

# 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 7 – Approach to Setting Green Belt Boundaries

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### 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.

### ***Question 7.1 (a) – How, in simple summary, have the proposed boundaries been arrived at?***

- 7.1.1 The Green Belt boundaries have been arrived at through the Council's evidence base as set out in the Green belt Topic Paper. The Publication Draft Local Plan (PDLP) proposes to exclude the Site from the Green Belt.
- 7.1.2 Savills undertook their own Green Belt assessment in respect of the village of Copmanthorpe as part of their July 2021 representations for this site (Representations to City of York Council: New Local Plan Proposed Modifications and Evidence Base Consultation).

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- 7.1.3 It was concluded that the exclusion of the Site from the Green Belt is entirely justified in line with the purposes of the Green Belt as outlined in paragraph 134 of the NPPF. The site does not fulfil any of the five Green Belt purposes therefore excluding the Site from the Green Belt and the approach to the Green Belt boundaries around Copmanthorpe, were and remain supported.
- 7.1.4 It is somewhat mystifying, that given the lack of importance the Site has in Green Belt terms, as demonstrated by its proposed release from the Green Belt, that it has not been included as a draft housing allocation. We consider this to be an inefficient use of land.
- 7.1.5 In addition, there are practical reasons why this site should be allocated for housing, either as a separate allocation or as part of adjacent site ref ST31 (Policy SS16).

### ***Question 7.1 (d) – How has the need to promote sustainable patterns of development been arrived at?***

- 7.1.8 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.
- 7.1.9 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 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.
- 7.1.10 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 ST16 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).
- 7.1.11 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.
- 7.1.12 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.

### ***Question 7.1 (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?***

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- 7.1.13 Policy SS1 of the PDLP sets out that the setting of Green Belt boundaries is key in defining which areas can be developed and which should be protected from development. During the examination of the CYLP, a number of concerns were raised regarding the Council's approach to reviewing boundaries and the extent of Green Belt land proposed to be released for development.
- 7.1.14 The Council produced a Green Belt Clarification Note during Phase 1 examination, in December 2019. This note clarified that broadly speaking, the Outer Green belt boundary is measured at 6 miles from York Centre (city walls). Copmanthorpe is therefore a village within the outer Green belt boundary.
- 7.1.15 The release of the Site from the Green Belt to support growth in Copmanthorpe is supported. There are defensible boundaries to the Site and the setting of the boundary results in a sensible 'rounding off' of the settlement.

### ***Question 7.1 (f) – How do the proposed Green Belt boundaries ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development?***

- 7.1.16 The Green Belt Clarification Note states that land has been justified for release from the Green Belt having regard to housing need and that allocations have been proposed having regard to the principles of sustainable development, reflected in the factors shaping the Local Plan Spatial Strategy.
- 7.1.17 If this is the case, it is illogical for the Site to be released from the Green Belt and not allocated for housing.
- 7.1.18 The Site should remain outside of the Green Belt and be allocated for residential development.

## **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. The additional dwellings would make up the

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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*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 ~~458~~ 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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- [Recycling in Copmanthorpe](#)
- [Yorkfield Lane – Past, Present and Future](#)

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- [Churches](#)
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Appendix 2 - Copmanthorpe Level Crossing Footbridge Drawing - Network Rail

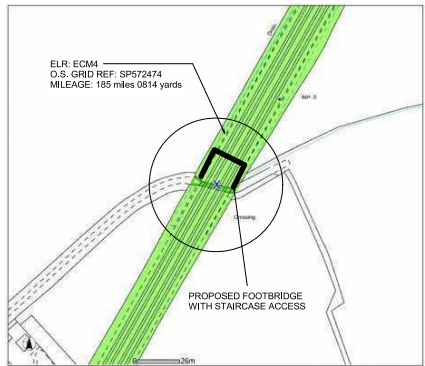




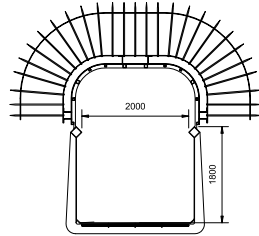
PHOTO 1 -



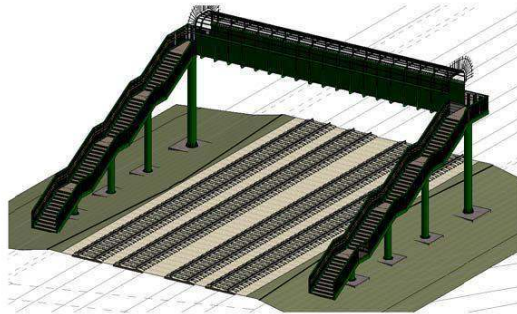
PHOTO 2 -



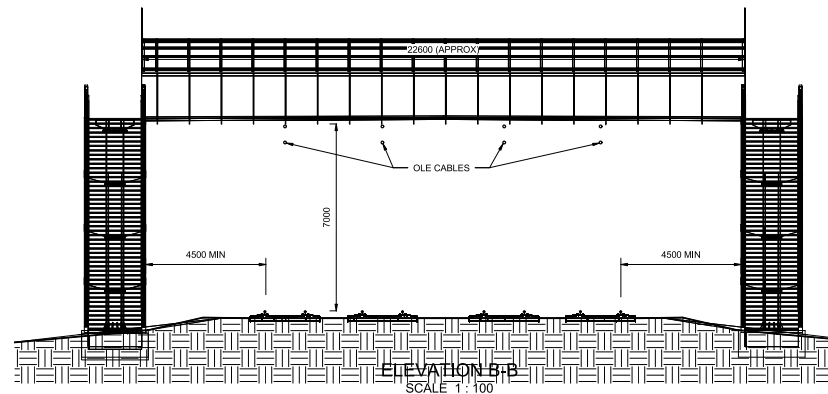
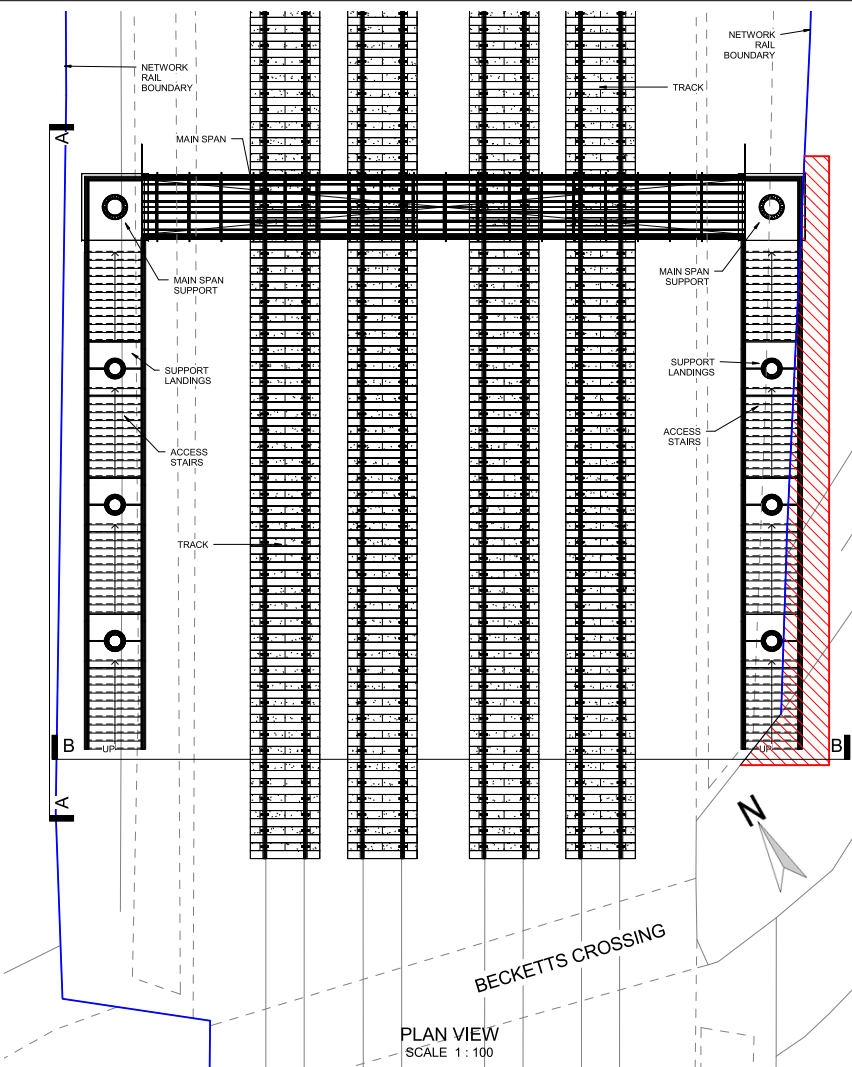
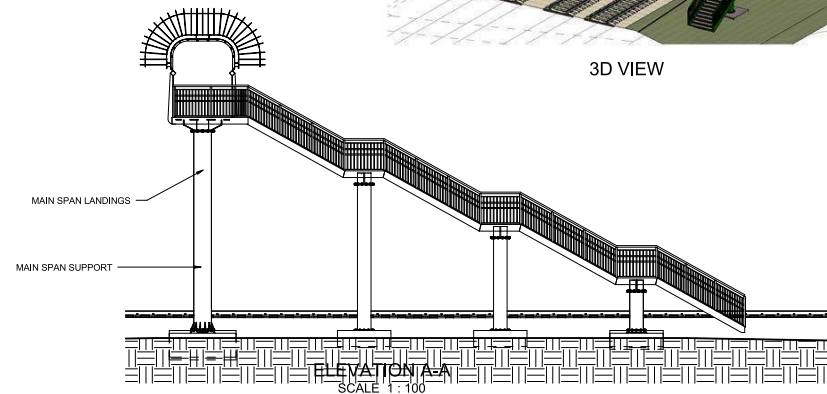
LOCATION PLAN



TYPICAL SECTION THROUGH MAIN SPAN  
SCALE 1 : 50



3D VIEW



- Legends/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.
  4. THE DIMENSIONS AND LEVELS SHOWN ON THIS DRAWING ARE BASED UPON ESTIMATES TAKEN FROM SITE AND SHOULD BE CONFIRMED UPON RECEIPT OF A TOPOGRAPHICAL SURVEY.
  5. REPRODUCED FROM THE ORDNANCE SURVEY MAI WITH PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONARY OFFICE. CROWN COPYRIGHT LICENCE No. 010064992
  6. THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH THE LEVEL CROSSING REPORT.

- KEY
- NETWORK RAIL BOUNDARY
  - ▨ AREA OF LAND REQUIRED BY NETWORK RAIL (29m)

Rev	Date	Description of Revisions	Drawn	Chkd	Appr
FEASIBILITY					



Designers  
**Network Rail**  
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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

Drawing Number  
**LNE/143429/EAR/DRG/IAB/001**

Revision  
**A01**