

CITY OF YORK LOCAL PLAN EXAMINATION

MATTER 2 - UNIVERSITIES AND COLLEGES

1 Introduction

- 1.1 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the City of York Local Plan's preparation and the Statement of Common Ground (SoCG) signed with the City of York Council [The Council] with regards to the Phase 3 Hearing session Matters, Issues and Questions.
- 1.2 This hearing statement relates specifically to our objection to the allocation of site ST27 University of York Expansion under Local Plan Policy ED3: Campus East, as set out in the City of York Publication Draft Local Plan [CD001].
- 1.3 Some thirty years ago, the Department of the Environment published a booklet entitled 'The Green Belts'¹. It stated that the primary purpose of the York Green Belt was "to safeguard the character of the historic city which might be endangered by unrestricted expansion", a purpose which has been reaffirmed, throughout the subsequent years, by Ministerial Statements, Local Plan Inspectors, and by numerous Inspectors' on Appeal. The Local Plan Inspector at the York Green Belt Local Plan Inquiry (1994) concluded "Bearing in the national and international fame and importance of York, I can see no reason to anticipate any significant change or derogation from this aim in future". The fact that the Secretary of State, under the provisions of SI 2013 No. 117, specifically retained the two RSS policies relating to the need for the York Local Plan to safeguard the special character and setting of the historic City attests to the fact that this remains the key consideration when determining not simply where the detailed Green Belt boundaries should be drawn but also what is the most appropriate development strategy for the York Local Plan.
- 1.4 There are six historic towns within England which have a Green Belt whose primary purpose is to safeguard their special character and setting. Of those, however, York is unique not only in terms of the fact that it is the only one whose inner Green belt boundaries have never been defined, but it is the only one of the six which sits wholly within an encircling ring-road. Because of its topography, from many stretches of this route and on the arterial approaches, one can obtain views of the Minster and the edge of the main built-up area

¹ *The Green Belts*, Department for the Environment, HMSO, 1998



over the surrounding farmland and, as result, gain an appreciation the scale and landscape setting of the historic city.

- 1.5 Given the above we fully support the emerging Local Plan's identification of the preservation of the setting and special character of York as the primary purpose of the York Green Belt. In view of the importance of the historic environment of York, the conservation and enhancement of the City's heritage assets should be the starting point for the development strategy.
- 1.6 Site ST27 is considered to harm Character Elements of the special character and setting of the historic City identified in the Heritage Topic Paper Update [Doc. SD103], in particular its landscape and setting, and thereby to conflict with the primary purpose of the York Green Belt. Consequently, the allocation of Site ST27 as proposed in the Submission Local Plan is considered to be in conflict with the following aspects of the emerging Local Plan:
- The Local Plan Vision – in that it conflicts with the intention the city's place making and spatial planning policies reflect its heritage and contemporary culture, contributing to the economic and social welfare of the community whilst conserving and enhancing its unique historic, cultural and natural assets;
 - Policy DP1: York Sub Area - in that would not define a Green Belt around York which will safeguard the special character and setting of the historic city;
 - Policy DP2: Sustainable Development – in that it will not conserve or enhance those elements which contribute to the special character and setting of the City by ensuring that development is in acceptable locations;
 - Policy DP3: Sustainable Communities – in that it would not respect and enhance the historic character, green spaces and landscape of York.
 - Policy SS1: Delivering Sustainable Growth – in that it would not conserve and enhance the city's character and setting; and
 - Policy SS2: The Role of York's Green Belt – in that it conflicts the primary purpose of the York Green belt which is to safeguard the setting and special character of York.
- 1.7 It would also be contrary to national planning policy as set out in the NPPF insofar as it would not:
- Contribute to protecting or enhancing the historic environment. Therefore, it will not deliver sustainable development in terms of the conservation of the historic environment [NPPF Paragraph 7].



- Respond to local character and history, and reflect the identity of local surroundings [NPPF, Paragraph 58].
- Help to achieve the fundamental aim of the Green Belt in preventing urban sprawl by keeping land permanently open [NPPF, Paragraph 79].
- Preserve the setting and special character of historic towns, the primary purpose of the York Green Belt, or assist in safeguarding the countryside from encroachment [NPPF, Paragraph 80].
- Help to deliver a positive strategy for the conservation and enjoyment of the historic environment [NPPF 2012, Paragraph 126].

2 Responses to the Inspector's Questions

Q2.3 Is the approach of the Plan to Universities and Colleges justified in Green Belt terms (whether in terms of Green Belt boundaries, or 'washing over')?

- 2.1 In order to be able to define the detailed boundaries of a Green Belt that is likely to fulfil its primary purpose, it is first necessary to identify those elements which contribute to the York's special character and setting. This the Council has done in its excellent 'Heritage Topic Paper' [Doc. SD103]. Having established these, what it terms, 'Principal Characteristics' and 'Character Elements', the Authority has then used this analysis to identify which currently-undeveloped areas outside the built-up areas of the City and its surrounding settlements contribute to each of those components. This has formed the basis for establishing not only where the detailed Green Belt boundaries should be defined, but also the overall development strategy of the Plan. The loss of this site and its subsequent development would result in harm to a number of these Principal Characteristics.
- 2.2 In terms of the purpose of preserving the setting and special character of historic towns, Historic England would broadly endorse the approach the Council has used. To evaluate the impact of the sites which it was proposed to be removed from the Green Belt, the Council used the elements identified in the 'Heritage Topic Paper' within its 'Heritage Impact Appraisal' [Doc. SD101] as a framework against which to assess each of the individual sites where growth might be accommodated against Purpose 4.
- 2.3 The assessment of the inner Green Belt boundary in this location (Section 7, Boundary 7-8) is set out in Topic Paper 1: Approach to defining York's Green Belt Addendum (2021) Annex 3 [Doc. EX/CYC/59e]. In relation to Green Belt Purpose 4 - to preserve the setting and special character of historic towns - the assessment highlights that:



- The Outer Ring Road (A64) to the south is an important approach for viewing and understanding the City.
- The land to the south east of the proposed boundary is identified within the GB Appraisal 2003 as being important to the historic character and setting of York as Area F2 – area retaining the rural setting of the City.
- Maintaining open rural land in the foreground to the York Outer Ring Road route allows an understanding of the compact city within original countryside context.
- The sense of the setting of the city within an open and rural landscape is gained both from the view but also from the general sense of openness to the A64 in this location.
- The open area within the ring road is also bisected by low lane (running east to west) and Green Lane (running north to south) as well as public footpaths/tracks, which also offer opportunities for understanding the city in its rural context.
- The closer the urban edge gets to the ring road in this location the more valuable the land becomes in preserving the perception of scale and open historic setting and this therefore increases the importance of needing to keep this land permanently open.

2.4 The Council's Green Belt assessment concludes that it is necessary to keep the land permanently open with regards to Green Belt purposes 1, 3 and 4. Historic England would agree with this assessment, and in particular the importance of this land to the setting and special character of the historic city - as illustrated by its contribution to the principal characteristics of the city's compactness and its landscape and setting - and to safeguarding the countryside from encroachment. However, when considering consistency with the Local Plan Strategy and Site Selection, the Council concludes that, in view of the need for land close to the University's existing campuses, there is a potential opportunity for sustainable employment growth in this location despite the potential harm to the Green Belt.

2.5 The Heritage Impact Assessment [Doc, SD102] for site ST27 identifies that development in this location may result in serious harm to the landscape and setting of the City, potential for minor harm to its architectural character and archaeological complexity and partial minor harm to its compactness. It does however suggest that there is some potential scope for development if the compactness of the city and its rural setting can be preserved, and sets out a number of recommended mitigation measures with that aim in mind. It is however difficult to envisage how site ST27 could be developed without an almost complete loss of openness and without harm to the special character and setting of the city regardless of the mitigation measures employed.

- 2.6 It is acknowledged that, in producing this Local Plan, the City Council faces the not-inconsiderable challenge of trying to reconcile meeting the development needs of an extremely prosperous and dynamic City with that of safeguarding the historic character of one of the finest and most important historic settlements in England, a city where both its compactness and surrounding landscape setting are key aspects of what make it such a special place. NPPF Paragraph 7 makes it clear that, in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system and that “the planning system should play an active role in guiding development to sustainable solutions”. Developments which threatens the special character or setting of York would not be delivering sustainable development in terms of the environmental role of sustainable development or be consistent with meeting the primary purpose of its Green Belt.
- 2.7 As set out within Historic England’s response to the Publication Draft Local Plan the expansion of the University’s Campus East to the extent of the area identified would bring development very close to the Ring Road, fundamentally changing the relationship which the southern edge of York has with the countryside to its south. It will also alter people’s perceptions when travelling along this route about the setting of the City within an area of open countryside. Development would result in the introduction of University and other ancillary uses onto this open site on the edge of the main built up area, which would result in a considerable reduction in its openness, resulting in a permanent change to the character of the site which would be perceived by users of the A64 to the south. Due to the scale of the proposed development relative to the existing openness of the site, and notwithstanding the proposed mitigation measures, there will be a significant loss of openness and a permanent change to the landscape setting of the south eastern side of the historic City.
- 2.8 Whilst never formally adopted as part of the development plan for York, and prepared prior to the introduction of the NPPF, in his Report on the York Green Belt Local Plan from 1994 which found the plan sound subject to modifications, the Inspector stated that:
- “The booklet ‘The Green Belts’ (1988) states that the main purpose of the York Green Belt is to safeguard the special character of the historic city, with might be endangered by unrestricted expansion. Bearing in mind the national and international fame and importance of York, I can see no reason to anticipate any significant change or derogation from this aim in future. I do not consider that this special character is only related to the walled city, or even just to the green wedges extending almost to the walled city. It relates more to the more general



size and character of York. Even from the top of the Minster Tower the countryside around York can barely be seen, other than the parts of the green wedges. Since the construction of the Ring Road views from that road are of especial significance, particularly when they include views of the Minster which define thereby the location of the city centre and indicate the general scale and character of York. I consider that in general there would be serious harm to views of the city from the Ring Road if development were permitted right up to the latter and even more so if it passed beyond it." [Inspector's Report, Paragraph A7.28, page 12].

2.9 This statement still rings true today. Historic England do not contend that you cannot obtain views of the Minster from this location. This however does not reduce the important role that the open land around the south east edge of the main urban area plays in helping to understand the form and character of the historic city of York, in particular its rural landscape setting and compactness. The land within York's outer ring road is finite and once lost is gone forever. The Heritage Topic Paper Update [Doc. SD103] identifies that a feature of the compact main urban area is its overall scale and that this is contained within the Outer Ring Road. The site is currently in agricultural use and, whilst within the York ring road, clearly forms part of the countryside surrounding the historic City. Development of site ST27 would diminish the swathe of open land around the south east side of York, inevitably changing the character of this part of the City as experienced when travelling along the A64 and using the footpaths and lanes which traverse this land.

2.10 In 2007, the Inspector for the Inquiry into the application for the University Campus East concluded that:

- There is clearly a conflict with the purpose of safeguarding the countryside from encroachment. However, for reasons which I explain later, the impact of the development on the character of the wider countryside would be limited [Inspector's Report, Paragraph 666].
- The proposal does not conflict with the purpose of preserving the setting and special character of historic towns. The development would not interfere with long distance views of York Minster or harm the setting of York, given that a substantial swathe of Green Belt land would be retained between the A64 and the application site. [Inspector's Report, Paragraph 667].
- While the area of open land between the A64 and the developed edge of York would be reduced if the development were to proceed, a substantial area of Green Belt would be retained between the road and Low Lane. Furthermore, Low Lane would provide a clearly defined and obvious limit to development [Inspector's Report, Paragraph 732].



- 2.11 It is clear from his Report that the Inspector placed importance on the retention of a “substantial” swathe of Green Belt land between the new Campus East and the A64 as a factor in reducing the harm from the development of the campus to the setting of York. Clearly site ST27, would considerably eat into this area of Green Belt land between Low Lane and the A64. It is also clear from this conclusion that the Inspector deemed that Green Belt Purpose 4 was a relevant consideration in this location despite the lack of views of the Minster or the historic core of the City of York.
- 2.12 In our response to the Publication Draft Local Plan consultation, we suggested that the future expansion of the University should be restricted to within the Campus East and consideration should be given to the expansion of the university in a northerly direction onto Site ST4 instead. This site is well connected to the campus and would be capable of accommodating a proportion of the floorspace required by the University. Whilst aware of the conclusions of the aforementioned Inspector for the University Campus East Appeal on the availability of alternative sites and the scope for disaggregation, we are not aware of any information prepared as part of the evidence base to the emerging Local Plan that has clearly established that there are no alternative, suitable and deliverable sites/options to meet the assessed development needs of the University of York.
- 2.13 Also in our response to the Publication Draft Local Plan Policy ED3 we raised concerns about the possibility for landscaping between the A64 and the site itself causing further harm to the openness of the Green Belt in this location. Previous landscaping schemes by the University in this part of the City have resulted in earth bunding and a strong woodland belt - introducing an alien feature in the flat landscape to the south of the City - that has simply served to block views from the outer ring road of the urban edge. Creating an impenetrable screen around the inside edge of the outer ring road not only reduces the openness of the Green Belt it also harms the historic character and setting of the City, severing the city from its open rural setting and reducing understanding of the compact form of the City.
- 2.14 Should the allocation remain in the City of York Local Plan Historic England are generally content with the wording of the third paragraph of Policy ED3 which requires that an appropriately landscaped buffer must be created between development and the A64 in order to mitigate heritage impacts in terms of the historic character and setting of the site and to maintain key views through the site. If development is to take place on site ST27 in line with the provisions of Policy ED3, rather than being hidden, the distinctive and high-quality parkland landscape of the University Campuses on the south side of the City should be



celebrated. Instead an “appropriately landscaped buffer” should reflect the City’s rural setting and the openness of the Green Belt, maintaining a largely open swathe of land between the A64 and new development, enabling views of the urban edge, the University Campuses, Heslington Conservation Area and the York moraine (the high ground beyond) which has served as an important transportation route and focus of human activity for millennium. If agreed, this position could be made clearer within the supporting text to the policy.

- 2.15 The need for appropriate archaeological investigation is not currently identified in Policy ED3 or highlighted in its supporting text. The Heritage Impact Assessment for the site clearly flags the potential for archaeological deposits to exist on the site with Prehistoric-Romano-British settlement and activity know across the existing campus site to the north. Whilst not something that we commented on in our response to the Publication Draft Local Plan, this is something that needs addressing by the Policy.

3 Conclusions

- 3.1 If developed as is currently proposed in the Publication Draft Local Plan, site ST27 would result in harm to Character Elements of the special character and setting of the historic City, and therefore, run contrary to Green Belt Purpose 4. The setting of York within its rural hinterland and its compact form, experienced from the York outer ring road, are part of the special character and setting of the City. These aspects of York’s special character and setting would be compromised by the development of site ST27.

4 Suggested change

- 4.1 The future expansion of the University should be restricted to within the Campus East and consideration should be given to the expansion of the university in a northerly direction onto Site ST4 instead.
- 4.2 Should site ST27 be retained as an allocation in the Local plan, further explanation as to what is meant by an “appropriately landscaped buffer” should be added to the supporting text of Policy ED3 to ensure that future development proposals minimise harm to Green Belt Purpose 4.

ENDS

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