

## City of York Council

## Committee Minutes

---

MEETING	LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP
DATE	20 APRIL 2009
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), POTTER (VICE-CHAIR), AYRE, D'AGORNE, MERRETT, MOORE, REID, SIMPSON-LAING, WATT AND WAUDBY (SUBSTITUTE)
APOLOGIES	COUNCILLOR R WATSON

---

**32. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

There were no declarations of interest.

**33. MINUTES**

RESOLVED:

- (i) That the Minutes of the Local Development Framework Working Group held on 3 March be approved and signed by the Chair as a correct record subject to the following amendments being made to the comments section of Minute 25 (Employment Land Review – Evidence Base).
  - (a) 5<sup>th</sup> bullet point (re Clifton Moor), wording be amended to read “It was noted by Members that *higher density* development might be possible...”
  - (b) 7<sup>th</sup> bullet point (re St Leonards), wording be amended to read “Questions were raised about why St. Leonard’s was ranked so high when it was considered *unsuitable as an office* and the inclusion of Hudson House given recent consents”.
  - (c) 11<sup>th</sup> bullet point (re floorspace requirements), wording be amended to read “Concern was also expressed *whether this reflected the trend* for people being packed more densely into offices.’
  - (d) 14<sup>th</sup> bullet point (re Foss Islands) wording be amended to read “Members asked about the regeneration of the site and whether further development could squeeze out existing *types of* employment, which was important to people in the area.”

- (e) Resolution (ii) be amended to read “Delegate to the Director of City Strategy, in consultation with the Executive member for City Strategy *and the Shadow Executive Member*, the making of any other necessary changes.....”
- (ii) That the Minutes of the Local Development Framework Working Group held on 3 March be approved and signed by the Chair as a correct record subject to an additional bullet point being added to include comments made by Members as follows “*North side of Grimston Bar. This was considered to be a Green Wedge and Members wanted the Officer report to reflect this*”

Comments were also made by some Members about issues discussed at previous meetings that Officers had said that they would look at, including Foss Islands, Layerthorpe and Hull Road and that alterations were expected to the report. Officers stated that they were looking at the Employment Land Review and the Strategic Housing Land Availability Assessment, and that approval would be required from the Executive Member and Shadow Executive Member on these changes. Officers also stated that they did not think that these changes would affect the Spatial Strategy and the Core Strategy.

#### **34. PUBLIC PARTICIPATION**

It was reported that six people had registered to speak at the meeting under the Council’s Public Participation Scheme.

Mark Waters addressed the meeting on behalf of York Natural Environment Trust (YNET). He referred to the City of York Local Development Framework – Draft Core Strategy Preferred Options, Section 14: Green Infrastructure. He was critical of the Council’s development policy, particularly with regard to West Carr Lane Osbaldwick and East Metcalfe Lane and the suggested 250 acres for development. He referred to the 2006 public enquiry with regard to Metcalfe lane and the Green Belt boundary, and on behalf of YNET questioned why this site had been promoted as urban expansion. He re-iterated the request he had made at the LDF meeting on 9 March 2009 for an open public meeting on this.

John Reeves, Chairman of the Helmsley Group, spoke about the proposed change to the Affordable Housing Policy referred to in Section 9 of the report on the agenda. He stated that developers wanted a sustainable solution to the affordable housing issue. He stated that developers could not deliver a policy, which they believed would not work, and which was not sufficiently flexible. He further stated that one-size fits all policy would not work and that anything above 25% would not work. The main issues were density - the higher this was, the less likely it was to work financially and the mix of tenure – and social rental was a thorny issue and had a real affect on values and that there were no plans to develop at the present time. He invited councillors and officers to attend a frank and open meeting to discuss these issues.

Geoff Scott, Managing Director of Hogg the Builder, also spoke about the Affordable Housing Policy referred to in Section 9 of the report. He stated that 15 months ago he had asked for discussions on the 50% affordable housing plans. He also spoke of the current very different economic climate and the effect that this had had on the building industry. He felt that the report was seriously flawed and failed to recognise the difference between building in urban and rural locations. He added that he did not agree with the advice given in the report and felt that the exclusion of settlements of over 5000 people was worrying with damages to communities resulting and consequences with regard to the viability of house building. He stated that this would lead to a building standstill.

Matthew Laverack, Partner with Laverack Associates, also spoke about the Affordable Housing Policy. He stated that the 50% Affordable Housing Policy had failed and that the latest policy would make things worse. He added that the house building industry had been strangled and building costs had increased, while selling prices had fallen drastically.

Lillian Coulson, Regional Planning Manager, Persimmon Homes, also spoke about the Affordable Housing Policy. She stated that she felt that the Officer report was idealistic and unviable and would lead to a decrease in housing production. She stated that the affordable housing target looked at need and not at viability. She noted that since the 50% target used by some London boroughs had been introduced, little affordable housing had been produced and that was in a better economic period. In York, it was stated, that the price of flats had fallen by half and houses by 20-30%. This had meant a large loss of revenue and for larger developments, a huge loss. The speaker also emphasised that the officer report ignored house building sustainability and did not reflect PPS3. The speaker urged officers to reflect on the report and to meet with their planners.

Tom Hughes, from the Meadlands Area Residents Association, commented that the Minutes of the 6 April meeting were not yet available. He referred to the LDF Working Group meeting of 9 March 2009 and the reference to Green Belt Land and to the discussions that were held at Full Council Meeting on 2 April 2009, as well as a recent Liberal Democrat Newsletter. He stated that local residents welcomed the news that Green Belt sites were classified as unsuitable for development. With reference to page 92 of the LDF Working Group Agenda of 20 April 2009, Mr Hughes asked whether the vote taken at the Council Meeting on 2 April 2009 had been dealt with at the LDF Working Group meeting of 6 April and how this had affected the report presented to Members at the 20 April 2009 meeting.

**35. CITY OF YORK LOCAL DEVELOPMENT FRAMEWORK – DRAFT CORE STRATEGY PREFERRED OPTIONS**

Members considered a report asking them to recommend that the Executive approve the Draft LDF Core Strategy Preferred Options document for consultation in late Spring, subject to their recommendations.

The report presented the following options for consideration in relation to the Core Strategy Preferred Options document:

- Option 1: To approve the document along with supporting information for public consultation
- Option 2: To seek amendments to the document through the recommendations of the LDF Working Group.

In response to the comments made by Mark Waters and Tom Hughes under Item 3 (Public Participation), the Principal Development Officer stated that the recommendations from the recent LDF Working Group meetings would be considered by the Executive on the 12 May 2009 and following that meeting any further necessary alterations to the reports would be made. With regard to the issue of transport raised at previous meetings, he explained that he had spoken to the consultants Halcrow who were in the process of producing a background note, which would be circulated to Members before 12 May 2009. With regard to green infrastructure, he stated that a report would be brought to the LDF Working Group in May.

The Principal Development Officer drew Members attention to recommendation (iii) of the officers report and advised that this should refer to the "*Preferred Options*" document consultation instead of the "Issues and Options" document consultation.

On the subject of affordable housing, he explained that Government policy encouraged local authorities to maximise opportunities to provide affordable Housing. He noted that York has one of the highest levels of affordable housing need in the north of England and that affordable housing provision needed to be increased. He explained that the current 50% target emanated from the 2007 Strategic Housing Market Assessment and that 30% to 50% has been agreed on a variety of sites in York in recent years. Government advice requires local authorities to look at the long term housing market and more normal market conditions. The proposed new policy introduces a sliding scale, which was supported in principle through public consultation and meetings with developers. Monitoring of recent completions and commitments suggest that the policy could achieve up to 43% affordable housing, subject to assessments of site viability. This is in line with the provisional minimum of 40% for York set out in 2008. Smaller sites would achieve some affordable housing, which is not the case at the moment, and the level would increase as site size and economies of scale increase.

Members provided comments and put forward questions on **Section 9 - Access to Housing: Affordability and Type** of the Draft Core Strategy – Preferred Options report.

- (i) Members expressed concerns that the sliding scale averaged out at less than 40%. Officers explained that the desktop study had responded to the provisional RSS minimum target of 40% and, with rural sites added, would achieve up to 43%.
- (ii) Concern was expressed by another Member that the table on pages 249 and 250 of the agenda papers only delivered 37.5%

of affordable housing and that this did not meet the RSS 40% minimum. Officers said that, with the addition of rural sites and 100% allocated sites, 40% could be achieved but agreed to revisit the figures.

- (iii) Members welcomed the bringing back of empty homes to use.
- (iv) Officers confirmed that a supplementary guidance to go with the policy would be made available and would give details on the mechanism and the pre-application negotiation.
- (v) Page 244 point 59 on viability assessment and report back. Officers confirmed that this would be available in the near future and that they were currently completing tendering on this.
- (vi) Concerns were expressed that the policy needed to reflect the economic downturn and longer term market recovery. Officers confirmed that they were currently looking to add legal obligations in order to re-appraise sites where there have been significant changes in market values. It was confirmed that the intention was to update regularly.
- (vii) On the question of affordability, some Members felt that there was little reference in the report to the high cost of private rents and the policy in terms of the main urban areas on page 100 was not clear. Officers stated that this would be made clearer when the document went for public consultation.
- (viii) Members asked for clarity on what is meant by “in the urban area”. Officers clarified that, in paragraph 9.30 on page 101, the urban area included the sub urban areas as well as main urban areas.
- (ix) One Member stated that the 50% policy target was a complete failure. Other Members noted that the 50% target needed to be looked at.
- (x) A Member commented that businesses needed to work in partnership and to contribute to section 106 requirements
- (xi) Members stressed the importance of public consultation.
- (xii) It was also acknowledged that comments from the building industry reflected the problems they faced.
- (xiii) Concerns were expressed that housing demand was very much linked to employment. There were also concerns raised that without affordable housing the city would become too expensive for people and subsequently become a commuter city with the resulting impact on roads and transport.

- (xiv) It was further stressed that this was a document for the future, not for the current situation, and that flexibility needed to be built into a system that planned for the next 20 years.

An alternative sliding scale proposal was put forward by the Chair on behalf of the Liberal Democrat Group and details of this were circulated to Members and attendees at the meeting. The proposal was as follows:

For the purposes of public consultation

1. On affordability, that one option to be considered is:
  - a. a matrix amended to read:
    - 1–10 units – 10% affordable  
(NB effectively would be a S106 financial contribution for developments of less than 5)
    - 11-20 – 20% affordable
    - 20-30 – 30% affordable
    - over 30 – at least 40% affordable
  - b. That the same scale will apply to all developments including those in villages.
  - c. That developers have the option to negotiate an *off site* provision
  - d. That the Council will consider the payment of commuted sums in lieu of *on site* provision.

Other views by Members referred to the existing policy on affordable housing and the need to achieve at least 50% at the lower rate. Some Members also stated that more time was needed to consult on the various proposals brought forward on affordable housing. With regard to the 40% proposal, a Member sought clarification on point c and d of the Chair's proposal and that this should be amended to state 'all sites'.

After discussion it was agreed by Members that the officer report on page 104 of the agenda, section 9 of the document should incorporate three further options for consideration, including the current Local Plan, the option put forward by the Liberal Democrat Group and a further option to be put forward by the Labour Group. Officers confirmed that a number of options could be incorporated into the report for further consideration and debate on the viability of the various proposals.

Officers were asked to assess the likely supply of affordable housing through the various options, and make available information and implications on the choices. Officers advised that the document would be amended following the Executive meeting on 12 May and would be circulated to Members of the Working Group before it went out for public consultation.

With regard to Policy CS7, Members asked that the policy makes clear the acceptable density levels per site as advised by Government and that the permissions would not be exceeded on existing sites.

**At this point (5.30pm), the meeting was adjourned in order for some Members to attend another meeting. The meeting resumed at 6.08 pm.**

Discussion then followed on the remainder of the **Draft Core Strategy Preferred Options report**, with comments noted on each section of the document. Officers confirmed that a full sustainability appraisal would go out with the document and that a summary document would be made available for the public with the full documents.

Section 1:

- Map on page 31 of the agenda. It was noted that the map needed to be made clearer, that Rufforth needed to be identified and that the position of Murton and the York to Beverley rail line needed to be checked.
- More detail was needed on open space and leisure.
- More focus required on transport with the expected growth of the city.

Section 2:

- Underline the importance of a community stadium and provision of new city centre swimming pool.

Section3:

- Figure 7 needs to reflect issues discussed at previous meeting in relation to green corridors. Officers confirmed that the Core Strategy did need amending with regard to local and district green corridors.
- Page 56. needs to mention concerns re the possible development of brownfield sites, which may be prone to flooding. Officers confirmed that the policy on flood plains was very clear.
- Maps to be enlarged and legends to be put below.
- Distinction between flood zones 3a and 3b on the map.
- Page 57, second bullet to include in para ‘...high quality mixed use of development and *public open space*.’
- Page 62 Add to (ii) ‘*and or air quality problems*’
- Add additional bullet re access to local key services such as schools and health.
- Page 62, ensuring that development does not have an unacceptable impact on the highway network should also apply to ia and ib.
- Spatial Principle 3 should include cross reference to the affordable housing section.
- Reconsider the location of paragraph 3.20 – should this come before the spatial principles?

Section 4 - No comments

Section 5:

- Map to be clearer, to include the whole of the city centre, peripheral shopping streets and the inner ring road.
- Include reference to the elimination of air quality hot spots.

- Page 70 Para 5.9 - Note that York's market share has declined. Cross ref with Retail section.
- Page 70 para 5.11 re-word ref to SHLAA.

#### Section 6:

- Page 76 para6.3 Make reference to the eco credentials of York Northwest.
- Page 77 add ref to York Northwest as "exemplar" of sustainable development and reference should be made to central business district, open space, community facilities and low traffic scheme.

#### Section 7:

- Policy CS4. Add reference to historic buildings, cyclists and exploring.

#### Section 8

- Page 91, Table 2 add definition of submarkets.
- Add reference to historic building conservation.
- The SA refers to open space standards – this should be included within part c of Policy CS5

#### Section 9 - Changes to be made as discussed above.

#### Section 10

- Page 112. add "including swimming and community meeting spaces".
- "Affordable" to be added re community spaces.
- Officers to speak to Neighbourhood Unit about community space needs.
- Officers to check whether new build programme for schools had been taken into account.

#### Section 11

- Amendments would be made following the recommendations of the previous LDF meeting.
- Page 116. Jobs quality reference to be included.
- Page 119, para 11.22 Cross reference to the key diagram.

#### Section 12

- Page 125, para12.8 – emphasise wider viability benefits of increased market share in city centre.
- Additional bullet point re lack of support for significant retail growth in York Northwest.
- Page 127, CS11 Importance and need for local shops in the suburbs needs to be emphasised.

#### Section 13

- Public transport. Need to look at changing age profile and more tailored transport, particularly in rural areas.
- Parking needs to be mentioned.

- Cycle routes and cycle parking to be mentioned.
- Page 134. LPT2 targets. Document to look beyond these targets and be amended to percentage increase/ annual growth figures.
- Tram-train proposals details to be made public. Officers confirmed that were only looking at Phase 1 York to Harrogate.
- Make clear that the Core Strategy will only refer to schemes that need planning consent.
- Footstreets after 2011 will be dealt with through the City Centre AAP.

#### Section 14

- Page 138. Clarity required re the two different types of standards proposed in the PMP Study and ANGST.

#### Section 15 - No comments

#### Section 16 - No comments

#### Section 17

- Waste management hierarchy pyramid should be reconsidered and inverted with prevention at the base.
- Reconsider reference to City of York Council receiving funding for kerbside recycling facilities.

#### Section 18 - No comments

#### Section 19

- Approach to developer contributions needs to ensure sufficient flexibility for delivery and changing circumstances.

#### Section 20

- Ensure changes recorded in other sections are mirrored in Section 20.

Generally it was agreed that cross-referencing to the Key Diagram be included throughout the document and the role of Sustainability Appraisal was to be made clearer.

#### RESOLVED:

- (i) That the Executive be recommended to approve the City of York Local Development Framework – Draft Core Strategy Preferred Options document, subject to the inclusion of comments and recommendations made by Members of the LDF Working Group, particularly with regard to the inclusion of the four options for Section 9: Access to Housing Affordability Type. These options are to include:
  - a) the current Local Plan,
  - b) the Officer recommendations in the report,
  - c) the proposals from the Liberal Democrat Group
  - d) any proposals to be put forward by the Labour Group.

Reason: So that the Local Development Framework Core Strategy can be progressed to its next stage of development.

- ii) That the Executive be recommended to delegate to the Director of City Strategy in consultation with the Executive Member and Shadow Executive Member for City Strategy the making of any incidental changes to the draft document that are necessary as a result of the recommendations of the LDF Working Group.

Reason: So that changes recommended as a result of discussions at this meeting can be made.

- iii) That the Executive be recommended to delegate to the Director of City Strategy in consultation with the Executive Member and Shadow Executive Member for City Strategy the approval of the full sustainability appraisal to accompany the Preferred Options document consultation.

Reason: So that the report and accompanying document can progress through to the Executive.

- iv) That the Executive be recommended to delegate to the Director of City Strategy in consultation with the Executive Member and Shadow Executive Member for City Strategy the approval of a Consultation Strategy and associated documents.

Reason: To ensure that the proposed methods of consultation are satisfactory to members.

Cllr S F Galloway, Chair

[The meeting started at 4.00 pm and finished at 7.30 pm].