

## York Labour Party (YLP) Phase 4 MIQ Response

### Matter 2 – University of York

Inspector's Question	Our response	References
2.1 What are the needs of the University of York?		
2.2 How many jobs are projected to be created by the University of York in the Plan period?		
2.3 Will that level of job creation have any consequent impact on the Plan's OAN for housing?		
2.4 Does the Plan properly provide for the needs of the University?	<p>No, it doesn't with regards to student housing, and its major knock on consequences for the local housing market, as we have identified in our previous submissions.</p> <p>We do welcome in principle the Council's proposed modifications to the student housing policy in response to York Labour Party's representations on this issue as provided in the Ex/CYC/107/3 document published last week. However, we note that at 2.5% OFSC per room (equivalent to 10% on a mid-range 4 bedroom cluster) the proposed rate lies well below the potential indicated in the appended Porter technical evidence (Table 6), which would easily justify a higher ask of 4% per bedroom (or 16% on a mid-range 4 bedroom cluster) given the continuing massive</p>	<p>SID/364, <a href="#">ex-hs-p2-m2-oahn-19-york-labour-party</a></p>

	<p>under provision of affordable housing in the plan. An equally important reason for using a higher rate for PBSA is to provide a differential over the off-site contribution rate for general housing so as to remove what would be a continuing incentive for developers to plump for PBSA over general housing. This will occur due to the continuing differential S106/CIL ask on general housing and PBSA sites (e.g. the fact that PBSA developments will not be subject to an educational facilities contribution), but also taking account of our representation that the revised policy H10 rate for offsite contributions should be set at 13%, not 10%, based on the viability information in Table 3 the Councils phase 3 Matter 1 written submission technical appendix 1 (again to up affordable housing delivery). We would ask the Inspectors to press the Council for these further changes (along with other changes to policy H10 and to the overall housing numbers) towards addressing the current unsoundness of the affordable housing provision in the proposed plan below.</p> <p>In terms of the Council's proposed amendments to policy H10 outlined in their latest affordable housing note (Ex/CYC/107/3), we are disappointed to see, notwithstanding the headline change statement in proposed policy SS1, that in reality only 35% of identified Affordable Housing (AH) is forecast to be delivered during the plan period, which we consider is completely unacceptable and means the plan remains unsound against the evidence base we have provided in our representations and previous written submissions regarding the scale of the housing crisis in York. As we have also pointed out, lack of sufficient AH in York will also have significant consequences for our economy, household formation and school numbers as we have seen from the 2021 census data showing &lt;16 year old numbers falling, younger people (&lt;29) falling apart from the student age group, with only the older age groups over 55 showing the expected demographic growth.</p> <p>Accepting only 35% of identified need being provided will present a significant risk to York as a growing, thriving and vibrant city.</p>	<p>HS/P3/M1/AHP/1a</p>
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We further note that the Council's consultant Porter have identified that even at a threshold of 50% across both brownfield and greenfield only leaves 3 sites not viable. It is therefore bizarre that the Council is only proposing that the existing 20% brownfield and 30% greenfield requirements for sites providing 15 dwellings or more is changed from a maximum to a minimum, but not upping the percentages expected, with only a proposal to negotiate a higher proportion of affordable housing above that minimum. Everyone knows just how difficult it is to negotiate improvements over the minimum policy requirements. Once sites are in the plan they will, with the NPF presumption in favour of sustainable development, inevitably get planning permission. That's why they are in there as they are deemed suitable for development, so there is no need for developers to engage in horse trading with the council in the hope that it would tip the balance between planner recommending approval refusal. They will deliver the amount of AH in the plan and not a house more, why would they?

The council argument that putting higher thresholds into H10 might stunt the rate of build out, using previous years rates of development is equally flawed. Sites, especially larger sites on greenfield land, haven't come forward yet because we are still going through the LP process, and those with recommended sites will have been hanging on for the certainty of an approved plan to bring their site to planning – and to avoid the risks and abortive costs of a refusal on grounds of prematurity. Some developers have, as we have seen, been arguing that the plan should make their sites bigger or additional include their sites. Once the plan is adopted we will almost certainly see a raft of applications of applications coming through almost immediately, as developers like Eamonn Keogh have been saying during the hearings.

A further concern and disadvantage with the Council's proposed amendments is the change to paragraph 5.61 to remove the need for site (development viability) assessments. Even if there were the staff resources and will to seek the affordable housing coverage against the odds on the 20/30% thresholds, removing the potential evidence base on which the Council's planning officers could seek to negotiate, will further undermine their ability to do this – the Council must be pressed to withdraw this amendment!!!

Concluding, it is essential the thresholds in policy H10 are upped to give certainty of delivery of a higher amount of affordable housing suggested by the new policy SS1. The evidence on viability would clearly allow a 45% figure to be used in policy H10 for both greenfield and brownfield sites of 15 units or more. Even if more flexibility was to be allowed, the figure should at least be 40% if policy H10 is to really reduce the massive affordable housing shortfall, and we ask the Inspector's to press the Council to agree this further change.

We also note that despite the Council saying they would look to provide a rather better amount of affordable housing they have not addressed the issue of also increasing the Housing requirement in the local plan as we have been arguing. We identified to the Inspector the massive unplanned expansion of the University of York's student numbers and the massive impact this has had on the housing market, and the driver of the changes in the plan approach to student housing and the PBSA above. The Inspector asked Mr. Merrett at the phase 2 hearing what overall provision he felt would satisfy the need. Mr Merrett referred the Inspectors to the figure in the Trades Council's submissions, which are similar to those York Labour party has made in its submissions too, and we would wish to press the Council and the Inspector's to also pursue that approach too to get the affordable housing provision up substantially further.

We would as back up to this, point to the impact of the particular way the Council has counted the PBSA in its housing delivery totals. Instead of counting the No of clusters in the PBSA developments as the housing units, they have counted each bedroom as one dwelling. This appears to fly in the normal definition of households and dwellings used by the Government: e.g. DLUHC Dwelling House Estimates Technical note, May 2022:

*“Dwelling*

*A dwelling is defined (in accordance with the Census definition) as a self-contained unit of accommodation. Self-containment is where all the rooms (including kitchen, bathroom, and toilet) in a household's accommodation are behind a single door which only that household can use. Non-self-contained household spaces at the same address should be included together as a single dwelling. Therefore, a dwelling can consist of one self-contained household space or two or more non-self-contained household spaces at the same address.”*

Or the Uses Class Order’s sub-classification of C (Residential)

- **C3 Dwellinghouses** - This class is formed of three parts
  - C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child
  - C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems
  - C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger
- **C4 Houses in multiple occupation** - Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

<https://www.gov.uk/guidance/housing-statistics-and-england-housing-survey-glossary>.

	<p>It is therefore absolutely clear the Council’s approach is completely inappropriate, and they should be using clusters as the dwelling unit definition. The Council’s consultant’s Technical Note usefully gives some definition to this:  <i>“These units normally include between 2 to 6 student ensuite rooms with a shared kitchen and a shared living area, or private studios, both with attached leisure facilities, including games rooms, cinema rooms, gyms and outside shared spaces and facilities. The number of student rooms in a Cluster can sometimes be many more, although this is exceptional.”</i></p> <p>This would also appear to be consistent with the adopted Oxford Local Plan approach.</p> <p>Referring back to our phase 2 matter 2 written submission, question 2.3 where we referred to this issue of the large proportion of student housing in the completions, the figures were 418 student housing units in the 4.5 years from 2016/7 to mid 2021/2. If these were evaluated at the nominal cluster mid-range value of 4 then that would only have represented 104.5 dwellings, so the shortfall in housing delivery would have been 313.5 units than actually indicated by the Council, or an additional shortfall of 70 units a year. If you add to this the further figure of houses lost from the local residential market to Airbnb &amp; Vbro type lettings that we identified (1,781 active Airbnb &amp; Vbro properties in the area of which 1,500 were entire home lettings), that would add a further 330 plus to the effective annual shortfall. Making up for these shortfalls even if the rate of loss is much less over the remaining plan period pretty much justifies our previous submissions (SID/364) in favour of uplifting the housing supply requirement in the plan to 1070 per annum on their own, and suggest if anything that even that figure is too low if we are to make further inroads into the affordable housing shortage.</p>	<p><a href="#">ex-hs-p2-m2-oahn-19-york-labour-party</a></p>
2.5 Are Policies ED1-ED3 effective as	We are generally supportive of these policies – our main concern is that the Council has been poor at keeping the University in adherence with the need to deliver additional on-site student accommodation, with consequential negative	

<p>an approach to the University of York?</p>	<p>effects on the local residential housing supply as we have outlined in previous submissions.</p> <p>The policies as regards student housing provision do however have a weakness in regard to the monitoring and control of student rent levels relative to local housing rents. The original intention to seek to provide on-site student accommodation in the existing current plan versions of the policies, which are broadly the same, has been undermined by the University substantially increasing student rents to levels above off site shared residential housing, incentivising students to seek off-site accommodation. We consider the policies should be strengthened to say on campus rent levels should generally not exceed comparative local shared student housing rents, and the comparative levels should be ascertained and recorded in the annual student accommodation survey that is required to be submitted to the Council by policy ED3, so this can be monitored.</p>	
<p>2.6 Is the 23% restriction on the developed footprint in Policy ED3 justified?</p>	<p>The parkland setting of the University is a key feature in its attractiveness and success, including to many residents from across the city who visit it to enjoy that aspect. Whilst it might be adjustable at the margins, it should not be increased significantly. The exception policy on heights of buildings on the existing west campus should allow some scope for accommodating the universities need for expansion. Additionally a number of its existing older college buildings, which we understand are well beyond their original design lives, are relatively low rise – well designed replacements could provide extra accommodation.</p>	
<p>2.7 Is Policy SS22 (ST27) soundly based?</p>	<p>We are generally supportive of this policy, though we consider that parking should also be restricted within the policy to be within the University parking total agreed for the combined campuses at the time the East campus permission was granted (and covered in policies ED2 &amp; ED3 to limit the impacts of the expansion on the adjacent highway network, and to contribute to the motorised traffic and carbon reductions we have commented on being required elsewhere. This should potentially allow the further release of existing car parking sites on the existing campuses for redevelopment for additional student and academic accommodation to assist in the pressures from the Universities on-going</p>	

	<p>expansion. Linked to this the existing protections for adjacent residential areas from university linked extraneous parking through the provision of permanently university funded Respark schemes also needs to be a required condition for the east campus extension to protect residential amenity and ability of local residents to park in their own streets..</p> <p>We would expect to see the 15% public transport mode share target increased accordingly. The policy should also require a core public transport route (as well as active travel ones) to be provided within the new campus as an extension to the one in the current East Campus, and to allow a potential run on to the dedicated public transport facility to site ST15 touched on in policy SS13 xvi).</p>	
<p>2.8 Will it be sufficient for the needs of the University of York?</p>	<p>We recognise that this remains an open question, and consider that the development of site ST15, preferably in its previous location as we have argued in early submissions, needs to be closely integrated with site ST27, and the appropriate direct high quality public transport and active travel links between the two sites provided as we have mentioned above in order to fully accommodate the universities longer term requirements.</p>	
<p>2.9 Is the 23% restriction on developed footprint in Policy SS2 justified?</p>	<p>As our comments on 2.8 above</p>	
<p>2.10 Is the approach of the Plan to the University of York justified in Green Belt terms (whether in terms of Green Belt boundaries, or 'washing over')?</p>		