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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

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Page 1: Survey Information

Q1

Do you confirm that you have read and understood the privacy notice? You must select 'Yes' in order to take the survey.

Yes

Page 2: Register for consultation

Q2

Your name:

Dave Merrett

Q3

Contact details: Please provide email and/or address

Organisation (optional) York & District Trades Union Council

Address

Address 2

City/town

Post code

Email address

Q4

Do you wish to be notified when the City of York Local Plan is adopted by the Council? If yes we will use contact details provided above

Yes

Page 3: Your response

Q5

To which consultation document does this response relate? Please note, links shown beside each option are for associated documents.

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459 responses



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Q6

To which section does this response relate?

Section 2: Vision

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

MM2.1 Paragraph 2.5

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

Respondent skipped this question

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

Page 11: Section 8: Placemaking, Heritage, Design and Culture

Q13

To which modification does this response relate?

Respondent skipped this question

Q14

To which modification does this response relate?

Respondent skipped this question

Page 13: Section 10: Managing Development in the Green Belt

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Object

Q23

If you object, please select your reason from the list below (select all that apply):

Not positively prepared - i.e. strategy will not meet development needs

Not justified - i.e. there is no evidence to justify the modification

Not effective - i.e. it won't work

Not consistent with national policy - i.e. doesn't comply with the law

Q24

Please set out the reasoning behind your support or objection:Please note there is a 1000 character limit, therefore if your reason for support or objection is longer than this, please summarise the main issues raised.

York & District trades Union Council shares the concerns and wishes to gives its support to the comments submitted by York Labour Party in its submission to this consultation..

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York Labour Party submissions on the York Local Plan Feb 2023 Major Modifications

We confirm that we have read and understood the privacy notice in preparing and submitting our comments below.

We would wish to make it clear, that we regard it as crucially important that the Local Plan, as amended in the light of the Inspector's final recommendations, is adopted as soon as possible.

Section 2: Vision and Development Principles

Paragraph 2.5 Provide Good Quality Homes and Opportunities

MM2.1

and also Policy SS1: Delivering Sustainable growth for York

MM3.1)

We oppose the reduced housing number in MM2.1/3.1 - it is grossly inadequate - cf our original objections **SID364**, etc., previous hearing submissions **EX/HS/M2/OAHN /25** M2.2 & 2.3, **HS/P2/M2/OAHN/19** M2.3, **HS/P3/M3/SH/10**, **HS/P4/M2/UoY/5** M2.4, which identify the problems, inadequate evidence base, missed issues, and unsound conclusions.

We'd point to the further evidence since those submissions of the continuing above average escalation in York's house prices, bucking the national now declining trend, worsening affordability, and the more detailed 2021 census data confirming in stark detail the major displacement of the working age family demographic (see support document & our comments on MM5.8). **We'd ask the Inspectors, given the urgent need to get a plan finally adopted, to recommend that the Council commission additional work to understand the implications of the issues we cover in our supporting paper regarding the housing numbers, and the affordable housing percentage, and to recommend the earliest possible revision of the adopted plan to rectify these shortcomings.**

Reason: Not Positively prepared, not justified, not effective, and not consistent with national policy.

Policy DP2

MM2.3. We recommend that the following list be added to Policy DP2 so it reads:

'Mitigate and adapt to climate change through designing new communities and buildings, transport networks and services that support each community to be energy and resource efficient, including embodied carbon, and reduce carbon emissions. This can be achieved by their being of mixed use and high density; designed around high-quality walking and cycling routes; providing a core set of community facilities safely and conveniently accessible on foot or by bicycle; ensuring the provision of high quality public transport

routes to key destinations; and by managing servicing traffic and to accommodate appropriate emerging technologies.’

We would also suggest the supporting text is strengthened to match this new section, including a commitment to produce a Supplementary Planning Guidance Document on Developing Sustainable Communities. This could draw on York Civic Trust’s earlier research and workshops on this topic that we referred to in our previous phase 2 submission on question 1.1 [HS/P2/M1/SV/4](#) ↓ .

Reason: Not Effective

MM2.4.

See our comment above on policy DP2 regarding consequential amendments to the supporting text.

Reason: Not Effective

SS4: York Central

MM3.10. We recognise the impact of the delays in finalising York’s draft Local Plan on the Housing Trajectory for York, and the wider economic factors the reduction in the quantum of development within the plan period for ST5 York Central, from a minimum of 1500 (2018) to around 950 dwellings (August 2022). However, given the very high upfront investment costs, this places into question the ability of the site to also deliver the range of local facilities and services to make this a genuine sustainable community during the current plan period. It is therefore not effective, and not consistent with the requirements of NPPF 2012 Paras 7, 17 & 70, even more so of the latest NPPF 2021 para 73 b) and therefore MM3.10 is unsound.

Reason: Not justified, not effective, and not consistent with national policy

SS12: Land West of Wigginton Road

MM3.41. There is a minor but important error in the modification to this text. It says “The transport and highways impacts of the site development individually and cumulatively should be assessed with sites ST7, ST8, ST9, and ST15.” The equivalent modified wording for SS9, 10, 11 and 13 reads “... of the site development should be assessed individually and cumulatively with ...”. The distinction is important because the latter makes clear the site’s impacts need to be assessed individually as well as cumulatively. **We recommend this minor correction to the wording of SS12 to read “... be assessed individually and cumulatively with ...”.**

Reason: Not effective

Policy SS13: Land West of Elvington Lane (ST15)

MM3.47. We are concerned that the reduction in the quantum of development for ST15 (from around 2,200 dwellings to 560 dwelling within the plan period) will not create a sustainable community as required in NPPF 2012 Para 52, nor, because of the very high transport infrastructure costs, meet the linked services requirements of NPPF 2012 Paras 7, 17 & 70. This is even more clear when judged against NPPF 2021 para 73 b) : ‘ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities (none of the latter proposed) within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;’. It is unacceptable for the delivery to be so extended that key services and facilities, which are unlikely to be delivered up front for funding reasons, are unavailable for early occupants, and particularly those in affordable accommodation who may well not have the means to access facilities elsewhere. The change exacerbates our previous concerns (SID364, etc., HS/P2/M1/SV/16) re the final site being too small for a sustainable community.

Reason: Not justified, not effective, and not consistent with national policy

MM3.53.

We welcome the amendment to make provision for a secondary school on this site, which we see as important to achieving a sustainable new community in line with the NPPF.

MM3.54.

This modification relates to the Sustainable Transport Study for the site (EX/CYC/89) which fails to identify adequate active travel or public transport links to the site. It fails to identify active travel routes to ST26 or to the secondary school in Fulford. There is no mention of bus rapid transit or bus priority, both of which are specified as key principles. No dedicated services are proposed to York city centre or other key destinations bar the University, and no service is offered to central Leeds, even though all of these requirements are identified earlier in the report. No reference is given to a new segregated overpass across the A64, even though this is clearly specified in para 25 of EX/CYC/79. The modified policy is therefore non-compliant with NPPF 2012 Para 17 (planning principle 11), 28, 32, 35, 41 (regarding route protection), 58 and 156, and the DfT’s 2015 guidance on Transport evidence bases in plan making and decision taking paras 2, 3, 5 & 8. **We’d ask the inspectors to require the Council to commission a report which clearly identifies the additional sustainable travel infrastructure and services required, and to reflect this in an early update to the plan.**

Reason: Not justified, not effective, and not consistent with national policy

EX/CYC/89

This report fails to identify the infrastructure provision needed to satisfy its own principles. No detail is given of cycle routes to ST26 or to Fulford School, and the costs of cycling provision aren't given, even though EX/CYC/79 commits to £4m of developer funding. There is no mention of bus rapid transit or bus priority. No dedicated services are proposed to York city centre or other key destinations bar the University, and no service is offered to central Leeds. The only dedicated route proposed is to the University, but routed via Common Lane, which is supposed to be vehicle-free. No reference is given to a new segregated overpass across the A64, even though this is clearly specified in para 25 of EX/CYC/79. **We recommend that EX/CYC/89 is deemed inadequate against the requirements of NPPF 2012 Para 17 (principle 11), 28, 32, 35, 41 (route protection), 58 & 156, and the DfT's 2015 Transport evidence bases in plan making and decision taking paras 2, 3, 5 & 8. We'd ask the inspectors to require the Council to commission a report which clearly identifies the additional sustainable travel infrastructure and services required, and to reflect this in an early update to the plan.**

Reason: Not justified, not effective, and not consistent with national policy

SS22: University of York Expansion

MM 3.77

We are concerned that the modifications to this include an expectation to "Explore feasibility of a junction on the A64 to the south of the site with delivery in conjunction with ST15". This is totally incompatible with the subsequent explanation which states that the site is designed to be car-free (para 3.100) and that all vehicular access is to be via Kimberlow Lane (para 3.101). A new access from the outer ring road would be used predominantly by private car traffic, and would offer a new, and otherwise uncontrolled, route to the city centre through the middle of the university East Campus. This would significantly add to the transport problems arising from development, while providing little or no benefit to this strategic site. It is thus not a positively prepared addition to the Plan. **We strongly recommend that this addition be deleted.**

Reason: Not Positively Prepared

Section 5: Housing

MM5.1

York Labour Party welcomes the additional criterion for 'For sites that contain existing open space (**), where appropriate, it should be retained on-site or re-provided off-site.' However, we believe that off-site provision should be an avenue of last resort as it facilitates the progressive reduction of open space where it is of most benefit and value. For the same reason evaluation of the open space provision, particularly where there was existing open

space serving the wider area needs to be in the context of the levels & types of open space and required provision in the locality as NPPF makes clear. **We recommend the removal of this aspect of the proposed modification as it is ineffective and therefore unsound, and for the previous open space text to be reinstated.**

Reason: Not Effective

Policy H3: Balancing the Housing Market

MM5.8.

Within the modified wording York Labour Party rejects the new phrase 'will expect developers to provide housing solutions that contribute to meeting York's housing need as identified ...'. It is a major weakening of the previous policy wording that makes achieving a balance unachievable in practice contrary to NPPF 2012 paras 17 (planning principle 3) and 50. **We think that the previous wording of the clause that the Council 'will seek to balance the housing market across the plan period and work towards a mix of housing identified...Proposals will be required to balance the housing market ..' should be reinstated** to restore the Local Plan's soundness, particularly when judged against the evidence from the 2021 census of the complete failure to deliver the required level's of family accommodation for the local population (see attached supporting document). [859 characters]

Reason: Not Effective

Policy H3 also covers accessibility. *'The Council will encourage developers to deliver an appropriate proportion of housing that meets the higher access standards of Part M Building Regulations (Access to and use of buildings), unless it is demonstrated that characteristics of the site provide reasons for delivery to be inappropriate, impractical or unviable.'* However, there is no guidance on the 'Appropriate Proportion' or a steer on whether they mean Part M Category 2, or the highest Category 3 housing. The policy therefore gives no clarity to applicants or objectors and is therefore not effective. **We ask the Council and Inspectors to ensure clarity is provided on these issues.**

Reason: Not Effective

Policy H5: Gypsies and Travellers

MM5.12

We oppose the modification to a) that increases the number of pitches on the existing Council sites, which are already large. Best practice is to keep sites small and manageable, to ensure good living conditions, and we are aware that the York Traveller Trust, who work closely with the York Gypsy & Traveller communities view the proposed modification (and the previous policy) as unacceptable and unsound. We would draw your attention to their submission.

Reason: Not Justified, and not effective

We welcome the modification that ensures the policy sub-section b) covers both those that do and do not meet the planning definition, and the amended supporting text in MM5.16. However, we have concerns that the wording of the modifications as regards alternative land or commuted sums will lead to difficulties and could frustrate the actual delivery of such sites. The obtaining of planning permission for sites is notoriously difficult, and **we therefore see it essential that the offer of off-site land should include the additional requirement that it is land with a valid planning permission for gypsy and traveller use. Any commuted sum should also allow for realistic costs of obtaining permission, appeals, etc.**

Reason: Not Effective

Policy H7: Off campus purpose-built student accommodation

MM5.17

We welcome the proposed modifications to the previous policy which will help to alleviate some of the negative consequences from the unplanned rapid expansion of the University of York in particular, and increase the supply of affordable housing, which still falls a very long way behind the assessed need. We would however suggest one modification to address a potential loophole in the new section iv) as regards the exemption for university owned properties that are used to accommodate the accommodation needs of its students – **we consider this exemption should be linked to the continuing use as accommodation for its students – with the provision becoming applicable at the point it ceases to be used for such purposes.** Without this change the policy will be only partially effective and unsound.

Reason: Not Effective

Policy H7: Affordable Housing

MM5.21

For the reasons we have previously argued in our objections SID364, etc., and written submissions, we are concerned that the modification MM5.21 to policy H10 are inadequate and will be ineffective in delivering even the new SS1 target and is therefore unsound. This is because the minimum targets in Table 5.4 are too low and are not justified against meeting the new SS1 overall target (see also our comments on MM3.1), or against the evidence base which shows far higher levels of affordable housing could be viably delivered on all but a couple of sites, or against the effective 40% figure all York's adjoining authorities have operated for many years. We consider that developers and landowners are unlikely to offer more than the minimum and affordable housing delivery will fall well short of even the inadequate proposed SS1 plan target. **We would reiterate our previous calls for the proposed minimum on sites over 15 houses for the minima to be 30% brownfield and 40%**

greenfield, which are clearly supportable from the previous Porter viability assessments, and the significant further house price increases in York since they were last done.

Reason: Not positively prepared, not justified and not effective

MM5.22

For similar reasons we oppose the modification of the supporting text as regards the individual site assessment need. Individual site assessment will become particularly important if the Council needs to negotiate up from a low minimum - it will have one hand tied behind its back if there is no assessment to help inform negotiations. The SS1 policy target will be consequentially ineffective and this modification is therefore unsound. **We ask the Inspectors to reject this part of the modification.**

Reason: Not Effective

Section 8: Placemaking, Heritage, Design and Culture

Policy D3: Cultural Provision

MM8.4.

Paragraph 8.22 says that the Council will produce an SPD outlining the requirements of the Cultural Wellbeing Plan, which we fully support. We are concerned, however, that since the modification consultation began in January 2023, City of York Council's Executive has agreed to withdraw several SPDs in the draft local plan, including the Local Heritage List Supplementary Planning Document, Sustainable Design and Construction Supplementary Planning Document, and Cultural Wellbeing Supplementary Planning Document on resource grounds (see minutes of the CYC Local Plan Working Group - Monday, 16 January 2023: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&MId=13874> and approved at CYC Executive meeting on Thursday 26th January 2023 (see Agenda Item 75. City of York Local Plan, paragraphs 29-42: <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13294&Ver=4>).

We oppose the withdrawal of these SPDs on the grounds that they will make the Local Plan unsound, especially where, such as Policy D3, delivery of the plan is solely reliant on a formerly proposed and now 'dropped' SPD.

Reason: Not effective

Section 9: Green Infrastructure

Policy GI1: Green Infrastructure

MM9.1.

We oppose the introduction of the words “Where appropriate”, which we consider weakens this extremely important policy for protecting green spaces for residents in built up areas, besides reducing the clarity for applicants. **We ask for this part of the modification to be rejected.** [244 characters]

Reason: Not justified, and not effective.

Policy GI2a: Strensall Common

MM9.6.

We welcome the introduction of this new policy.

Policy GI5: Protection of Open Space and Playing Fields

MM9.8. We oppose the whole proposed modification, which we consider weakens this extremely important policy for protecting green spaces for residents in built up areas. The environmental reference is important. The well-being benefits of green space, its flora and fauna are now well established. The need to ensure that any replacement space are geographically appropriate and accessible is vital – we have seen some abuse of that principle in recent planning applications. **We ask that this modification is rejected.**

Reason: Not justified, and not effective.

Section 11: Climate Change

MM11.1.

The text change in para 11.1 “fulfilling the aspirations of One Planet Council in relation to environmental sustainability the York Climate Change Strategy” must be a major modification - the Climate Change Strategy is a major policy document not just a set of aspirations.

The Major Modifications proposed do not support the revised para 11.1 statement. Policies CC1-3 still only deal with renewable energy, new domestic & non-domestic buildings, & district heating, despite our previous representations EX/HS/P4/M13/CC/9, etc. The Climate Change Strategy indicates that buildings only cover 62% of current carbon emissions. Policy CC2 only focuses on new buildings, with no proposals for the current, typically energy-inefficient, existing building stock. Equally, Policies CC1-3 make no reference to the range of carbon sequestration methods required to meet the 88% reduction in carbon emissions needed to achieve net zero.

We ask the Inspectors to seek a new overarching Policy CC0 setting out the Government's & Council's Climate Change Strategy targets and indicates the linkages with other parts of the Local Plan e.g., Sections 9, 13, 14 & Policies C1, DP2 & SS1.

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

Policy CC1

MM11.3. Policy CC1 supporting text. Please reinstate 'wind' in para 11.4 as a possible renewable energy source. The original evidence base document is City of York Council Renewable Energy Study (2014) – ref SD117, which identifies a number of suitable wind locations. We consider the revised evidence document which allocates no suitable wind sites is unreasonably strict, and unhelpful when major renewable energy generation is required to deliver net zero.

Reason: Not effective

Policy CC2

MM 11.12

The deletion of paras 11.19 to 11.21 removes the Council "will support home owners in delivering (energy) efficiency improvements". This is wholly incompatible with the Council's target of retrofitting 32,700 dwellings by 2030 and it's now adopted climate change strategy (see [Annex Bi Climate Change Strategy 2022-2032.pdf \(york.gov.uk\)](#) & action plan ([Annex Bii Climate Change Action Plan.pdf \(york.gov.uk\)](#)). It also fails to satisfy the NPPF12 para 95 requirement that Local Planning Authorities should "actively support energy efficiency improvements to existing buildings". We were assured by Council representatives during Phase 4, that the references in Paras 11.19 and 11.20 would be reinstated, but this has not happened. Thus the Plan is unsound in providing no basis for planning officers to support, or require, energy efficiency improvements in existing buildings, or minimising embodied carbon. **We recommend that a new Policy CC4 is added which sets out the planning conditions which will apply to support home owners, and owners of non-domestic buildings, to increase the energy efficiency of their properties, & in CC2 & 4 minimising embodied carbon.**

Reason: Not Positively Prepared, not justified, not effective, and not consistent with national policy

Section 12. Environment

MM12.1

We note that the final para of the replacement policy ENV1 requires an exposure mitigation strategy where there is potential for new occupants to be exposed to unacceptable levels of air pollutants, but, unlike the previous policy version, it does not require measures to be in place to mitigate and prevent further exposure. It also now conspicuously fails to say anything about existing residents similarly affected and is therefore non-compliant with NPPF 2012 para 124. It also does not define what is unacceptable. The policy therefore lacks clarity for both applicants and those potentially negatively affected, and overall the policy is even weaker than the previous version in ensuring residents are effectively protected. The overall policy is not effective for all the reasons we outlined in our previous response to the Inspector's questions regarding this in phase 4 – see EX/HS/P4/M7/TAQ/9.

Reason: Not justified, not effective, and not consistent with national policy.

MM12.2

We note a similar weakening in the supporting text of 12.6 and 12.7 on the issues we flag above about Policy ENV 1, and which we oppose for the same reasons. They also delete the requirement for an SPD, which was previously seen as a core means of implementing the Council's Low Emission Strategy (Submission Doc SD093). **We recommend further amendment to satisfactorily address these issues.**

Reason: Not justified, not effective, and not consistent with national policy.

Section 14: Transport and Communications

MM14.1

We welcome the references in para 14.3a to the forthcoming 4th Local Transport Plan (LTP4) and in para 14.3b to the forthcoming LCWIP and the BSIP. However, we note that the Council's failure to evaluate a strategy for addressing and mitigating the major overall traffic, congestion, air quality and carbon emission consequences of the plan growth in line with the requirements of NPPF12, the DfT's 2015 guidance, or of the Council's now adopted Climate Change Strategy (links in MM11.12), makes the current Plan unsound and incompatible with the Plan's own stated objectives (ref our previous submissions SID364, etc., [HS/P2/M1/SV/16](#) ↓ (Q 1.1), etc. Policies T2, T4 and T5 are also still based on LTP3, which was published 12 years ago and is now seriously out of date also making the plan unsound. **We ask that the Inspectors ask the Council to complete the DfT 2015 guidance process, in conjunction with preparing the new Local Transport Plan 4, to identify the necessary mitigations, taking into account the Climate Change imperatives, and produce**

appropriate updates to the Transport policies, and to recommend an urgent update of the adopted plan once this has been done.

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

MM14.3. Policy T1 Explanation

All references in paras 14.8, 9, 12 and 13 to detailed specifications of standards in a forthcoming SPD have been deleted and replaced by a much vaguer statement in the new para 14.14a. Moreover, the Council's outline for its new SPD on Sustainable Transport fails to list the specific standards for access to public transport or service frequency (currently mentioned in paras 14.8 and 9), and no date is specified for publication of this SPD. This makes the Plan unsound, in that it provides developers with the opportunity, in advance of any SPD, to create new communities with inadequate access to public transport, under-provision of cycle parking and over-provision of car parking, all of which would run counter to the Plan's objectives and the requirements of NPPF12 paras 17 (principal 11), 29, 32, 35, 41, 58 and 156, and the DfT's 2015 Transport evidence bases in plan making and decision taking paras 2, 3, 5 & 8. **We recommend, therefore, that para 14.14a is modified to specify that, prior to publication of the SPD, standards will be those specified in the 2005 Development Control Local Plan. See also MM14.1 comments & recommendations.**

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

Policy T2: Strategic Public Transport Improvements

MM14.4.

This modification removes the detailed list of public transport infrastructure improvements, and thus leaves them subject to disruption by development prior to their inclusion in the IDP. **We recommend a detailed list of schemes is reinstated in Policy T2, to ensure that they are protected from development** in line with NPPF12 Para 41. Whilst the revised, shortened, list of major schemes is generally appropriate to serve the local needs of the largest new developments, it fails to identify services for other developments including ST5, ST7, ST8 and ST9, or to address, as we have flagged all the way through this plan making process, the overall need to deliver an effective transport strategy and public transport network for the city against the unacceptable cumulative traffic and congestion impacts of the proposed plan. The Council's failure to evaluate a strategy for addressing and mitigating the consequences of the plan growth in line with the requirements of NPPF12 and the DfT's 2015 guidance makes the current Plan unsound and incompatible with the Plan's own stated objectives (ref our previous submissions SID364, etc., [HS/P2/M1/SV/16](#) ↓ (question 1.1), etc. **See also MM14.1.**

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

Policy T4: Strategic Highway Network Improvements

MM14.7.

This modification includes a grade-separated junction of the A64 and dualling the A1237 west, for which no case has been made in the Plan's lifetime. No reference is made to the requirements for managing the existing road network to achieve the 20% reduction in car use required by the Council's draft climate strategy (EX/CYC/104). This makes the Plan unsound in that, in the absence of effective traffic management, such highway investments will add to private vehicle traffic, adversely affect sustainable travel, and thus be counter to the Plan's objectives, the Council's Climate Change Strategy and the requirements of NPPF12 and the DfT's 2015 guidance paras 2, 3, 5 & 8 in particular. This is demonstrated by the assessment of the dualling of the A1237 north & east, which shows a 90% increase in traffic on it, but at most a 7% reduction in inner York. **We recommend that the references to the grade-separated junction with the A64 and dualling of the western outer ring road be deleted, and the Policy expanded to emphasise the role of effective traffic management on the existing highway network. See also MM14.1 comments & recommendations.**

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

Policy T5: Strategic Cycle and Walking Network Links & Improvements

MM14.8.

The detailed list of schemes has been deleted and replaced by 3 much less specific statements, leaving schemes vulnerable to inappropriate development contrary to NPPF12 para 41. **We ask that a detailed list of schemes is reinstated in Policy T5, to ensure that they are protected from development.** The reference to the Council developing "a comprehensive network ..." "through York's LCWIP, which is currently being researched" is misleading. The LCWIP is to be based on 10 strategic cycling corridors and 4 key walking zones, and will thus not provide a comprehensive network – the only comprehensive approved network remains that shown in the 2005 Development Control version of the Local Plan. It is essential that the Council produces an updated comprehensive network if it is to see the doubling of active travel trips required by 2030 for the draft Climate Change Strategy (EX/CYC/104). **We recommend that the reference to the LCWIP in para 14.40 is modified to read: "... which will be developed through York's LCWIP and LTP4, and will be fully reflected in an updated IDP. The cycling network in the 2005 Local Plan will be used pro-tem."** See also MM14.1 comments & recommendations.

Reason: Not positively prepared, not justified, not effective, and not compliant with national policy

Policy T6: Development at or Near Public Transport corridors, Interchanges and Facilities

MM14.9.

We are concerned by the omission of the following three justifications for not accepting development near to public transport facilities where it would:

- generate a demand for travel by private motorised vehicles that is likely to be unsustainable either in the location of the development or on the wider highway network; or
- have an adverse impact on the character, historic and natural environment and amenity of the area in the vicinity of the development, or
- compromise the purpose of the Green Belt.

Omission of the first of these would explicitly permit high traffic generating developments which could prejudice the operation of the public transport facility. The other two should be standard conditions for rejecting development. **We ask that these three justifications be reinstated.**

Reason: Not positively prepared, not effective.

Policy T8: Demand management

MM14.11

No reference is given for the Council's guidance on parking standards. Revised standards are to be included in the Sustainable Transport SPD, but no date is given for this. Strict city centre parking controls have been the cornerstone of the Council's Transport policies since 1988 and in the current 2005 DC Local Plan. This omission is unsound and risks over-provision of parking. **We ask that Policy T8 is modified to specify that, prior to publication of the SPD, parking standards will be those specified in the 2005 Development Control Local Plan.**

The Policy requires developments to "incorporate appropriate demand management measures", but the modifications are inadequate in their coverage of the types of measure.

We ask that the following are added:

- Support for working, studying and shopping from home (linked to Policy C1);
- Design of new communities to reduce the need to travel (linked to Policies DP2 and SS1);
- Personal, workplace and school travel plans;
- Road network management (linked to Policy T4);
- Parking charges to influence car use; and
- Other charging mechanisms.

See also our submissions SID364, etc. & **MM14.1 comments & recs.**

Reason: Not positively prepared, not justified, not effective, and not consistent with national policy

Section 15: Delivery and Monitoring

MM15.3 Policy DM1 explanation –

This modification is based on analysis in EX/CYC/87a. No reference is made to EX/CYC/91, which assesses the impact of development on carbon and local air pollutant emissions from transport. The analysis in these support documents is unsound, as is the modification in para 15.15. NPPF 2012 specifies that the impact of the anticipated development, however it is distributed, should be compared with the situation without such development. DfT (2015) states that Local Plan transport assessments should ensure that “any proposed land allocation impact is considered in the context of two alternative scenarios – ‘with development’ and ‘without development’” and thus “enable a comparative analysis of the transport effects of the proposed allocation.” The Council has failed to make this comparison in CYC/87a and CYC/91. **We recommend that para 15.15 is further modified to acknowledge these limitations, and to make clear that they will be remedied as per our recommendations on MM14.1.**

Reason: Not justified, not effective, not consistent with national policy

EX/CYC/87a and CYC/91.

The Council has not assessed, as required by DfT (2015), “whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. There is no assessment of the improvements needed to limit the significant impacts arising from the strategic developments proposed in the Plan. There is thus no basis on which to argue that the measures proposed in Policies T1-9 are either necessary or sufficient to limit these impacts, or that the residual cumulative impacts will not be severe.

The analysis in CYC/87a and CYC/91 fail to satisfy the requirements of NPPF 2012 or DfT (2015) and are thus unsound. A thorough analysis is required of the impacts, on all indicators, of the set of proposed strategic developments. Revisions to Policies T1 to T9 should then reflect the resulting requirements. A commitment should be given for this analysis to be conducted as per our recommendations on MM14.1. [983 characters]

Reason: Not positively prepared, and not consistent with national policy

EX/CYC/107/8

We highlighted the inadequacies of the IDP transport evidence base and financial allocations for transport improvements, particularly cycling in our previous phase 2 representation HS/P2/M6/IR/14, which was not accepted or addressed by the Council in this

document. Since then, the Council reviewed its active travel programme and identified that it had massively underestimated the costs of producing LTN1/20 compliant cycling schemes – detailed estimates exceeding the allocations by a factor of 7 (see [Executive Report - Active Travel Programme Revision and Contract Award - v1.0 14112022.pdf \(york.gov.uk\)](#) along with [Annex 1 - Current Active Travel Programme v1.0 27102022.xlsx \(york.gov.uk\)](#) Other annexes o available on the Council website), confirming that the present document is not justified, nor effective. **We therefore repeat our ask that far more realistic sums for the range of measures required should be Included in the IDP – in the context of our comments on CYC/87A and CYC/91 and our recommendations on MM14.1.**

Reason: Not positively prepared, not justified and not effective.

SUPPORTING DOCUMENT TO YORK LABOUR PARTY’S OBJECTIONS TO THE HOUSING RELATED MAJOR MODIFICATIONS AND RELATED EVIDENCE BASE

Para 2.5 Provide Good Quality Homes and Opportunities

Policy SS1: Delivering Sustainable growth for York

[EX/CYC/92](#) ↓ Local Housing Needs Assessment By Icen July 2022

[EX/CYC/107/3](#) Student Housing Policy H7 Note August 2022

We strongly object to the reduced housing numbers. Further evidence of the City not delivering for the local residential (as opposed to the student, buy to let, holiday let, investor) housing market comes from the latest House Price and affordability statistics [[House price \(existing dwellings\) to workplace-based earnings ratio - Office for National Statistics \(ons.gov.uk\)](#)]

In Hearn’s evidence, section 4 and conclusion it says: In York the house price affordability ratio is 8.21 having deteriorated from 6.48 in 2009. As a result, the affordability adjustment in the City is 170%. Applying this to the housing stock figure from Step 1 results in an overall need for 763 dpa. Noting that there is no cap applied.

The new 2022 median, employment based affordability ratio figure is up significantly further at 8.77. However, use of this median price to workplace based figures hides the unusual nature and scale of York’s problems, and therefore underestimates the York housing requirement. If you look at the housing price to resident based earnings figure [see [House price to residence-based earnings ratio - Office for National Statistics \(ons.gov.uk\)](#)] this has gone from 6.28 to 8.92 over the period to 2022 indicating the more severe issue for York residents, compared to York’s workforce – and the fact that many can’t afford to live here.

Then if you look further at the lower quartile figures, which nationally and regionally are lower than the medians (88%, 96% respectively in 2022, lower than in 2020), in York they are the reverse, and substantially higher (118% resident based, significantly up on the 2020 figures), showing the real and increasing pinch is on lower end of the housing / earnings market where we are an enormous margin above the regional average, and a long way even above the national:

Workplace based: 2009 England 6.48	Yorks & Humber 5.19	York 7.32
2022 England 7.29	Yorks & Humber 5.73	York 9.90

This pricing out issue is now starkly confirmed by the 2021 census results compared with the previous ONS projections used in the plan’s evidence base clearly demonstrate the negative social consequences for the city that has resulted with a major hollowing out of the 25–54 year old and related children and young people 0 -14 demographic of the city.

2011-2021 Change %	Children			Heavily Student No. influenced		Working / Family aged					
	0-4	5-9	10-14	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54
England	-7	13	11	-4	-5	2	13	7	-8	-7	15
York	-19	6	6	8	3	-8	3	0	-13	-13	11
Difference	-12	-7	-5	+12	+8	-10	-10	-7	-5	-6	-4

Extracted from: York population change, Census 2021 – ONS

The Council is now arguing that the number of homes provided each year should be 822. The market evidence demonstrates clearly that this is insufficient. This can be seen from the fact that the average production of homes over the 5 years prior to the pandemic was higher than this at 870 homes pa, but that this level has been insufficient to slow down or begin to reverse the worsening affordability problem in the city, particularly in the bottom quartile.

This figure also fails to recognise the massive unanticipated expansion of the University of York and holiday lets that we have previously evidenced in our phase 2 written submission [HS/P2/M2/OAHN/19](#) ↓ reply to question 2.3. We note that the University growth aspect was adjusted in the Council's submission to phase 4 of the enquiry [HS/P4/M2/UoY/1](#) ↓, and in the draft Oxford Economics York Education Scenarios report annexed to it - where a 1.5% pa student growth figure was proposed. However as was pointed out by Councillor Michael Pavlovic and Dave Merrett, the University of York's growth since the 2014 base year (in the 2016 Hearn report) to 2021 already exceeds the total figure that 1.5% pa over the extended plan period would produce, so the 1.5% assumption is still not a credible figure, and therefore the conclusion of the Oxford Economics report that the 1.5% growth figure doesn't affect the OAHN is invalid. (A second issue here is that the OAHN continues to be based on the employment projections. The Council has submitted no evidence to show that using more appropriately corrected figures for the student housing requirement, allowing for the loss of residential accommodation that this and the explosion of holiday lets has already led to, might not now lead to a higher housing based figure.)

Assuming the need figure remains employment based, then it should be increased to allow catch up against the major loss of residential accommodation to holiday lets and student accommodation – by definition holiday lets and student housing (bar some limited secondary part time employment) do not provide residential accommodation for the anticipated increased workforce.

Finally the final figure also needs to take into account the miscounting of off campus student housing using individual units rather than clusters as specified in the DLUHC Dwelling House Estimates Technical note, May 2022, which has seriously over-represented past housing delivery rates, and which needs to be compensated for by a higher housing figure (see fuller exposition in our phase 4 written submission [HS/P4/M2/UoY/5](#) ↓ in our response to question 2.4.

We'd ask the Inspectors, given the urgent need to get a plan finally adopted at the earliest opportunity, to recommend that the Council commission additional work to understand the implications of the unanticipated major expansion of the University student numbers,

holiday lets at the expense of local residential housing provision, miscounting of student accommodation and consequent greater under-delivery of previous local housing, and to recommend the earliest possible revision of the adopted plan to rectify these shortcomings.

York Labour Party welcome and support the inclusion of an overall and increased affordable housing target in policy. However, we consider the new figure remains far too low when considered against the much higher affordability requirement from the new housing total in the evidence base, and in the light of the worsening position we flagged in the first part of this supporting document, and in our objections SID364, etc. and written submissions to the relevant hearings. **We would ask that the number be increased in line with our comments regarding MM5.21.**

Policy H3: Balancing the Housing Market

We consider the proposed modification MM5.8 to policy H3 is unsound. The history of housing permissions over the last 9 years since the original evidence base for the Local Plan was assembled, show a massive imbalance in the mix of housing that has come forward, with a preponderance of student housing and up market flatted accommodation appealing to the London and the south-east downsizer, overseas investment, buy to let and holiday let markets, leading to / coincident with a major failure to provide family and local market housing. The 2021 census results compared with the previous ONS projections used in the plan's evidence base clearly demonstrate the negative social consequences for the city that has resulted with a major hollowing out of the 25–54 year old and related children and young people 0 -14 demographic of the city.

It can reasonably concluded with such a clear and significant difference in the demographic changes in the city, coupled with evidence on the cities continuing above the norm increases in house prices and rents that have been aired and evidenced in earlier phases of the enquiry that **we have, on top of the difficult national housing picture, an exceptional locally specific housing market failure which only the Local Plan can address.**

It also flags that the Councils latest Local Housing Needs Assessment (Ex/CYC/92) which relies on the markedly inaccurate previous ONS projections, with only a modest adjustment as referred to in paras 1.7 and 1.8 is therefore also seriously flawed and unsound as the plan is therefore not justified. Consequently the conclusions in subsequent paras 1.9 & 1.10, particularly that it supports a 750-780 jobs per annum and therefore the plans economic ambitions is jeopardised and is also unsound.

It is therefore extremely worrying that the relatively robust policy approach in the original policy H3 that “Proposals for residential development will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city. This includes flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people.” is proposed to be deleted and replaced by a vague requirement to “maintain, provide or contribute to meeting York’s housing needs”. The modification will therefore be ineffective and unsound and we ask the Inspectors to reject this proposed modification.

We would also go further given the seriousness and scale of the particular market failure York is experiencing. We would suggest the policy section should be strengthened by a more robust identification of the housing mix that needs to be provided and the expectations of what should be delivered by the different sites in response. We would suggest that all the strategic sites should have an identified target mix – this could be added into Table 5.1 in Policy H1. The exercise of doing so will enable the Inspectors to see that the plan is able to deliver in overall terms the required mix against an updated LHNA that addresses the accumulated impacts of the unanticipated expansion of the off campus student housing market, etc., and failure to deliver for the family and local housing markets and need to catch up on the backlog of the latter. Otherwise we will see present trends continued in the next few years of the plan, and unreasonable and possibly undeliverable expectations for the mix on sites that come forward later.

If the Inspectors feel unable at this stage to press the Council to undertake this further work, we would suggest a compromise of adopting a robust stand alone policy along the lines of Oxford Local Plan policy H4 (where they have similar exceptional local housing market failures) but adjusted appropriately for the corrected York housing needs picture:

Policy H4: Mix of dwelling sizes

Planning permission will be granted for residential development that is demonstrated to deliver a balanced mix of dwelling sizes to meet a range housing needs and create mixed and balanced communities.

Proposals for 25 or more homes (gross) (C3 residential), or sites of 0.5 ha. and greater, and which are outside of the city centre or district centres, will be expected to comply with the following mix of unit sizes for the affordable element, where it is feasible (this does not apply to employer-linked affordable housing):

1 bedroom homes	20-30%
2 bedroom homes	30-40%
3 bedroom homes	20-40%
4+ bedroom homes	8-15%

Sites below the threshold or within the city centre or a district centre should demonstrate how the proposal has had regard to local housing demand, including for affordable housing demonstrated by the housing register.

We'd ask that alongside this the Inspectors make a recommendation to the Council in their report for an early review of the adopted plan along the lines of our first suggested approach. Without this strengthening the plan will be ineffective and unsound.

There should also be a policy requirement on the LPA to monitor and publish, say annually, the cumulative tally of housing types being granted permission and being delivered against the cumulative housing need evidenced for this to be taken into account in future applications - the current housing monitoring section of the plan fails to cover the balance issue.