

Examination of the City of York Local Plan 2017-2033

Phase 2 Hearings in response in Matters, Issues and Questions (11 February 2022)

Hearing Statement prepared by Savills (UK) on behalf of private landowner: Mr D Brewster – Land to the East of Yorkfield Lane, Copmanthorpe



Matter 4 – Spatial Strategy and Site Selection Process

Introduction and Site Description

- 1.1 Savills (UK) Ltd welcomes the opportunity to make representations in response to the Schedule of Matters, Issues and Questions for the Examination of the City of York Local Plan (CYLP). The comments enclosed within these representations are made on behalf Mr David Brewster, a private landowner in respect of Land to the east of Yorkfield Lane, Copmanthorpe ('the Site').
- 1.2 The comments made within this statement directly address the matters identified in the Schedule of MIQs. The statement relates solely to the matters raised in our earlier representation (Proposed Modifications and Evidence Base Consultation, July 2021). In each case, the statement explains which particular part of the Plan is unsound with justification, and outlines what proposed amendments are required in order to make the Plan sound.
- 1.3 Each matter, issue or question being addressed is clearly identified.
- 1.4 The Site consists of Land to the east of Yorkfield Lane and measures approximately 0.41 Ha / 1.01 Acres (gross). It is currently used as pasture farmland with a hay crop.
- 1.5 The Site lies to the north east of Copmanthorpe. The Site is located outside of but directly adjacent to the development limits of Copmanthorpe, and is currently identified as being located within the York Green Belt, as per the current Development Plan. The draft Local Plan demonstrates the removal of the site from the Green Belt and therefore the inclusion of the site within the revised development limits of Copmanthorpe. This proposed change is supported.
- 1.6 The Site is bound to the east by a railway line which forms the defensible southern boundary of the village. Residential dwellings are located directly adjacent to south of the Site, and draft residential allocation (reference ST31) is located directly north west of the site. The adjoining allocation is for 158 dwellings.
- 1.7 Copmanthorpe is located circa 4 miles (6.4 km) south west of York City Centre. Copmanthorpe benefits from a range of key services including convenience stores, a school, recreation centre and a community centre.

Spatial Strategy

Question 4.2 - Is the approach taken in informing the Spatial Strategy and the distribution of development across the Plan area justified, effective and in accordance with national policy?

- 4.2.1 The proposed distribution of development is informed by Policies SS1 and SS2. Comments on Policy SS1 are reserved for question 4.3. The approach to setting the Green Belt boundaries outlined under Policy SS2 is clearly a key driver in the distribution of development. Whilst the approach Green Belt boundary setting is explained within the CYLP, it was not justified in the context of National Policy until the production of the Green Belt Topic Paper (January 2021).

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Matter 4 – Spatial Strategy and Site Selection Process

4.2.2 This Topic Paper (TP1) presents a more simplified approach to defining Green Belt Boundaries in the District. This approach is supported in principle as it is considered to be more in line with National Policy in this regard. However, this representation relates only to the detailed Green Belt boundaries in/around Copmanthorpe therefore please note that we do not seek to comment on the wider Green Belt assessment undertaken across the City.

Question 4.3 - Does Policy SS1 provide an appropriate basis for the delivery of sustainable development and growth within the City of York?

- 4.3.1 One of the five guiding principles for the location of development set out in Policy SS1 is ensuring accessibility to sustainable modes of transport.
- 4.3.2 Yorkfield Lane which bisects the Site was made up into a Public Restricted Byway in November 2021 and over it exists a private agricultural right of way. Should the Site be sold and used for something other than agriculture (as would be the case if it was allocated for housing), there would be no requirement for the agricultural right of way to be exercised.
- 4.3.3 Evidence points to the fact that the Parish Council in Copmanthorpe are actively trying to remove the agricultural right of way (see Appendix 1). The apparent purpose of these efforts is to allow the construction of a combined all-weather footpath and cycle/disability scooter track along the entire length of Yorkfield Lane and the creation of a 'Green Lane' route from York to the centre of Copmanthorpe, avoiding main roads.
- 4.3.4 The Parish Council's proposals seem to align with the ambitions of the City of York Council (CYC), both spatially in terms of promoting sustainable travel and health and well-being but also in respect of Policy SS16 which states that site ST31 should optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- 4.3.5 Evidence gathered from Network Rail suggests they would potentially facilitate the 'Green Lane' by providing a footbridge crossing over the track at the point where Yorkfield Lane meets it (see Appendix 2).
- 4.3.6 Excluding the Site from the housing allocation, increases the likelihood of agricultural use continuing for years to come and therefore the agricultural right of way over Yorkfield Lane continuing to be exercised. This would directly conflict with the ability of Yorkfield Lane to be designated as public bridleway in the format suggested by the Parish Council, due to the inherent risks associated with mixing bridleway traffic with farm traffic.
- 4.3.7 Consequently, by restricting the development potential of the Site, the option to create a strong sustainable transport link between York and one of its outer settlements could be lost. This is therefore in conflict with the guiding principles of Policy SS1.

Question 4.5 - Is the proposed approach to new development and its location, as outlined by Policy SS1, sufficiently clear within the submitted Plan and is it supported by a robust and up to date evidence base?

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Matter 4 – Spatial Strategy and Site Selection Process

4.5.1 The evidence base for the identification of land for housing is the Strategic Housing Land Availability Assessment (SHLAA), September 2017. Whilst this representation does not seek to comment on how robust this evidence base is for site selection across the City, it is clear that the SHLAA is now out of date, largely due to the fact that the Local Plan Examination process has become quite protracted. The evidence presented in the SHLAA remains the main body of evidence forming the basis for the approach to new development. Given the evidence within it is at least 4.5 years out of date at the time of writing, it is considered that it should be supplemented by addendum that revisits the approach to site selection.

Spatial Distribution of Development

Question 4.6 – Are the (broad) locations for new development the most appropriate locations when considered against all reasonable alternatives?

- 4.6.1 Copmanthorpe is a sustainable location for new development and is one of the most appropriate locations for growth when considered against alternatives. Copmanthorpe benefits from good transport links in the form of the A64 trunk road which connects the city of Leeds with York.
- 4.6.2 In terms of sustainable transport, Copmanthorpe benefits from a number of bus services (no.13, number M3 and 843 Coastliner) which provides sustainable travel options to access York, Tadcaster and Leeds City Centre roughly every twenty minutes. The closest bus stop is located roughly 200 metres south west of the site. There is also a cycleway which is on the periphery of the village which connects with the National Cycle Network's Route 66. Route 66 is a Sustrans National Route that runs from Kingston upon Hull to Manchester via Beverley, York and Leeds.
- 4.6.3 There are several existing facilities in Copmanthorpe, including medical facilities, sports facilities and education facilities as well as shops, pubs/restaurants, salons and a library.
- 4.6.4 Copmanthorpe is defined as a Village within the Sustainable Settlement hierarchy. Given its proximity to York City Centre and access to transport links to Leeds, it could be amended to a Local Service Centre, which are defined as being the most sustainable settlements after the sub-regional centre, which offer the best access to services and public transport. It would be the only Local Service Centre to the south of the City and is in fact similar in size geographically to the coalesced villages of Upper and Nether Popplewell – an identified Local Service Centre to the north west of York. The combined population Upper and Nether Popplewell according to the 2011 census is 4138 whilst the population of Copmanthorpe is 4173.
- 4.6.5 If it remained a village, irrespectively it is considered that it can support an increased number of allocated sites, and therefore new homes, within the settlement.
- 4.6.6 Additional growth should be allocated to Copmanthorpe through the allocation of the site.

Site Selection Process

Examination of the City of York Local Plan 2017-2033

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Matter 4 – Spatial Strategy and Site Selection Process

Question 4.11 – With regards to the sites proposed for all types of development (i.e. housing and non-housing):

(a) How have the sites been identified, assessed and selected?

- 4.11.1 As part of site ST31, the Site was identified for housing in the Preferred Sites Consultation Document (2016). At this stage ST31 **included** the Site being represented by this response. It was considered at the time that site ST31 could provide **170 dwellings**.
- 4.11.2 Site ST31 was not previously included as a draft housing allocation as it is located within an area designated in the 2003 York Green Belt Study (Updates 2011 and 2013). The site is part of an 'area preventing coalescence' parcel G3 which extends from Bishopthorpe to Copmanthorpe and northwards to the existing edge of the York main built up area.
- 4.11.3 Following further analysis on the historic character and setting update it was considered that the site is severed from the wider G3 area by the East Coast Mainline railway. The site is well contained and is bounded by the existing settlement of Copmanthorpe to the west, the East Coast mainline railway line to the south east and to the north by Tadcaster Road with the A64 on raised embankment beyond. It was not therefore considered to serve Green Belt purposes. This notion is supported and endorsed by Savills.
- 4.11.4 It was also noted in the Preferred Sites Consultation Document that there was potential for two direct accesses into the site – the main access from Tadcaster Road plus the potential for an additional (minor) access off Learmans Way.
- 4.11.5 It is not clear from the audit trail why the Site was removed from the allocated area within the Publication Draft Local Plan (2018) 'PDLP'. It is therefore considered that the site selection process and indeed the refinement of certain sites is neither reasonable (due to the absence of reasons provided), fair or accurate.
- 4.11.6 To make it reasonable, fair and accurate the Council should explain the rationale behind the removal of the Site from the allocated area that defines site ST31. Alternatively, the Council should seek to either incorporate the Site as part of ST31, or create a new, non-strategic housing allocation for the Site.

(c) Have any site size thresholds been applied in the site selection process? If so, what, how and why?

- 4.11.7 Site size thresholds have been applied to all sites selected for housing. Relevant to this Site, Policy SS16 states that Land at Tadcaster Road, Copmanthorpe (ST31) will deliver 158 dwellings. However, as noted in response to question 4.11(a), ST31 was previously identified to be capable of delivering 170 dwellings via the inclusion of the now excluded Site from the allocation site boundary.
- 4.11.8 It is not entirely clear why the Site has been excluded from the allocated area. However, given the proposed wording of Policy SS16 in the PDLP, it can be deduced that the unsuitability of the Learman's Way access to serve 170 dwellings was a contributing factor.

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Matter 4 – Spatial Strategy and Site Selection Process

4.11.9 The Site measures 0.41 hectares. Calculating the suggested number of dwellings deliverable per hectare for site ST31 in the context of the policy aim of 35 dwellings per hectare for village developments, the Site could provide for somewhere in the region of 12-18 dwellings.

4.11.10 If our assumption is correct and the issue of site ST31 having two points of access is the overriding reason for the partial removal of the Site from the allocation, it is considered that the logical solution would be to create a separate allocation for approximately 15 dwellings. This separate site could be served from the existing vehicular access from Learmans Way, with no through route to site ST31. Given the relatively small scale of the development, it is considered that this small extension to the existing cul-de-sac would not result in an unreasonable uplift in traffic levels and would not unduly cause harm to local highway network or the amenity of residents living on the adjacent housing estate.

Question 4.12 – How has the Council taken into account Green Belt issues in the site selection process? In particular:

(a) Has the openness of the site been considered, and the degree to which that openness contributes to the fundamental aim of Green Belt policy been taken into account?

4.12.1 The Site does not fulfil any of the Green Belt purposes in this respect therefore its release from the Green Belt is supported. Notably there are defensible boundaries already in place in the form of the Copmanthorpe feeder road and the East Coast railway line.

4.12.2 Savills considers that the openness of the site has been considered and the approach to setting the Green Belt boundaries is supported in principle. There is no justifiable reason for the Site to remain within the Green Belt.

Conclusion

5.1 The Site could provide a moderate number of dwellings making an important contribution to sustaining the Council's future land supply and making the best, most efficient use of the land in this location.

5.2 It is considered that the site is both deliverable and developable, sustainably located and therefore capable of contributing to the vitality and sustainability of the Village of Copmanthorpe as well as a logical extension to existing planned growth and essentially 'rounding off' the settlement in this location.

5.3. Our client is fully in support of the site's exclusion from the Green Belt but considers that there are two options to enable the site to come forward and contribute to the housing supply.

Option A – The site should be identified as an additional draft housing allocation through a modification of the Local Plan. An overview of the proposed policy wording is:

Land North of Learmans Way, Copmanthorpe (HXX) will deliver up to 18 dwellings at this moderate village extension site. Vehicular access should be provided from Learmans Way with no vehicular link through to allocation ST31.

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Matter 4 – Spatial Strategy and Site Selection Process

Proposals should seek to promote and enhance opportunities to connect to and deliver new sustainable transport links,

Option B - The site should be included as part of housing allocation ST31 to make the plan sound. To achieve this, the proposed wording change to Policy SS16: Land at Tadcaster Road, Copmanthorpe would be:

Land at Tadcaster Road, Copmanthorpe (ST31) will deliver up to 180 ~~158~~ dwellings at this village extension site.

v. Provide site access via Tadcaster Road, with ~~no~~ a secondary access from Learmans Way.

- 5.4 Given the apparent lack of desire for a large number of dwellings to be served from Learmans Way, Option A represents the most logical and straightforward modification. Site ST31 is a much larger scale and potential issues with the delivery of development on this site should not prejudice delivery of housing on the Site.
- 5.5 Notwithstanding this point, there would be nothing to prevent both sites coming forward for development simultaneously or independent of one another.
- 5.6 Opportunities to create non-vehicular links between the sites should be maximised to enhance the permeability and connectivity between areas at the north of the village – thereby facilitating connections to existing and future cycle paths and green lanes.

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Appendix 1 - Copmanthorpe - The Parish Council Website-23022022112412



Yorkfield Lane – Past, Present and Future

Copmanthorpe was originally an agricultural community and villagers worked the land around for subsistence and to sell the excess for income. The villagers each had four plots of land, all grouped in fields in different locations around the village, with each plot farmed on an annual rotational basis, leaving one plot fallow each year. Four green 'there and back' lanes radiated out from the centre of the village to provide access to the various fields; Low Westfield Lane still exists more or less as it would have been two hundred years ago, whilst Moor Lane and Colton Lane still exist but have largely been incorporated into tarmacked public roads. This just leaves Yorkfield Lane, leading as it does to 'York field', on the left as you enter the village, and which continues to be farmed to this day. It then continued on to provide a route to the centre of York well before the A64 or the railways were built.

Yorkfield Lane still exists more or less in its entirety, starting from Low Green and can still be walked along its length through to York field itself and remains as a 'green lane' allowing access for the local farmer to the surrounding fields on both sides of the railway. When the housing estates on the east of the village were developed, two short sections of the Lane were tarmacked over and the lane crossed by Farmers Way, twice. One section was gated at either end to prevent vehicle access other than for farm vehicles, but pedestrian access was always maintained, latterly by a footpath running alongside the gated section. Recent negotiations with the local farmer resulted in the requirement to maintain sections of Yorkfield Lane for agricultural vehicle access only, no longer being necessary and permission was given by the farmer for the Parish Council to remove the gates and fencing and to open up this section of Yorkfield Lane for pedestrian access by the villagers once again

So what about the future? Since 2005 the Parish Council has been trying to get the agricultural designation removed and simply make Yorkfield Lane a public right of way along its entirety. This would allow the Parish Council, in conjunction with City of York Council, to put in a combined all-weather footpath and cycle/disability scooter track along the length of Yorkfield Lane extending from the bottom of Merchant Way to the proposed housing development on York field and

beyond, thus providing a 'green Lane' route from the existing cycle track from York through to the centre of our village avoiding main roads.



It is hoped in future that the whole of Yorkfield Lane will be opened up and sections maintained and re-planted/rewilded, as a community project with involvement from groups such as the Scouts and to provide a useful community asset as well as a pleasant walk through the village for the benefit of all the community.

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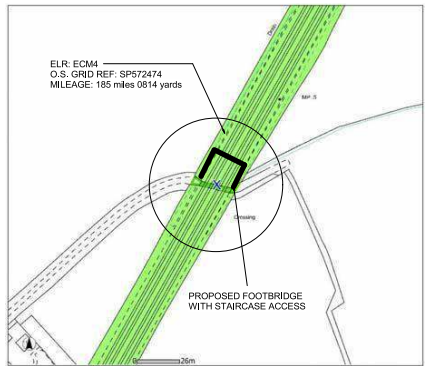
Appendix 2: Copmanthorpe Level Crossing Footbridge Drawing - Network Rail



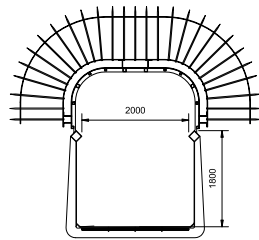
PHOTO 1 -



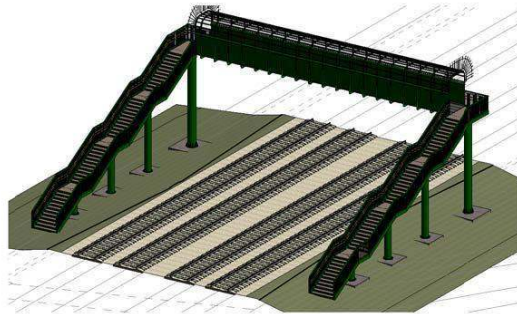
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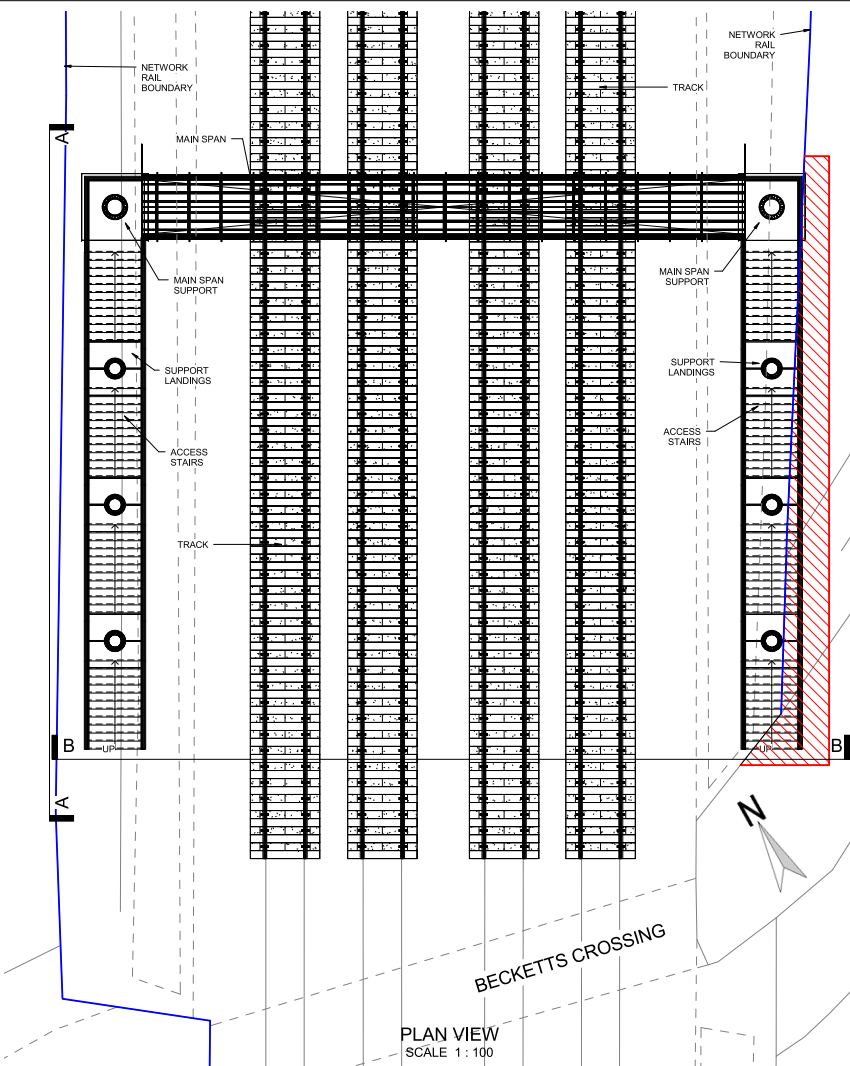
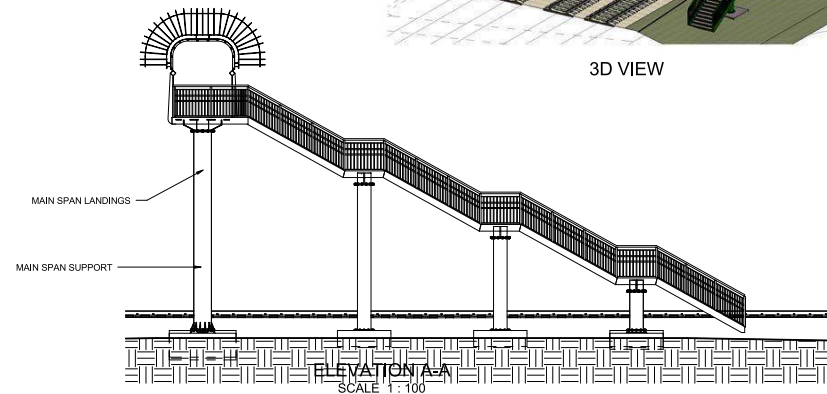
LOCATION PLAN



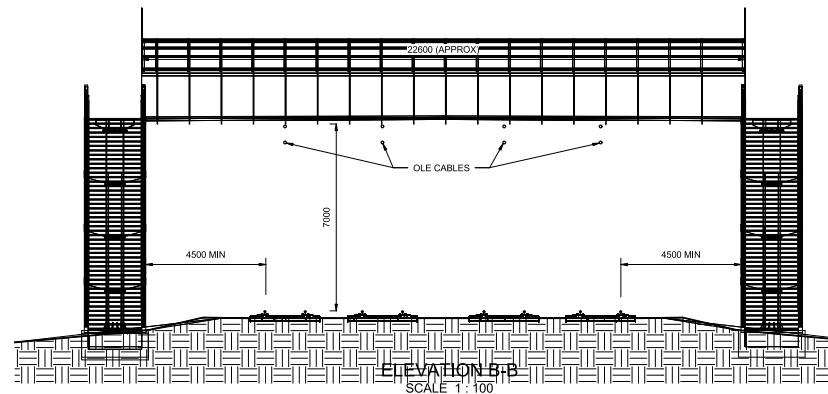
TYPICAL SECTION THROUGH MAIN SPAN
SCALE 1 : 50



3D VIEW



PLAN VIEW
SCALE 1 : 100



ELEVATION B-B
SCALE 1 : 100

- Legend/Notes
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
 2. DO NOT SCALE FROM THIS DRAWING.
 3. HATCHED AREA ON PLAN INDICATES NETWORK RAIL LAND OWNERSHIP.
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- KEY
- NETWORK RAIL BOUNDARY
 - ▨ AREA OF LAND REQUIRED BY NETWORK RAIL (29m)

Rev	Date	Description of Revisions	Drawn	Chkd	Appr
FEASIBILITY					



Designers:
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Project Title:
**NATIONAL LEVEL CROSSING
 CLOSURE PROGRAMME**

Drawing Title:
**COPMANTHORPE LEVEL CROSSING
 FOOTBRIDGE
 GENERAL ARRANGEMENT**

Designer	A.BOYNTON	Signed	<i>[Signature]</i>	Date	12.02.15
Drawn	P.MAWSON	Signed	<i>[Signature]</i>	Date	12.02.15
Checked	A.WILLIAMS	Signed	<i>[Signature]</i>	Date	12.02.15
Approved	C.ROBERTS	Signed	<i>[Signature]</i>	Date	12.02.15

Scale(s) at A1
 As indicated

Sheet Size A1 594 x 841
 ELR & Mileage
 ECM4
 185m 0814yards

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