

**YORK LOCAL PLAN**

**EXAMINATION INTO THE SOUNDNESS OF THE CITY OF YORK LOCAL PLAN**

**Response to Inspector’s Matters, Issues and Questions**

**Made on Behalf of Barratt and David Wilson Homes**

*Matter 7 – Approach to Setting Green Belt Boundaries*

**Introduction**

7.1 These responses are made on behalf of Barratt and David Wilson Homes (Yorkshire East), hereafter referred to as our Client. Our Client is the country’s largest housebuilder and has an excellent delivery record nationally and locally in the region.

Our Client has a significant number of land holdings within and around York and has made representations throughout the CYCLP consultation process at all stages. In summary and for clarity the following is a list of our Client’s interests.

Site Address	Site Reference	CYCLP Area	CYCLP 2013 Capacity (BDWH control)	CYCLP 2016 Capacity (BDWH control)
Manor Heath, Copmanthorpe	ST12	1	250	0
Moor Lane, Copmanthorpe	H29	1	65	88
Riverside Gardens, Elvington	SF10	2	0	0
Eastfield Lane, Dunnington	H31	3	75	84
Metcalfe Lane, Osbaldwick	ST7	4	750	35
New Lane, Huntington	ST11	4	360	0
North of Monks Cross	ST8	6	35	35
North of Haxby	ST9	6	375	375
North of Clifton Moor	ST14	6	750	500

**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?**

7.2 We reserve the right to comment at the examination once we see the Councils response.

**b) what influence have heritage assets and other environmental designations, such as conservation areas and SSSIs had on the setting of Green Belt boundaries?**

7.4 Heritage assets have had a large impact upon the Green Belt boundaries chosen within the plan. Two of our main objections to the soundness of the approach relate to the land separating the existing built up area at Osbaldwick to ST7 and the inclusion of land at New Lane Huntington, both based on heritage impacts.

7.5 We note that previous concerns over listed buildings and SAM's have sought to be addressed in the revised TP1, however a revised assessment using compactness, landmark buildings and landscape setting have now been used to consider the impact upon the historic city.

7.6 Firstly we have concerns over the definition of historic city, which we consider should relate to the historic core, rather than the whole city. Seeking to leave a gap between an existing modern suburban edge does nothing to protect the historic city, likewise at New Lane the land is located between a football stadium and residential development.

7.7 The matter of compactness appears to have been confused into seeking to restrict urban expansion, rather than the questions identified in the methodology. Infilling of a gap cannot be considered to have an impact on compactness, yet the Councils methodology assesses the scale of new development with no reference to its context, such as New Lane.

7.8 The Council previously sought to protect individual heritage assets, which the Inspector rightly noted is not a test for including land within the Green Belt. This has now been replaced with reference to landmark buildings, with the guidance in TP1, potentially listing a number of smaller buildings, including boundary stones.

7.9 In terms of landmark buildings, these cannot be expanded to include all heritage assets and the Council should define what a landmark building is. In simple terms this would be considered a building of significant merit in a wide context or a building used to navigate a location in a town or city, rather than simply a heritage asset. For example, the Minster, Cliffords Tower or the city walls. To simply apply the tests to all heritage assets would diminish the description of landmark building.

7.10 Given the Councils revised methodology is based on the previously not reference Heritage Topic Paper it is appropriate for a guide to be taken from that document in relation to the application of these questions. In this respect, the table at pages 44-46 provides detailed examples of landmark buildings, none of which are simply listed buildings, buildings in

conservation areas or Scheduled Monuments. The landmark buildings are almost if not exclusively within the walls of the historic city.

- 7.11 In terms of these questions regard must be had to those definitions, however it is considered this is not the case and the definition of landmark buildings has been extended to include listed buildings. This was confirmed as incorrect by the Inspector in absolute terms in writing to the Council in June 2020 and the Council's attempts to circumvent this through reference to vague and generalised impacts on assets is disappointing and frustrating.
- 7.12 With regards the land at New Lane, Huntington, the previous assessment raised no concerns on landmark buildings, despite all of those landmark buildings existing at the time of the assessment. Rather than accepting the error in the methodology and amending the conclusions, the revised assessment simply seeks to insert landmark buildings into the analysis and find the same outcome, which is unreasonable.

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

- 7.13 The Council have sought to promote sustainable patterns of development in identifying sustainable locations for homes based on a strategy of expanding the city, existing villages and delivering new stand alone settlements.
- 7.14 The City and its surrounding villages have been constrained for a number of years by the potential Green Belt boundaries and simply drawing these around existing settlements would prevent any future growth. The existing villages of Haxby, Copmanthorpe, Wheldrake etc all require homes and therefore identifying a wider boundary around these settlements to enable this is considered a sound approach.
- 7.15 Likewise given the availability of land and the alternatives, creating new standalone communities provides an appropriate method of delivering large quantities of homes in suitable locations and creating new sustainable communities.
- 7.16 The Council has however failed to plan for any longer term strategy and future patterns of growth. A number of previously suitable sites, either allocated for housing or safeguarded for housing have been deleted and redesignated as Green Belt. These sites have all been subject to an extensive evidence base showing that they are suitable for development and do not meet the tests for including land in the Green Belt.
- 7.17 Notwithstanding this, as the Council's requirements for development have reduced these were deemed not necessary and deleted. The Council should however at this stage have left them

as white land as the evidence shows they do not serve a Green Belt purposes. All land excluded from the Green Belt is allocated for development, therefore providing no opportunities for future growth and no fall back should the Council need more land.

7.18 Sustainable patterns of development can endure for longer than the plan period and setting the Green Belt for the first time should consider this. The inner boundary should make provision for this and settlement boundaries should allow for future growth without a future need to show exceptional circumstances. Finally the new garden villages provide opportunities for future long term growth, which should be considered in this plan by setting a nappropriate inset form the Green belt to allow for future development.

**7.19** Whilst the overall strategy is sound, a longer term vision should be applied and therefore without this its implementation is considered to be unsound.

**d) 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?**

7.20 This is the current approach in York by virtue of not having an adopted plan and using the RSS as a basis for determining the current Green Belt as all current land not within a defined settlement. The impacts of this over the last ten years are clear to see with a significant undersupply in housing delivery, increases in affordability and in recent years a reduction in the level of available affordable housing, whilst the backlog increases.

7.21 Consequently to continue such an approach would be unsustainable as it would not meet the needs of the city.

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

7.22 The Green Belt boundaries are very tightly drawn and defined in a way to deliver the development requirements of the plan. The minimal land required to meet the cities needs has been excluded from the Green Belt with no flexibility should the plan fail.

7.23 There are significant concerns on the individual boundaries, delivery rates and capacity of sites, which all add uncertainty to the cities needs being met. There is housing crisis in York that needs addressing urgently, however it will not be dealt with immediately and is a long term matter to be reversed with the Local Plan being a key component. The Councils history of plan making is so poor that tools such as plan reviews are unlikely to assist if the plan fails, therefore the importance of adopting a sound plan with appropriate boundaries is vital.

7.24 This plan will set the Green Belt boundary for a number of years, which will constrain the development opportunities other than those allocations. The standard methodology already requires a higher level of homes than being planned for and reflects the actual needs. The only reason this is not applied is due to the time the Councils submitted this plan, therefore upon adoption the plan will quickly be out of date and any new plan will then have to redefine the boundaries for an increase level of homes. On this basis, the boundaries should be set to plan for longer term, including safeguarded land, expanded site boundaries and excluding land from the Green Belt that doesn't meet the tests.

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

7.25 Yes, despite the new methodology and assessments, this simply retrofits the previous findings and continues to include land in the Green Belt that is unnecessary to be kept permanently open. Whilst the Councils site assessments do not conclude this, we disagree with the methodology, the assessment and the findings and consider the boundaries to be unsound.

7.26 The Councils approach to the Green Belt was previously found unsound as they sought to allocate all land as Green Belt and then release land from it for housing or employment. This approach was found unsound by the Inspectors and resulted in significant new work being carried out.

7.27 As part of that previous approach, the starting point was to set the inner boundary, however this was predicated on the idea that all land should start as Green Belt unless needed for development. As a consequence of this, the inner boundary was drawn tight around the existing urban edge with little regard to the tests in the framework regarding to defining boundaries for the first time.

7.28 The evidence supporting this therefore resulted in land not necessary to be kept permanently open being included in the Green Belt. Whilst the Council have sought to amend their methodology to make up for the previously raised flaws, the underlying principle of establishing a tightly drawn inner boundary remains. This has resulted in a retrofit analysis that seeks to justify a previously unsound boundary, rather than reassessing the approach and defining an appropriate boundary.

7.29 Whilst our principle concern is with regards boundaries 05 30-31, land at New Lane Huntington, we have appended a document highlighting other examples, which demonstrate the Councils approach. The first boundary 02 03 is a prime example, a small infill site surrounded on three sides but excluded as it has no development on it. The assessment

claims the land being excluded from the development (not built on) is necessary to preserve the openness of the countryside, prevent urban sprawl and protect the historic city.

- 7.30 The site is a wooded area with no development potential, therefore none of these can be accurate. Indeed even if it were built upon it would deliver around five homes surrounded on three sides, in no way impacting on any of these grounds.
- 7.31 The same applies for boundary 04 05 itself referred to as 'Clifton Moor inset', a site that on any sensible analysis should not be in the Green Belt.
- 7.32 Whilst these sites are relatively small, scale should not be an issue. The same principles apply to the land at new Lane Huntington, previously allocated for housing, identified in every evidence base document since 2004 (including the previous version of TP1 as not being necessary to be included in the Green Belt, however when deleted for housing it was reverted back to the Green Belt.
- 7.33 None of these sites should be in the Green Belt and should simply be white land if not necessary for housing or employment.
- 7.34 Whilst the principle concerns are with the inner boundary, this is equally true when considering some of the allocations and attention should be drawn to the land at Metcalfe Lane Osbaldwick, which retains a thin parcel of land separating it from the inner boundary within the Green Belt.
- 7.35 We understand (whilst not agreeing with) the Councils position on separating new development from the existing homes, however this does not require the Green Belt to maintain that purpose and should not result in that land being within the Green Belt.
- 7.36 The land makes no contribution to the Green belt, it is being used as a development management tool to maintain separation from existing homes, resulting in land not necessary to be kept permanently open in the Green Belt.

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

- 7.37 No. The Green Belt continues to be a confused policy mechanism in the plan and the methodologies and boundaries do not follow national policy.
- 7.38 The Council previously made significant errors with regards their overall approach, which were highlighted by many of the participants and subsequently raised by the Inspectors. Whilst the Council have sought to address this through a revised methodology, the underlying issue is that it still seeks to support the previous boundaries that were based on the unsound approach. It is inconceivable that boundaries found on a methodology that

misunderstood the necessary approach can now be almost identical when taking the correct approach.

- 7.39 The Council have taken almost two years to reassess the whole boundaries in line with a brand new methodology, however it results in almost the same boundaries and does not provide any non Green Belt unallocated land, which is highly questionable.