



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
2017-2033**

PHASE 3 HEARINGS

MATTER 7: LAND WEST OF ELVINGTON LANE

CITY OF YORK COUNCIL STATEMENT

Matter 7 - Land West of Elvington Lane

7.1 Is the allocation and associated Policy SS13 relating to ST15 soundly based?

- 7.1.1 Yes, the site's identification, assessment (including reasonable alternatives) and selection is reported in Annex 1 to the Strategic Housing Land Availability Assessment [SD049b]. The principal of a new stand-alone settlement in this location reinforces the settlement pattern of smaller settlements around York's main urban area and was identified as a potential allocation in the early phases of the plan's development. The need for the new settlement was identified and assessed at an early stage though as noted below, its precise boundary and location has changed.
- 7.1.2 The exact boundary of the site has evolved during the course of the Local Plan's preparation. The boundary as allocated in the reg. 19 draft was first put forward in the Preferred Sites Consultation July 2016 [SD020], amending the previous iterations of the boundary. The site boundary was amended to be set back from the A64 to the south to protect the historic character and setting of York. This followed discussions with Historic England. The allocation excluded land within flood zone 3a. Land within the SINC at Elvington Airfield was also included. This followed further ecological assessment work including analysis of the SINC sites [refer to CYC's response to question 7.3 below].
- 7.1.3 An alternative boundary was proposed by the developers which would have increased the site size and the number of dwellings that could be delivered but the boundary as proposed in SD020 was retained. This process and evolution of the boundary is clearly documented in Appendix K to the Sustainability Appraisal (SA) [CD009c].
- 7.1.4 The approximate capacity of the site has been calculated on the basis of the Council's archetype assumptions for new stand-alone settlements with a provision for 60% of the site as developable area at 35dph.
- 7.1.5 Discussions are ongoing with the site promoters and capacity work has been undertaken which demonstrates the site can deliver the allocation of 3,339 dwellings and required supporting infrastructure (local centre, primary schools) within the allocation boundary.
- 7.1.6 As set out in the Council's Housing Trajectory (EX/CYC/76 and supporting evidence at EX/CYC/76f] completions are expected to begin in 2027/2028 with a minimum of 600 new dwellings delivered by 2033 with a further 1820 homes up to 2038. The Council acknowledge the promoters' ambition to accelerate delivery beyond this and consider Policy SS13 to be sufficiently flexible to accommodate earlier and greater development than it has currently

forecast. The Council is confident that this site will deliver new dwellings during the Plan period.

- 7.1.7 Policy SS13 identifies 21 key principles that development is expected to adhere to. In the main, these are effective and justified. However, modifications are proposed to improve the policy's effectiveness, and these are provided in the **Phase 3** Proposed Modifications Schedule

7.2 Are the Green Belt boundaries reasonably derived?

7.2.1 Section 7 of EX/CYC/59 explains how, in accordance with the NPPF, the Council has taken into account the need to promote sustainable patterns of development, by channelling development towards urban areas, and towns and villages within the Green Belt and considered locations beyond the outer Green Belt boundary.

7.2.2 Site selection generally was based on sustainability principles that aligned with the spatial strategy. This is relevant to Green Belt policy as boundary setting needs to be carried out in a way that is consistent with the spatial strategy. Site selection and SA processes have had regard to the historic character and setting of York, the primary Green Belt purpose. More specifically SA objectives 14 and 15 have a strong correlation with Green Belt policy. Alongside the findings of the SA, a Heritage Impact Assessment (HIA) has informed the appraisal of the draft Local Plan and the appraisal of draft strategic sites. Thereby all proposed development within the Local Plan has been assessed against all principal characteristics identified by the Heritage Topic Paper (SD103).

7.2.3 A clear and defensible Green Belt boundary has been defined applying the boundary methodology set out in Section 8 of TP1 Green Belt Addendum (EX/CYC/59) and taking into account the principles of the Heritage Topic Paper and the Heritage Impact Assessment, as well as the findings of the SA. The boundary definition methodology applies to all aspects of boundary definition, including the identification of boundaries for new settlements. This methodology was considered as part of Matter 4 in Phase 2 of the hearings. The boundary has been defined in accordance with the Strategic Principles set out in TP1 (EX/CYC/59), in particular Strategic Principles 6, 7, 12 and 13 (p38-39):

- SP6 - The Heritage Topic Paper Principal Characteristics set the framework for assessing overall impact and harm on the historic character and setting of the city (and examining sprawl and encroachment).
- SP7 - The characteristics of York that are relevant to keeping land permanently open to protect the historic character and setting of the city and therefore relevant for setting the detailed boundaries of the York Green belt are: compactness, landmark monuments, and landscape and setting.
- SP12 - York Green Belt boundaries will be created that will not need to be altered at the end of the plan period (2033).
- SP13 - Detailed boundaries will be defined clearly, using physical features that are readily recognisable and likely to be permanent.

- 7.2.4 The Green Belt boundaries are described in Annex 5 of the Green Belt Addendum EX/CYC/59g at pA5:44 and A5:45. For ease of reference, a map showing the Green Belt boundaries is appended to this Statement in Appendix 1.
- 7.2.5 Boundary 1 to the north consists of the Minster way PRow (also called Baker Lane) which consists of a hedge/tree lined track and Grimston wood to the north east. Boundary 2 to the east consists of field boundaries. Boundary 3 to the south, south east and south west partly consists of the southern extent of the Elvington airfield runway however the south eastern and south western boundaries cut across the airfield and are not defined by any physical features on the ground. Boundary 4 to the west consists of field boundaries and Langwith Stray (a lane). With the exception of part of Boundary 3 (the south eastern and south western sections), all of the boundaries follow recognisable and permanent features.
- 7.2.6 It is recommended in the assessment that a new boundary would need to be created for Boundary 3 (particularly to the south-east and south-west) as part of the masterplanning of the site. There are no alternative boundaries which could be used for Boundary 3 given that the boundary applied seeks to mitigate the potential harm to the Green Belt by separating the site from the outer ring-road (A1237) to maintain the rural setting and to avoid the perception of sprawl.
- 7.2.7 The summary section on pA5:46 of Annex 5 of the Green Belt Addendum EX/CYC/59g explains how the potential harm to the Green Belt has been mitigated taking into account the findings of the Heritage Topic Paper and the Heritage Impact Assessment. The proposed boundary seeks to replicate the settlement pattern of York's freestanding villages. The proposed boundary is set back from the A64 to retain the setting of York as this is important to the perception of a historic city in a rural setting which is central to Purpose 4. Overall, a clear and defensible Green Belt boundary has been defined in accordance with the methodology. Given this, the proposed boundary is sound.
- 7.2.8 The area to the east of the site is proposed to be allocated for a secondary school if required. This proposed allocation is shown within the Phase 3 Proposed Modifications Schedule.
- 7.2.9 As acknowledged above, the south-eastern boundary of the site is not defined by any features on the ground and would need to be strengthened as part of the masterplanning of the site. Similarly, the boundary around the land allocated for a secondary school would not follow any defined features on the ground and a new defensible boundary would need to be created as part of the development of the secondary school. The playing field element of the school would be retained within the Green Belt to provide a consistent

approach with other schools which are located adjacent to the Green Belt boundary. If the secondary school is not required, the land will remain as part of the Green Belt and the boundary described above would apply.

7.3 Does the proposed allocation respond adequately to the presence of the SINC?

- 7.3.1 Yes. The Council acknowledges that Elvington SINC is a locally important site largely due to its population of ground-nesting birds, particularly skylark. As a habitat, it is largely neutral grassland in poor condition, although some areas of acidic grassland (Priority Habitat) and marshy grassland are present. An area of this SINC will be lost under plans to develop ST15 with the associated Eastern Access Road and Secondary School.
- 7.3.2 Ecological work has concluded that re-development of the site offers a significant opportunity to ensure that an integrated long term management strategy is funded and delivered to protect, expand, enhance and maintain SINC habitats and deliver much wider wildlife benefits.
- 7.3.3 To ensure the loss of part of the SINC is appropriately mitigated against, the Local Plan under Policy GI6 and on the policies map allocates an area of land 'OS10'. This allocation is for a 'New Area for Nature Conservation on land to the South of the A64' in association with ST15.
- 7.3.4 The Council acknowledges that it will be necessary to ensure that public access to this area is managed so as not to disturb the bird interest. To ensure appropriate access, the requirement to provide a detailed site wide recreation and access strategy as part of the planning application as well as a long-term management plan as part of the planning application is included within Policy SS13.
- 7.3.5 Modifications are proposed to SS13 to ensure that the delivery of OS10 is tied to the delivery of ST15, and the required mitigation must be delivered prior to commencement of development. These are shown in the Phase 3 Proposed Modifications Schedule.
- 7.3.6 Peak Ecology were commissioned by the Developers LDP to review ecological compensation and mitigation as well as BNG. The report is attached to the Statement of Common Ground with LDP.
- 7.3.7 The Peak Ecology reports summarise the ecological baseline, the impacts on the Elvington SINC, the impacts on the Statutory Designated Sites, and Biodiversity Net Gain. The reports generally conclude that that the retention of the western part of the SINC and habitat created within OS10, combined with an appropriate long-term management plan, will comfortably compensate for the loss of the SINC within ST15.
- 7.3.8 As work develops on master planning and detailed design, it is expected that ecological improvements will also be delivered within the site allocation

boundary. However, the ecological work to date has taken a worse case view and assumes the loss of all habitat within the ST15 allocation boundary.

- 7.3.9 It is considered that the SINC area allocated within ST15 can be suitably mitigated and improved by ecological environments provided via the allocation and delivery of OS10 as well as the retention and improvement of the western part of the SINC.

7.4 Is the allocation viable and deliverable given the infrastructure requirements, in particular?

- 7.4.1 Yes, the estimated costs of infrastructure have been estimated reasonably and robustly and were set out in the Infrastructure Delivery Plan presented to Phase 2 of the Enquiry. CYC is continuing to explore, working with the developer, Homes England and other agencies to support development on this site.
- 7.4.2 Both a York Local Plan Viability Assessment Update Study (April 2018) [CD018] and an Infrastructure Delivery Plan (May 2018) [SD128] were submitted to support the Local Plan.
- 7.4.3 The Viability Update Study built on previous work in the Local Plan and Community Infrastructure Levy Viability Assessment 2017 [SD127] and tested high level viability of the plans policies. The Infrastructure Delivery Plan provided infrastructure requirements and identified funding sources for key infrastructure.
- 7.4.4 In January 2022 (corrected March 2022) the Council submitted a further note 'Key Infrastructure Requirements – Updated Gantt Chart' [EX/CYC/70a respectively]. This provided an updated Gantt chart of key infrastructure requirements and anticipated timescales for delivery related to the growth anticipated in the Local Plan.
- 7.4.5 The Council's response to Phase 2 Matter 6 includes a Technical Note at Appendix 2 [HS/P2/M6/IR/1b(i)]. This provides an addendum to City of York Local Plan Viability Assessment Update Study (April 2018) [CD018] which illustrates the viability implications of the Local Plan under changes that have occurred since CD018 was published.
- 7.4.6 In re-testing the Local Plan, the approach, methodology and assumptions used in the viability appraisals were the same as those described and used in viability testing the Local Plan in CD018. Where assumptions differed, these were noted. The number of dwellings and assumed build out time was also updated to reflect the CYC's future housing trajectory as at March 2022. Paragraph 17 of this Technical Note sets out the key requirements for ST15 and how costs were applied. ST15 was shown as marginally viable when applying BCIS lower quartile average build cost rather than median costs as regional and national volume housebuilders can achieve economies of scale. The BCIS lower quartile average build cost is more appropriate for testing the viability of these sites.
- 7.4.7 In May 2022 the Council submitted a further 'Local Plan Infrastructure Delivery Strategy: Update Note for Phase 2 Local Plan Independent Examination' [EX/CYC/79] which used the viability data in HS/P2/M6/IR/1b(i) and discussions with relevant stakeholders and developers.

7.4.8 Work is ongoing with the Developer and National Highways (with respect to the new junction on the A64) to further test and refine both the infrastructure delivery and viability of the site.

7.4.9 It is considered that ST15 and OS10 have been tested and have been found to be both viable and deliverable.