



From: Stuart Natkus [Redacted]
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Please see attached representations made on behalf of BDWH and Vistry

Kind regards

Stuart

Stuart Natkus
Planning Director

Direct: [Redacted]
Mobile: [Redacted]

bartonwillmore.co.uk
1st Floor, 14 King Street, Leeds, West Yorkshire, LS1 2HL



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21 March 2023

To Whom it May Concern

YORK LOCAL PLAN MODIFICATIONS -LAND AT HAXBY

Further to the release of the modifications to the Local Plan we write to provide comments on behalf of Barratt and David Wilson Homes and Vistry Homes (Our Client). We have previously made representations to all stages of the plan and appeared at a number of sessions at the Local Plan.

Our Client has jointly submitted an application on land north of Haxby, which is pending a decision from the Council.

These comments are made without prejudice to other comments and objections we made, which are not reflected in these modifications, such as boundary changes on a number of the allocations and changes to other policies.

Our comments on the modifications are as follows:

Policy SS11 – Land north of Haxby

Our Client is one of the promoters of the allocation North of Haxby. Whilst we support the allocation, we did raise a number of comments on the boundary and some of the policy requirements, including some that required amendments and some that require deletion.

MM3.31 – Our Client supports the amendment to reflect the level of homes being indicative as it considered that the site can deliver more than 735 and the level of homes should not be artificially constrained.

MM3.32 – Our Client raised objections to this requirement as it is duplicated elsewhere, its deletion is therefore supported.

MM3.33 – Our Client objected to the previous wording as the requirements of Policy GI6 and the allocation were different. In essence policy GI6 requires an indicative level of open space to the south of the allocation, whereas Policy SS11 required this to follow the annotation on the policies map, effectively requiring a set boundary not an indicative boundary. The amendment to this is therefore supported to make the policy sound.

Further to this we support the amendment to not require all types of open space as previously drafted as that was undeliverable, unnecessary and unsound.

We note the Council have however now added a new requirement to also provide open space in accordance with Policies GI2a and GI6. This implies that this is a separate requirement to the indicative open space on the policies map. If so then this has never been examined, was not debated or discussed and is unreasonable as it requires more open space than other allocations with no evidence as to why this is necessary. The open space provided to the south of the site should be capable of complying with all open space policies, not an extra requirement. This should therefore be deleted.

MM3.34 – Our Client objected to the requirement for community facilities, given how close the site is to existing facilities. The removal of as required and inclusion of a reference to viability provides more flexibility as this enables the applicant to demonstrate that the scheme cannot provide these facilities. It is however considered that this still implies they are necessary, and it is for the applicant to prove otherwise, when there is no evidence for any community facilities. On this basis we continue to object to this requirement, and it should be deleted.

We trust these comments will be given consideration and reserve the right to comment further should there be any further hearing sessions.

Yours faithfully

STUART NATKUS

Director