

HESLINGTON PARISH COUNCIL

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Dear Sir/Madam

Response to the City of York Local Plan – Preferred options

The Consultation Process.

Heslington Parish Council has received representations from a large number of residents and is well aware of the strength of feeling in the parish. Many feel that they are overwhelmed by the sheer volume of complex paperwork with over 350 pages on the Preferred Option and nearly 800 pages of Sustainability Appraisal and Appendices.

Despite this volume of paperwork, there are a number of reports absent from the evidence base that make relevant comment on many critical aspects of the proposals very difficult if not impossible. For example, to gain a full understanding of the proposed Local Plan, the evidence base behind it and its impact on York and its various communities, there should be the following reports:

- 1 A narrative on the Council's approach to the **Duty to Co-operate** with adjacent Authorities
- 2 A **housing trajectory** [which would explain when strategic sites are expected to deliver.
- 3 **An Infrastructure Delivery Plan** [setting out what new infrastructure, roads, utilities etc may be required to deliver new housing and other development]
- 4 **A Community infrastructure levy proposal**, enabling the preferred options to be assessed in terms of deliverability and viability.

The absence of the above reports could be seen as undermining the credibility of the Preferred Options in the eyes of both consultees and the Inspector.

The Parish Council has endeavoured to present this response with a view to the considerations that any Planning Inspector would take into account as part of any formal public examination in terms of the various legal and soundness tests. Legal tests include procedural matters, as well as the Duty to Co-operate [DTC] with neighbouring planning authorities and other relevant bodies such as the Highways Agency (for the A64 Trunk Road) and the environmental agencies.

In terms of the “soundness” tests the Inspector will be mindful of para 182 of NPPF which requires consideration of whether the Plan has been:

- **Positively prepared** - meets objectively assessed development and infrastructure needs, and contributes to sustainable development
- **Justified** – the most appropriate strategy (considered against reasonable alternatives)
- **Effective** i.e. deliverable over the plan period and based on joint working (DTC)
- **Consistent with national policy** – consistent with NPPF and other requirements.

Not only do those tests have regard to the document as submitted but also to the plan preparation **from inception to completion**.

The PC has examined the Preferred Options and has considered whether they have adhered to the correct procedures and are sound. The PC is concerned that there appear to be a number of important areas where the Preferred Options fall well short of the required standards.

1.1 Duty to Co-operate.

- 1 The onus is upon the local planning authorities to identify the strategic priorities and policies of the area in order to address the objectively assessed development and infrastructure needs. In doing so there is a requirement for the local planning authority to work diligently and collaboratively with adjoining planning authorities and infrastructure and service providers.
- 2 The Council has prepared a document on Cross Boundary Working which suggests that there are a range of methods that the Council has used to discuss matters in terms of meeting the housing and employment provision, including discussion with the Highways Agency on economic growth in the A64 corridor. **There is however, no content relating to the evolution of the Whinthorpe proposals.**
- 3 In the absence of a Statement on the Duty to Co-operate, even as a traveling or working draft, it is not clear whether the Local Plan and

the strategy within it has been prepared in association with adjoining authorities and other bodies. There is no evidence for example whether the City Council has explored delivering part of its housing need beyond the Green Belt boundary. However, Harrogate Council will progress with a Core Strategy review by the end of 2013, Hambleton will progress a Limited review, and the East Riding and Ryedale Local Plans are on-going. **These Reviews may allow the accommodation of some of York's housing growth in New Settlements beyond York's Green Belt boundary.**

- 4 Whinthorpe is not an option which has been reported in the Sustainability Appraisal with regards to discussions with adjoining authorities, and was not a consideration in the recent Selby Core Strategy. Deliverability and viability are key considerations to be addressed in bringing forward individual proposals and strategic sites. There is no evidence in the Local Plan documentation that there has been meaningful and constructive dialogue with statutory consultees (Environment Agency for flood risk), or infrastructure and utility providers for example the Highways Agency for the Strategic road network (A64) and North Yorkshire County Council for the local Road network (A19 etc).
- 5 To the contrary it is clear from evidence that there has been dialogue but no decisions or guidance given and included in the Plan with regards to the provision of access infrastructure off the A64, the acceptability of constructing a new Grade Separated Junction to the Highways Agency, the cost of doing so or the consequences of additional traffic on the strategic and local road network.
- 6 It is also clear that no guidance has been given by environmental agencies and included in the plan in respect of the SSSI known as Tilmire Common which immediately adjoins the indicated site for Whinthorpe. Equally no guidance would appear to have been given in respect of recent extensions to the flood plain which affect some 40% of the indicated site of the Whinthorpe development.

In broad terms, the Whinthorpe proposals appear to be conjured out of thin air.

1.2 Positively Prepared.

- 1 At the outset, the City Council is seeking to meet an objectively assessed housing need of around 1,090 dwellings per year commensurate with the level of employment growth generated by the Local Authority Area.
- 2 However, there appears to be no evidence suggesting what the consequent infrastructure requirements will be for the range of different development scenarios.
- 3 Whilst roads and infrastructure maybe deemed acceptable in principle where they do not affect the general openness of the Green Belt, the cumulative effect of the development needs to be

considered (for example through the SA process), including the potential mitigation and landscape works necessary to reduce the impact upon the openness of the Green Belt.

On this basis, it is considered that the Plan is not positively prepared.

1.3 Justified.

- 1** There is no evidence that the Council has considered or explored, as part of its strategy, the opportunity or potential for a New Settlement(s) beyond the City boundary. This is certainly not explained in the body of the Local Plan, nor in the accompanying Sustainability Appraisal document (paras 4.313 and table 4.3).
- 2** Previous proposals to consider the potential for a New Settlement examined the prospects beyond the Green Belt boundary to the North and North East of the City. Sites to the south and south west, the A64 corridor specifically, were considered likely to increase out commuting to Leeds and West Yorkshire more generally and therefore not contribute to sustainable patterns of development.
- 3** Should the SA identify that consideration of a New Settlement beyond the City Council boundary is not a reasonable alternative, then this raises the question whether the selection of a single New Settlement at Whinthorpe is the most appropriate solution and whether this is justified, based upon a proportionate evidence base.
- 4** In this regard, there is a substantive concern that there is little or no evidence supporting the site selection process for Whinthorpe or the consideration of particular alternatives. Even if the Council has considered the site specific proposals for Whinthorpe as would appear to be the case in the main Sustainability Appraisal, this does not appear to include consideration of the site specific and cumulative effects of infrastructure requirements to gain access to the site and provide services and utilities.

1.4 Effective

- 1** Proposed Policy SS4 is prescriptive in that some 29% of the City's future housing requirement along with provision beyond the plan period for safeguarded land will be provided at Whinthorpe.
- 2** In being prescriptive it is assumed that the Council has undertaken a substantive investigation into the deliverability of the Whinthorpe scheme. In the absence of any infrastructure delivery programme we would question whether is the case.
- 3** Correspondence from the Highways Agency would indicate that there has been no substantive cost appraisal of delivering the

Whinthorpe scheme with regards to the necessity, phasing and delivery of the necessary road and junction arrangements, or the acceptability to the Highways Agency in respect of the operation of the Strategic Road Network (i.e. additional traffic and congestion).

- 4 On a similar basis matters regarding flood risk (Environment Agency) and areas of ecological value (Natural England) and appropriate mitigation strategies are not covered.
- 5 Given these uncertainties, it is not clear how the site will deliver 5,580 dwellings in the Plan period. There is no housing trajectory explaining how the Council anticipates that the site will deliver these numbers. Over a 15 year period, this would equate to 312 units per year off one site [allowing for the 900 units to be built after 2030]. We would consider that this is a very ambitious target; in all likelihood this is unlikely to be achieved.
- 6 It is worth bearing in mind advice provided by the Homebuilders Federation that locations such as New Settlements have a long lead in period and require some time to become established destinations of choice. Once established such sites are unlikely to achieve in excess of 150 units per annum.
- 7 As a result, it may take up to four or five years before an appropriate planning permission is in place and for site preparation works to start, for the first house to be built. If this is the case then the Council would require a yield of around 470 per year for the remainder of the plan period. Given the view that the figure of 312 is ambitious, the higher number simply could not be achieved.
- 8 On this basis we do not consider that the policy approach is deliverable over the plan period: **consequently it is not effective.**
- 9 There is content in the Local Plan which indicates that the delivery of the individual strategic sites set out in Policy SS3 will be detailed in Supplementary Planning Documents.
- 10 Should one of the urban extensions or the Whinthorpe proposal fail there appears to be no contingency or flexibility within the Preferred Options to make up the difference.

Given the matters set out above, we do not consider that this is an effective strategy which deals with the fundamental concerns set out in this document.

1.5 Consistent with National Policy.

- 1 On the basis of the above the PC is of the opinion that the Local Plan proposals for ST15 Whinthorpe are not in accord with the NPP Framework and therefore cannot be deemed to be consistent with National policy.

2. CONCLUSIONS

2.1 On the basis of the foregoing, our view is that the current proposals set out in the draft Local Plan policies are fundamentally flawed as they do not represent the most appropriate strategy and are not substantiated by the evidence presented.

2.2 There is a clear absence of effective and diligent collaboration with adjoining local authorities or infrastructure or utility providers. On this basis the Council has failed to satisfy the Duty to Cooperate, which it must demonstrate **from conception to completion of the Local Plan**.

2.3 There is a failure to consider what the attendant infrastructure requirements will be for the Preferred Strategy. This is particularly so for the Whinthorpe proposals which will require a new road access from the Strategic Road Network and the local network. None of this material is provided with the evidence base.

2.4 There is also no evidence that the Council has considered the potential for New Settlements beyond the City (or Green Belt) boundary. It is suggested that the Council has not examined all reasonable alternatives.

2.5 Should such an exercise reveal this not to be a reasonable alternative, then the City Council's strategy is not itself justified, as there is no evidence of what other alternatives (to a New Settlement at Whinthorpe) the Council has considered within its boundary.

2.6 As it is we are concerned that the Council has presented little or no evidence to justify the selection of Whinthorpe.

2.7 A further concern arises with the absence of a housing trajectory, which would set out how the Council anticipates individual sites should perform over the Plan period in delivering homes and other associated development. Split across the plan period would suggest the site would deliver some 312 dwellings per year, which is ambitious. As a matter of fact house building may not start on site for a period of five years subject to the planning process and implementation infrastructure. This would suggest delivery in excess of 470 units per year for the remainder of the plan period. There are significant doubts as to whether this is achievable.

2.8 Should Whinthorpe fail, there appears to be no flexibility in the Plan. Therefore it does not appear to be effective.

2.9 On this basis we would consider that the Local Plan does not accord with the provision of the Framework and is not consistent with National Policy.

3.0 IMPACT OF THE PROPOSALS ON HESLINGTON.

3.1 Heslington and its rural setting

Heslington sits on the southern edge of York as a 'washed-over green belt village, but despite its proximity to York University, has retained its village feel and rural charm.

Heslington is the one village of all those previously surrounding York – Haxby, Huntington, Osbaldwick etc – that has retained its historic identity by retaining a distance from York, properly resisting absorption. Most of the village falls within the Conservation Area including the paddocks between Main Street and Holmefield, which were incorporated into the Conservation Area a few years ago precisely in order to retain and protect the structure, identity and character of the village from damage by intrusive housing development, both peripheral and internal. Various policies in the Village Design Statement, adopted by CYC as Supplementary Planning Guidance, stress the importance of these green spaces, together with the views out of the village to open farm land. It also notes that traffic is a major issue in Heslington.

3.2 Renewable Electricity Generation

The Preferred Options plan shows extensive areas described as ‘Potential Areas of Search for Renewable Electricity Generation’ to both the north and south of the A64, all set within the existing Green Belt. The plan suggests that land by Whinthorpe could be suitable for solar farms using solar panels. This proposal, if carried through, would remove large areas of good and productive Grade 2 agricultural land from food production and would dispossess the farm tenants who currently occupy the land. What is clear is that the SSSI of The Tilmire is surrounded on three sides by these ‘Potential areas of Search’. Furthermore, this search area not only covers a large area around Whinthorpe, it also occupies the landscape forming one of the important and valuable Green Corridors into York. **Were this to be a wind farm, it would inevitably damage this setting so crucial to the special character of York.**

3.3 Whinthorpe

3.3.1 Housing numbers

The Preferred Option for housing development shows a target of 1090 houses to which has been added a 15% buffer to reach a figure of 1250 houses per annum. These figures greatly exceed the Sub National Population Projection (SNPP) which when adjusted by the 2011 census forecast an average annual increase of 700 houses per annum over the next 10 years. This SNPP projection forecast growth of 25000 to 2030 whereas the CYC ambitious target anticipates a population growth of 40,000 people over the next 15 years. The figures also exceed the 850 houses per annum which the council’s own consultants, Ove Arup, considered to be a challenging target. The Heslington PC consider that the housing target is unachievable within the city boundaries and without massive alterations and improvements to infrastructure. The inclusion of the 15% buffer as an addition to numbers seems excessive. What is needed is flexibility between the timings for development of identified sites within the period.

3.3.2 Housing site selection.

The Preferred Option proposal is that nearly 30% of the city's requirement for new houses should be built at the new settlement of Whinthorpe – to the south of York. The only identified improvements to infrastructure in the plan are to the ring road to the west and north of the city. There are also new railway halts proposed to the north of the city at Haxby and Strensall and also at the British Sugar site. There are no identified improvements to the South of York. Thus any vehicles wishing to enter York from the new settlement must be expected to use either the Hull Road or Main Street, Fulford. Traffic on both of these roads already exceeds or is close to design capacity at peak hours and both roads have problems with air quality. It is unrealistic to expect the Council's clean air policy to remedy these problems when an extra thousand cars may well wish to use each of these roads. Air quality will only get worse. Thus people living at the new settlement will be discouraged from entering York and putting a major housing development, such as Whinthorpe, on the A64 corridor (with no jobs) will tend to increase the propensity for traffic toward the A1 and West Yorkshire. **This site is therefore unsustainable.** If the CYC ambitious target for houses is accepted [which Heslington PC does not] then development should be considered to the north and north east of York and also beyond the York Green Belt boundary.

The PC also consider that there is scope for increasing the housing capacity within York itself so that residents might go by public transport out to their employment base rather than travelling in from outside the city.

3.3.3 The Whinthorpe site.

In order to meet what the Council considers to be the Housing demand up to 2030 it is proposing a 'New settlement', Whinthorpe, in what is currently designated as Green Belt, albeit an un-ratified Green belt, owing to the failure of various Councils to adopt any form of Local Plan since 1956.

What in fact is proposed is a new town of 5580 homes, i.e. roughly 15,000 people, and destined to provide nearly 30% of York's anticipated housing demand. This is a new town nearly twice the size of Pocklington [Pop 8337, 2011 census], and should be seen in the context of the 1947 Planning Acts, the New Towns movement, and the lessons subsequently learnt from them.

The 1947 Planning Acts established amongst other things the concept and actuality of green belts around towns and cities to prevent the inexorable spread of uncontrolled low density suburbia, and in particular to protect the setting and views into historic towns e.g. York, Bath, Winchester etc: and to these objectives we would now, surely, add the protection of, for reasons of food security, valuable high quality agricultural land, and sustainability..

The last major new town built in the UK was Milton Keynes, now some 40 years old and built specifically to re-house Londoners. Since then, the consensus amongst town planners, urbanists,

sociologists etc has consistently moved away from the development of new towns and towards the concept of building organically on existing communities, where social networks and physical infrastructure already exists. Whinthorpe runs counter to this consensus.

Furthermore, the Halifax Estate are promoting it on their website as a 'Garden Village', and say they have been in consultation with The Prince's Trust, developers of Poundbury in Dorset, as if this were a seal of approval. But Poundbury, begun in 1993, is designed to grow over 25 years to only 2500 homes, and 6000 residents, well under half the size of Whinthorpe. Like Whinthorpe [according to the Local Plan] it was designed to reduce car dependency, and to encourage walking, cycling and public transport. However, on completion of the first phase, car use was found to actually be higher than the surrounding area of rural West Dorset. It is not, therefore, unreasonable to expect that Whinthorpe, like Poundbury but over twice the size, will become an unsustainable dormitory commuter town with residents driving to work in York, Leeds and Selby.

If one accepts [which the PC does not] that a new town is necessary to meet York's housing demand, why locate it here? The forerunner of the Local plan, the Urban Development Framework, considered significant housing sites beyond the Green belt boundary to the north and north east of the City. Sites to the south and south west, and specifically the A64 corridor [e.g. Whinthorpe], were considered likely to increase out commuting to Leeds and West Yorkshire and would not, therefore, constitute or contribute to sustainable development.

So what has changed? The PC would suggest that the decision to accommodate nearly 30% of York's housing demand at Whinthorpe is not based on any rational analysis of the most appropriate location based on transport infrastructure, access to jobs, sustainability and other aspects of good town planning, but expediency: the simple availability of one large site under one ownership. This is a complete inversion of good town planning practice. It should play no part in a carefully considered Local Plan that will affect the lives of thousands of people for generations to come.

2.3 Traffic and Access

Common Lane, a narrow rural lane, runs south from Heslington. South of the A64 it continues into Long Lane and Langwith Stray for a mile or two providing access to several farms, a fishing lake, riding stables and a few houses before ending in a dead end.

The occupants of these houses and businesses have always been a part of the Heslington Village community and wish to remain as active parishioners and to continue to use Common Lane as their main access.

However Common Lane could not cope with the additional traffic from 5000 or more houses. Nor could it or the village Main Street cope with regular buses and coaches.

Heslington already has chronic traffic and parking problems, well known to the Council, as a result of the four banks, Brown's deli and the Post Office. This traffic, in addition to the inconvenience caused to residents, creates severe problems for the farm vehicles using Common Lane to get through the village. The recent expansion of the University has also considerably added to the pedestrian use of Main Street. Any additional traffic would be a disaster for the village.

While the Preferred Options document is silent on the question of Common Lane with regard to access from Whinthorpe to Heslington, no one from the Council who attended the Public Meeting held in Heslington Church on the 17th June 2013, including Councillors Alexander [leader of the Council], Merritt, Levine and Aspden, together with Michael Slater [assistant Director City Strategy] was able or willing to give an undertaking that Common Lane would not be used for such access.

No indication is given in the Local Plan as to how Whinthorpe will connect with the existing road network, nor is there any indication of agreement from the Highways Agency that they will allow a new junction serving Whinthorpe on the A64. The council has told us that it will be for the developer of Whinthorpe to propose, and to pay for, any new transport infrastructure. This is simply not acceptable and renders much of the Consultation meaningless.

The Parish Council believes that it must be clearly and unambiguously written into the Local Plan, and into any planning or development brief for land south of the A64, that access to Heslington via Common Lane from such land, whether it be Whinthorpe or smaller sites, is excluded [other than for the existing users]. This route is not an option, either for public transport, commercial or private vehicles emanating from any new development.

THIS SHOULD BE SEEN AS NON-NEGOTIABLE.

Yours faithfully

Fiona Hill
Parish Clerk