

YORK LOCAL PLAN – PHASE 5 – PROVISION FOR GYPSIES & TRAVELLERS

HOUSING ALLOCATION SITE REF. ST7 – LAND EAST OF METCALFE LANE

TW FIELDS (OSBALDWICK) LTD

FEBURARY 2024

INTRODUCTION

- 1.1 This hearing statement is written on behalf of TW Fields with regard to their land interest Land East of Metcalfe Lane which is allocated as a strategic development site under Site Ref. ST7 in the emerging York Local Plan.
- 1.2 This statement should be read in conjunction with our response to the Local Plan Main Modifications consultation dated March 2023. A copy of which is attached to this submission for ease of reference.
- 1.3 Our Main Modifications representations requested amendments to proposed Policy H5 of the Local Plan to ensure that clear, consistent, and flexible guidance is provided within the final version of the Local Plan to benefit all parties when determining future planning applications on strategic housing allocations.
- 1.4 Whilst we wish to maintain this position, within this statement we request that two further actions be taken to allow the Local Plan to progress to adoption expediently, in order to ensure that the delivery of the City's acute housing needs can start to be met. These actions are as follows: -
 - a) The inclusion of additional wording within Policy H5 to enable developer contributions to be used to deliver pitches on suitable sites which are identified by other 3rd parties (for example the Council or York Travellers Trust).
 - b) Commitment to an early review of the Local Plan to provide the opportunity for the Council to assess the deliverability of the Local Plan's approach to the provision of pitches within the first 5-years of the Local Plan.
- 1.5 The adoption of the Local Plan remains the key vehicle to facilitate the comprehensive delivery of the City's housing needs. Any further delay to its adoption will only result in an increase in the City's current acute shortage of market and affordable homes.
- 1.6 We believe the further actions proposed will provide all parties with the ability to holistically consider the provision of Gypsy & Traveller pitch provision across the whole plan period, whilst enabling the Local Plan to progress to adoption so that all of the City' housing needs can start to be delivered.

MATTERS 1.2, 1.4, & 1.5 - PROPOSED FURTHER MODIFICATION TO CRITERION B OF POLICY H5

- 2.1 Whilst we accept the principle of on-site pitch provision within the site, in our response to the Main Modifications consultation we identified concerns with the provision of pitches within strategic development sites on account of: -
 - The social impact that the sporadic provision of a handful of pitches within strategic sites could have, with the potential displacement of family units across large areas of the City.

- How such an approach may result in the on-site provision within strategic sites being undesirable to the Gypsy and Traveller community and therefore ultimately undeliverable.
- The lack of flexibility in the policy to enable developer contributions to be used to regenerate existing Gypsy and Traveller sites (particularly the one at Outgang Lane, Osbaldwick) to facilitate qualitative and quantitative improvements which could both remedy existing living conditions at the site and also improve layout efficiency to deliver increased pitch provision within them. This approach could benefit existing and proposed residents of the site. We are unaware of any other funding mechanisms which are available that could be used to deliver improvements to existing sites to benefit existing residents.
- Such an approach would not only deliver improvements to the City's existing sites, but it would also provide the opportunity for larger family units of the Gypsy & Traveller community to live within the same site. Therefore, directly responding to the concerns raised in respect of on-site provision within the strategic sites.

2.2 Our originally proposed amendment to Policy H5 sought to add further flexibility so that suitable options are available to meeting the housing needs of the Gypsy & Traveller community at the point of adoption of the Local Plan. Which in turn would improve the soundness of Policy H5.

2.3 Our originally proposed amendment to criterion B of Policy H5 was as follows: -

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.

2.4 Since the submission of our response to the Main Modifications consultation in February 2023 we have held discussions with a number of parties to identify whether further opportunities are available to increase the scope of pitch provision across the City. Working on the principle that an increase in the scope of provision would provide an increase in the prospect of delivery within the first 5-years of the plan period and beyond.

2.5 The wording in criterion B of Policy H5 currently places the onus solely on the developer to identify sites for alternative provision. However, in reality, proposals for alternative provision could come forward from a range of sources, including the Council and the York Travellers Trust. Which could include the identification of pitches on Council owned land. In all cases, such land would of course need to meet the requirements of Criterion C of the Policy H5, and other relevant national and local planning guidance.

2.6 Accordingly, to allow for the scenario where other parties could come forward with suitable alternative land for pitch provision, the policy needs to be amended so that developer contributions can be used to fund its delivery.

2.7 We therefore wish to propose the following further highlighted amendments to Policy H5 to add even greater flexibility so that a range of options are available to meet the housing needs of the Gypsy & Traveller community (which in turn would again improve the soundness of Policy H5): -

Residential development proposals on strategic sites will be required to provide the specified a number of pitches within the site or provide unless alternative land can be identified (working with the Council and other 3rd parties) that meets the criteria set out in part c) of this policy to accommodate the required number of pitches.

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; or where commuted sum payments would enable the delivery of pitch provision on alternative land identified through working with other parties (including the Council).

- 2.8 As the Council intend to publish supplementary planning guidance in relation to the practical delivery of Policy H5 in the future, specific details in respect of the delivery of the proposed amended policy (including the latest changes proposed by the developers) can be clearly set out within a future SPD. The developers would welcome the opportunity to work with the Council to discuss the content of this guidance.

COMMITMENT TO AN EARLY REVIEW OF THE LOCAL PLAN

- 3.1 As stated in Paragraph 1.4 above, we believe the Council should commit to an early review of the Local Plan to provide the opportunity for the Council to assess the deliverability of the Local Plan's approach to Gypsy & Traveller pitch provision within the first 5-years of adoption of the Local Plan.
- 3.2 Whilst Policy H5 (including our proposed amendments to it) would provide a sound position to enable the Local Plan to be adopted (on the basis that it provides sufficient flexibility to support a scope of options to deliver the City's Gypsy & Traveller pitch provision across the whole plan period), a commitment by the Council to an early review would allow the Council to proactively assess the delivery of the policy in practice immediately, so that early decisions can be made to consider whether any targeted changes are required to the Local Plan to ensure the housing needs of the City's Gypsy & Traveller community will be met.
- 3.3 The Council's early review would need to be undertaken in cooperation with the City's Gypsy & Traveller community and the developers of strategic housing allocations, in order to ensure that all of the necessary details and measures associated with the delivery of the City's required pitches are taken into consideration.
- 3.4 As on-site pitch provision within strategic sites is expected to be delivered in years 6-10 and 11-16 of the Local Plan (as per Doc Ref. EX/CYC/121a), there is sufficient time for the Council to undertake a review ahead of the final details of pitch provision being fixed within the future planning applications associated with strategic sites.
- 3.5 Furthermore, on account of their size, it is highly likely that applications on strategic sites will be submitted in outline or hybrid (with phase one details only). Meaning the specific details of pitch provision on-site would be agreed via future Reserved Matters applications. The timing of pitch provision would be secured via planning obligation and would be in accordance with the timing of provision required by the Local Plan.
- 3.6 However, again, as the details of on-site pitch provision on strategic sites wouldn't need to be secured and implemented until years 6-10 and 11-16 of the Local Plan, there is an opportunity to include sufficient flexibility within Section 106 Agreements to respond to any implications of a Local Plan review.

CONCLUSION

- 4.1 The adoption of the Local Plan remains the key vehicle to facilitate the comprehensive delivery of the City's housing needs. Any further delay to its adoption will only result in an increase in the City's current acute shortage of market and affordable homes.

- 4.2 Whilst we accept the principle of on-site pitch provision within Site Ref. ST7, we believe the further actions proposed in this statement will provide all parties with the ability to holistically consider the provision of Gypsy & Traveller pitch provision across the whole plan period, whilst enabling the Local Plan to progress to adoption so that all of the City's housing needs can start to be delivered.
- 4.3 We believe our further proposed amendments to Policy H5 will provide additional flexibility so that a wider scope of suitable options are available to meet the housing needs of the City's Gypsy & Traveller community at the point of adoption of the Local Plan. Thus improving the overall soundness of Policy H5.
- 4.4 The commitment to an early review of the Local Plan will also ensure that the Council are taking all proactive measures available to secure the delivery of the City's required number of Gypsy & Traveller pitches within the first 5-years of the plan period and beyond.