

BANKS PROPERTY LIMITED

**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
BANKS PROPERTY RESPONSES TO MATTERS, ISSUES AND
QUESTIONS FOR THE EXAMINATION**

MATTER 7: APPROACH TO SETTING GREEN BELT BOUNDARIES

FILE NOTE

The questions concerning Green Belt are aimed at the strategic level. Later questions during the Phase 3 hearings will address issues in relation to specific parts of the boundaries proposed, including those around development sites. In responding to the following questions, consideration should be in the context of the Council's submitted evidence to date, including its Topic Paper 1 relating to the Green Belt [CD021], its subsequent Addenda to Topic Paper 1 [EX/CYC/18; EX/CYC/18a-f; EX/CYC/50 and EX/CYC/50a-d and EX/CYC/59 and EX/CYC/59a-g]; and the modifications proposed by the Council, to the submitted Plan resulting from these documents set out in the Examination Document Library.

7.1 This Local Plan will formally define the boundaries of the York Green Belt for the first time. The Council's approach to defining the Green Belt boundaries now proposed is set out in 'Topic Paper TP1 – Approach to Defining York's Green Belt: Addendum' (January 2021) [EX/CYC/59]. In the light for the evidence, in setting the proposed Green Belt boundaries:

- a) how, in simple summary, have the proposed boundaries been arrived at?**
- b) what influence have heritage assets and other environmental designations, such as conservation areas and SSSIs had on the setting of Green Belt boundaries?**

In response to the above questions we ask the Council to produce a very brief and straightforward summary that sets out in simplified terms the method(s) used to identify the boundaries proposed.

- c) how does the approach now taken in the aforementioned new evidence differ from the method previously used by the Council and what is the reason for the differences?**

At 4.58 of EX/CYC/59 addendum (Jan 2021) the council refer to a "*balanced approach*" to spatial principles and acknowledges that "*in order to meet community needs and deliver economic growth, new development may place some pressure on these existing assets. This balanced approach was also expected to deliver new development that was well served, accessible and supported the use of sustainable public transport.*"

The council have afforded a disproportionately high weight to the conservation of heritage assets and have not fulfilled this 'balanced' approach when allocating housing to meet the identified need; this is exemplified by the lack of Safeguarded Land allocation. In order to make a meaningfully 'balanced approach' to spatial principles, adequate land in the most appropriate locations should be allocation for housing, Safeguarded Land or removed from

the Green Belt to facilitate a future application for housing. It is inevitable that housing would therefore need to be approved within the Green Belt in order to meet the future need.

d) how has the need to promote sustainable patterns of development been taken into account?

Sustainable patterns of development have not been properly taken into account. Although the council assert (at 4.60 of EX/CYC/59 addendum (Jan 2021)) that the preferred option for the spatial distribution of growth was to "*Prioritise development within and/or as an extension to the urban area*", this was also supported by the Council's SA. Sites which abut the urban area have not been given priority when compared to sites that are seemingly isolated within the Green Belt (some of which even require new infrastructure to provide connectivity), the approach to allocating sites and releasing Green Belt is hence discordant with the Council's general approach.

e) how have the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary been considered?

These consequences have not been properly considered as the pattern of growth is not promoting the most sustainable pattern of development (NPPF 84, 2012). Opportunities to make use of existing sustainable transport methods to provide connectivity have been ignored which has resulted in the allocation of disconnected sites.

There is an irrefutable need to release Green Belt Land to meet the housing requirement in York due to the tightly drawn GB boundaries. As per the Banks Property representations dated 7 July 2021, in response to EX/CYC/59 – Topic Paper TP1, the proposed GB boundaries have been designed to maximise development constraint -this is contrary to the Council's purported 'balanced' approach. The most sustainable locations for development are adjacent to the inner boundaries of the Green Belt; this is reflected by the Council's proposed approach however is not reflected in their proposed allocations as sites in the middle of the Green Belt appear to have been preferred over more sustainable alternatives.

f) how do the proposed Green Belt boundaries ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development?

The reliance on an inflated windfall allowance undermines the permanence of the proposed Green Belt boundaries in the Local Plan; an inflated windfall allowance essentially assumes that housing will need to be approved within the new Green Belt due to the lack of available land elsewhere in York. The proposed GB boundaries are inconsistent with the Council's approach to allocate housing land adjacent to the main urban area; this is exemplified by the omission of land at Malton Road which is well-connected to the urban area and to York City Centre; the site would represent an "*extension to the urban area*" (4.60 of EX/CYC/59 addendum (Jan 2021)) but was not properly considered. This demonstrates that the Council have not allocated site in accordance with their on Spatial Principles and Spatial Strategy.

7.2 As a matter of principle, do the proposed Green Belt boundaries include any land which it is unnecessary to keep permanently open?

The land north of Malton Road/ west of New Lane serves a negligible role against the five purposes of the Green Belt and is only bounded on the western edge by the rear boundaries of residential gardens, which vary in degrees of permanence/defensibility e.g. fences, sheds, hedgerows, or open land. There is therefore no need to keep this area of land open and hence should not be included within the proposed GB boundary, part of this land also includes

existing built form that further detracted from the openness of the Green Belt. The council incorrectly refer to this area as part of the 'Green Wedge'; in reality the Green Wedge lies to the south of Malton Road. This is emphasising the points made at para 2.2 of Banks Property's previously submitted representations in relation to TP1: Green Belt (July 2021).

7.3 Overall, is the approach to setting Green Belt boundaries clear, justified and effective and is it consistent with national policy?

The Council's approach is inconsistent with national policies as the Council do not identify any Safeguarded Land, and the Plan is therefore ineffective. NPPF 85(pt3)(2012) states that authorities should "*where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period*"; Safeguarded land is absolutely 'necessary' in York due to the chronic under delivery of housing, the tightly drawn GB boundaries and lack of 5-year land supply.

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