

Planning Policy Team
City of York Council via email response to localplan@york.gov.uk

30 October 2017

Dear Sirs

Pre-publication draft York Local Plan (Regulation 18 Consultation)

The Campaign to Protect rural England North Yorkshire (CPRENY) welcomes the opportunity to comment further at this stage in relation to the emerging Local Plan which is intended to replace the “City of York Draft Local Plan (incorporating the fourth set of changes 2005)” which although never formally adopted is used as the basis for development management decisions.

Local CPRENY planning volunteers have commented on various consultation stages of the emerging Local Plan produced by the City of York Council (CYC), most recently in 2016 to the Preferred Sites Consultation. Such is the CPRENY commitment to Local Planning, the Branch commissioned KVA Planning to prepare the attached report following discussion and input from our local volunteers in the York area.

Having had the opportunity to study the draft document and associated supporting documentation CPRENY is of the opinion that the draft Local Plan is generally well-made and appears to be based on its evidence base and in conformity with National Planning Policies. It is, importantly, locally distinctive and most of its policies demonstrate how the special qualities and characteristics of York will be preserved and enhanced.

The prime area of concern for CPRENY relates to the Objectively Assessed Need for the City of York which, we feel, is too high and is discussed in detail in the attached report.

We wish to state that our comments made through previous consultation remain valid and of relevance to the emerging document, there comments made via this submission should be read in conjunction with all previous responses (made by the local group of CPRENY know and the York & Selby District group), specifically those submitted in 2016.

The attached report will therefore deal with specific issues relating to the Draft Local Plan, as published on 18 September 2017 and will focus on matters relevant to CPRENY. Where proposed policies or matters are not discussed, CPRENY takes no issue with them.

Once again, we thank the Authority for the opportunity to comment and would be only too willing to discuss any issues with CYC Planning Policy. We hope that this letter and attached report is sufficient to register our comments on the Pre-Publication Draft Local Plan. We would wish to be kept informed about the future stages of this Local Plan preparation and be notified when the Examination in Public is arranged.

Yours faithfully

JMW Marley



**Pre-Publication Draft York Local Plan (Regulation 18 Consultation
October 30th 2017**

Response from
The Campaign to Protect Rural England North Yorkshire (CPRENY)
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Section 1: Background

CPRENY welcomes this introductory section setting out the future aims of the CYC in general and how the different aims and objectives set out in a variety of documents are intrinsically linked.

CPRENY particularly welcomes the recognition that the green corridors which link the urban centre and the countryside are not only vital in maintaining York's green infrastructure network but the character and the environmental quality of city. In a similar way it is important that the Local Plan does establish what land is in the Green Belt surrounding York and in doing so set out firm boundaries with the aim of preserving the setting and special character of York alongside its other purposes as recognised within this introductory chapter.

Section 2: Vision and Development Principles

CPRENY support the detailed vision for the Local Plan which is routed firmly in accordance with the three roles that constitute sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF). The unique approach taken by CYC in setting out its individual development principles (a prosperous city for all, good quality homes and opportunities, protecting the built and natural environment and resources and efficient and affordable transport links) is welcomed. This reflects the NPPF's requirement for Councils to produce a locally distinctive Local Plan and helps the reader understand the overall aims for each key area focussed on within the Local Plan prior to reading specific chapters so that key players with an interest in the planning can clearly understand what CYC is hoping to achieve in order to deliver the vision.

CPRENY considers that Policy DM2 dealing with Sustainable Development could be amended to better reflect the need for new development to consider new green infrastructure as well as conserving and enhancing existing networks. Therefore, point iii) 2nd bullet should be amended to read: 'conserving and enhancing York's Green Infrastructure encouraging opportunities for new networks to link to existing whilst promoting accessibility to encourage opportunities for sport and recreation'.

Section 3: Spatial Strategy

Of greatest concern to CPRENY is the housing requirement set out in the Local Plan. The Local Plan states in Policy SS1 Delivering Sustainable Growth for York, that the CYC will deliver a minimum annual provision of 867 new dwellings over the plan period and post plan period to 2038 to enable the building of strong sustainable communities addressing the housing and community needs of York's current and future population.

Having had the opportunity to review the GL Hearn SHMA Addendum Update of May 2017, published for the purposes of the consultation as the City of York Strategic Housing Market Assessment Update (SHMA), September 2017, CPRENY remain concerned as to whether this figure is deliverable. Whilst it is recognised that the Local Planning Authority should aim to significantly boost the supply of housing (paragraph 47 of the NPPF) it is also recognised that it should be realistic and achievable.

CPRENY are aware that the average number of dwellings delivered per annum over the past 10 years is actually 575. The 2016 Preferred Sites Consultation identified that the Objectively Assessed Need (OAN) is 841 dwellings per annum were required based on the

2016 SHMA. An update to the SHMA was undertaken to take account of the new figures set out in the DCLG updated household projections in July 2016 as national guidance states that the official Government projections should be seen as a baseline. This increased the

demographic starting point from a 783- housing need figure to 867pa. Achieving the new figure of 867 new dwellings will require a considerable uplift from 575 units per annum and CPRENY are concerned that this may not be achieved and believe that a more realistic figure should be adopted.

It should be noted that CPRENY welcome the fact that the Executive Committee chose not to adopt the suggested figure of 953 dwellings pa as was recommended by the GL Hearn in the draft SHMA (applying a further 10% above the figure allowing for market signals). CPRENY agree that this figure does not give sufficient weight to the special character and setting of York or to the important environmental constraints that must be preserved and enhanced.

CPRENY is supportive of Policy SS2 setting out the role of the York Green Belt and welcome the fact that the final paragraph within the policy intends to give the Green Belt a degree of permanence beyond the plan period to 2038. The acknowledged explanation at paragraphs 3.13-3.15 is useful as it sets out that the Green Belt is to serve specific purposes including preventing urban sprawl, safeguarding the countryside from encroachment and encouraging the reuse of derelict and other urban land alongside the prime purpose of preserving the setting and special character of York.

Whilst CPRENY welcomes the fact that 78Ha of (gross) brownfield land is to be redeveloped via Policy SS4 York Central, it is concerned that the policy does not refer to the need to deliver an appropriate mix of housing informed by the Council's SHMA. CPRENY believe that reference to the SHMA would make point viii) stronger and assist the delivery of a housing mix within this city location, as has been done in other policies e.g. Policy SS6 British Sugar. In a similar way Policy SS14 setting out the principles for development at the Terry's Extension Site, also does not do this and would be made stronger by ensuring a mix of housing and tenures was delivered at this site which is located within walking and cycling distance of local amenities and close to good public transport links.

It is important that good design features are used throughout all development schemes to ensure that all development is inclusive and sympathetic to existing architectural designs and features to reflect the special qualities of York.

With specific regard to Policy SS12 Land West of Wigginton Road, whilst the Policy in planning terms is well-written, CPRENY does not understand how the essential physical and social infrastructure needed to support the aim of sustainable communities will be achieved at this location. As it is so remote to existing infrastructure. CPRENY believe that it would be more appropriate to deliver the new units either attached to another proposal for a new garden village site or as extensions to existing settlements, potentially shared throughout several sites.

The proposed Garden Village (ST15) dealt with via Policy SS13 - land West of Elvington Lane is welcomed and in principle supported providing it is planned and developed in accordance with the principles set out within the Policy. It will be essential at this location to deliver the vital physical infrastructure opportunities to allow sustainable alternatives to the private car to be maximised to access the University/Science Park employment zone. The protection of the Tillmire SSSI and Lower Derwent Valley SPA/ RAMSAR site is essential, suitable buffers and additional areas for nature conservation should be provided to ensure the conservation and enhancement of these habitats and species within them.

The development of site SS18, Station Yard, Wheldrake delivered via Policy SS18 remains of concern to CPRENY. It is considered that the development of this site would limit the expansion of industrial activities at the existing employment site and potentially restrict current businesses from expansion. Also, the essential requirement for public transport at this site would seem limited as current services and facilities are not considered adequate.

The inclusion of the current Ministry of Defence site at Queen Elizabeth's Barracks (st35) and also at Imphal Barracks (ST36) delivered via Policies SS19 and SS20 respectively are welcomed and supported providing that the developments are master-planned appropriately incorporating sustainable travel opportunities and any ecological and biodiversity constraints carefully identified, assessed and mitigated accordingly. The inclusion of these sites which were previously used for different activities is welcome as it safeguards against potential further Green Belt releases to providing housing and associated infrastructure in line with the Plan's requirements.

Section 4: Create a Prosperous City for All

CPRENY welcomes the statement that CYC intend to control the development of caravan/ chalet style holiday accommodation through occupancy conditions to ensure that the tourism industry is supported and that units do not become the sole place of residence via policy EC5. Whilst it is important to support farm diversification schemes it is important that the main agricultural industry remains the main business of the farm where possible to support the county's agricultural needs and economy.

Section 5: Provide Good Quality Homes and Opportunities

CPRENY have already raised concerns relating to the actual OAN claimed to be required throughout the plan period for the City of York. This section of the response will focus on the actual content of the plan rather than reiterate points already raised above.

The inclusion of the second paragraph within Policy H1 Housing Allocations is particularly welcomed setting out the criteria for which an application will be approved on an allocated site in advance of its phasing. It is essential that any alteration to phased development will not prejudice the delivery of either the remainder of the phased development and associated infrastructure requirements or other developments within the plan period which may detrimentally impact on the five-year supply of land.

Land supply across the York Housing Market Area is discussed at paragraph 5.16 of the draft Local Plan. This is an area of some concern for CPRENY. CYC has worked with neighbouring Authorities under the Duty to Cooperate (DtC) as required to do so by the NPPF and explained within the DtC Statement, CPRENY welcomes the fact that the City of York is not required to make additional land available to address any shortfall elsewhere within the neighbouring housing market areas. However, CPRENY are concerned that the impact of current and planned housing developments in adjoining administrative areas (e.g. proposed housing developments in Pocklington and Stamford Bridge (ERYC), Green Hammerton (HBC) and within Selby District (SDC))) will impact detrimentally upon the setting and infrastructure provisions of the City of York. CPRENY believe that some of the population forecasts utilised by GL Hearn to provide the OAN figure may actually transpire to accommodate themselves in these areas and commute to either York, Leeds or Harrogate. CPRENY are concerned that 'double-counting' of some of these population increases may have occurred providing an artificially high OAN for either CYC or adjoining Authorities and CYC should ensure that this has not been the case.

As encouraged to do so via paragraph 47 of the NPPF, Policy H2 is welcomed which sets out the potential rate of density for residential developments in order to support the most efficient use of land and maintain local services.

In a similar way, Policy H3 is also supported as it aims to ensure there is a balanced housing mix across developments seeking justifications for proposals in accordance with the most up to date evidence in the SHMA.

CPRENY is supportive of Policy H10 which deals with affordable housing requirements. It is essential that an appropriate amount of housing is delivered to meet the needs of the Local Planning Authority's administrative area. CPRENY is especially supportive of the recognition that even sites proffering two units could deliver a financial contribution, providing they have a total gross floorspace of 1,000sqm, which will aid delivery of such housing throughout the district. It is important that the delivery of such an important aspect of housing is delivered across sites in such a way as to integrate all households across the site and that all dwellings are afforded the same standards of design. With that in mind CPRENY are supportive of point v.) within the policy.

The final paragraph is required to ensure that unscrupulous developers do not promise to deliver affordable units on a site in order to gain a planning permission and then seek to vary the condition to alter the number of units delivered claiming it is not financially viable as happens all too frequently across North Yorkshire. However, CPRENY note that there appears to be some repetition in this paragraph and believe that there are some typographical mistakes.

Section 6: Health and Wellbeing

CPRENY welcomes the Council's ambition in this section for all residents to have the best possible physical and mental health throughout the course of their lives. The initiative to seek audits of existing new community facilities (Policy HW2) for proposals of over 10 residential dwellings, an audit of existing Childcare Provision (Policy HW4) for strategic Sites are considered most welcome. CPRENY are impressed by the intention of Policy HW7 which sets out that proposals for residential developments must provide a statement showing how design principles encouraging the creation of 'healthy places' have been incorporated into plans for development and provides a list of criteria to be considered. This is in conformity with the NPPF which places strong emphasis on well-designed developments which support health and well-being.

Section 7: Education

CPRENY are supportive of this section in general with the caveat that all proposed sites are supported by carefully considered master-plans which ensure any environmental and landscape related impacts from the proposals are sufficiently mitigated.

Section 8: Protect the Environment

CPRENY fully endorses the CYC introductory paragraphs to this section, especially the sentences "successful placemaking is a creative, practical and continual process. It is underpinned by a holistic approach to community wellbeing that embraces health, economy, culture and the environment."

Policy D1 Placemaking should apply to all development proposals and will be essential in the Development Management process to aid sustainable development and the protection and enhancement of the special character of York.

The recognition of the importance of landscape and setting via Policy D2 is especially welcomed. These are some of the most important qualities and characteristics which make up the City of York and it is vital that any development incorporates and respects these elements properly.

The inclusion of a separate policy (D7) dealing with the significance of non-designated Heritage Assets is welcomed, especially in an area containing such important historic assets in terms of scale and quantity as York. Such assets can often be deemed less important than Designated Assets and therefore the degree of harm caused by developments overlooked.

Section 9: Green Infrastructure

CPRENY welcomes policy G11 in its entirety and in particular the reference in point vi) to extending current networks where possible. The recognition in the supportive text that a green infrastructure system approach to assessing biodiversity, open space and areas of public realm as one entity and not just in isolation is considered a best-practice methodology and supported.

Whilst totally supportive of the text within Policy G13 dealing specifically with Green Infrastructure Networks, CPRENY believe that this policy could be incorporated in Policy G11 in order to avoid duplication and provide an even more detailed initial first policy.

Section 10: Managing Appropriate Development in the Green Belt

In general, CPRENY supports this chapter of the LP in its entirety.

Whilst Policy BG1 Development in the Green Belt follows National Planning Guidance - it is considered that the following words should be added to the first bullet point for purposes of clarification under the following heading "AND it is for one of the following purposes:

- Buildings for existing agriculture or forestry activities;"

Section 11: Climate Change

CPRENY welcomes the inclusion of this chapter within the draft plan. In order to reach the Country's targets to reduce our CO2 in accordance with the Paris Agreement it is important that Local Planning Authorities plan for climate change within their Development Plans. Energy Efficient designs should therefore be included within all new proposed development and thus Policy CC2 is welcomed.

Section 12: Environmental Quality and Flood Risk

With the former comments in mind in relation to Section 11 and the historic importance of the City of York, Policy ENV1 relating to air quality is welcomed and its contents supported.

Policy ENV2 deals specifically with Managing Environmental Quality setting out that proposals that would result in likely environmental impacts on the amenity of the surrounding area including to residents and on the open countryside etc. will not be permitted without accompanying evidence to show that no resulting loss of character,

amenity or damage to health to existing or new communities will occur. This is supported in general.

CPRENY supports the Flood Risk policies contained within this section.

Section 13: Waste and Minerals

CPRENY have actively commented on the development of the Joint Minerals and Waste Plan preparation of which CYC has been involved with the North Yorkshire County Council and the North York Moors National Park Authority, as such CPRENY has no further comment on this section.

Section 14: Transport and Communications

It is acknowledged that transport has an important role to play in contributing to the delivery and growth of sustainable communities and to wider sustainability, environmental and health objectives. Policy T1 is in general conformity with the transport policies of the NPPF. It is considered that the policy should be expanded at the first paragraph after the listed criteria, to set out that on completion of the developer's obligations to ensure provision of a high quality public transport system, the developer will be required to provide details of how this service will be continued in the future to ensure sustainability.

CPRENY are supportive of the schemes and policies set out in the draft Local Plan but question the ability of CYC alongside its relevant partners ability to actually deliver the required transport infrastructure to ensure that the sustainable objectives are indeed met.

Section 15 Delivery and Monitoring

It is vital that infrastructure is delivered prior to new development proposals taking place in order for sites to be developed sustainably. CPRENY therefore support Policy DM1 which deals with infrastructure and developer contributions. It is essential that developers do not relinquish the contributions to be sought in relation to delivering infrastructure to support the future development of York.

It is considered that an additional paragraph should be included within this policy setting out that any developer wishing to opt out of this payment should be required to provide an open book audit as set out in Policy H10 dealing with affordable housing provision.

Conclusion

CPRENY welcomes the opportunity to comment on this version of the CYC Local Plan and look forward to reviewing the Publication version in 2018 in accordance with the timetable as set out by the Local Development Scheme published on the website.

In general, CPRENY believe that the CYC draft Local Plan is in conformity with national planning priorities established via the NPF. It offers a locally distinctive narrative which is welcomed.

CPRENY remain concerned that the OAN is set too high to be achievable and feel that a lower number would be more realistic based on past delivery rates for the last 10 years.

CPRENY welcomes the importance placed on the preservation and enhancement of the environment within the draft Local Plan and the recognition that all three pillars of sustainable development are intrinsically interlinked in successful place-making.



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