION**

6.1 The proposed development is located within the general extent of the Green Belt; however the emerging Local Plan strategy sets out that the land has been allocated for development as a strategic housing site to help meet the overall needs of the city. The 2018 Draft Plan and its evidence base regarding the proposed Green Belt boundaries and housing need are advanced and in the process of examination. York does not have a 5 year housing land supply and therefore the proposed housing is a benefit that carries significant weight in decision making. It is considered the lack of a 5 year housing land supply, along with the delivery of affordable housing and delivery of key infrastructure, would, subject to the satisfactory resolution of transport, highway and access issues, clearly outweigh the totality of identified harm and very special circumstances would exist in this case. Further, there is considered to be no case for refusing the scheme on prematurity grounds.

6.2 The impact of the proposed development on the wider highway network are yet to be fully determined, following initially proposed pedestrian and cycle links in and out of the site via Garth Road and Alpha Court, to the west and south being removed from application, the trip rates adjusted to take account of improved bus provision and walking and cycling rates, are not now considered to be representative of the likely trip rates for the proposed development site. There is also a reliance on committed highway schemes (A1237 Ring Road/Strensall Junction 1, A1237/North Lane/Monks Cross Link Junction 2) to be delivered by City of York Council, however whilst these schemes are progressing, there remains a risk that the junction improvements may not be delivered, or they may take longer than anticipated. The transport assessment has not assessed the impact of the proposed development on the existing A1237 junctions. As such, currently the proposed development does not accord with NPPF policy regarding promoting sustainable transport, in particular paragraphs 110, 111 and 112.

## **7.0 RECOMMENDATION:**

1. That Committee endorse the conclusions of the report and that subject to the satisfactory resolution of the issues identified in 6.2 they will be presented to the Planning Inspectorate as part of the Council's Statement of Case at the forthcoming appeal.

2. That delegated authority is given to the Chief Planner, having regard to the heads of terms set out in this report, addendums and/or Planning Committee minutes, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to meet the requirement of the Planning Inspector.

**Contact details:**

**Case Officer:** Lindsay Jenkins

**Tel No:** 01904 554575

**APPEAL BY REDROW HOMES (YORKSHIRE) LTD**

**RELATING TO LAND WEST OF THE A1237 & SOUTH OF NORTH LANE  
HUNTINGTON YORK**

**CLOSING SUBMISSIONS ON BEHALF OF THE LPA**

1. As stated in opening, this is an important site to meet the housing needs of York. It is an allocated strategic site in the emerging local plan and it has been proposed for residential development since 2011. The Council wants this site to come forward and for much needed homes to be delivered.
  
2. The issue, because by the start of the inquiry it was a single issue, between the Council and the Appellant relates to ensuring that the proposal maximises its sustainability credentials and prioritises cyclists and pedestrians, in accordance with national and emerging local policy.
  
3. At the exchange of proofs of evidence there was another area of dispute relating to education. Through detailed negotiation, that issue was resolved and addressed through the section 106. That obligation provides as follows:
  - 3.1. A payment of £909,306 towards off-site first early years/nursery provision.

- 3.2. A payment of up to £5,120,696 towards the expansion and/or reconfiguration of secondary school infrastructure to provide additional places and support additional pupils at Huntington School and/or Joseph Rowntree School , payable in 3 instalments.
- 3.3. A payment of up to £823,944 towards the provision of 11 places for additional special educational needs and disabilities (SEND) education provision.
- 3.4. A payment of up to £180,000 towards the costs of transport for those with special educational needs and disabilities (SEND) to and from home to educational facilities.
- 3.5. A Primary School Construction Payment of £8,000,000.00 towards the costs of the construction of a 1.5 Form Entry primary school with adjoining Early Years facility and the transfer of land for the school to be constructed on site.
4. The s.106 also makes provision for a plan B for the off-site expansion of primary education facilities and the delivery of a second early years/nursery facility on the site. There is a presumption in favour of plan A (§3.5, above) with plan B only being engaged after a review and based on “Compelling Factors”, meaning non-planning practical factors of significant weight including the non-viability of any 1.5 form entry primary school and adjoining early years facility on the school land.
5. Turning then to the one area of disagreement – whether or not it is necessary to provide pedestrian and cycle links between the site and Garth Road; and between the site and Alpha Court. Those links are shown on the illustrative masterplan submitted with the application (CD1.04).

6. Garth Road provides a direct route from the heart of the site, passed the proposed public open space out onto the existing Garth Road. It runs along Garth Road with the rear gardens of the properties on Keith Avenue to the left and the pony paddock to the right for a distance of around 140m. Then the route has residential properties on both sides, before passing Huntington Primary School and the doctors<sup>1</sup>. It will provide a direct, mainly traffic free route to Huntington Village, including the shops, post office, pharmacy, GP surgery, library and primary school, as well as direct access to the existing walking and cycling routes serving the two local secondary schools (Huntington and Joseph Rowntree schools). Without the link through Garth Road, all residents of the proposed site will need to travel through North Lane or Woodland Way.
  
7. Alpha Court departs from the southern boundary of the site. It will provide a direct, mainly traffic free route between the site and the large employment, shopping and leisure opportunities at Monks Cross and Vangarde. Without the link through Alpha Court, all residents of the proposed site will need to travel to the eastern boundary of the site and thereafter use the proposed shared cycle and pedestrian route alongside Monk Cross Link.
  
8. The test the Inspector and Secretary of State must apply is whether these links are necessary. It was agreed in cross examination of Mr Owen<sup>2</sup> that the approach to that test requires necessity to be considered in the context of national and local policy, and to be informed by the terms of relevant guidance.

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<sup>1</sup> The routes to some of the nearby facilities and services are set out in Mr Owen's Appendix K – CD2.09.04, figure 9.

<sup>2</sup> Mr Johnson was asked in examination in chief if he departed from the evidence of Mr Owen on policy and said that he did not. Therefore, he is taken to have also agreed with these propositions.



9. Relevant national policy is set out in chapter 9 of the Framework. The Inspector's attention was drawn to paragraphs 104I, 105, 106(d) and 112. From those policies:
- 9.1. The promotion of walking, cycling and public transport is a primary aim of sustainable transport policy (NPPF §104I).
  - 9.2. Choice of transport modes is key, and sustainable solutions should be maximised (NPPF §105). Whilst the framework does recognise a difference in opportunities to promote sustainable travel between urban and rural areas, it is agreed<sup>3</sup> that the site is in a suburban location. Indeed, it is clear from the number of bus stops and number of services available within walking distance of the site, that the site should be considered, for the purposes of this policy, to be an urban location.
  - 9.3. Sites should provide attractive and well-designed walking and cycling networks (NPPF §106(d)). Attractiveness, as I will discuss in due course, is a matter which can be appreciated on site. But there is a marked difference for walkers and cyclists between the attractiveness of cycling and walking down busy roads (Monks Cross Link) versus illuminated shared spaces passing through the public open space provided by this scheme.
  - 9.4. When it comes to policies specific to the determination of applications, the very clear direction from national policy is to prioritise pedestrian and cycle movements within the site and neighbouring areas (NPPF §112(a)).
  - 9.5. Finally, sites must maximise the catchment for bus services (NPPF 112(a)).

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<sup>3</sup>

Mr Johnson XX

10. It is abundantly clear from national policy that development must maximise opportunities for sustainable travel, not do the minimum. It must prioritise sustainable travel, that means putting sustainable travel first rather than the car. Maximising the catchment area for buses means giving the greatest opportunity for users to reach as many services as they can.
  
11. In terms of local policy, the Council's emerging plan is still at a relatively early stage. Examination hearings are due to recommence next month. It is well known that the work leading up to the examination has taken some time. In terms of the work on policy SS10 and the allocation of this site, much of the work has been undertaken in close consultation with the Appellant. This is because both parties are working towards bringing this site forward for development.
  
12. Policy SS10<sup>4</sup> paragraphs (x) to (xiii) require the following:
  - 12.1. Enhanced safe and integrated pedestrian and cycle routes to maximise the sustainable location.
  
  - 12.2. Strategic connections in addition to existing road infrastructure for pedestrians and cyclists. The emerging policy may not name Garth Road and Alpha Court, but they are the only options for additional connections along with Woodland Way that aren't the existing road infrastructure. The access points on North Lane and Monks Cross Link are onto that existing highway.

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<sup>4</sup> CD 4.17.01

- 12.3. Maximise pedestrian and cycle integration, connection and accessibility into and out of the site and connectivity to the city and surrounding areas creating well connected internal streets and walkable neighbourhoods.
13. There is nothing between the parties that limited weight should be applied to the emerging plan. However, as Mr Johnson recognises in his proof<sup>5</sup>, the allocation policy does weigh in favour of the proposal. It is a sign of the joint work undertaken and the suitability of this site.
14. Mr Johnson in XC did say that there were outstanding objections to this policy and he is correct. However, none of the objections, including those from Mr Johnson's client relate to the provisions to maximise sustainable transport opportunities<sup>6</sup>. If anything, they are objections that the sustainable transport requirements don't go far enough.
15. The emerging policy and the allocation of the scheme can only be given limited positive weight in accordance with NPPF §48. However, that the policy was developed alongside the application and with the intention of bringing the scheme forward; and, that there are no objections to the sustainable transport requirements of that policy, including from the Appellant, demonstrates the importance given by both parties to the requirement to ensure that this site takes all available opportunities to maximise and prioritise sustainable transport. Key to this, on the Council's case, is the provision of the links through Garth Road and Alpha Court.
16. The guidance on what amounts to walkable neighbourhoods and cycling friendly infrastructure all support the provision of these additional links. Both Ms Vergereau<sup>7</sup> and Mr Owen<sup>8</sup> refer to the same guidance and pedestrian accessibility. From those documents

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<sup>5</sup> CD 2.08, paras 4.35 – 4.38

<sup>6</sup> CD 2.05.01

<sup>7</sup> CD 2.12 para 3.24 – 3.27

<sup>8</sup> CD 2.09.00 para 4.2.1 – 4.2.6

a broad consensus emerges of a “comfortable” walking distance for a walkable neighbourhood of 800m<sup>9</sup>. Then a general propensity to walk for journeys up to 1.6km<sup>10</sup> to 2km. What can be seen from figure 1 in the Planning for Walking document<sup>11</sup> is that walking has 80% of the modal split for journeys shorter than 1 mile (1.6km), it drops rapidly to around 25% modal share for walking at 1 to 2 miles, less than 10% at 2 to 5 miles and less than 5% at 5 to 10 miles.

17. If schemes are to prioritise pedestrians, then shortening walking distance where possible is the requirement of national and local policy.
18. Mr Owen provides at table 4.5 his calculation of the effect on walking distances if Garth Road and Alpha Court are provided. The table is then translated into the plans at his appendix P, figure 14 and 15. As Mr Owen accepted in XX, this table and figures are a starting point for the Inspector’s assessment, they are not the end. They demonstrate the walking distance from the centroid of the northern and southern halves of the site. No criticism is made that a more granular assessment was not done, but the limitations of this approach must be understood.
19. The site is 59.5ha in size. The are of it to the West of Monks Cross Link Road will include, when built out up to 970 houses and significant areas of land for public open space between the southern half and the development in Huntington. It is an enormous site. Those who live in the centre of the area to be developed for housing (the south of the northern half, and the north of the southern half) will have direct access along to the Garth Road link. This is not shown on the table or the plans. This will shorten distances to the services in Huntington for those residents. Similarly, for those residents to the south, seeking to get to the shopping, employment and leisure facilities in Monks Cross, the link into Alpha court will provide a shorter and more direct link than walking north within the

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<sup>9</sup> Planning for Walking (CD 4.12); Manual for Streets (CD 4.04); National Design Guide (CD 4.03).

<sup>10</sup> Providing for Journeys on Foot (CD 4.08);

<sup>11</sup> CD 4.12

site to the southern access, then south down the busy road and into the shopping park. Essentially, the plan tells the decision maker the distance from those two points in the site. For the 970 houses and the thousands of people that live within the site, the plan and table tell the decision maker nothing. That requires judgement, as agreed with Mr Owen, and the Inspector must make this decision on the basis of the whole site, and not just two points within 59.5ha.

20. In addition, the routes within the site on Mr Owen's Ax K figs 14 and 15 are based upon the indicative layout. The model then only has the pedestrian using routes by the site roads. Part of good placemaking would require additional pedestrian routes that would shorten distances to the access points to Alpha Court and Garth Road to encourage people further.
21. Of course, as the agreed guidance states, it is not just about distance. It is also about the safety and attractiveness of the route for both pedestrians and cyclists<sup>12</sup> - called the 5Cs in the Planning for Walking document – connected, convivial, conspicuous, comfortable, convenient.
22. Those seeking to access the services in North Moor Road from within the site would have the choice between walking alongside the road on North Lane, or through the public open space, passed the children's play space and residential area along Garth Road – certainly a more attractive route. A small point was made with Ms Vergereau in cross examination about the potential safety of the Garth Road route. It was agreed that there would be no safety risk along the part of the route within the site. The focus was on the 130m stretch of the walk passed the pony paddock with the residential area to the south. It is difficult to conceive of a safety risk along such a short stretch of route that has the benefit of residential development to one side and a clear and direct line of sight of the residential area – something expressly recommended in Manual for Streets<sup>13</sup>. These guidance

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<sup>12</sup> Cycle Infrastructure Design, Local Transport Note 1/20 (CD 4.12).

<sup>13</sup> CD 4.04, para 5.1.3 second bullet point.

documents must be read as a whole, and not just focus on a single bullet point as did the Appellant. There may, in certain circumstances, be a good justification for providing walking and cycling next to roads. But in other circumstances, keeping users away from traffic should be preferred. The guidance certainly does not give preference to one over the other.

23. Alpha Court link would similarly provide a more attractive route and for a large number of residents, a more direct route for pedestrians and cyclists, seeking to access the broad range of facilities in Monks Cross that would support the site. A preferable route to being alongside the traffic on Monks Cross Link.
24. Fundamentally, the question of the necessity of the Garth Road and Alpha Road links in national and local policy terms is about whether this large strategic site should provide the minimum, or whether it should maximise and prioritise the opportunities for cycling and pedestrian access.
25. It is not just for the delivery of national and local policy objectives that the site needs to provide these two other links, it is also so that the stated modal shift aims of the scheme can be achieved. The modal split for journeys to work within the area shows that in 2011, 9.2% of journeys were undertaken by bus, 14.4% by bike and 12.26% by foot. In order to agree the reduced trip rates necessary to show that the scheme was acceptable in highways terms, the mode shares were adjusted to 15% by bus, 15% by bike and 12.5% by foot. The reduction in car share was to go from 54.94% to 48.3%. This is a significant drop from established transport use patterns.
26. It must be stressed at this point that the census data covers only journeys to work. The reduced trip rates, and the modal splits on which they rely, were for all trips generated by the scheme. Not just work trips. So this will include the trip to the shops in Monks Cross or the Post Office on North Moor Lane and reducing reliance on the car for those trips.

27. It is agreed that the provision of the bus service into the site will be the primary contributor to achieving the modal share aim for bus journeys. However, the secondary bus services as PTQC put it, for those services outside the site<sup>14</sup> will also have a role to play. They cannot be discounted on the assumption that the on site service on its own will achieve that significant increase in mode share for bus journeys. Therefore, providing the most direct and attractive links for the most possible residents through Garth Road and Alpha Court gives residents choice. They decrease the risk of that modal split not being achieved. The onsite bus service will share destinations with the off site existing services (e.g. the the city centre and railway station). However, off site buses will also cover areas not included on the onsite service<sup>15</sup>. The Garth Road and Alpha Court links provide the maximum number of residents with a direct walking route to a choice of buses to different destinations, or buses to the same destinations but at different times or that may be less busy.
28. There is also work to be done to get the mode share for walking and cycling up to the agreed levels for the reduced trip generation. Although the increase is less than for the bus split, it covers all trips and so will still be a significant number of actual trips. Again, the links provide more opportunity for residents to walk or cycle to the shops and services either in Huntington or Monks Cross. This will be needed to achieve that mode split.
29. Finally on the deliverability of both disputed links. A note on the legal and policy requirements for Grampian conditions is attached. These principles are agreed with the Appellant. The test is that such conditions can be included unless there is no prospect of the off site works being delivered. Both the Appellant and the Council agree that there is a reasonable prospect of both links being provided, whether this is by private sale or if necessary by CPO. With regard to Alpha Court, the owner of the land wrote to the Inspector confirming that he is willing to negotiate with the Appellant, and should it be necessary would not object to the CPO subject to a valuation being agreed. On Garth

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<sup>14</sup> CD 2.09.05

<sup>15</sup> CD 1.37 page 18 – 19.

Road, the Appellant is confident of reaching an agreement. There is no legal or policy barrier to including the necessary Grampian conditions to deliver the links if they are deemed necessary by the Secretary of State.

30. Drawing this all together, we know from Mr Owen's table 4.5 and his plans that if residents live on either of the centroids; and the scheme is built out as per the indicative layout; and they walk only on pavement next to estate roads or cycle only on the road; and they walk next to the busy Monks Cross Link or North Lane; then the walking distance to service along those circuitous routes would all be more than the 800m comfortable walk. but they would be less than 1.6km, except for the secondary school which would be over 2km away. This Mr Owen says, is "a satisfactory level of accessibility".
31. For the other 900 plus units that aren't on either of the centroids; or the residents who don't want to walk next to a busy road; or for those who want to take a more direct route past the green open space; for those people there would be no choice, they would have to take Mr Owen's satisfactory routes. For some the distances on those routes may be shorter, but less attractive than the unavailable routes through Garth Road or Alpha Court.
32. For others in the centre of the site, the satisfactory routes would almost certainly be longer, and still less attractive than Garth Road or Alpha Court. Making walkable neighbourhoods and good placemaking must be about giving residents the best opportunity to walk or cycle rather than take the car. This means the greatest choice of routes for the largest number of people. Maximising and prioritising walking and cycling must be about providing the best available links, not just the satisfactory ones.

*Planning Balance*



33. The site is within the York Green Belt and so the Very Special Circumstances test in NPPF §148 must apply. The harm to the Green Belt and any other harm is agreed as being harm by virtue of inappropriateness, and harm to the openness and purposes of the Green Belt. The NPPF tells us that substantial weight must be given to these harms (NPPF §148).
  
34. In terms of the benefits of the site, there is broad agreement with the Appellant:
  - 34.1. Significant weight to market housing.
  
  - 34.2. Significant weight to affordable housing.
  
  - 34.3. Substantial weight to the provision of a strategically important site being supported by the Council through the local plan process.
  
  - 34.4. Moderate weight to the provision of the Country Park.
  
  - 34.5. Positive weight to the provision of the primary school considering that some pupils will be drawn from outside the site.
  
  - 34.6. Positive weight to the economic benefits.
  
35. When those benefits are weighed against the harms to the Green Belt and any other harms, it is the Council's very firm view, with the provision of Alpha Court and Garth Road links, that the benefits clearly outweigh the harms and very special circumstances exist. On that basis, the Council submits that the appeal should be allowed.

**PHILIP ROBSON**

Kings Chambers

Manchester – Leeds – Birmingham

28 January 2022

## Bellerby, Neil

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**From:** Mark Johnson <mark@johnsonmowat.co.uk>  
**Sent:** 28 April 2022 11:30  
**To:** Bellerby, Neil  
**Cc:** Mike Ashworth  
**Subject:** RE: Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8

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Hi Neil

Best guess below.

Site Address	Year									
	1	2	3	4	5	6	7	8	9	10
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	20230/31	2031/32
Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8	Outline approval mid 2022 Submission of first Reserved Matters September 2022	Approval of first Reserved Matters Spring 2023 Access start late 2023 30 dwellings completed by 31 March 2024	70 Assuming two outlets	100 assuming 3 outlets	100	100				
							100	100	100	100

**Notes / Further Information**

E.g: issues that influence delivery and lead in times to development; any problems or barriers taking forward the scheme.

None

**Are you happy for us to contact you in the future regarding housing delivery evidence base in York?** Please confirm your contact details if so.

Yes

**Mark Johnson**  
**Managing Director**

**Johnson Mowat**

Planning & Development Consultants

Coronet House, Queen Street, Leeds, LS1 2TW

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Johnson Mowat, Coronet House, Queen Street, Leeds, West Yorkshire LS1 2TW

Registered in England Nos: 11141366

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**From:** Bellerby, Neil <Neil.Bellerby@york.gov.uk>

**Sent:** 21 April 2022 17:58

**To:** Mark Johnson <mark@johnsonmowat.co.uk>

**Subject:** RE: Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8

Thank you Mark

Neil Bellerby | Strategic Planning Policy Officer (Land Use Monitoring)  
Forward Planning  
t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

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**From:** Mark Johnson <[mark@johnsonmowat.co.uk](mailto:mark@johnsonmowat.co.uk)>

**Sent:** 21 April 2022 17:56

**To:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>

**Subject:** RE: Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8

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Hi Neil

I am the right contact and will complete this as requested.

Regards

Mark

**Mark Johnson**  
**Managing Director**

**Johnson Mowat**  
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**From:** Bellerby, Neil <[Neil.Bellerby@york.gov.uk](mailto:Neil.Bellerby@york.gov.uk)>

**Sent:** 21 April 2022 17:05

**To:** Mark Johnson <[mark@johnsonmowat.co.uk](mailto:mark@johnsonmowat.co.uk)>

**Subject:** Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8

Hello Mark

I am currently in the process of contacting agents/applicants involved in residential sites with consent/applications for 10 or more homes in the City of York Local Authority area or sites with draft allocation for housing/communal establishments in the Local Plan to feed into our evidence base for the delivery of housing development over the next 5 years and beyond.

**If you are not the appropriate contact for this development site, I apologise. Should this be the case, I would be grateful if you could please forward to the appropriate person or inform me directly to enable me to forward this request to the correct person.**

As a Local Authority we are obliged to *'make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites..'* to be in line with National Planning Policy Framework 2021 (paragraph 73 (d)). This evidence informs our ongoing monitoring work and housing trajectory as well as assumptions used in our Strategic Housing Land Availability Assessment (SHLAA).

I understand that under the current circumstances housing delivery may have become more challenging. However, I should be grateful if you would insert your best estimate for housing delivery on this site and complete the table below in order that we can prepare a housing trajectory with the most up to date and realistic figures. **It would also be useful for you to provide us with any additional information you consider important for us to understand in the current delivery of this site or housing development in general across York.**

Please note that our monitoring years start on the 1<sup>st</sup> April and end on the 31<sup>st</sup> March of the following year

Site Address	Year
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	1	2	3	4	5	6	7	8	9	10
<b>Site To The West Of The A1237 And South Of North Lane Huntington. Application 18/00017/OUTM (awaiting appeal decision) for 970 homes. Allocation ST8</b>	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	20230/31	2031/32

**Notes / Further Information**

E.g: issues that influence delivery and lead in times to development; any problems or barriers taking forward the scheme.

**Are you happy for us to contact you in the future regarding housing delivery evidence base in York?** Please confirm your contact details if so.  
Yes / No

I should be grateful if you would return details to myself **by Wednesday 4<sup>th</sup> May 2022**. In the meantime should you need any clarification of this request or require any further details in order that you may complete the housing delivery table please do not hesitate to contact me.

Kind regards

Neil

Neil Bellerby | Strategic Planning Policy Officer (Land Use Monitoring)

Forward Planning

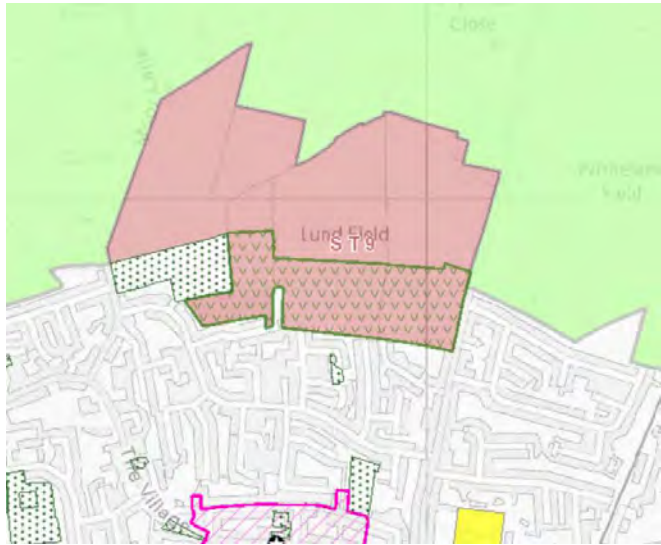
t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

**City of York Council** | Forward Planning

Directorate of Place | West Offices | Station Rise | York | YO1 6GA

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## LOCAL PLAN ALLOCATIONS

Allocation Reference	ST9		
Site Name/Address	Land to North of Haxby		
<p><b>Site Overview</b></p> <p>A large greenfield site and forms an urban extension to Haxby to the north of York.</p>			
<b>Site planning status @ 1 April 2022</b>	Emerging local plan allocation		
<b>Delivery Record (if appropriate)</b>	None		
<b>Capacity in May 2022 Trajectory</b>	735	<b>Site size (ha)</b>	35.0
<b>Delivery Projections</b>	(Yr 5) 2026/27 – 45 homes (Yr 6 – Yr12) – 2027/28 to 2033/34 – 90 dpa (Yr 13) – 2034/35 – 60 homes		
<b>Developer / Landowner</b>	Linden Homes, Barratt Homes and David Wilson Homes Yorkshire East Division		
<b>SoCG/Proforma submitted:</b>	No		
<b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b>	No		
<b>Site deemed deliverable?</b>	Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years		
<b>Assessment</b>			



**Application progress**

Technical work has been undertaken on the site to inform the initial masterplan:

- Landscape Appraisal;
- Flood Risk and Drainage Strategy;
- Arboricultural Report;
- Air Quality Appraisal;
- Archaeological Report and Geophysical Survey;
- Geo-environmental Appraisal;
- Sustainability Statement;
- Design and Access Statement;
- Transport Statement;
- Noise Impact Assessment;
- Ecological Appraisal;
- Great Crested Newt Survey;
- Breeding Bird Survey;
- Hedgerow Survey;
- Water Vole Survey;
- Bat Activity Survey; and
- Walkover Botanical Survey

In light of the site's greenbelt location, a planning application is being prepared as the Local Plan moves closer to adoption. Updates to some of the above work will be required. A Statement of Common Ground is being developed for phase 3 of the Local Plan examination.

**Viability / ownership / infrastructure**

Developers have options on the site and no infrastructure showstoppers have been identified.

**Justification for lead-in**

Lead in times assume adoption in 2023/24 and account for planning application process required. The lead in time corresponds with those indicated in response to the Regulation 19 consultation, which remains reasonable in current circumstances.

**Justification for build rates**

Build rates assume 3 outlets at a rate reaching 90dpa. This reflects information provided by developer, and the rate per outlet does not significantly deviate from the Council's standard rate. The site is within an attractive area with good links to existing facilities will be well located to access the new Haby rail station once its development is complete. There are no other sites allocated for residential development in the village and it is considered reasonable to assume the market will sustain this rate. National housebuilders are committed to the site and routinely deliver at these rates in the City and wider region.

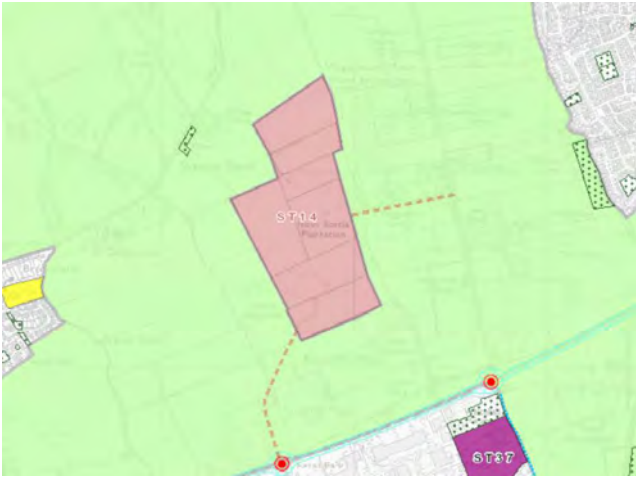


CLIENT: BARRATT HOMES & LINDEN HOMES  
 PROJECT: DRAFT ALLOCATION STB / HAXBY  
 DRAWING: INDICATIVE MASTERPLAN  
 DRAWING NUMBER: P14-4841 02  
 SCALE @ A2: 1:2500  
 DRAWN: LB  
 CHECKED: VS  
 DATE: 06.06.16  
 DATE: 08.09.16

**INDICATIVE MASTERPLAN**

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**LOCAL PLAN ALLOCATIONS**

Allocation Reference	ST14		
Site Name/Address	Land West of Wigginton Road		
<p><b>Site Overview</b></p> <p>This is a large greenfield site and will form a freestanding settlement to the north of Clifton Moor with access off the A1237 York Outer Ring Road and B1363 Wigginton Road.</p>			
<p><b>Site planning status @ 1 April 2022</b></p>	<p>Emerging allocation</p>		
<p><b>Delivery Record (if appropriate)</b></p>	<p>None</p>		
<p><b>Capacity in May 2022 Trajectory</b></p>	<p>1348</p>	<p><b>Site size (ha)</b></p>	<p>55.0</p>
<p><b>Delivery Projections</b></p>	<p>(Yr 4 – Yr 5) 2025/26 to 2026/27 – 50 dpa,                      (Yr 6 – 12) 2027/28 to 2033/34 – 160 dpa,                      (Yr 13) 2034/35 – 108 homes</p>		
<p><b>Developer / Landowner</b></p>	<p>TW Fields and Barratt Developments plc.</p>		
<p><b>SoCG/Proforma submitted:</b></p>	<p>Yes</p>		
<p><b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b></p>	<p>Yes</p>		
<p><b>Site deemed deliverable?</b></p>	<p>Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years</p>		
<p><b>Assessment</b></p>			
<p><b>Application progress</b>                      Technical work has been undertaken on the site to inform initial concept masterplan.</p> <p>In light of the site’s greenbelt location, a planning application is scheduled to be prepared as the Local Plan moves closer to adoption. Updates to technical work is required and is being commissioned.</p> <p><b>Viability / ownership / infrastructure</b>                      The land within the allocation is available as confirmed by email dated 27 April 2022 from the agent representing the land promoters.</p> <p>There is general agreement with the developer on infrastructure requirements and costs, which are set out in the Phase 2 Statement of Common Ground (SoCG).</p> <p><b>Justification for lead-in</b>                      Projections for this site agreed through SoCG in recognition of the work undertaken on and around the site to date, the work being commissioned to update technical investigations and the general readiness to advance a planning application.</p> <p>Period 1 – Pre-Submission of Planning Application:</p>			

- Finalise technical reports to support a hybrid planning application. Reports to be prepared based on the larger developer desired allocation boundary to ensure that the 'maximum' area/scenario is covered.
- Undertake 'pre-application' work with CYC as part of SoCG work associated with the Local Plan.
- Undertake community consultation work.
- Resolution of final allocation boundary as part of the Local Plan process is expected before end of 2022.
- Submit planning application prior to end of March 2023.

Total Period = 10 months (Monitoring Year Period 2022/2023)

Period 2 – Post-Submission Timescales:

- Local Plan adopted in 2023.
- Determination of the planning application (and signing of S106) expected to take up to 12months but this could be quicker based on site's allocation in the Local Plan & 'Pre-App' work undertaken as part of Local Plan SoCG work.
- Land negotiations expected to take place within the same period due to historical discussions that have taken place.

Total Period = 12 Months (Monitoring Year Period 2023/2024)

Period 3 – Post-Determination Timescales: -

- Discharge of Planning Conditions (6 months)
- CYC Construction of A1237 ORR access works to the site including roundabout & pedestrian/cycle underpass (6-18 months).
- Simultaneous construction of access roads (6-12months).
- Simultaneous construction of other required initial site delivery/infrastructure works for first phases including roads, sewers, and foundations served by temporary access road (6-12months)

Total Period = 18 Months (Monitoring Year Period 2024/2025 to 2025/2026)

Completion of First Phases of Homes in the monitoring year 2025/2026. Proposed Lead in Time of 3.5 years to 4-years. This is considered acceptable and aligns with the Council's standard timescale for a site without planning permission.

**Justification for build rates**

Rates agreed through discussion with the agent and confirmed in SoCG. Based on 4-5 selling outlets delivering 30% affordable homes across a mix of 1, 2, 3, 4 and 5 bedroom homes:

1. Barratt Homes – 40 Homes Per Annum
2. David Wilson Homes - 40 Homes Per Annum
3. Other National Housebuilder – 40 Homes Per Annum
4. Other National Housebuilder – 40 Homes Per Annum
5. Smaller/Sub-Regional Housebuilder as required by CYC policy – treated as an addition to the above due to the small number of homes from this 'sales outlet' in total.

Projections are higher per outlet than the Council's standard assumption, but the rates are considered achievable. The expectation that multiple outlets will be capable of delivering simultaneously is reasonable given the likely product variation across the housebuilders. The rates have therefore been applied

## Bartle, Laura

---

**From:** Paul Butler <paul.butler@pbplanning.co.uk>  
**Sent:** 06 May 2022 14:32  
**To:** Bartle, Laura; Dilmamode, Sara; Cartwright, Patrycja; Clow, Kirstin  
**Cc:** liam.tate@barratthomes.co.uk; zak.brotherston@barratthomes.co.uk; Stuart Natkus; Richard Wood  
**Subject:** ST14 - Housing Trajectory and SoCG  
**Attachments:** ST14 - Clifton Gate - Revised Housing Trajectory - 06.05.22.xlsx

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon All,

Same again, but for Site Ref. ST14 this time. Let me know if you have any questions.

Can you let me know progress on comments on the SoCG and please send through the full breakdown of the costs included for the site (and ST7) included in table A7 of the viability evidence?

### Lead-in-times: -

- Period 1 – Pre-Submission of Planning Application: -
  - Finalise technical reports to support a hybrid planning application. Reports to be prepared based on the larger developer desired allocation boundary to ensure that the 'maximum' area/scenario is covered.
  - Undertake 'pre-application' work with CYC as part of SoCG work associated with the Local Plan.
  - Undertake community consultation work.
  - Resolution of final allocation boundary as part of the Local Plan process is expected before end of 2022.
  - Submit planning application prior to end of March 2023.
  - **Total Period = 10 months (Monitoring Year Period 2022/2023)**
- Period 2 – Post-Submission Timescales: -
  - Local Plan adopted in 2023.
  - Determination of the planning application (and signing of S106) expected to take up to 12months but this could be quicker based on site's allocation in the Local Plan & 'Pre-App' work undertaken as part of Local Plan SoCG work.
  - Land negotiations expected to take place within the same period due to historical discussions that have taken place.
  - **Total Period = 12 Months (Monitoring Year Period 2023/2024)**
- Period 3 – Post-Determination Timescales: -
  - Discharge of Planning Conditions (6 months)
  - CYC Construction of A1237 ORR access works to the site including roundabout & pedestrian/cycle underpass (6-18 months).
  - Simultaneous construction of access roads (6-12months).
  - Simultaneous construction of other required initial site delivery/infrastructure works for first phases including roads, sewers, and foundations served by temporary access road (6-12months)
  - **Total Period = 18 Months (Monitoring Year Period 2024/2025 to 2025/2026)**
- Completion of First Phases of Homes in second 6-months of the monitoring year **2025/2026**
- Overall – **Proposed Lead in Time of 3.5 years to 4-years**

### Annual Delivery Rates: -

- Based on 4-5 selling outlets delivering 30% affordable homes across a mix of 1,2, 3, 4 & 5 bedroom homes:-
  1. Barratt Homes – 40 Homes Per Annum
  2. David Wilson Homes - 40 Homes Per Annum
  3. Other National Housebuilder – 40 Homes Per Annum
  4. Other National Housebuilder – 40 Homes Per Annum

5. Smaller/Sub-Regional Housebuilder as required by CYC policy – treated as an addition to the above due to the small number of homes from this 'sales outlet' in total.

**Paul Butler**  
**Director**




[www.pbplanning.co.uk](http://www.pbplanning.co.uk)

[paul.butler@pbplanning.co.uk](mailto:paul.butler@pbplanning.co.uk)

07970 506702  
PO Box 778, York, YO1 0LT

## LOCAL PLAN ALLOCATIONS

Allocation Reference		ST31	
Site Name/Address		Land at Tadcaster Road, Copmanthorpe	
<p><b>Site Overview</b></p> <p>This is a large greenfield site that will form a village extension to Copmanthorpe village situated to the south-west of York.</p>			
<b>Site planning status @ 1 April 2022</b>	Outline planning application (18/00680/OUTM) with all matters except means of access reserved for 160 homes, pending consideration.		
<b>Delivery Record (if appropriate)</b>	None		
<b>Capacity in May 2022 Trajectory</b>	158	<b>Site size (ha)</b>	8.10
<b>Delivery Projections</b>	(Yr 2 – Yr 5) 2023/24 to 2026/27 – 35 dpa (Yr 6) 2027/28 – 18 homes		
<b>Developer / Landowner</b>	Gladman Developments		
<b>SoCG/Proforma submitted:</b>	No		
<b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b>	No		
<b>Site deemed deliverable?</b>	Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years		
<b>Assessment</b>			
<p><b>Application progress</b></p> <p>The site falls within the general extent of the green belt and the timing of the applications' initial submission sought to align with the then Local Plan's progression to adoption. Without formal setting of the green belt boundaries, the application is technically required to demonstrate exceptional circumstances or be subject to SoS call-in if recommended for approval. Local Plan delays have, therefore, contributed to the protracted determination period.</p> <p>The application is supported by a suite of technical evidence:</p> <ul style="list-style-type: none"> <li>• Landscape and Visual Impact Assessment</li> <li>• Transport Assessment and Framework Travel Plan</li> </ul>			

- Ecological Impact Assessment
- Tree Survey & Arboricultural Impact Assessment
- Phase 1 Geo-Environmental Desk Study
- Flood Risk Assessment & Outline Surface Water Drainage Strategy
- Foul Drainage Analysis Report
- Air Quality Assessment
- Noise Assessment
- Archaeological Desk Based Assessment and Built Heritage Report
- Utilities Appraisal
- Statement of Community Involvement
- Socio-Economic Report

Information has been incrementally updated throughout the planning application and will form the basis of reserved matters applications.

**Viability / ownership / infrastructure (inc. education requirements where applicable)**

No ownership issues or significant constraints. Infrastructure requirements accommodated within application. Land promoter is experienced in bringing sites forward in the region.

**Justification for lead-in and build rates**

Lead in times assume reserved matters application expected to follow soon after plan adoption. Given work undertaken on the site and the likely scale of opening-up works, delivery commencing in 2023/2024 is reasonable.

CYCs standard delivery rate applied.





0 50 100 metres

**N**

- Site Boundary: 7.56ha
- Proposed residential area: 3.95ha  
Up to 158 dwellings @ 40 dph
- Proposed public open space to serve the new development. To include new landscaping, tree planting & new children's play area
- ✳ Potential children's and teenager's play area (NEAP)
- ➔ Proposed vehicle and pedestrian access point
- ➔ Potential emergency and pedestrian access point (if required)
- Proposed spine street through development
- Proposed secondary street
- Proposed private drives/lanes
- Pedestrian priority and key focal spaces
- Potential recreational footways
- ↔ Potential pedestrian/cycle access point
- Existing vegetation
- Potential sustainable drainage basin and swale (SuDS)
- Existing vehicular route
- Existing restricted byway
- ✳ Existing traffic calming measure
- Railway line
- ➔ Existing watercourses and waterbodies
- Proposed pump stations

L	26.05.22	RC	Amended to reflect discussions with LPA
K	24.03.22	RC	Amended to reflect Drainage Strategy

Rev	Date	By	Description
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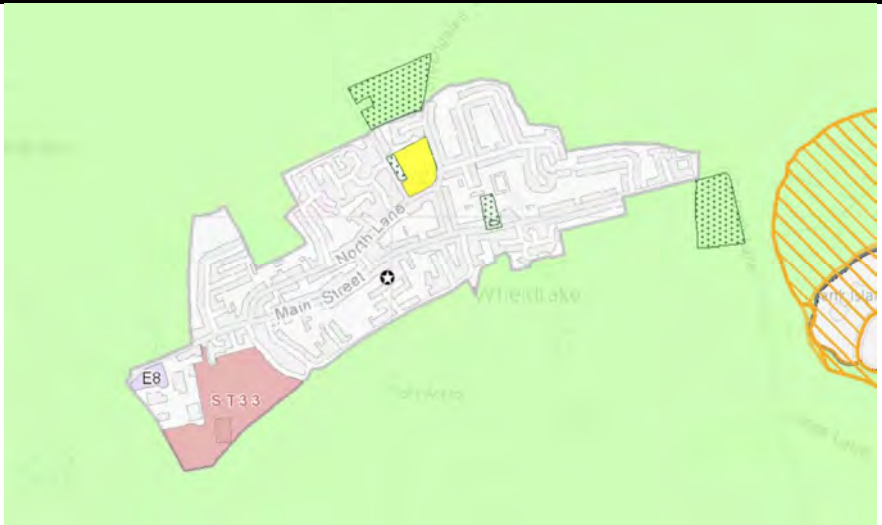
**CSA** environmental

Dixies Barns, High Street,  
Ashwell, Hertfordshire SG7 5NT

01462 743647  
ashwell@csaenvironmental.co.uk  
csaenvironmental.co.uk

Project	Land off Tadcaster Road, Copmanthorpe		
Title	Development Framework Plan		
Client	Gladman Developments Ltd		
Scale	1:2500 @ A3	Drawn	RC
Date	Jan 2018	Checked	CA
Drawing No.	CSA/3543/106	Rev	L

## LOCAL PLAN ALLOCATIONS

Allocation Reference	ST33		
Site Name/Address	Station Yard, Wheldrake		
<p><b>Site Overview</b></p> <p>This is a large greenfield site that will form a village extension to Wheldrake, situated to the south-east of York. It lies within the general extent of the green belt.</p>			
<p><b>Site planning status @ 1 April 2022</b></p>	<p>Emerging local plan allocation.</p> <p>Full planning application (21/02283/FULM) for 150 homes and associated infrastructure submitted in November 2021 – currently pending consideration</p>		
<p><b>Delivery Record (if appropriate)</b></p>	<p>None</p>		
<p><b>Capacity in May 2022 Trajectory</b></p>	<p>150</p>	<p><b>Site size (ha)</b></p>	<p>6.0</p>
<p><b>Delivery Projections</b></p>	<p>(Yr 2) 2023/24 – 7 homes            (Yr 3 – 5) 2024/25 to 2026/27 – 35 dpa            (Yr 6) 2027/28 – 38 homes</p>		
<p><b>Developer / Landowner</b></p>	<p>Barratt Homes</p>		
<p><b>SoCG/Proforma submitted:</b></p>	<p>Yes</p>		
<p><b>Have SoCG/Proforma projections been used for May 2022 trajectory?</b></p>	<p>Yes</p>		
<p><b>Site deemed deliverable?</b></p>	<p>Yes – clear evidence available to demonstrate there is a realistic prospect that housing will be delivered on the site within five years</p>		
<p><b>Assessment</b></p>			

**Application progress**

Application submitted in full and progressing positively. Some outstanding issues to resolve, but these are not insurmountable.

**Viability / ownership / infrastructure**

There are no ownership issues that constrain the development of the site, which is in a viable location.

Developer's commitment to delivery demonstrated through submission of a planning application to coincide with later stages of local plan examination. The application complies with the plan's infrastructure requirements for the site.

**Justification for lead-in**

Site is in the control of the developer and lead in time assumes no prolonged process for discharging conditions. Given the scope of information submitted to support the full application, pre-commencement conditions are not expected to be unduly onerous. Draft S.106 also submitted. Given SoS decision on H31 not to call the decision in, it is reasonable to assume the same will apply here. Delivery projections agreed with developer and applied.

**Justification for build rates**

Rate informed by correspondence with Barratt Homes. This is realistic and considered to be consistent with the Council's standard rate.

## Bellerby, Neil

---

**From:** Tate, Liam <liam.tate@barratthomes.co.uk>  
**Sent:** 22 April 2022 09:06  
**To:** Bellerby, Neil  
**Subject:** RE: \*EXTERNAL: Land To The East Of Millfield Industrial Estate Main Street Wheldrake. Application 21/02283/FULM (pending) for 150 homes. Allocation ST33

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Hi Neil,

Comments in red below.

Regards,

Liam Tate  
Planning Manager

Barratt Homes Yorkshire East Division  
& David Wilson Homes Yorkshire East Division  
(trading names of BDW Trading Ltd)

6 Alpha Court  
Monks Cross Drive  
York  
YO32 9WN

t: 01904 617660  
m: 07827 307093  
e: [liam.tate@barratthomes.co.uk](mailto:liam.tate@barratthomes.co.uk)





<https://www.justgiving.com/fundraising/SASHbdwyorkshireeast>

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**From:** Bellerby, Neil <Neil.Bellerby@york.gov.uk>

**Sent:** 21 April 2022 17:14

**To:** Tate, Liam <liam.tate@barratthomes.co.uk>

**Subject:** \*EXTERNAL: Land To The East Of Millfield Industrial Estate Main Street Wheldrake. Application 21/02283/FULM (pending) for 150 homes. Allocation ST33



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Hello Liam

I am currently in the process of contacting agents/applicants involved in residential sites with consent/applications for 10 or more homes in the City of York Local Authority area or sites with draft allocation for housing/communal establishments in the Local Plan to feed into our evidence base for the delivery of housing development over the next 5 years and beyond.

**If you are not the appropriate contact for this development site, I apologise. Should this be the case, I would be grateful if you could please forward to the appropriate person or inform me directly to enable me to forward this request to the correct person.**

As a Local Authority we are obliged to *'make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites..'* to be in line with National Planning Policy Framework 2021 (paragraph 73 (d)). This evidence informs our ongoing monitoring work and housing trajectory as well as assumptions used in our Strategic Housing Land Availability Assessment (SHLAA).

I understand that under the current circumstances housing delivery may have become more challenging. However, I should be grateful if you would insert your best estimate for housing delivery on this site and complete the table below in order that we can prepare a housing trajectory with the most up to date and realistic figures. **It would also be useful for you to provide us with any additional information you consider important for us to understand in the current delivery of this site or housing development in general across York.**

Please note that our monitoring years start on the 1<sup>st</sup> April and end on the 31<sup>st</sup> March of the following year

Site Address	Year									
	1	2	3	4	5	6	7	8	9	10
Land To The East Of Millfield Industrial Estate Main Street Wheldrake. Application 21/02283/FULM (pending) for 150 homes. Allocation ST33	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	20230/31	2031/32
		7	35	35	35	38				

**Notes / Further Information**

E.g: issues that influence delivery and lead in times to development; any problems or barriers taking forward the scheme.

**Are you happy for us to contact you in the future regarding housing delivery evidence base in York? Please confirm your contact details if so.**

**Yes / No**

I should be grateful if you would return details to myself **by Wednesday 4<sup>th</sup> May 2022**. In the meantime should you need any clarification of this request or require any further details in order that you may complete the housing delivery table please do not hesitate to contact me.

Kind regards

Neil

Neil Bellerby | Strategic Planning Policy Officer (Land Use Monitoring)

Forward Planning

t: 01904 552411 | e: [neil.bellerby@york.gov.uk](mailto:neil.bellerby@york.gov.uk)

**City of York Council** | Forward Planning