



Stantec UK Limited
Part 4th Floor, Whitehall Quay II
Whitehall Road
Leeds
LS1 4HR
UNITED KINGDOM

Strategic Planning Policy Team
West Offices,
Station Rise,
York,
YO1 6GA

13th August 2024

YORK LOCAL PLAN REVIEW - CONSULTATION ON ALL PROPOSED MAIN MODIFICATIONS TO POLICY H5 'GYPSIES AND TRAVELLERS'

Dear Sir/Madam,

1. Introduction

Stantec are instructed by Barratt and David Wilson Homes (our 'Client'), who are promoting a number of strategic sites within York, including Strategic Site ST9 (land to the north of Haxby) and Strategic Site ST7 (Land East of Metcalfe Lane).

Following the Phase 5 examination hearing in March 2024 on Policy H5 and the Inspectors' letter of 7 May 2024 giving their views on the issues considered at that hearing, The Council have proposed further changes the Policy H5. It is considered that these changes bring the Plan into line with national policy and to make the plan sound.

Our Client has made representations previously on the Policy H5 matter, including those made by PB Planning, recommending alternatives, such as a local plan review and/or alternative wording, both of which are supported.

We attended the hearing session on behalf of our Client. We were not involved in discussions on existing Gypsy and Traveller sites however we did raise concerns in regards to the general approach to the policy for strategic sites within the plan. Notwithstanding this, the concerns we raised have not been addressed within the proposed modifications, and thus these representations seek to bring these matters to your attention again. Furthermore, the modifications now directly link to one of our Clients sites (ST7) due to the inclusion of a reference to the link road that will connect ST7 to Murton Road.

While the plan seeks to address the accommodation needs of Gypsy and Traveller communities, our Client has concerns that the chosen approach may not fully meet the tests of soundness as required by the National Planning Policy Framework (NPPF). Our Client also feel that greater flexibility should be provided to allow the provision of an off-site contribution where the delivery of pitches on strategic sites may not be possible due to other policy requirements or site constraints.

2. Modification MM5.23 – General Approach

Policy H5 aims to address the accommodation needs of Gypsies and Travellers by incorporating pitches within larger strategic housing developments. However, our Client has concerns that this approach may not fully recognise or accommodate the needs of the Gypsy and Traveller communities.. By placing pitches within broader strategic sites, these needs may be overlooked, potentially resulting in living conditions that do not truly address the community's requirements.

Strategic housing sites are generally designed to meet broad housing and community needs, focusing on typical residential developments. However, these sites may not align with the specific space, layout,

and privacy requirements. The plan currently lacks detail or guidance on how developers can ensure that pitches for Gypsies and Travellers are integrated in a way that respects both the needs of these communities and the overall objectives of the housing development.

Given the pressing need for additional pitches in York and the acknowledged difficulty in identifying suitable sites outside of non-Green Belt areas, this demand could be considered an Exceptional Circumstance, justifying the release of Green Belt land for the creation of new, dedicated Gypsy and Traveller sites. This approach would ensure these communities are provided with suitable, appropriately located sites which would not be subject to the social tensions that may arise from pepper-potting pitches within larger strategic housing developments.

Further to those representations we note that a number of strategic sites have been delivered without on site provision and rather a commuted sum has been provided. This was the case with ST** land north of Monks Cross, ST** land at Wheldrake and recently ST** at **. These sites should have provided ** pitches, however they have all provided commuted sums to be spent elsewhere. This approach to these sites shows that either a commuted sum is an appropriate mechanism to deliver pitches or that the policy as drafted is unsound as the necessary number of pitches will not be met.

Given the Council have accepted payments, including on site ST** at planning committee whilst this consultation has been running, it is clear that this is considered by the Council as an appropriate solution and that the money can be spent on exception sites. Given this is the case, the wording should be amended as per our previous submissions.

The effectiveness of Policy H5 depends on its deliverability within the plan period. Integrating Gypsy and Traveller pitches within strategic housing sites may complicate and delay their delivery, as pitches may be dependent on the broader site's development. If a strategic site faces delays, the delivery of the pitches could be threatened, leaving the Gypsy and Traveller communities without their required accommodation.

3. Modification MM5.23 - ST7 Link Road

The Modifications propose that any development of further pitches at the Outgang Lane Site should be subject to the production and approval of a masterplan and should include a link road from the north of the site to the new road that will connect Strategic Site ST7 (Land East of Metcalfe Lane) to Murton Way. Our Clients control the land at ST7 and therefore have an interest in any modifications to H5 that directly impact this site.

Our Client has concerns over the inclusion of this link road, its relationship with ST7 and uncertainty within the Policy. Neither our client or the landowner has been contacted regarding this amendment to seek confirmation that the land is available and that the new road is deliverable. No discussion on this or the mechanism, timing or funding for the road has taken place and therefore the deliverability of the road may not be possible. Without these discussions there is no certainty on the deliverability of the road and the approach may be unsound.

One of the primary concerns is the potential impact of this proposed link road on the overall development objectives for ST7. Policy SS9 outlines that ST7 should deliver 845 dwellings and create a new 'garden' village. Importantly, it emphasizes that the development should 'minimise impacts of access from Murton Way to the south.' The introduction of a link road from the Outgang Lane Gypsy and Traveller site to the new road connecting ST7 to Murton Way could significantly increase traffic and congestion or conflicting movements at the Murton Way junction, directly contradicting the objectives of Policy SS9 to minimise such impacts.

Moreover, the delivery of this link road and masterplannign is unknown and the link between the requirements of the policy and the housing allocation are unknown in terms of timing delivery or design. No guidance is given on whose responsibility the masterplan is, if it should be included in the residential application (which would be unreasonable and unnecessary for that allocation to be sound), if it can be delivered separately at a later date or whether a joint masterplan has to be produced (again considered unnecessary and unreasonable).

Additionally, there is a lack of clarity within the Policy regarding the specific requirements and expectations for the link road. The uncertainty about the precise route, design standards, and potential environmental impacts of this road adds to the concerns about the overall deliverability of ST7. Without clear guidance, developers are left in a precarious position, facing potential delays and increased costs that could have been avoided with a more considered approach.

Our client therefore objects to the lack of clarity in the policy in terms of the impacts it could have on the timing and delivery of the housing allocation. The requirement of a link road is not necessary to make the housing allocation sound, therefore it should not be prejudiced by the policy. As drafted there is significant concern that the delivery of the housing allocation would be delayed until an agreement can be reached on the link road, masterplan submitted and approved for the neighbouring site, which shows compliance with the adjacent site.

Given these considerations, our Clients require further evidence to be provided on how this will be provided and clarity that the residential scheme can be delivered independently of the requirements of Policy H5. As drafted and without this the policy is considered unsound due to the impacts it would have on the effectiveness of delivering the residential site..

4. Modification MM5.23 – Off-site Contribution

Part b of Modification MM5.23 states:

“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 and that there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer.”

The modifications remove the sequential approach to the delivery of pitches on strategic sites which previously allowed a contribution towards off site provision where on-site provision is not achievable.

Several sites within the Plan have a number of constraints and as is the case with Site ST9, under Policy SS11 of the Local Plan, the site is expected to deliver a range of other infrastructure within the site including a large area of new open space and primary education provision. The sequential approach to Policy H5 previously allowed for flexibility to ensure that all other policy requirements could be delivered on site. A commuted sum towards existing or new pitches elsewhere will not only ensure other policy requirements can be delivered on strategic sites site, but will also ensure the potential social issues (as discussed in section 2 of this letter) with Policy H5 are limited.

Given this, a commuted sum towards off-site gypsy and traveller provision is proposed in lieu of on-site provision is sometimes more appropriate. Options for a commuted sum ensure draft allocations can deliver all their policy requirements while still providing a contribution towards Gypsy and Traveller communities.

Regards,

STANTEC UK LIMITED

Stuart Natkus Planning Director


