

Response to
City of York
Local Plan
Further Sites
Consultation

By Julian Sturdy MP

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INTRODUCTION

- 1.1 In this submission, I have sought to make specific comments on all of the Further Site proposals, however I wish to take this opportunity to comment on the Further Sites document as whole and the direction of the Local Plan more generally. To avoid repeating myself, the following general comments will be applicable to most of the proposals within the document, even if not explicitly stated.
- 1.2 I am not, nor have I ever been, opposed to sustainable development in appropriate locations. I have always said that, as York is a very special historic cathedral City, set within a much-enjoyed greenbelt consisting of productive agricultural land and beautiful open countryside, planning and development decisions should always be very carefully considered and sensitive to protecting the character and setting of our great city. I fear that with the City of York Council's draft Local Plan, as it currently stands, comprising both the Preferred Options and Further Sites documents, the exact opposite is occurring.
- 1.3 My opposition to the overall scale of development proposed within the Plan centres on three main points. These are:
- That I do not support the Council's assessment of the need for this scale of development, nor do I support the justification for providing for over and above what has been assessed as York's needs, as is the case with the housing targets within the Plan.
 - I do not believe the Plan currently being progressed by the Council is sustainable, in that our existing infrastructure and amenities will not cope with the level of planned development and there are no guarantees within the Local Plan of the already much-needed investment in our infrastructure. For me, it is a 'cart before the horse' Plan.
 - I do not support the Council's interpretation of York's greenbelt and the belief that the Local Plan review entitles the authority to redefine its boundaries without having to display exceptional circumstances.

1.4 I also have concerns over the way in which the Further Sites consultation has been conducted. Hereon, I will seek to address each of the above points in more detail.

Needs

1.5 As I made abundantly clear in my previous submission to the Preferred Options consultation, I am strongly opposed to the overall scale of development put forward in the Plan and I believe the vast majority of respondents shared this view. The Council itself acknowledged that concern for the scale of development was a key theme coming out of the consultation and yet I am extremely disappointed that the Further Sites consultation makes no reference to any consideration of reducing the housing targets to more sustainable levels that are supported by objectively assessed needs.

1.6 As my previous submission stated, the housing targets of 1090dpa (+15% buffer supply) *“are based on grossly inaccurate calculations of need and unrealistic assumptions on potential future economic growth and job creation in York”*. The NPPF states that Local Plans should be *“aspirational but realistic”*. York’s current Local Plan exceeds the former description but fails the latter. The estimated job growth figures are hugely over-ambitious and fail to take into account the jobs that have been lost in the city over the past 10 years.

1.7 Arup’s paper on the Housing Requirements in York is clear that *“the baseline economic forecast and baseline housing requirement are aligned, but this does not necessarily realise the objectives of CYC”*. York’s needs, as defined in Arup’s report by estimated population growth, are much lower than the 1090dpa target currently being pursued. Several of the Council’s frankly superfluous objectives have caused this disparity between what is required for York and what is desired by the Council. Briefly, these are:

- A desire to create over 1000 jobs in the City per year throughout the life of the Plan.
- A desire to house all of the families connected to these new jobs within the authority’s boundaries.

- A desire to maximise the affordable housing returns from housing developments by ensuring they are large enough to be economic for developers.

1.8 National planning policy is absolutely explicit in stating that Local Plans must be based on objectively assessed needs and the following recent comments from the Planning Minister have reiterated this message:

“[a local authority must] demonstrate to the Inspector the reasons it needs to supply those numbers, which cannot be that it is ambitious or that it is going for growth. If it has no good arguments or good evidence... it is a Plan to meet not need but ambition and dreams, which is a great and lovely thing but not what plans are meant to do.” [Hansard, 24 October 2013; Vol. 569, c. 193WH.]

“a vaulting ambition is not a sufficient justification for threatening protected land. Ambition and the desire to grow faster than one’s neighbours or perhaps to build a small empire is not a sufficient justification for putting protections at risk.” [Hansard, 13 May 2014; c243WH]

1.9 I fear that if the Council continues in its attempts to pursue inflated housing targets, then it risks having the Local Plan thrown out by the Inspector yet again, causing great cost to the public purse. While I was disappointed with the lack of discussion of this topic within the Further Sites document, it is still not too late to change course. I urge the Council to give serious consideration to reducing the overall scale of development within the Plan, particularly housing.

1.10 My concerns over the assessment of need for Gypsies, Romas, Travellers and Travelling Showpeople will be detailed in a later section. I must stress that there are no requirements on the authority within the NPPF to ‘safeguard’ land for future development, nor are there any requirements to allocate land for renewable energy generation, including wind and solar power. This point was made clear in my recent surveys on the Local Plan Further Sites document and the vast majority of my constituents believe that the authority should not allocate land for these uses if not

required to do so. I urge the removal of all of the safeguarded, wind and solar allocations from the Plan as soon as possible.

- 1.11 I was particularly astonished not to see any mention of the 40+ areas of search for onshore wind power in the Further Sites document and as they have not been recommended to be withdrawn, I can only presume, in extreme disappointment, that these are still being considered.

Sustainability

- 1.12 During the several public meetings I have hosted during this consultation, the most common concern raised by residents was over the lack of adequate infrastructure to support the developments put forward. Residents are concerned about our road networks, sewerage and drainage systems, local schools and healthcare facilities, flood defences, public transport and other amenities.

- 1.13 They see that no provision has been made for the necessary improvements to our infrastructure to support the development put forward, other than assumptions about commuted sums and section 106 payments. While it is accepted that developer contributions will enable minor infrastructure improvements, the major upgrades that the city is already crying out for, i.e. the dualling of the A1237, expansion of the hospital, new secondary schools, are very unlikely to be provided for without major investment.

- 1.14 I therefore call on the authority to reassess their definition of sustainability and ensure it is effectively applied to the development proposals within the draft Local Plan or else they risk it being imposed upon them by the Inspector at a later date.

Greenbelt

- 1.15 I am concerned at the overall disregard shown towards York's established greenbelt within both the Preferred Options and Further Sites documents. The assumption from the Council appears to be that it is acceptable to redefine the boundaries of the greenbelt as part of the Local Plan review process and that because York's greenbelt has never been formally adopted in a Local Plan, the Council will not be required to

display exceptional circumstances in order to do so. I strongly discourage such narrow-mindedness and I urge the Council to reconsider their interpretation of the current status of York's greenbelt.

1.16 York's greenbelt is established in legislation in the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013 and I am led to believe this will be key consideration for the Planning Inspector, once the Local Plan is submitted.

1.17 The Council has failed to properly prioritise brownfield development over greenfield and greenbelt and the brownfield sites that are being put forward are being under-utilised for housing. York has one of the largest acreages of city centre brownfield land in Europe and yet too much of this land is disappointingly being allocated for employment and other uses, rather than much needed housing. By doing so, the Council are pushing more of the housing burden onto the greenbelt. This is in direct contravention of one of the key purposes of the greenbelt, which is to promote urban regeneration. This has not been rectified within the Further Sites document.

Consultation

1.18 I am disappointed that the Further Sites consultation does not appear to have been properly publicised nor has it been thorough in consulting the views of all residents. While the leaflet accompanying the Preferred Options consultation was deficient in many regards and somewhat misleading, I am disappointed that the Council did not distribute a city wide leaflet advertising the Further Sites proposals and the consultation. Likewise, this consultation was accompanied by only three Council-run public exhibitions compared to the several sessions that were put on during the Preferred Options consultation. This apparent retreat from proper and thorough consultation is potentially as a result of being so overwhelmed by the scale of response to the previous consultation, which has caused major delays to the original Local Plan timetable. This, however, is no excuse for not seeking the views of local residents and listening and acting upon them.

1.19 I have been disturbed by the speed with which some developers have been organising public exhibitions on their plans to develop certain sites, namely the land

to the east of Earswick and the north of Clifton Moor. This hugely premature activity should be strongly discouraged by the Council, as it is giving many residents the impression of collusion between the authority and the developers and is contributing to a widespread belief that development on these sites is a 'done deal'. The Council should be at pains to distance itself from any action from developers that is helping to foster these ideas within our communities, otherwise I fear public trust in the local authority will only deteriorate.

NEW RESIDENTIAL, EMPLOYMENT AND RETAIL SITES CONSIDERED

Old School Playing Field, New Earswick (Site Ref 182)

- 2.1 Conversations with a former New Earswick Parish Councillor have revealed that the Parish Council are 'very concerned' about this site. Indeed, the book *Discovering New Earswick* explains that the Parish Council have previously requested that this land be designated as common land. A Planning Inspector at the time stated that it retains 'a visual importance because of its position immediately adjacent to New Earswick. Views across it and of it are so significant in this context as to merit protection.'¹
- 2.2 A questionnaire sent to all residents of the village on the electoral register was completed and returned by 54% of the recipients, 1,152 people. Of these, 891 opposed residential development, 134 supported it, 124 had no opinion either way and 3 people did not state their preference. The City of York Council, who had conducted the poll, said at the time that from a sample of this size the results accurately reflect the views of the residents of New Earswick.² It is not clear from the Further Sites document, whether the history of the site, including both the comments of the Inspector and the very clear opposition of the community in a previous poll, have been taken into account when bringing this site forward. If not, these factors should be taken into account before this proposal is allowed to progress any further.

Land to the North of Escrick (Site Ref 183)

- 2.3 It is not clear from the Further Sites documentation whether the residents of Escrick have been consulted, since the majority of them reside outside of the City of York boundaries. From the recent emails I have received from residents and Parish Councillors in Escrick, I do not believe this to be the case. Regardless of whether or

¹ E. Alley, *Discovering New Earswick: Essays from the New Earswick Bulletin 2000-2007*, (William Sessions Limited, 2009), p.32

² Alley, *Discovering New Earswick*, p.33

not Selby District Council have been notified and invited to comment, I would urge the Council not to progress this proposal until it is satisfied that a thorough and active consultation with the community has taken place (whether organised by SDC or CYC). The Council must ensure that the residents are fully aware of this proposal and the allocation of 'safeguarded' land to the north and that they are able to engage in the process.

- 2.4 This proposal should not be considered in isolation. Its potential impact on traffic levels on the already very congested A19, must be considered alongside the potential impact of the 'safeguarded' land directly to the north and the impact of 5000 new homes at Whinthorpe. No explanation is given in the Further Sites document or the Preferred Options document (2013) for that matter, as to how the increases in vehicle movements will be tackled. No indication is given for how the Council will obtain the already much-needed investment to upgrade the A19 to cope with current traffic levels, let alone the additional vehicles that will come in the future.

Land to the North of Stockton Lane (Site Ref 187)

- 2.5 Having hosted a public meeting in Heworth Without, I can confirm that this site is deeply controversial within the community. I also carried out a ward-wide survey in Heworth Without and 91% of the respondents were opposed or strongly opposed to this proposal.
- 2.6 The main concerns expressed to me within the returned surveys and the several emails and letters I have received on this proposal are over the impact on the greenbelt, green spaces and wildlife and a belief that this development represents urban sprawl. There were also concerns over the sustainability of this development, its impact on traffic on Malton Road and its potential to turn Galtres Ave, Ashley Park and Woodlands Grove into 'rat runs'. Complaints were made about drainage and flooding, a lack of local facilities, noise and road safety, particularly relating to access as the site is close to a children's nursery and bus stops. One constituent expressed his belief that a previous application to build on land adjacent to the site was rejected on the grounds that additional road junctions onto Stockton Lane

would be a hazard. It is not clear whether evidence from this decision has been taken into account for this proposal.

- 2.7 Doubts were also expressed over the assessment of need for housing in this area, particularly as Burnholme Community College has recently been closed down due to an apparent lack of demand.

Sites at Connaught Court (Site Ref 298)

- 2.8 Despite delivering surveys to all residents in Fulford, no opinions were expressed about the proposed developments at Connaught Court. However, in many of the surveys, the respondents expressed general concerns about development on flood plains, perhaps in reaction to the very controversial decision to allow the development of Germany Beck.
- 2.9 Having previously acted on behalf of constituents from the nearby Pumping Station Cottages, off St Oswald's Road, who suffered very severe flooding in 2012 and have done on previous occasions, I would urge the Council to be incredibly cautious when progressing this development, due to its close proximity to the river. Any development that is pursued should be mitigated with flood defences and measures to manage the flood risk in the area.

The Old Vinery, Cinder Lane (Site Ref 733)

- 2.10 Comments on this site will be made in chapter 4, alongside the amendments to ST2.

Haxby Hall Elderly Persons Home (Site Ref 757)

- 2.11 Very little or no comments have been received from constituents on this proposal, although there is significant concern within the community over the perceived over-development of Haxby and Wigginton, due to the ST9 and SF4 proposals, as well as the land at Greystones Court (H37). Comments on ST9 and SF4 will be made in chapters 4 and 5 respectively.
- 2.12 There is some existing apprehension within the community over the lack of open space and any development of Haxby Hall should be carefully monitored to ensure

the openness of Ethel Ward is maintained and that it can continue to be enjoyed by residents should this development be progressed.

Land at Boroughbridge Road (Site Ref 779)

2.13 As with others, this site cannot be considered in isolation and the ST1 and ST2 allocations should be borne in mind, as together they will amount to approximately 1800-1900 houses in the Boroughbridge Road area. Constituents in Upper and Nether Poppleton, as well as on Trenchard Road, Portal Road, Westview Close and Low Poppleton Lane, have all expressed grave concerns over the cumulative impact that these developments will have on their quality of life.

2.14 I am supportive of the very detailed objections put forward by the York (Trenchard) Residents Company Ltd to the above site. As they have explained, this land is productive agricultural land that is an important part of the greenbelt in serving the purpose of preventing suburban sprawl. As the Chairman of the company has said: 'the last check in the restriction of urban sprawl of a large built-up area along the Boroughbridge Road and it materially assists in safeguarding the countryside from encroachment.'

2.15 Rightly so, concerns have also been expressed over the associated infrastructure in the area, or lack thereof. These include access, traffic, pollution, school places, the strain on local health care facilities and sewage facilities.

Airfield Business Park, Elvington (Site Ref 97)

2.16 Residents and community representatives in Elvington have expressed grave concerns over existing traffic and congestion issues through the village, particularly on the B1228. There is a real fear that this development will increase HGV traffic in the village and worsen the existing safety risk to residents and children.

2.17 When considered alongside the other Further Sites proposals in the village, (Site Refs 815, 802, 747, 22) and the Preferred Options proposals (H26 and H39), the overall scale of development proposed for the village is disproportionate to its size.

Poppleton Garden Centre (Site Ref 742)

2.18 No specific concerns have been raised with me regarding the above site, although several constituents in the Poppletons and Boroughbridge Road area have expressed concerns over the scale of development being put forward in the vicinity. In order for this development to be progressed, the Council must reassess its wider ambitions for this area of the City and be realistic about what is achievable, without forcing the local infrastructure to breaking point.

Land South of the Designer Outlet (Site Ref 800)

2.19 No specific concerns have been raised with me regarding the above site. Expansion of the Designer Outlet could be a positive addition to the southern edge of the city, providing adequate provision is made for parking on site and that work is done to mitigate potential increases in the traffic flows on the A19 as a result of such a development. However, the land is currently within the greenbelt and the authority should consider how they will justify this greenbelt development with exceptional circumstances.

CHANGES TO ALLOCATED SITES

Land RO The Square, Tadcaster Road (Site Ref 247 or H6)

3.1 I have received no correspondence from constituents regarding this site. However, I welcome the slight reduction in its boundaries in order to protect the land surrounding St Leonard's Hospice.

Annamine Nurseries (Site Ref 639 or E11)

3.2 I have no major objection to the proposed 'change in use' for this site from office use alone to office use and 'other employment... connected to the adjacent use'. I have not been contacted by any constituents about this proposal.

Changes to Strategic Sites

- 4.1 For many, at first glance, the addition of 'strategic greenspace' to a number of the strategic sites within the Local Plan, appears to be a positive, albeit very minor, improvement. However, many of my constituents are deeply concerned about the massive scale of some of the strategic sites and the impact they will have on the amenity of the surrounding residents. They feel that their calls for these proposals to be removed from the Local Plan as a whole have been ignored and the strategic greenspace is nothing more than a consolatory offering from the Council.
- 4.2 Indeed, I have my own concerns about the addition of strategic greenspace and in many cases I feel it is at best a largely superficial amendment that goes no way to alleviating the concerns that were very clearly expressed during last year's consultation. At worst I am suspicious of the Council's deceitful use of strategic greenspace in order to distract from major changes to the boundaries of some of the proposed sites, which have actually caused net increases in the amount of developable land within them in spite of the addition of greenspace. A key example of this is the land identified as ST7 to the east of Metcalfe Lane in Osbaldwick, where there has been a net increase of nearly 50 acres in the amount of land available for development. This is reflected in the fact that the original site boundaries supported 1800 new homes, whilst the Further Site recommendation suggests 2379 are achievable.

British Sugar/Manor School (Site Ref ST1)

- 4.3 The boundaries of this site have been extended by 5.05ha, meaning that the addition of 5.2ha of strategic greenspace is effectively irrelevant. This is a key brownfield site and should be developed as a priority. However, it is important that its impact on Boroughbridge road is carefully considered, especially on account of the nearby Civil Service Sports Ground site (ST2) and the land at Boroughbridge Road (779), which together will undoubtedly impact on congestion on this main artery in and out of the City.

Former Civil Service Sports Ground, Millfield Lane (Site Ref ST2) &

The Old Vinery, Cinder Lane (Site Ref 733)

- 4.4 The addition of the Old Vinery site again makes the strategic greenspace that has been added seem almost without purpose.
- 4.5 There are concerns among residents in the Boroughbridge Road area that the Former Civil Service Sports Ground, is less suitable for development compared to the British Sugar site, due to its former and current use as recreational site and the fact that it has never been a 'brownfield' site. Paragraph 77 of the NPPF states that "existing open space, sports and recreational buildings and land, including playing fields should not be built on" unless in certain exceptional circumstances, which do not seem to apply here. Local residents appear to believe that with the development of the British Sugar site, there will be an increased demand for recreational land, which the development of ST2 will exacerbate.

Land to the East of Metcalfe Lane (Site Ref ST7)

- 4.6 I am strongly opposed to the covert extensions to the size of this development discussed in paragraph 4.2 above. The community of Osbaldwick already suffers with significant traffic issues already as a result of many of the roads in the village being used as a 'rat run' by drivers seeking to avoid Hull Road. By placing such large scale development in this area, there is a genuine fear that the village will be overrun with traffic and congestion.
- 4.7 By spreading the development north to Stockton Lane, its impact will also be felt in Heworth Without. Again, it must be considered alongside the development proposed to the North of Stockton Lane (187), particularly in terms of the impact it will have on traffic.
- 4.8 I am also concerned about access to this site, given its scale and its close proximity to the A64, which already sees heavy congestion on the Grimston Bar and Hopgrove roundabouts.

Land North of Haxby (Site Ref ST9)

- 4.9 As with the above site, the addition of 6.4ha of strategic greenspace is counteracted by the 8.61ha extension to the boundaries of the site, meaning that the developable area of this site has grown by 5.5 acres. Again this is reflected in an increase in the amount of homes this site is expected to cultivate from 747 to 813.
- 4.10 These changes clearly show that the concerns expressed by so many Haxby and Wigginton residents about the impact that such a large scale development will have on the communities' existing infrastructure have been completely ignored by the Council.

Land at New Lane, Huntington (Site Ref ST11)

- 4.11 I welcome the addition of strategic greenspace on this site and the reduction in the amount of proposed dwellings it will deliver from 411 to 366. This development will still undoubtedly have a significant impact on the local infrastructure, particularly the road network, which many agree has become much busier following the opening of the Vangarde shopping centre.

Land to the North of Clifton Moor (Site Ref ST14)

- 4.12 The addition of a significant portion of strategic greenspace to this land has been offset by a large extension to the site boundary. While the reduction in proposed housing target for this site from 4020 to 3291 dwellings is a step in the right direction, the Council must go further by withdrawing this unsustainable proposal as soon as possible. The A1237 is now gridlocked throughout large sections of the day and still no explanation has been provided on how the Council intends to obtain the funding to dual the outer ring road. The road is in desperate need of upgrades now and without any guaranteed investment in upgrading it, the Clifton Gate development could ultimately serve to choke York's economy.
- 4.13 Several residents have also contacted me to express concerns over the rate at which the developers for the site are preparing a planning application for this land and I would strongly encourage the Council to publically distance themselves from any

such activity and assure the local residents that this proposal is not a 'done deal' as the developers may be trying to suggest.

Whinthorpe (Site Ref ST15)

4.14 Despite the slight reduction in the scale of this site, caused by the addition of strategic greenspace, it remains of a scale that is much too large for the existing infrastructure. I have concerns over access to the site, its impact on congestion on the A64, the A19 and A1079 (major arteries into the City), its impact on local schools, particularly Fulford School, which is already oversubscribed and its impact on the local environment and flooding. Part of the site is very clearly at risk of flooding and following the recent examples of flooding in the South and East, all efforts should be made to avoid, as much as possible, building on known flood plains. It is also widely regard as prime fertile agricultural land and as food security is increasingly dominating the global political agenda, the local authority should avoid at all costs any infringement onto productive farmland.

4.15 The addition of strategic greenspace to protect Heslington Tilmire could be considered a step in the right direction, however Yorkshire Wildlife Trust have been clear that the Tilmire is *"too fragile and too special to cope with such large housing developments in such close proximity. **Mitigation and compensation measures would not be enough to retain their special wildlife features.**"* I therefore urge the Council to take on board these comments and remove the Whinthorpe allocation from the Local Plan completely.

Northminster Business Park (Site Ref ST19)

4.16 The overall footprint of the proposed Northminster Business Park does not appear to have changed dramatically, if at all, however much more of the land has been changed from 'safeguarded' land to land for employment use within the Plan period. It is not clear why this has been recommended and what its implications are for the remaining piece of 'safeguarded' land.

4.17 It must be noted that this proposed development is very close to the ring road and will very likely contribute to the growing congestion issues on the A1237. If it is

pursued without any guaranteed investment in upgrading the ring road, I have little doubt that the business park will follow in the footsteps of much of the office space on Clifton Moor and be vacant and underutilised, with congestion persuading many employers to seek alternative premises.

New and Revised Safeguarded Land

5.1 There is absolutely no requirement upon the Council to remove land from the greenbelt and 'safeguard' it for future development. The NPPF only states that local planning authorities should *"where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period"*.

5.2 Indeed on 24th October 2013 the Planning Minister himself said in Parliament that:

"there is nothing in the Localism Act 2011, in the NPPF or in any aspect of Government planning policy that requires someone to plan beyond 15 years. So, anybody who is suggesting that there is any requirement to safeguard land or wrap it up in wrapping paper and ribbons for the future development between 2030 and 2050 is getting it wrong. There is no reason for it and my hon. Friend can knock that suggestion straight back to wherever it came from." [Hansard, 24 October 2013; Vol. 569, c. 193WH.]

5.3 One of the suggested purposes behind taking the option to 'safeguard' land is to protect the permanence of the greenbelt and add certainty to future patterns of development, however I fear that it actually has the opposite effect. My concern is that once land has been removed from the green belt, then development is practically guaranteed to occur on the site at some point in future. Paragraph 85 of the NPPF states that local authorities *"make clear that the safeguarded land is not allocated for development at the present time"* and the Council appears to be at pains to affirm this in pages 34-35 of the Local Plan Further Sites document. However, I am deeply concerned about the will (and indeed the desire) of the local authority to protect 'safeguarded' land and I fear that the Council may sacrifice the long-term interests of local residents for short-term gain by permitting development ahead of schedule. Needless to say the proposal for the land to the east of Earswick (site ref 810) directly contradicts the assurances provided in pages 34-35, in that the Council believe that if *"concerns can be overcome part of this land could potentially be considered as an allocation for years 1-15 of the Plan"*. I will draw on this site in more detail in the pages to come, but at this stage it is necessary to make clear that I

believe all allocations of safeguarded land should be withdrawn, due to the fact that they are unnecessary incursions onto the greenbelt and will lead to an excessive attack on the greenbelt, which is already under great threat from housing, wind and solar farm, traveller and employment allocations. The permanence of the greenbelt should be protected, as should its role in promoting urban regeneration.

Whinthorpe (Site Ref 813 or SF3)

5.4 This site is considered much too excessive. The housing allocation at Whinthorpe is already being proposed for 5000 new homes and this safeguarded allocation is capable of achieving an additional 4200 homes. If all of these were to be developed Whinthorpe would dominate what is currently a very rural landscape. It would also encroach onto Elvington Parish, which is already facing large scale expansion as a result of the Further Sites proposals.

Land North of Haxby (Site Ref 814 or SF4)

5.5 While the boundaries of the safeguarded land have been amended, the overall footprint remains very similar. There is great concern within the communities of Haxby and Wigginton over the strain that the proposals for 813 new homes will have on the infrastructure in the community, let alone the further 720 homes that the safeguarded land will deliver in the future. The community does not consider it to be organic growth of the existing settlement, but a major and unsustainable expansion of the existing urban area.

Land at Northminster Business Park (Site Ref 793 or SF8)

5.6 See comments already detailed in paragraphs 4.16 and 4.17.

Land to the North of Escrick (Site Ref 183)

5.7 See comments in paragraphs 2.3 and 2.4.

Land at Intake Lane, East of Dunnington (Site Ref 811)

5.8 A survey has revealed strong opposition towards this proposal within the community. It is already facing major extensions to the urban footprint of the village

and there are concerns over the sustainability of adding a further 105 dwellings to the village.

Land at Elvington Village (Site Ref 802)

5.9 I strongly agree with the comments already made by Elvington Parish Council and the 'Keep Elvington Rural!' Action Group, in that the scale of development proposed in the village is disproportionate to its needs and would 'adversely affect the existing nature and culture of a rural community'. The proposed 84 new homes on this site must be considered alongside the existing Local Plan proposals for 97 homes on Dauby Lane and the 25 proposed on Church Lane, as well as the other safeguarded and employment allocations at the Business Park and the seven Traveller pitches and three Showpeople pitches in the village. The community is quite right to oppose this disproportionate development on the grounds of the impact it will have on what is currently one of York's most rural communities.

Elvington Industrial Estate (Site Ref 815)

5.10 See comments in 2.16 and 2.17

5.11 It is also concerning that after contacting many of the businesses on the existing industrial estate, the Parish Council and the Action Group have found that very few of them were aware of these proposals. The consultation on proposals 815 and 97 cannot be considered meaningful if those who are most likely to be affected have not been properly consulted.

Land to East of Earswick (Site Ref 810)

5.12 I fully endorse the comments already put forward by the Parish Council and the Earswick Action Group on this site. At 220 acres and with a potential to deliver over 2100 houses, this site stands to submerge the existing village settlement. It will have a hugely detrimental impact on the character and setting of the village as well as upon local wildlife populations. The detrimental impact on local infrastructure will be immense, especially when considered alongside the 200+ homes proposed in Strensall, the 800+ homes proposed in Haxby and Wigginton and the over 3000

homes proposed to the north of Clifton Moor. Access will be a major issue, particularly if it is suggested to be accessed via a further roundabout off the A1237, which is already suffering from extreme congestion at peak times.

- 5.13 The caveat within the recommendation that part of this land could be developed during the 15 year life of the plan if certain concerns can be overcome, creates great uncertainty over its allocation as 'safeguarded' land, which is supposed to be for development in the longer term. It also casts doubt on the Council's willingness to restrict development on other 'safeguarded' allocations until a Local Plan review is held.
- 5.14 Sites 775 and 777 were rejected on the grounds of failing to meet the criteria for Residential Access to Services and yet the two sites taken together make up 75% of site 810. If two individual sites have been rejected, they should have failed on the same grounds when submitted together as one site allocation. The agents representing the developers for this site have suggested it would be accessed via a new roundabout off the A1237 between Earswick and Monks Cross. However, in rejecting Site 777 the Technical report states (pages 160-161) in its conclusion: *'there are issues regarding access with this site as it will be extremely difficult to provide suitable access within the current configuration of the local highway network. There is not enough space to add a further junction between existing junctions on the A1237.'* How is the same not the case for this larger safeguarded proposal? If land is not fit for housing now, it is very unlikely that it will be in the long term future.
- 5.15 As a result of these inconsistencies, there is an apprehension within the community over potential collusion between the Council and the developers. The Council should make every effort to set the record straight and restore public confidence by removing this site from the Local Plan.

East Field, Wheldrake (Site Ref 752)

- 5.16 This site represents a substantial increase to the existing footprint of the village and when taken alongside the other development proposals in Wheldrake, it will have an obvious impact on its character and setting. There are no indications as to how the

existing amenities in Wheldrake will cope with the increased population. Of particular concern is Wheldrake Primary School which is already consistently oversubscribed, causing upset to many families who are forced to educate their children further afield.

New Openspace Sites

Temple Road, Copmanthorpe (Site Ref 206)

6.1 I am led to believe the community is supportive of the proposal to include this allocation as openspace for sport and recreation. However, they remain disappointed that the large development proposals to the west of the village have not yet been withdrawn from the Local Plan. I would be disappointed if this openspace proposal were only intended as a 'peace offering' in order to try to dissipate the community's resolve against the proposals for 600 new homes in the village and I have very little confidence that this will work if so.

New Renewable Energy Sites

7.1 I am disappointed that no mention has been made of the completely inappropriate 40+ wind farms proposed in the 'Preferred Options'. I call on the Council to remove these allocations again, based on the extremely negative impact they will have on York's character and setting, local wildlife populations and local aerospace.

7.2 While I appreciate the Council's desire to promote renewable energy as part of the Local Plan, there is no requirement within the NPPF that they provide renewable energy sites as part of this process. The Plan will not be treated unfavourably by an Inspector if it is without potential renewable energy sites.

7.3 I support the promotion of Solar PV, as part of a balanced energy mix, providing it is deployed in appropriate locations, on industrial or brownfield sites or on the roofs of new and existing buildings. However, I strongly oppose inappropriately sited solar farms in the open countryside and on greenbelt land. Indeed, recent comments and policy announcements from the Department for Energy and Climate Change appear to support me in this view, with the former Energy Minister, Greg Barker MP, saying *"inappropriately sited solar PV especially in the countryside is something that I take*

*extremely seriously and am determined to crack down on”.*³ The Government’s new Solar Roadmap makes it very clear that *“support for solar PV should ensure proposals are appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity, and provide opportunities for local communities to influence decisions that affect them”.*⁴

7.4 *“The Solar Roadmap builds on the much tougher Renewables Planning Guidance that was published in July by the Department for Communities and Local Government (DCLG) and outlines that:*

- *the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities, and*
- *that care should be taken to preserve heritage assets, including the impact of planning proposals on views important to their setting*
- *solar photovoltaic projects should consider the effect on appearance of National Parks or Areas of Outstanding Natural Beauty as well as the impact on local views”.*⁵

7.5 It is the contention here that the two proposals put forward for solar farms in the greenbelt in the Further Sites document, completely fail to meet the above criteria and should be removed without further delay. Some specific comments on each of the proposals will be made below.

7.6 I would wholly endorse a decision from the Council to make provision for Solar energy within the Local Plan, providing it was not in the open countryside and instead utilised the roofs of the many new developments which the Plan proposes.

Knapton Moor, Wetherby Road (Site Ref 772)

7.7 This site will adversely impact upon views of the countryside between the quiet rural villages of Knapton and Rufforth.

³ Rt Hon Gregory Barker MP, *Dear Colleague Letter*, 14 October 2013

⁴ Rt Hon Gregory Barker MP, *Dear Colleague Letter*, 14 October 2013

⁵ Rt Hon Gregory Barker MP, *Dear Colleague Letter*, 14 October 2013

7.8 I have received several pieces of correspondence from pilots from Rufforth Airfield who are greatly concerned about the danger posed by reflective light flicker from a solar farm, which they consider to be much too close to the airfield which they regularly use.

Land Northwest of Hermitage Farmland

7.9 This site is considered much too close to Stockton Hermitage and Strensall Common Nature Reserve (Special Area of Conservation) and could have an adverse effect on the local wildlife populations in these two areas.

New and Revised Sites for Gypsies, Roma & Travellers and Travelling Showpeople

The Need for Sites

- 8.1 I was deeply disappointed by the commissioned traveller needs assessment, which in my view remains fundamentally flawed. The assessment concluded that traveller accommodation provision needs to more than doubled, with an 800% increase in accommodation for travelling show-people. The assessment is in stark contrast to neighbouring councils with similar levels of existing provision, such as Craven, Selby and East Riding Councils, all of which have found no evidence that extra accommodation provision for Travelling Show-people are necessary.
- 8.2 The assessment lacked the necessary independence from the Council that is required to deliver objective and impartial findings. For most traveller studies the research group sought to interview all known households in a study area. However, in this instance the research group decided to use existing information obtained by the Council in its findings. Therefore, only a fraction of households were visited, which is against standard practice, and for this reason the findings cannot be regarded as independent.
- 8.3 There was a poor level of stakeholder engagement in the assessment. In assessing the total traveller accommodation need until 2030, the study only interviewed 19 stakeholders. The list of stakeholders was compiled by the Council, leading to further potential for bias. Three Council Officers with an interest in traveller issues were interviewed, who clearly support the Council's position. Seven local councillors were also interviewed, although no effort was made to obtain a cross-party balance. Further interviews were conducted with interested bodies including the York Travellers Trust and the Showman's Guild, establishing a clear conflict of interest. Furthermore, the study only identifies 14 of the 19 stakeholders interviewed, leaving the validity of the findings open to doubt. As the area's national elected representatives, York's two Members of Parliament should have been afforded the

opportunity to take part in the study. Unfortunately this was not the case, nor were local residents who live near to existing traveller accommodation sites interviewed.

- 8.4 It was concerning to read the assessment downplaying the poor inter-community relations. The report states that there are ‘incidences of friction between the settled and traveller communities’ and that the proposed extension of the Osbaldwick site has also led to ‘some community angst’. This greatly overlooks the strength of public feeling on what remains a very serious issue. The research group would have identified the strength of public feeling had they interviewed local residents as they should have done rather than relying on information supplied by the Council.
- 8.5 The assessment demonstrated a clear inability to verify the level of traveller accommodation need with some travellers being double counted. This was evidenced by a drop in session that eight traveller families from the bricks and mortar accommodation attended. All of the attendees said they wanted to move onto traveller sites, and so were counted towards accommodation need. The site’s waiting list also contained four traveller households in bricks and mortar housing, which was also added to housing need. However, due to “data protection rules” the assessment concluded that there was no mechanism to ensure that the households on the waiting list were not the same households that attended the drop in session. This is clearly because the research team did not cross-check the individuals concerned. Despite this, both amounts were counted in full towards the housing need, which is clear evidence of double counting.
- 8.6 The method of assessing the accommodation needs for the travelling show-people community was particularly concerning. It consisted of placing an advertisement in the community’s national newspaper, *The World’s Fair*, asking for applicants interested in living in York to come forward. Only one showman family responded, who currently live in Scunthorpe. Despite already having a home in another part of the country the family were identified as requiring housing in York. Such findings clearly contributed to the unrealistic 800% increase identified as being required in travelling show-people accommodation. This approach is entirely unsuitable and should be reviewed as a matter of urgency.

Identifying the Supply of Sites

8.7 I welcome the fact that Peter Bretts Associates appear to have taken on board comments I, along with several others, made during the consultation on the methodology for the assessment of sites last winter and as a result, several inappropriate sites have been recommended to be withdrawn from the Local Plan. However, I am extremely disappointed that the consultation on the site assessment methodology was not accompanied with a consultation on the needs assessment methodology, especially considering the many weaknesses and inconsistencies with ORS' report detailed above.

Chowdene, Malton Road – Area of Search for Gypsy, Roma and Travellers site (Site Ref 3)

Land at Common Road and Hassacarr Road, Dunnington – Area of Search for Gypsy, Roma and Travellers site (Site Ref 9)

Land at Wetherby Road, Knapton (withdrawn) – Travelling Showpeople (Site Ref 220)

8.8 I welcome the proposed withdrawal of the above three sites from the Local Plan, on the obvious grounds of the negative impact on the openness of the greenbelt and the open countryside, as well as site specific concerns over access, affordability, flooding and landowner consent.

Land at Outgang Lane, Osbaldwick – Area of Search for Gypsy, Roma and Travellers site (Site Ref 36)

8.9 I remain strongly opposed to the extension of this Travellers site on the grounds of the Council's abject failure to adequately manage the existing site. However, I do welcome the fact that the site has not been considered suitable for further expansion or intensification.

The Stables, Elvington – Area of Search for Travelling Showpeople (Site Ref 22)

8.10 A planning application for one permanent pitch on this site was refused by the Council on two occasions in 2010, on the grounds that the proposed development constitutes inappropriate development in the greenbelt and planning policy is clear

that such mixed use sites should not be permitted in rural locations. On appeal, the Planning Inspector agreed with the Council's decision making but considered the immediate needs of the family and the Council's under-provision of Showpeople sites to give sufficient reasoning to allow temporary permission of one pitch for five years (until March 2016). This was supposed to provide the Council with sufficient time to identify alternative and more suitable brownfield sites.

- 8.11 Therefore to now suggest this location as a permanent site for not one but three plots, is contrary to the same planning policy which the Council correctly interpreted only four years ago in 2010, as well as in direct contradiction to the advice of the Planning Inspector.
- 8.12 The need for Showpeople pitches, whatever that may be, does not constitute the exceptional circumstances required to permit development in the greenbelt, as evidenced by the Inspector's ruling of temporary permission only. As Brandon Lewis MP's recent written ministerial statement (17 January 2014) made clear *"unmet need, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the 'very special circumstances' justifying inappropriate development in the green belt"*.
- 8.13 There are also insufficient amenities in the village to cope with additional Showpeople families. I urge the Council to withdraw this proposal, looking again at more suitable brownfield locations.

Land at Elvington Lane, Elvington (Site Ref 747)

- 8.14 It is not clear why the same logic applied to the withdrawn sites at Dunnington and Huntington, namely the negative impact on the openness of the greenbelt, have not been applied to this site in Elvington. It is suggestive of an inconsistency in the methodology deployed by Peter Bretts Associates and this should be looked at again as a priority.
- 8.15 The site is in the greenbelt and has been refused for residential development on these same grounds. This allocation is in direct contravention to the national

planning policy of prioritising brownfield development over greenfield and greenbelt.

- 8.16 Residents are concerned about the substantial increase in the population of the village as a result of this development and the unrepresentative proportion of the population that would be made up of Travellers compared to the national averages.
- 8.17 No exceptional circumstances have been displayed to permit this development in the greenbelt and as discussed above, unmet need is not sufficient justification.
- 8.18 The site is at a prominent location in the heart of the village and is considered harmful to its character. There are further concerns over flooding, road safety, the lack of sufficient amenities and infrastructure to support this development and the fact that other nearby sites at Fulford are currently under-occupied.
- 8.19 The site has been rejected for housing on several occasions in the past, on various grounds. As with the proposed Dunnington site, if it is not considered suitable for housing, it should not be considered suitable as a Travellers site. It would be unfair on the Travelling community to provide a site which is inadequate to meet their needs and they should be entitled to benefit from the same safeguards on sites as those in bricks and mortar housing.

Land at Wetherby Road/Knapton Moor, Knapton (Site Ref 772)

Site adjacent A1237/A64, Askham Bryan (Site Ref 253)

- 8.20 I do not consider the above sites to be suitable for Traveller site development, in light of their greenbelt location and I welcome the recommendation not to pursue these sites for such development. I am disappointed, however, that no urban, brownfield, industrial land or council owned land in the urban area of York has been considered to cater for the needs of the Travelling community, especially as planning policy is so clear on the need to prioritise brownfield and council-owned land when identifying potential sites.

Existing sites assessed for expansion

8.21 I am disappointed that further intensification or expansion was not considered possible on the New Walk Orchard Caravan Site on St Oswald's Road in Fulford. It is widely known that this site is currently under occupied and this should be looked at again as a priority.

Options

8.22 Firstly, before any further site allocations are considered, I urge the Council to look again and scrutinise with a careful eye the accommodation needs assessment carried out by ORS. Before any sites are allocated, the Council should be able to assure itself, beyond any reasonable doubt, that it has an accurate needs assessment in place since it is a pre-requisite that Local Plans must be based on 'objectively assessed needs'. At present, I do not feel this is the case and I hope the Council will consider very carefully the many inconsistencies and errors I have outline above.

8.23 When considering sites, Brandon Lewis' comments on unmet need not constituting the very special circumstances required to permit development in the greenbelt, as discussed above, should discourage the Council from pursuing any of the sites currently proposed in York's established greenbelt and from pursuing any alternative sites in the greenbelt.

8.24 I am strongly opposed to the recommendation of holding the owners of strategic sites to ransom, by insisting that they either provide a section of their sites for use as a Travellers site, land elsewhere under their ownership or a commuted sum.

8.25 I am disappointed that no mention has been made in the recommendations for looking again at Council owned land in York to make provision for Travellers and Travelling Showpeople.

New Education Sites

University Expansion (Site Ref 794)

9.1 I am not strongly opposed to the above, providing it is used for the purpose of housing more students on Campus. I have for a long time called on the University and the Council to make better provision for student accommodation on campus, in order to restrict the rising number of Houses of Multiple Occupancy appear in many of our communities.

Land to the North of Manor School (Site Ref 230)

9.2 I support the making over of this land to Manor School as educational openspace.

New Transport Sites

Site near Askham Bryan, for Compressed Natural Gas Station and Freight Consolidation Centre (Site Ref 253)

10.1 I am opposed to the inclusion of a CNG station so close to a residential area. Safety concerns are paramount as methane is extremely flammable and can cause deadly explosions in confined spaces. Furthermore, as CNG is a clear odourless gas a substance is added for safety reasons which results in a smell like rotten eggs. I am concerned about the possibility that households close to the fuel station could suffer from deeply unpleasant odours as a result.

10.2 The rationale for the CNG station is highly questionable. Despite the high costs associated with the development, CNG will only reduce CO2 emissions by a maximum of 20%. Methane is also a very harmful greenhouse gas and accounts for a third of all atmospheric warming today. Furthermore, natural gas prices are exceptionally volatile, far more so than oil prices. Whilst natural gas may be an affordable alternative for hauliers today, that might not be the case in the very near

future. My fear is that the site risks becoming a costly white elephant at the local taxpayers' expense.

- 10.3 I am also deeply opposed to the inclusion of a Freight Consolidation Centre (CCR) at the proposed location near Askham Bryan. There is no mention of the FCC proposals in the Local Transport Plan 2011 – 2031 so I am at a loss as to why the proposal has been included in the Further Sites proposals. By re-routing all the freight traffic that enters the city through one single point of entry, HGV traffic around Askham Bryan and Copmanthorpe will increase dramatically. This will add even greater pressure to an already heavily congested transport network. Whilst the city centre may benefit from a reduction in HGV traffic and air pollution, the residents of Askham Bryan, Copmanthorpe and Dringhouses will be forced to suffer the full extent of York's distribution interchange network. It is entirely wrong that the Council should seek to prioritise the needs of residents in the city centre over the equally important needs of residents in the city's suburbs.
- 10.4 I am also concerned about the economic viability of the proposal. FCCs need to serve a sufficiently large base of outlets to ensure economic viability. Many of the current FCCs in existence across the country service much larger areas than York. As such, the site would be much better positioned nearer Wetherby to serve not only York, but Harrogate and the eastern Leeds city region as well. The centre needs to be supported by local businesses and haulage companies if it is to be successful. Unfortunately, no evidence has been provided that local industry supports the project. Furthermore, no assessment appears to have been undertaken to assess whether the project would even be financially viable, risking dependence on taxpayer resources.
- 10.5 The ecological damage of constructing the proposed CNG station and FCC will be considerable, which undermines the primary objective of improving the environment. The proposed site is moderately wooded on greenbelt land. A brownfield site would be more appropriate for development. A ditch runs along the northern side of the site which feeds directly into Askham Bog Nature Reserve. The risk for contamination to occur from the HGV vehicles into what is an extremely

important local wildlife reserve is self-evident. Copmanthorpe resident's panoramic views over the city will be blighted by the development and as strategic views of the Minster are undoubtedly one of the major benefits of living the local area, they must be protected at all costs. The development will clearly result in a lot of noise given the volume of HGV traffic, the manoeuvring of freight and the loading of supplies. Local air quality will also suffer as a result of heavy freight movement.