

From: Mark Johnson [REDACTED]
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Attachments: CYC Main Mods March 23 TW ST7 response.docx

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Dear York Local Plan

Please find attached our response on behalf of Taylor Wimpey Homes, largely in respect of Policy SS9/Site ST7.

Please confirm receipt.

Regards

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YORKSHIRE RESIDENTIAL PROPERTY AWARDS 2021

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MAIN MODS RESPONSE



JohnsonMowat
Planning & Development Consultants

Examination of the City of York Local Plan

Phase 5 Main Modification Consultation

March 2023

CLIENT: TAYLOR WIMPEY

SITE ST7

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1.0 INTRODUCTION

2.0 RESPONSE TO MAIN MODS



1.0 INTRODUCTION

- 1.1 This response has been prepared on behalf of Taylor Wimpey in relation to their land interests at Strategic Site ST7, east of Metcalfe Lane, York, which is a proposed allocation in the Publication Draft Local Plan.
- 1.2 There are three parties with interests in proposed allocation ST7, who have in the past submitted individual and joint representations to the Local Plan as well as attended the Phase 1, 2 and 3 Hearings. The submissions to the June 2021 Updated Evidence consultation were presented as a consortium response with the following three companies represented.
- **Barratt David Wilson Homes (Barton Willmore)**
 - **Taylor Wimpey (Johnson Mowat)**
 - **TW Fields (PB Planning)**
- 1.3 The June 2021 updated Evidence response included input from SLR and Pegasus in relation to landscape and heritage considerations of the updated Green Belt TP1 Addendum evidence.
- 1.4 Whilst the ST7 developers support the principle of the ST7 allocation disagreement remains with the size of the proposed ST7 allocation as currently drafted. The primary objections remain as follows:
- The site access roads are too long and no doubt costly. Extending the limit of development in the allocation to reduce the access roads would improve deliverability.
 - The developers do not accept the land between the allocation and the edge of the main urban area needs to be Green Belt and collectively request the Council entertain a slightly expanded ST7 (expanded westwards) to marginally reduce the gap whilst maintaining a degree of separation.
 - Whilst the developers are prepared to support the Garden Village concept in its current shape and form, however the dwellings likely to be delivered are unlikely to be able to sustain the community facilities sought by the Council which then may undermine the principal of the Garden Village. In short, the allocation needs to be slightly larger.
- 1.5 Alternative development options have been presented to the Council for a new Garden Village of either 845 homes, 975 homes or 1,225 homes.



2.0 RESPONSE TO INSPECTOR'S QUESTIONS

MAIN MODS RESPONSE

MM2.1: Housing Target

2.1 Comment:

To reduce the annual housing requirement from 867 dwellings to 822 dwellings is short-sighted and fails to reflect the growing need for affordable housing in York which impacts on its economic ability to grow.

The Council need 9,396 affordable dwellings up to 2033 but expect this modified Plan to now deliver only 3,265 dwellings up to 2033. This affordable housing shortfall is significant and could be resolved by allocating additional housing sites. This Plan is clearly failing a key housing objective.

MM3.1: POLICY SS1

2.2 Comment:

In amending and updating the text on the Plan Period 2017/2033 with only limited land allocations from 2033 to 2038 the Plan fails to recognise the need for a Review well before 2033.

The bulk of delivery in this Plan relates only to the period 2033 which is no more than 10 years. The extended Green Belt period from 2033 to 2038 contains very few development sites. From the Council's updated trajectory, it is clear a Review of this adopted Plan will need to commence within 5 years of adoption. This modified text fails to recognise the fragility of the Plan in its latter phases. The revised Trajectory at MM5.4 does not extend beyond 2033.

We request MM3.1 be additionally modified to make reference to a Plan Review commencing no later than 2025.

In addition, we raise concern over the Council's use of the word 'prioritise' for Previously Developed Land (PDL) which suggests that this would be prioritised before greenfield development. This Plan contains a balance of brownfield and greenfield sites with all other land largely in the Green Belt. As such, emphasis on prioritise is not necessary.

MM3.3: KEY DIAGRAM

2.3 Comment:

We object to the continued use of Green Belt strips to the west of ST7 – this land does not fit well the 5 main purposes of Green Belt.

MM3.5: SS1 Housing Growth text

2.4 Comment:



The revised text informs the Council will monitor the delivery of affordable housing through its annual updates but then provides no information on what measures it will take in the scenario where targets are not met. This text should be expanded to include reference of a Plan Review at 5 years.

RESPONSE TO MAIN MODIFICATIONS MM3.18 TO MM3.25

We acknowledge that the amendments outlined within the proposed modifications MM3.18 to MM3.25 largely mirror the Council's proposed amendments to Policy SS9 which were discussed in detail at the Phase 3 Hearing Sessions and which the content of the agreed Statement of Comment Ground dated 25th July 2022 focused on. Since the conclusion of the examination in public hearing sessions last year the developers have entered into discussions in respect of commencing with the preparation of a planning application at the site. Accordingly, within this response we (on behalf of Taylor Wimpey) provide updated comments on each of the identified changes to the site-specific policy for the allocation.

Proposed Modification MM3.19 – Education Provision

2.5 Comment:

This modified text assumes no spare capacity in the Locality and should be amended to"which meets the needs generated by the development **and having regard to local capacity.**"

MM3.20: Policy SS9 (Site ST7) – Highway Improvements

2.6 Comment:

The Council's evidence base identifies the specific off-site highways works/impacts which are directly related to the delivery of Site ST7. Accordingly, any policy attached to the site allocation should therefore be site-specific, evidence based, and associated with ensuring that the development is only required to mitigate the direct impacts of the development.

At present the proposed policy modification references a number of site allocations, including Site ST15. Site ST15 is located a significant distance from the site and will have a far greater proportional impact on City's highway network than Site ST7. The inclusion of references to a number of housing allocations within the proposed policy modification therefore lacks clarity and is not consistent with the Council's evidence base for the site, and may lead to Site ST7 being required to deliver mitigation measures beyond its site-specific impact on the local highway network.

Taylor Wimpey would therefore wish to include the following amended criterion within the policy:

v. Demonstrate that all transport issues have been addressed, in consultation with the Council as necessary, to ensure sustainable transport provision at the site is achievable. ~~The impacts of the site individually and cumulatively with sites ST8, ST9, ST14 and ST15 should be addressed.~~



Proposed Modification MM3.21 and MM3.22– Vehicular Access

2.7 Comment:

With regard to the first element of the criterion, whilst the proposed modification is supported it remains key to the delivery of the allocation that the dashed routes shown on the proposal maps across the Green Belt are treated as entirely being indicative and that the only weight to be attached to them should be solely in relation to the proposed vehicular access connections with the Stockton Lane, Bad Bargain Lane and Murton Way. The final design of these routes, layout and route of the roads will need to be informed by the detailed technical and master planning work as part of the preparation of the planning application. This is a fundamental matter in respect of the site's delivery.

Taylor Wimpey have no objection to the suggestion that ST7 has no through road. That said, wording in the first part of MM3.22 is inconsistent in that it seeks a public transport road **through** the allocation. If it is the Council's intention to keep the the the two halves of ST7 separate save for walking and cycling links, the wording of MM3.22 should read as follows:-

“vii. Deliver high quality, frequent and accessible public transport **to all parts of the site**, to provide attractive links to....”

This suggested revision removes the 'through' requirement.

MM3.23: Policy SS9 (Site ST7) – Creation of New Open Space OS7

2.8 Comment:

There is confusion and overlap between the bullet points in ix. on the topic openspace and provision and the delivery of OS7. The Site ST7 is now remote from the nearby urban area and as such, OS7 is provided to ensure the residents of OS7 have somewhere local to enjoy the countryside with the need to travel to Strensall Common. As such, the requirements of OS7 and separate bullet points requiring compliance with GI2a and GI6 should be combined to avoid duplication. We therefore request this additional bullet point is added into the OS7 text to end as follows:-

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

- **Create Creation of new open space (as shown on the proposals policies map as allocation OS7) to protect the setting of the Millennium Way that runs through the site. Millennium Way is a historic footpath which follows Bad Bargain Lane and is a footpath linking York's strays and should be kept open. A 50m green buffer has been included along the route of the Millennium Way that runs through the site to provide protection to this Public Right of Way and a suitable setting for the new development and achieving the site's open space requirements in association with policies GI2a and GI6. The final details and width of the green buffer shall be determined through a future planning application.**



- **Open space provision that satisfies policies GI2a and GI6 and which allocation OS7 as indicated on the policies map would assist in achieving.**

ST7 Further Required Additional Policy Criterion or Justification Text

2.9 Taylor Wimpey consider a further criterion or additional justification text should be included in the plan to provide clarity in respect of the ability to deliver specific types of infrastructure and land uses **outside** of the identified allocation site boundary given the site is unlikely to deliver the quantum of development expected if all infrastructure aspects are expected to sit within it.

Taylor Wimpey would therefore wish to include the following additional criteria within Policy SS9 or as further wording within the policy justification text: -

In order to ensure that each of the above policy criterion can be delivered, infrastructure and features associated with the provision of Sustainable Drainage Systems, Biodiversity Gain, Open Space & Recreational Use, and Landscaping can be delivered within proximity of the site allocation boundary.

MM5.3 – MM 5.4 Housing Delivery

2.10 **Comment:**

There is no text on monitoring and what happens if the delivery begins to fail. At what point of failure is a Review triggered? There needs to be something added to end of Para 5.10 that identifies through annual monitoring reports that any significant departure from the Revised Trajectory (2017-2033) that suggests delivery would be 10% less than that shown for the period 2023 to 2028 would trigger a Plan Review if that delivery cannot be rectified by actions.

MM5.9: Policy H3 – Accessibility Standards

2.11 **Comment:**

The policy lacks clarity over ‘**appropriate proportion**’. Clarity would be better if absolute targets were used. See local ‘Leeds 2019 Core Strategy’ example below.

Eg Leeds Council Policy

<p><u>POLICY H10: ACCESSIBLE HOUSING STANDARDS</u></p> <p>New build residential developments should include the following proportions of accessible dwellings:</p> <ul style="list-style-type: none"> • 30% of dwellings meet the requirements of M4(2) ‘accessible and adaptable dwellings’ of Part M Volume 1 of the Building Regulations. • 2% of dwellings meet the requirement of M4(3) ‘wheelchair user dwellings’ of Part M volume 1 of the Building Regulations. Wheelchair user dwellings should meet the M4(3) wheelchair adaptable dwelling standard unless Leeds City Council is responsible for nominating a person to live in the dwelling. <p>Where the scale of development would generate more than one accessible dwelling, the mix of sizes, types and tenures of M4(2) and M4(3) dwellings should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible (unless the applicant can demonstrate an evidenced need locally to provide accessible housing in dwellings of a particular size, type and / or tenure. Locally will normally mean the Designated Neighbourhood Area, or where this is not defined, will mean relevant settlement, or ward if the site lies within the main urban area).</p> <p>The required number, mix and location of accessible dwellings should be clearly illustrated on drawings and via planning condition.</p> <p>Departures from this policy should be justified by evidence of viability considerations.</p>
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MM5.11: Policy H5 Gypsies and Travellers Policy H5

2.12 Comment:

The proposed amendments to Policy H5 of the Local Plan seek to place a greater burden on the developers of strategic sites to deliver the Council's housing requirements for Gypsies and Travellers, on account of the Council being unable to allocate specific sites to meet these needs at this late stage of the Local Plan process. Whilst this approach would clearly create a number of viability and quantum/capacity implications in respect of the delivery of the strategic sites (which has yet to be tested by the Council's evidence base), the developers wish to work with the Council on this matter in order to ensure that a sound Local Plan can be adopted this year.

Working alongside the York Travellers Trust (the Trust), the developers have identified further amendments to the Council's proposed modifications to Policy H5 of the Local Plan which would provide an additional policy mechanism that would further help to facilitate the direct delivery of the housing needs of York's Gypsy and Traveller community. The proposed amendments are suggested below.

Commuted sum payments to contribute to development of pitches elsewhere will only be considered where it is demonstrated that on site delivery is not achievable due to site constraints or other material considerations; or where there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer; or where commuted sum payments would facilitate qualitative or quantitative improvements to existing local authority sites

MM5.19: Policy H9 Older Persons Housing

2.13 Comment:

This policy lacks clarity over 'an appropriate provision'. There is an overlap with Policy H3 on accessible housing and if targets are introduced into H3 as suggested above, then the need on Strategic Sites in Policy H9 to provide accessible housing for the elderly is removed.

MM9.6: Policy G12A – Strensall Common

2.14 Comment:

Part b)i) restricts development occupation until the whole greenspace is provided. This needs to be amended...

“to secure access to areas of suitable natural greenspace secured by way of **phased or whole** of the mitigation to any occupation...”

MM11.5: Policy CC2 Sustainable Design



2.15 Comment:

Suggest the final modification which starts “Pending anticipated changes...” Is removed as the following paragraph recognises such changes are brought about through Government Building Regulation changes outside Planning Policy. As drafted, the MM adds nothing and may confuse.

MM11.8: Policy CC2 Sustainable Construction

2.16 Comment:

Taylor Wimpey object to the need for Strategic Sites to deliver a BREEAM Communities assessment. On the basis of following Part L changes, there is no case to switch to considering another regime under BREEAM.

MM11.11: Policy CC2 Text

2.17 Comment:

Taylor Wimpey requests the removal of para 11b % **targets** as these have yet to be confirmed by Government in the Part L Future HHomes Revisions standards.

MM15.1:

2.18 Comment:

Taylor Wimpey objects to the revised wording. If a scheme is agreed to be unviable, simply re-phasing payments is unlikely to make much of a difference. We suggest the following:-

*“Where a scheme is demonstrably unviable, the Council will work with the developer to **modify the scale of contributions** as well as consider re-phasing of obligation payments.”*