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Dear Mr Ferris

I refer to the meeting held on Tuesday 12th February between my Defence Infrastructure Organisation (DIO) colleagues (Mark Limbrick and Nelson Carr), our consultants Avison Young (Stephen Hollowood and Tim Collard) and City of York Council (CYC) officers, (including Michael Slater and Rachel Macefield) to discuss the strategic housing allocation at Queen Elizabeth Barracks, Strensall (QEB, H59 and ST35 - Policy SS19 and H1).

QEB is a brownfield site of about 30ha and following the decision to release the site from military use on 7th November 2016 with a proposed date of disposal in 2021 onwards, along with Towthorpe Lines for employment use (also 2021 onwards) and Imphal Barracks for residential development (disposal date of 2031). The disposal of QEB for residential development in an area with significant housing need aligns closely with the Government's priority to achieve some 160,000 homes on surplus publicly owned land by 2020 (Guide for the Disposal of Public Land, March 2017). Furthermore, sale proceeds from the site will make a significant financial contribution to help alleviate continued pressure on the defence budget. Put simply, the disposal of QEB is a priority component of the defence land disposal programme and significant resources have been allocated by DIO to achieve this key objective.

Mindful of this importance, following high level discussions with CYC in relation to the emerging Local Plan, DIO was invited to submit evidence to support the allocation of the three defence sites in York. Indeed, the Council delayed the Local Plan programme to enable the three MoD sites to be evaluated, this included technical evidence submitted in March 2017, formal representations as part of the Local Plan Regulation 18 process and additional evidence submitted to CYC during December 2017. In close collaboration with Council officers, our consultants Avison Young (formerly GVA) prepared a comprehensive evidence base to underpin these proposed allocations. This evidence was accepted by CYC given that the LPWG (January 2018) concluded that *"the sites represented 'reasonable alternatives' and, therefore should be considered as part of the Local Plan process"*. At this stage CYC were confident that any adverse impacts could be mitigated and that these brownfield sites would help to reduce pressure for Green Belt releases and draft allocations for housing in the cases of Queen Elizabeth Barracks and Imphal Barracks, and employment use in the case of Towthorpe Lines, were put forward in the Regulation 19 Local Plan (February 2018).

The QEB site is located adjacent to the Strensall Common SSSI/SAC which forms part of the Strensall Common military training area over which MoD has ownership control. Substantial restrictions on public use of the Common flow from the Strensall Common Act and military training area bye-laws. Access and use of the land by the public is permitted, but is subject to specific restrictions for health and safety reasons, particularly when the training area ranges are in operational use.

In the Regulation 19 York Local Plan, the emerging allocation of QEB is subject to specific policy conditions (including the need for a detailed Visitor Impact Mitigation Strategy, aimed at reducing recreational pressure on the SAC, and the introduction of an efficient wardening service) to help mitigate adverse impacts on the Strensall Common SSSI/SAC. These derive from recommendations in the draft HRA, which was informed by evidence furnished by experts acting on behalf of DIO. Although DIO has challenged the efficacy of some of these conditions (notably the proposed green buffer to Strensall Common), the principle of the allocation has to date, been fully supported by CYC.

As part of the Regulation 19 consultation, Natural England have raised 2 primary objections relevant to QEB, the first concerns the impact of development on air quality and the second, the impact of increased recreational pressure on Strensall Common, as a consequence of new housing development in the city. We understand that CYC are confident that they can mitigate the former, but required a visitor survey to assess the implications of the latter issue. The survey has been undertaken by Footprint Ecology (Summer 2018) and DIO has just received the completed report. This purports to demonstrate future increased recreational impacts on Strensall Common, particularly as a direct consequence of the proposed housing allocation at QEB.

The outcomes from this assessment, together with the comments from Natural England, are, we understand, being incorporated into a fresh HRA. We are advised that this will conclude that CYC as 'Competent Authority' is unable to demonstrate that significant harm will not result to Strensall Common SSSI/SAC, as a consequence of the redevelopment of QEB, and therefore it is likely that the strategic allocation of QEB for residential use will have to be withdrawn from the submission Local Plan.

This proposal is, without question, a total surprise to DIO and is unusual from a procedural perspective, given that, at this late stage, a major modification to the submission Local Plan will now be required to delete a strategic allocation for, at least, 545 homes. Our concern is exacerbated by our inability to respond to this unfortunate position within the unreasonable timescales advised by CYC, i.e. by 27th February 2019. Frankly, we find this situation entirely untenable.

We have not been able to meet with Natural England or to interrogate the robustness of their policy position, but it is understood from CYC that their concerns, at least in part, relate to issues such as livestock worrying by dogs, which is adversely influencing grazing behaviour by sheep. Surely as landowner, DIO should have been given the opportunity to consider potential management solutions to such matters, rather than find at this late stage that the allocation for QEB will be deleted from the plan, thereby reducing the strategic land portfolio in York and creating a major hole in the defence land disposal programme?

It is the view of DIO that recreational impacts arising from development at QEB can be overcome as outlined in the December 2017 Outline People Management Strategy (PMS). The development of a robust PMS, that takes into account the latest visitor survey evidence (insofar as the findings can be demonstrated to be robust), is surely a logical next step, prior to prematurely discounting an otherwise sustainable, previously developed site, particularly given the Green Belt pressures faced by CYC. As landowner, DIO believes there is substantial potential to mitigate the recreational impacts of developing homes on QEB, and DIO will continue to explore how visitor impacts, arising from development in the Local Plan (including QEB), can be suitably mitigated as the Local Plan progresses to Examination hearing sessions. This mitigation strategy should consider, inter alia, the extent to which changes in the Bye-laws governing public use of the Common can be modified to minimise the harmful impacts of recreational pressures. Initial views are positive.

Critically, DIO would like assurance from CYC that both it, and Natural England, have fully considered the information, provided by DIO to CYC in December 2017 to support a Habitats Regulations Assessment. This included a framework for a People Management Strategy in relation to QEB which concluded "*there is sufficient space and scope for a PMS to be developed which would prevent an increase in recreational pressure, and associated urban edge effects, such that an adverse effect on site integrity does not occur*" (page 19).

In DIO's view, in the light of the foregoing conclusion, as a major public landowner, the MoD should have been given a reasonable time to develop these ideas to address the concerns articulated by Natural England. Rather, it appears that, in CYC's haste to proceed, there will not be an opportunity to either respond to views

expressed by Natural England or to test their robustness before a decision is made by the Executive on the site's future use.

Nevertheless, we will continue to work collaboratively with CYC and Natural England to resolve this very serious matter. Whilst we recognise CYC's wish to progress the Local Plan expediently due to external pressures, for avoidance of doubt, if the QEB site is removed from the submission Local Plan for the reasons explained by CYC, then DIO will have no alternative but to challenge the proposed de-allocation of the site and the findings of the HRA in relation to Strensall Common and to promote this strategic brownfield site as an 'omission site', at the Examination.

There should be no doubt, the disposal of QEB is a priority project for Defence and any proposal to delete the site without full and proper consideration, will be resisted strongly by DIO. In the meantime, I would be grateful if this letter could be copied to relevant members of the Local Plan Working Group to underline the significance we attach to the decision with respect to the status of QEB in the emerging Local Plan and the substantial adverse impact it will have upon the delivery of the Government's public land disposal programme.

Yours sincerely



Head of Estate
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CC
Michael Slater – Assistant Director for Planning and Public Protection - CYC
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