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Date: 15 January 2021

Dear Mr Berkeley and Mr McCormack

Examination of the City of York Local Plan

Thank you for your letter of 18 December 2020, which the Council has carefully considered before preparing this response.

Enclosed with this letter is an updated "TP1 Addendum" report which seeks to address the concerns raised in your letter of 12 June 2020, which I explain further below. We apologise for the delay in submitting this information.

As you know, the Council has faced unprecedented logistical challenges over the last 12 months, associated with both the Covid-19 pandemic and the unfortunate loss of two experienced members of staff from the Forward Planning team. Despite these difficulties, the Council has undertaken and submitted the outstanding work set out in our Schedule of Further Work [EXCYC33], following the recent submission of the Habitats Regulation Assessment and Schedule of Proposed Modifications resulting from the Phase 1 hearing sessions and the HRA. Additionally, we submitted in October 2020 an additional housing need update in response to your letter of 9 July 2020. The TP1 Addendum now responds to the issues which you identified in relation to Green Belt methodology with regard to boundaries.

The Council is fully committed to progressing the Local Plan and we are strongly of the view that it would be in the public interest for the examination hearings to continue, subject to your consideration of the submitted information and after appropriate consultation on the evidence base (as set out in your previous correspondence). The alternative that you mention, whereby the Council withdraws the Plan and resubmits at a later date, would involve even greater delay and cost in progressing towards the adoption of a development plan for the City and is not considered to represent the best interests of the City and local residents. We hope that the preparation of the TP1 Addendum now allows you to find that it would be appropriate to carry out further public consultation as part of the current examination.

Updated TP1 Addendum

The updated TP1 Addendum report has been prepared further to:

- Phase 1 of the hearings into the examination of the City of York Local Plan held at York Racecourse held in December 2019;
- The submission of a Green Belt Clarification Note [EXCYC39] on 8 June 2020 by the Council - relating to 'homework' agreed during the above hearings on Green Belt matters;
- The Inspectors letter to the Council [EXINS15] on 12 June 2020 regarding the proposed green belt in the Local Plan.

The original addendum was prepared and added to the York Local Plan Examination Library on 9 May 2019 - referenced as 'EXCYC18 Green Belt TP1 Addendum'. Six annexes are also referenced as EXCYC18 a-f in the library. The Council's letter of response to the Inspectors [EXCYC40] on 22 June 2020 indicated that we would proceed to demonstrate that the boundaries are justified, notwithstanding your methodological concerns and to explain any misunderstandings in the methodology.

There are three principal groups of changes that are reflected in the updated TP1 Addendum report.

First, the changes relate to issues that have been confirmed through the Examination process, in particular that:

- the general extent of the York Green Belt is already established (via Saved Regional Spatial Strategy (RSS) policies and the key diagram) - and the Local Plan is not, as a matter of general principle, seeking to establish a new Green Belt
- the Local Plan is tasked with formally defining the detailed inner and (outstanding sections of the) outer boundary of the York Green Belt for the first time
- the Local Plan is establishing, not altering, Green Belt boundaries
- the proposed delineation of the boundaries is in general conformity with saved elements of the RSS (subject to the need for further detailed scrutiny of the proposed boundaries)
- the Local Plan does not need to demonstrate exceptional circumstances for any of the proposed Green Belt boundaries, including those relating to the proposed housing allocations, or for "insetting" existing villages
- the emphasis placed on the fourth NPPF Green Belt purpose (preserving the setting and special character of historic towns) is appropriate in the context of York

Secondly, the changes take into account the latest household projections and the need to set permanent boundaries.

These changes reflect the position of the Council regarding the latest household projections (see EXCYC43). Section 4 of the Updated 2021 TP1A sets out the development requirements for the York Local Plan in the context of the more recently released 2018 Sub-National Population Projections (SNPP) and Sub-National Household Projections (SNHP). The impact of this updated evidence on the

proposed OAN has been explored through a Housing Need Update 2020 (“HNU” 2020). Section 10 of the Updated 2021 TP1A sets out an updated explanation of how the Green Belt boundaries will be permanent and endure beyond the lifetime of the Plan, in light of development needs which reflect the HNU 2020. The proposed Green Belt will endure for a minimum of 20 years and will not need to be altered at the end of the Plan period.

Thirdly, changes have been made to address the methodological concerns that were identified in your letter of 12 June 2020.

The updated addendum simplifies and clarifies the methodology that has been adopted for setting York’s Green Belt Boundaries, revising the text to reflect this, and its revisions explain in more detail the conclusions on boundary-setting that have been reached as a result. The enclosed documentation comprises the main report which addresses the concerns expressed in your letter. We have also prepared:

- Annex 1, which identifies how different evidence-base documents were taken into account in the boundary-setting exercise;
- Annex 2, which contains a completed template of the detailed boundary-setting analysis for the outer boundary resulting from the application of the methodology as clarified;
- Annex 3 which contains a completed template for a portion of the inner boundary, to demonstrate the application of the methodology to this element of the boundary;
- Annex 4, which contains a completed template demonstrating the application of the methodology to the issue of whether existing settlements should be inset within or retained as part of the Green Belt.

Overall, the same evidence and approach underpin the original and updated TP1 Addendum. We anticipate completing the drafting of the final elements of the Annexes within the coming weeks. However, the work which has been completed confirms that the overall results of the boundary-setting exercise remain essentially the same and it is not necessary to fundamentally alter the Green Belt boundaries as proposed in the draft Plan already before the examination. As will be seen from the Addendum, we consider that the key concerns you expressed were generated by a failure to set out sufficiently clearly and in detail the exercise that had been undertaken. The Addendum aims to correct those issues. The proposed boundaries (with minor proposed amendment) remain sound in our view.

Six principal concerns were identified as a starting point for preparing the updated TP1 Addendum as set out in section 2 of the update. These are addressed more fully in the Addendum report, but for convenience, each main concern is summarised below, followed by the Council’s response in italics. A further detailed clarifications’ table, which also examines how the issues had originally been addressed in the methodology published in March 2019, is included in the updated TP1A Section 11.

1. Spatial shapers

Concerns were expressed about how Local Plan Spatial Strategy “shapers” had been taken into account, as it was considered that a number of the shapers had little direct relevance to the purposes of including land in the Green Belt.

It is accepted that the delineation of detailed Green Boundaries needs to be clearly justified through an assessment of the role and function of land considered against the Green Belt Purposes. A clarified explanation of the detailed boundary setting methodology has been provided that is more expressly organised and re-presented around Green Belt purposes and informed and shaped by strategic principles for the York Green Belt. This has made clear that the shapers have not had a bearing on Green Belt boundaries. Clarification of the annexes (as demonstrated in the enclosed annex material) also ensures this approach is clear.

2. Maps showing the most important areas

The identification of only the most important areas on maps showing parcels of land related to Green Belt purpose 4 was considered to be an area of potential weakness in the evidence.

The Council accepts that there was a lack of explanation as to how these maps (showing broad areas) formed part of a wider overall methodology for setting detailed Green Belt boundaries. The highlighted maps reflected the approach and intent of the original Green Belt Appraisal work and did not fully articulate the range of evidence and assessment that was taken into account when defining boundaries. As the updated TP1 Addendum explains, the Heritage Topic Paper and a range of further evidence sources, along with site visits have all contributed to the assessment.

3. Relevance of access to services

Relying on the proximity of shops and services as a means of determining whether the development of land would lead to unrestricted sprawl was an erroneous conflation of a spatial “shaper” that is about “promoting sustainable forms of development” with Green Belt purpose 1 rather than simply Green Belt purpose 1.

This criticism is acknowledged as there is no necessary or direct link between the access to services map and Green Belt purpose 1. Such references have been removed from the assessment of land against Purpose 1. The associated map is now used only to demonstrate how the channelling of development into the main urban area and other built-up clusters is consistent with a sustainable approach.

4. Merging towns and coalescence

Green Belt purpose 2 (to prevent neighbouring towns from merging into one another) is not applicable. There are no towns of concern around York - any issues regarding the coalescence of smaller settlements and villages, should be considered under the fourth purpose (to preserve the setting and special character of historic towns).

The Council accepts that Purpose 2 is not engaged. It is recognised that the towns which lie beyond the general extent of the York Green Belt are distant from the City of York, too far away to raise any ‘merging’ concerns. The potential for coalescence of smaller settlements is now solely addressed under Purpose 4 and related criteria. References to Purpose 2 have also been removed in the annexes related to the detailed boundary setting exercises.

5. Implied Influence of Natural Features

The concern relating to Green Belt purpose 3 was the implication in the assessment that the presence of nature conservation sites, existing open space, green infrastructure corridors and ancient woodland indicated of themselves that such land performed a Green Belt function.

The Council has sought to better explain the overall methodology and correct the way in which these four types of land/designations are referred to. The identification of such land is not taken to mean that it achieves a Green Belt purpose. Specific criteria for boundary-setting relate to the function and role of land when set against Green Belt purposes. The identification of land within such categories within different elements of the evidence base has been taken into account either by way of context or only insofar as it can be shown to be relevant to the consideration of the identified Green Belt purposes.

6. Role of the local assessment criteria

This concern focussed on the lack of a clear and unequivocal connection of the local assessment criteria with Green Belt purposes.

There were unclear and different references to Green Belt purposes in different sections of the Addendum. References to both strategic considerations and local assessment criteria caused confusion and the links to Green Belt purposes were not clearly evident. Better explanation is now set out. Strategic principles identified as part of the review and scoping of the Green Belt are now clearly identified. Detailed assessment questions are set out and related (along with the strategic principles) to five criteria that provide the focus for detailed boundary setting. The connections between Green Belt purposes and the five criteria, strategic principles and detailed assessment questions are made in the methodology. The interrelationships between these different elements of the methodology are also explained. More specific attention has also been given to the relevance and use of specific evidence studies and sources.

Conclusion

We recognise that the TP1 Addendum required modification to provide clarity and explain more simply and directly how the evidence base was applied, using key criteria, principles and questions relevant to Green Belt purposes. We consider that we have addressed the concerns you raised and that the updated TP1 Addendum report now provides an appropriate methodology to justify the boundaries which have been proposed. We will submit the remaining annex material shortly. We would be grateful if you could confirm, after due consideration, that the examination can proceed subject to consultation as is considered necessary on the information that has been submitted since the Stage 1 hearings.

To provide for the continuation of the examination, we took to our Executive (item 50 - 22 October 2020) an update to the Statement of Community Involvement to reflect the current pandemic, in line with the revised NPPG and current health guidelines. Members agreed to amend aspects of the consultation methods for a period of 6 months to April 2021 to facilitate effective community involvement by means which are reasonably practicable having regard to pandemic-related restrictions. We sought to ensure this clarification was in place prior to agreeing how to progress any

further consultation and hearing sessions, to avoid delay. The agreed statement is attached for your information and is published on our website¹.

We look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neil Ferris', with a stylized, cursive script.

Neil Ferris
Corporate Director - Economy and Place

¹ <https://www.york.gov.uk/downloads/file/2128/statement-of-community-involvement>