

Meeting	Local Plan Working Group
Date	16 January 2023
Present	Councillors Ayre (Chair), K Taylor (Vice-Chair), Cuthbertson, D'Agorne, Fisher, Doughty, Hollyer, Orrell, Pearson, Perrett, Widdowson, Smalley, S Barnes, Pavlovic and Looker (substitute for Councillor Lomas)
Apologies	Councillors Lomas, Warters and Galvin
In Attendance	Neil Ferris, Corporate Director of Place Alison Cooke, Head of Strategic Planning Policy Laura Bartle, Principal Strategic Planning Policy Officer

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#### **10. Declarations of Interest (5:32 PM)**

Members were invited to declare at this point in the meeting any disclosable pecuniary interests or other registerable interests they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

#### **11. Minutes (5:33 PM)**

Resolved: That the minutes of the meeting held on 1 December 2022 be approved, and then signed by the Chair as a correct record.

#### **12. Public Participation (5:33 PM)**

It was reported that there had been five registrations to speak at the meeting under the council's Public Participation Scheme.

All five speakers spoke on Agenda Item 4, City of York Local Plan.

Geoff Beacon highlighted the climate and housing implications within the Local Plan. He felt that the rise in house prices would benefit current house owners and developers, leaving renters, the least affluent or the young exiled. He explained why he felt

York's greenhouse gas emissions were not in line with City of York Council's declaration of a climate emergency, and he noted that he had been refused to speak at the Local Plan examination.

The Chair confirmed he was unable to discuss any legal disputes and during discussion of agenda item 4, the Corporate Director of Place suggested Mr Beacon raised his concerns to the Planning Inspectorate.

Cllr Myers spoke on Annex 3, specifically PMM49 the amendment to remove the Green Belt boundary at St Peters School. He questioned the robustness of the process and noted that the amendment removed crucial open space in an area that had a shortfall. He explained that the proposed area was in flood defence zone level 3, with Burdyke Pump operating at capacity. He proposed the removal of this modification to protect the Green Belt.

Abbie North, York Traveller Trust Trustee, spoke on Gypsy and Traveller provision. She highlighted the desperate need for private family sites and suggested that the S106 agreement proposed would be legally unenforceable. She expressed the need for a sustainable solution to address the accommodation crisis that faced Gypsy and Travellers in the city and that expanding the Osbaldwick site was not the answer. She offered to collaborate with the council to develop an acceptable criteria-based policy for traveller sites.

Chris Bailey spoke on the proposals contained within paragraphs 28 to 31 of the report, particularly in respect of Policy D3: Cultural Wellbeing. He confirmed he represented York on the Creative Cities Network of UNESCO and he expressed his concerns that the Local Plan did not include specific separate guidance on cultural provision and wellbeing, to fully integrate culture and creativity into local development, strategies and plans.

Andrew Morrison, Chief Executive of York Civic Trust, and a member of the Culture Forum noted that the Trust and Forum both supported the Local Plan, and the adoption timetable set out in the report. He expressed his concerns with the removal of the Supplementary Planning Document (SPD) for cultural provision and he noted that an SPD for local heritage was not included within paragraph 31 of the report. He felt York required

a specific SPD for culture and local heritage to provide the definition and detail to support Policy D3:Cultural Wellbeing.

### **13. City of York Local Plan (5:54 PM)**

Members considered a report that detailed the latest position in the Local Plan examination process. The report asked the Committee to recommend to Executive that the proposed modifications and associated evidence base be agreed, to move towards the Local Plan's adoption. It also asked Members to recommend that the series of thematic Supplementary Planning Documents (SPDs), an Article 4 Direction and further evidence gathering in relation to short term holiday lets and houses in multiple occupation (HMO) be agreed to support the implementation of the Local Plan.

[5:58 pm Cllr Doughty joined the meeting]

The Corporate Director of Place presented the report, noting that:

- On 25 May 2018 the authority submitted the Publication Draft Local Plan for independent examination.
- Eleven weeks of public inquiry had recently taken place, and no significant concerns had been raised at this stage from the Inspectors, but a number of matters were identified as required modifications.
- A consultation on the proposed Main Modifications to the Draft Plan was proposed to take place from early February 2023 for a period of six weeks. The results would be collated and the associated evidence base submitted to the Inspectors for them to draft their report. In the event of no material changes and following the receipt of the Inspector's report to agree to the submission of the Local Plan, it was anticipated that the Plan would be taken to Full Council for adoption later in the year.

In response to the speakers comments the Corporate Director confirmed that:

- The climate change policies had been updated to reflect the national position.
- The Local Plan had been guided by the National Planning Policy Framework (NPPF), and it could not exceed what was legislatively required, however, the council would include some additional aspirational requirements for developments.

- The Inspectors had considered every Green Belt boundary in the city, and in respect of St Peters School, the Inspectors undertook a site visit and decided that the river boundary provided a much more sustainable and long-term Green Belt boundary. The visit also prompted Officers to reconsider the original Green Belt boundary lines submitted in May 2018, which would effectively mean more space was provided around schools.
- The policies within the Local Plan had the material weight and the SPD's provided the clarification and explanatory text.
- It had been considered that the originally agreed list of SPD's did not support the delivery of the Plan or represent the most effective use of resource. The revised approach consolidated some of the individual topic SPD's to successfully deliver them as themes running through all the SPD's.
- The Local Plan provided private Gypsy and Traveller sites through strategic sites and the vast majority of the 44 pitches would be provided by the private sector and dispersed across the city.
- Further work had been undertaken in response to the Inspectors request for the location and delivery trajectory of the 10 Gypsy and Traveller pitches on council owned sites. The additional capital invested in the site at Outgang Lane, Osbaldwick was predicted to provide greater capacity and allow the site to be managed more effectively.

Following Members questions, Officers confirmed:

- Policy modifications had been included to specifically tighten the required approach when considering provision of Traveller and Gypsy pitches on strategic sites, including off-site financial contributions which would only be considered in very exceptional circumstances following a thorough analysis by the developer.
- The expansion of the Osbaldwick Gypsy and Traveller site would be limited and wasn't anticipated to accommodate all the provision.
- They would continue to collaborate with neighbouring councils to address developments that were adjacent to the York boundary.
- As part of the Inspectors' scrutiny of the overall affordable housing need in York a target of 45% was

introduced in Policy SS1 by way of modification. Policy H10 set out the council's approach to affordable housing contributions from new residential developments, and on smaller sites the policy required an off-site financial contribution. Contributions to affordable housing could also be sought from student housing developments without comprising development viability.

- A Sustainable Transport SPD was under consideration, and the Local Plan process would provide the authority with an opportunity to further develop a Local Transport Plan.
- They would provide an update on the issues highlighted with holiday lets to set out why a new policy approach should not be introduced at this stage, but that continuing to develop the evidence base would form the basis of future policy options that could be considered by Executive post adoption of the Local Plan

Members questions relating to their individual ward areas were also answered, and the Corporate Director agreed to keep ward members updated on the public transport specifics for the North of Monks Cross development.

[7:02 pm Cllr Pearson left the meeting]

Following discussion of the item, Officers agreed, on behalf of the Committee, to inform Executive that:

- The Article 4 Direction, removal of Permitted Development Prior Approval Rights to convert from office to residential, was introduced following a motion tabled at Full Council in March 2021.
- The lack of a specific Supplementary Planning Document to support Policy D3: Cultural Wellbeing was a concern.
- A new policy to control the spread of short term and holiday accommodation would be welcomed earlier in the process.

Resolved: That Executive be recommended to:

- i. approve the schedules of modifications and evidence provided at Annexes 1 to 8 inclusive and Table 1 of the report and agree to commence consultation on the

Proposed Main Modifications and the associated evidence base.

- ii. delegate authority to the Corporate Director of Place, in consultation with the Executive Member for Finance and Major Projects, to agree any minor (non-material) amendments and to sign off the publication version of the Local Plan Proposed Modifications prior to public consultation.

Reason: For the Local Plan found to be 'sound' the proposed modifications must be formally consulted as set out in the Town and Country Planning (Local Planning (England) Regulations 2012. (Regulations 23,24,25 relating to Examination period).

- iii. to delegate authority to the Corporate Director of Place, in consultation with the Executive Member for Finance and Major Projects, to collate the results of the consultation on the Proposed Main Modifications and the associated evidence base, and submit them to the Inspectors for them to draft their report; and
- iv. in the event that there are no material changes following the conclusion of the consultation exercise on the Proposed Main Modifications and the associated evidence base and following receipt of the Inspectors' report, to agree to the submission of the Local Plan (as modified in accordance with the Proposed Main Modifications and the associated evidence base) and the Inspectors' report to Full Council by the Leader, in consultation with Corporate Director of Place, to recommend adoption.

Reason: To support progress towards adoption of the Local Plan, which will ensure the Council meets its statutory and national planning policy requirements.

- v. approve the proposed list of Supplementary Planning Documents (SPD's) to be produced to support the implementation of the Local Plan and consider including a specific SPD to support Policy D3: Cultural Wellbeing.

Reason: To support implementation of the Local Plan.

- vi. agree the preparation of an evidence base to support the possible introduction of an Article 4 direction to remove permitted development rights to allow changes of use from office to residential.

Reason: To support implementation of the Local Plan.

- vii. note the evidence gathering in relation to short term lets and HMOs and, after adoption of the Local Plan, consider the evidence base and emerging legislation as to whether a new policy should be introduced.

Reason: To establish how best to monitor and control these uses and support implementation of the local plan.

Cllr N Ayre, Chair

[The meeting started at 5.32 pm and finished at 7.26 pm].

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