

City of York Council

**Examination of the City of York
Local Plan 2017-2033**

**Matters, Issues and Questions for the
Examination - Phase 1 Hearings**

**Summary of key issues on Responses
from Matter 1 and 3 of MIQs.**

George E Wright MA MRTPI

(RESPONDENT REF: 833 COMBINED)

In association with

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**Examination of the City of York Local Plan 2017-2033.
Hearing Statement on M1Qs - Phase 1 Hearings**

**Summary of Key Issues from Responses relevant
to Matters 1 and/or 3 or MIQs by George E Wright MA MRTPI.**

Purpose of this Statement.

1. There are some key issues set out in my Responses to the Published Plan and Modifications which have relevance to a number of questions under Matter 1 - Legal Requirements and Matter 3 - Green Belt.
2. In order to avoid repetition, I have set out a summary of these issues.
3. For the avoidance of doubt, I use the expression 'urban core' in relation to the City of York to describe the current built up area which essentially lies within the outer ring road.
4. In order to achieve succinct replies to the Inspectors' questions, without repetition of these underlying factors, I have identified these Key issues which underpin responses to both Matter 1 and Matter 3. I have identified the individual issue with a pre-fix KI and a number.

Key Issues from my Responses.

- KI 1 The 1980 NYCC Structure Plan was the document which first established the general extent of a Green Belt around York. In relation to the policy proposals in this context it is noted:

KI1.1 NYCC proposed extensive areas of Green Belt in their submitted plan. That approach was rejected by the EIP Panel, who resolved that the outer extent of the Green Belt should be a 6-mile radius from the City Centre. These issues are reviewed at Appendix 3 of my Response, see particularly at 2.9. The EIP Panel also required the

Key Diagram to be amended (see Annexe V (v)) and for ease of reference I attach a copy of the 1980 adopted version.

KI1.2 I consider there are two matters of particular significance to understanding the flaws in the submitted Plan which flow from the 1980 adopted NYCSP and these are:

- The SoS in 1980 added a policy E8a (Annexe II vi) in 1980 which stated, inter alia, that defining boundaries should prevent coalescence with existing settlements. This policy was not contained in the RSS replacement policy, and
- The Key Diagram shows the 6-mile radius does not extend to the County Boundary on the east, now the District boundary of the LPA.

KI1.3 Annexe II v indicates a change to the key diagram (Oct. 1983) regarding Green Belt but this does not affect the YGB. None of the alterations changed the outer boundary but in 1995 (Annexe II vii) the Structure Plan is replaced with a new version of that Plan. The policies on the YGB are unchanged from 1980. However, the Key Diagram 1995 (copy attached) is different from the 1980 version in that the general extent is shown up to the County boundary on the east. That issue was not discussed in the EIP or referred to the Panel. It is my view that extending the Green Belt was an attempt to align the Key Diagram with the unadopted 1990/1991 York Green Belt Local Plan. It is plainly unjustified, inaccurate and, potentially, has been misleading.

KI1.4 The CoYC Local Plan 1998 proposes a Green Belt based on the unadopted 1990/91 NYCC YGBLP. See copies of Plans at Annexe V iii and vi.

KI1.5 The YGBLP was not an evidenced based plan, not subject to a soundness assessment and not compliant with the Strategic Plan policy of the NYCSP. The Plans at Annexe V i show it was in fact based on historic unadopted Sketch Plans and some proposed alterations based on an agreement between the second-tier authorities involved in the process.

KI1.6 The Regional Strategy is the policy set out in the Partial Revocation Order 2013 (PRO) and the RSS Key Diagram. The essential changes this policy indicates are:

- There is no requirement to prevent coalescence with existing settlements, and
- The inner boundary is shown as being for the greater part beyond, in some parts well beyond, the urban core and not as a tight boundary as may have previously been shown in the Structure Plan Key Diagram.

KI 2. PPG2 1988 was produced when the NYCC County Structure Plan policy E8 and E8a were in place, and it stated that the area of the general extent was 50,000 acres (20234 ha). In recent times Green Belt areas have not been defined by the SoS but by returns from the respective LPAs. Thus, the current area for YGB as defined in the submitted Plan is not robust evidence because it is predicated on the LPAs proposed boundaries in Plans as yet unadopted and not on an assessment of the general extent under the overarching or primary policy of the Regional Strategy. I have marked the inner radius of a 50,000 acres Green Belt at Annexe V xii and V x. It is submitted that radius is not inconsistent with the RSS Key Diagram indication of the inner boundary. I have reproduced a Plan attached to Matter 3 with what I considered to be the location of the inner ring shown on the RSS Key Diagram. That inner boundary radius should be the starting point for any process to establish the inner boundary.

KI 3. ECUS Final Report on the Historic character and Setting (Dec. 2000) Annexe IV ii.

KI3.1 The assessment plan at page 706 indicates areas of land for protection to preserve the setting and character which leaves significant areas of land adjacent to the urban core not required for the Green Belt purpose. This produces an outcome not dissimilar from the inner ring of the RSS Diagram.

KI3.2 The first conclusion of the Report states “*a) Large scale development would detract from the setting and special character or York if it were located **away** from the existing built up areas*” (my emphasis).

KI3.3 Whilst this evidence is not up-to date and is set against the earlier policy including ‘prevention of coalescence’, it is clearly superior and more robust evidence than the LPA’s 2003 document and supplementary Topic Papers. It does not appear to have ever been disclosed in the LP process or shared with adjoining Authorities under the Duty to Cooperate.

KI 4. Coalescence. I have explained in my Response material that the LPA has endeavoured over the years to take the view that National Green Belt policy as to coalescence with neighbouring towns was relevant to York to protect neighbouring villages. The LPA could, if it had ever based its work on the overarching policy, have realised that such policy was in place until 2008 in E8a but then in 2008 it was dropped. Both Oxford and Cambridge had similar policies in their overarching policy but they were never deleted. The SoS devised the terms of the adopted RSS policy, it was not proposed by the LPA or the RPB, both of whom failed to promote any Green Belt policy in the RSS process. It seems clear that in the light of PPG2

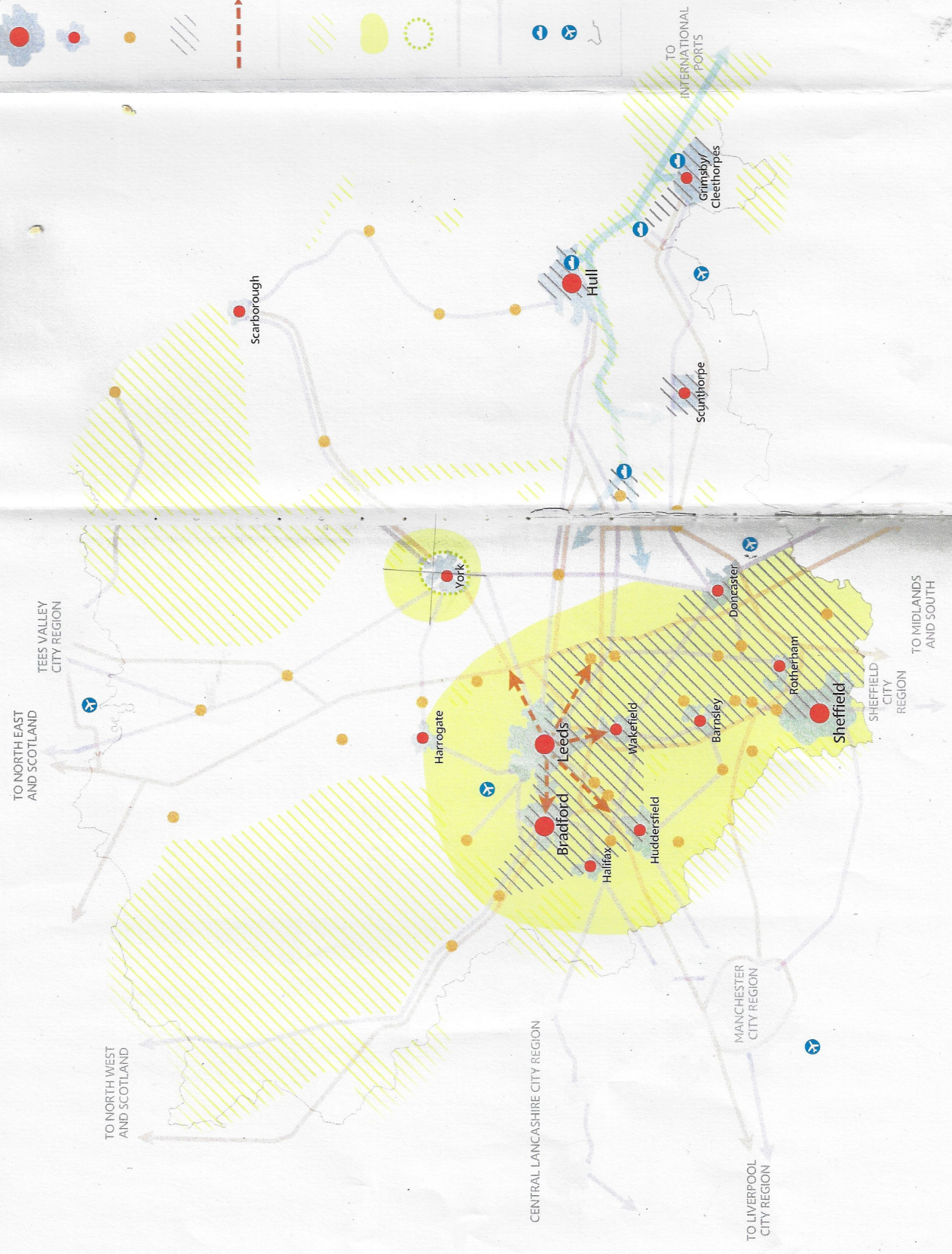
1995 and the increased emphasis on sustainable patterns of development that the approach on coalescence was dropped by the SoS in support of sustainability.

KI 5. The LPA's subsequent approach to claim that coalescence was important to protect the setting of villages is also without the Regional Strategy Policy. It is also not a purpose of the YGB or a purpose of National Green Belt policy.

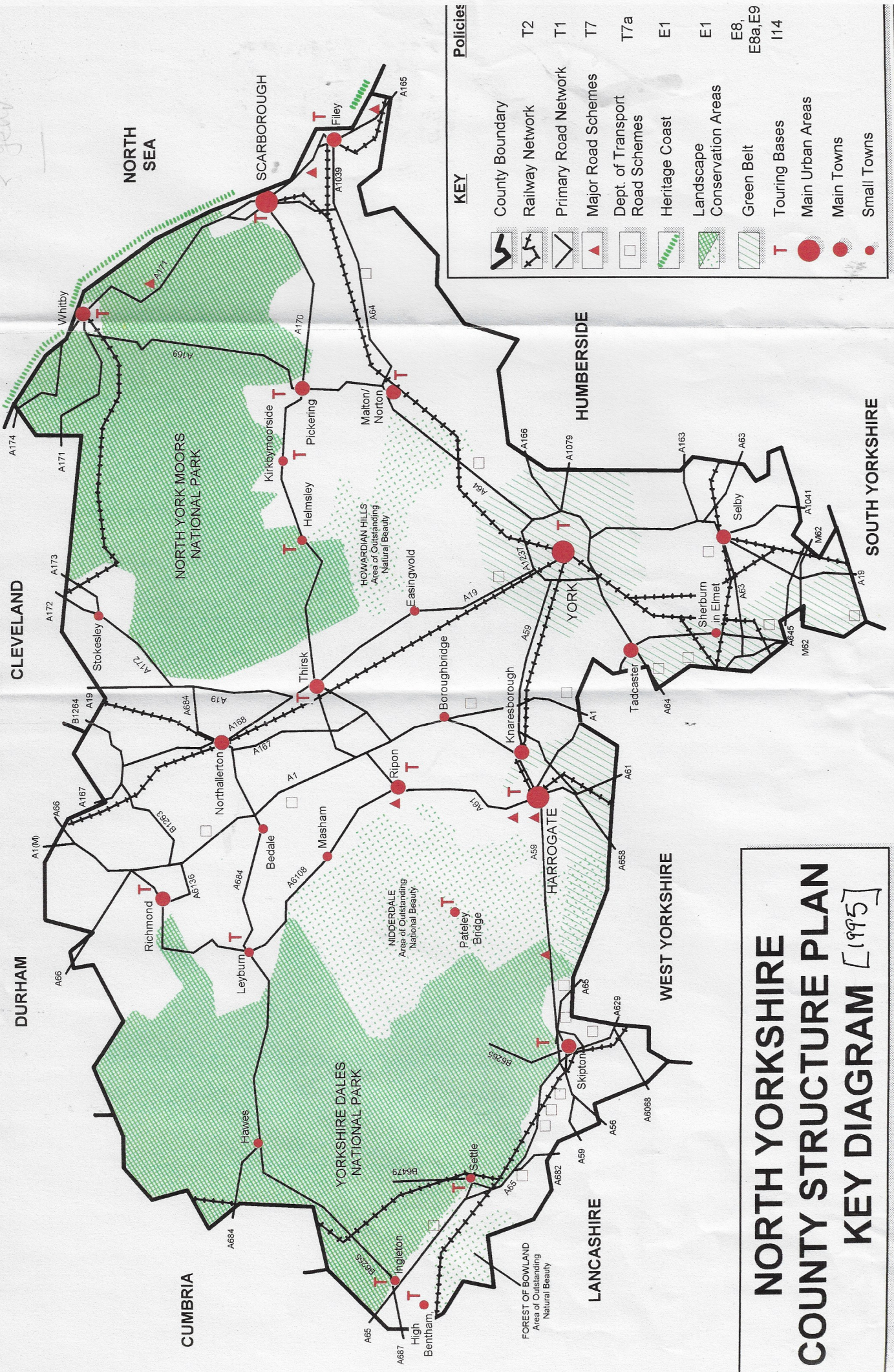
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November 2019.

Yorkshire & Humber Plan Key Diagram

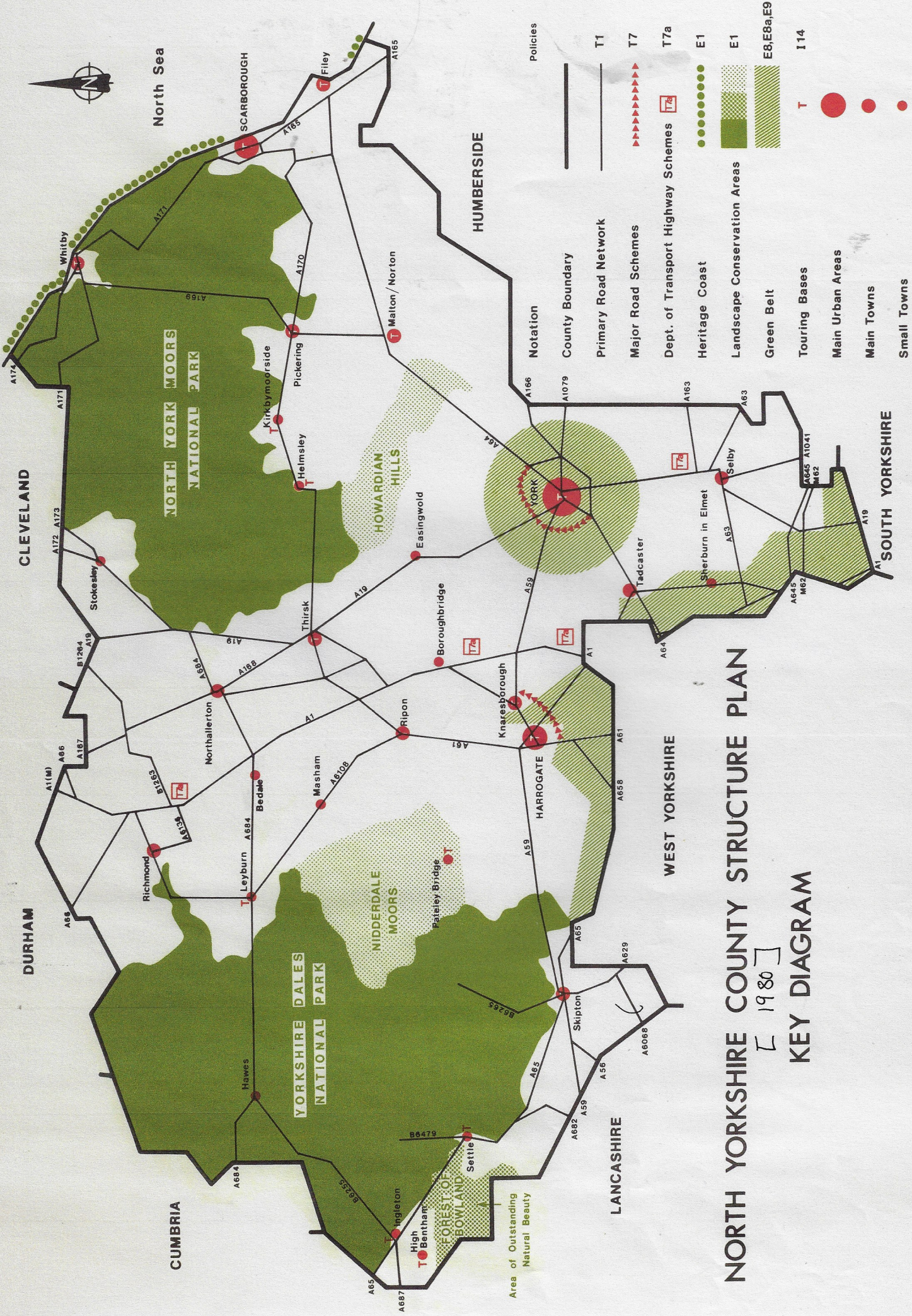


3 year



KEY	Policies
	County Boundary
	Railway Network
	Primary Road Network
	Major Road Schemes
	Dept. of Transport Road Schemes
	Heritage Coast
	Landscape Conservation Areas
	Green Belt
	Touring Bases
	Main Urban Areas
	Main Towns
	Small Towns

NORTH YORKSHIRE COUNTY STRUCTURE PLAN KEY DIAGRAM [1995]



NORTH YORKSHIRE COUNTY STRUCTURE PLAN

[1980]

KEY DIAGRAM

- Notation**
- County Boundary
 - Primary Road Network
 - Major Road Schemes
 - Dept. of Transport Highway Schemes
 - Heritage Coast
 - Landscape Conservation Areas
 - Green Belt
 - Touring Bases
 - Main Urban Areas
 - Main Towns
 - Small Towns
- Policies**
- T1
 - T7
 - T7a
 - E1
 - E1
 - E8,E8a,E9
 - I14