



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
2017-2033**

PHASE 4 HEARINGS

MATTER 1: Green Belt Boundaries

CITY OF YORK COUNCIL STATEMENT

Matter 1 – Greenbelt Boundaries

- 1.1 Are the inner Green Belt boundaries (Topic Paper 1 Addendum Annex 3 – Sections 1-4) reasonably derived?**
- 1.2 Are the inner Green Belt boundaries (Topic Paper 1 Addendum Annex 3 – Sections 5-7) reasonably derived?**
- 1.2.1 As discussed during Matter 7 (Approach to Setting Green Belt Boundaries) of the Phase 2 hearings, a four-stage approach was applied in arriving at the proposed Green Belt boundaries.
- 1.2.2 Stage 1 involved establishing Strategic Principles. These principles had regard to a review of RSS policies for the Green Belt, NPPF policy and relevant aspects of the evidence base including Green Belt Appraisal and Heritage Topic Paper (SD103). In relation to the inner Green Belt boundaries, Strategic Principle 4 states: *'The starting point for scoping the detailed inner boundary should be the edge of the main contiguous urban area of York where built development meets more open land.'* Other strategic principles were also relevant as explained further below.
- 1.2.3 As part of Stage 2 of the approach, Strategic Principle 4 was applied to scope the detailed inner Green Belt boundaries. This is detailed in Section 6 of TP1 (EX/CYC/59) which explains how the Council sought to understand the extent of the built-up areas of York to inform the setting of the inner boundary. This involved applying a density analysis which identified that the contiguous urban area was confined within the limits of the York Outer Ring Road.
- 1.2.4 Once the scoping stage was complete, Stage 3 (as detailed in Section 7 of TP1 (EX/CYC/59)) considered the need to promote sustainable patterns of development (including through the direction of development towards urban areas) and to ensure consistency with the Local Plan Strategy (in accordance with NPPF paragraphs 84-5). All reasonable options were examined for meeting the identified need for development within the urban areas and locations beyond the outer Green Belt boundary. This aspect of the methodology (along with the Strategic Principles) has been considered as part of the previous phase hearings.
- 1.2.5 Stage 4 of the approach involved the detailed definition of boundaries. In defining the detailed inner Green Belt boundary, the boundary definition methodology set out in Section 8 of TP1 Green Belt Addendum (EX/CYC/59) was applied. This was informed by both the Strategic Principles and detailed assessment considerations. In addition to Strategic Principle 4 above, Strategic Principles 1, 6, 7, 8, 9, 10, 11, 12 and 13 were also relevant as part of the detailed boundary setting exercise for the inner Green Belt boundaries. For ease of reference, the Strategic Principles are set out in Appendix 1.
- 1.2.6 The boundary definition methodology involved applying criteria linked to the three relevant Green Belt purposes (Purpose 1, 3 and 4) and taking into

account Paragraph 85 of the NPPF to ensure the boundary does ‘...not include land which it is unnecessary to keep permanently open’, takes account of the need to ensure that ‘Green Belt boundaries will not need to be altered at the end of the development plan period’, and defines boundaries ‘...clearly, using physical features that are readily recognisable and likely to be permanent’.

- 1.2.7 In defining and assessing the inner Green Belt boundaries, the city was split into eight sections and each section was split into individually assessed boundaries. Some of these sections have similar characteristics linking back to the Green Belt Appraisal (SD107), for example they include a Green Wedge. Sections 1-4 are located on the west side of York (detailed assessments are set out in TP1 Annex 3, Part 1 (EX/CYC/59c)). Sections 5-8 are located on the east side of York (detailed assessments are set out in TP1 Annex 3 Part 2 (Section 5-6) and Part 3 (Section 7-8) (EX/CYC/59d and EX/CYC/59e)).
- 1.2.8 Within each section, each stretch of boundary consists of a physical feature or several features which are readily recognisable and permanent. Boundaries differ in length or number of features however this reflects the characteristics of the land extending from the proposed boundary. Paragraph 8.47 of TP1 sets out the criteria considered in determining whether a boundary was recognisable and permanent.
- 1.2.9 The land extending from the proposed boundary (proposed to be Green Belt) was then assessed against the three relevant Green Belt purposes (applying the criteria set out in Section 8 of TP1) to determine whether it had a Green Belt purpose. All existing planning permissions were also considered to ensure sufficient permanence of the proposed boundary. Alternative boundaries were considered where there are multiple potentially defensible boundaries and the justification for excluding these alternatives is clearly explained in the Annexes.
- 1.2.10 As confirmed during the Phase 2 hearings for Matter 7, every stretch of boundary raised through representations was visited however the full length of boundary may not have been visited (for example, where it was not possible to access parts of the boundary, but it was instead possible to view most of the boundary from one or more points along it).
- 1.2.11 As evidenced by TP1 Annex 6 (EX/CYC59h), a number of modifications were made to the inner Green Belt boundaries as proposed in EX/CYC/18 to ensure consistency with the Green Belt methodology. For every stretch of the potential boundary, the assessment criteria were applied (drawing on the SPs) requiring overall judgements referable to the different Green Belt purposes in each instance. Mostly, this analysis resulted in the inner Green Belt boundary following the edge of the built-up area. However certain uses and features (for example, outdoor sports facilities) along the inner boundary meant that occasionally, the potential boundary was not clear cut and professional judgment was then required. The modifications set out in Annex

6 ensured a consistent approach was taken in applying the methodology and exercising professional judgement across all the inner Green Belt boundaries.

- 1.2.12 Noting the Inspectors' comments in the 'Letter to the Council' (dated 12 June 2020) (EX/INS/15), the boundary around Heslington Village (Section 7, Boundaries 13/14 was modified in TP1 Annex 6 (PM 87) (EX/CYC/59h) to follow the edge of dense built development taking into consideration the importance of the surrounding open land to Purpose 4 in retaining a rural setting to the City and maintaining a gap between Heslington, University Campus East and Badger Hill.
- 1.2.13 In relation to outdoor sports facilities, PM 75 St Peters School (Annex 6, EX/CYC59h) demonstrates the approach which was consistently applied to education facilities and other outdoor sports facilities on the edge of the Green Belt. The Green Belt boundary follows the built edge of the school buildings as the outdoor sports pitches associated with St Peters School are acceptable uses in the Green Belt and preserve openness. Furthermore, the open land to the south and west of the proposed boundary meets all the Green Belt purposes and is important to Purpose 4 as it forms part of the Green Wedge.
- 1.2.14 Overall, a clear and defensible Green Belt boundary has been defined, in accordance with the methodology and the NPPF. The inner Green Belt boundaries are reasonably derived and are therefore sound.

1.3 Are the Green Belt boundaries of 'Other Densely Developed Areas' (Topic Paper 1 Addendum Annex 4) reasonably derived?

- 1.3.1 As discussed during Matter 7 (Approach to Setting Green Belt Boundaries) of the Phase 2 hearings, a four-stage approach was applied in arriving at the proposed Green Belt boundaries.
- 1.3.2 Stage 1 involved establishing Strategic Principles. These principles had regard to a review of RSS policies for the Green Belt, NPPF policy and relevant aspects of the evidence base including Green Belt Appraisal and Heritage Topic Paper (SD103). In relation to the boundaries of York's villages and other densely developed areas, Strategic Principle 5 states: '*Villages or development not entirely subsumed and/or that retain a separation from the main urban area need to be considered separately in relation to their contribution to openness.*' Other strategic principles were also relevant as explained further below.
- 1.3.3 As part of Stage 2 of the approach, Strategic Principle 5 was applied to determine if villages and other densely developed areas should be included or excluded from the Green Belt. This is detailed in Section 6 of TP1 (EX/CYC/59) which explains how paragraph 86 NPPF was applied as part of this process.
- 1.3.4 Paragraph 6.26 of TP1 (EX/CYC/59) states that there are two aspects to paragraph 86 NPPF: '*...whether the urban area has an open character, and secondly, whether this open character makes an important contribution to the*

openness of the Green Belt. The relevant factors in assessing these two aspects are described in paragraph 6.27 and 6.28 of TP1. Paragraph 6.29 emphasises that in some cases, *'the degree of openness or the contribution openness makes to the Green Belt is not uniform'* and in such cases *'planning judgement has been applied to make a judgement based on the context of available evidence and site visits where necessary'*. For each of the urban areas, a conclusion was drawn based on the assessment against paragraph 86 NPPF as to whether the area should be included or excluded from the Green Belt. The findings of this assessment are shown in Table 1 (p51) of TP1 and the full assessment is set out in TP1 Annex 4 (EX/CYC/59f).

- 1.3.5 Once the scoping stage was complete, Stage 3 (as detailed in Section 7 of TP1 (EX/CYC/59)) considered the need to promote sustainable patterns of development (including through the direction of development towards the main urban area, villages and industrial locations) and to ensure consistency with the Local Plan Strategy (in accordance with NPPF paragraphs 84-5). All reasonable options were examined for meeting the identified need for development within urban areas (including the existing main urban area, villages and industrial locations) and locations beyond the outer Green Belt boundary. Section 7 of TP1 recognises that development in the main urban area offers the best opportunities for building on brownfield land however some surrounding villages also provide opportunities for development where they are sustainably located with access to existing services and facilities. This aspect of the methodology (along with the Strategic Principles) has been considered as part of the previous phase hearings.
- 1.3.6 Stage 4 of the approach involved the detailed definition of boundaries for those villages and other densely developed areas which were proposed to be excluded from the Green Belt. In defining the detailed Green Belt boundary, the boundary definition methodology set out Section 8 of TP1 Green Belt Addendum (EX/CYC/59) was applied. This was informed by the Strategic Principles and detailed assessment considerations. In addition to Strategic Principle 5 above, Strategic Principles 1, 6, 7, 8, 9, 10, 11, 12 and 13 were also relevant as part of the detailed boundary setting exercise. For ease of reference, the Strategic Principles are set out in Appendix 1.
- 1.3.7 The boundary definition methodology involved applying criteria linked to the three relevant Green Belt purposes (Purpose 1, 3 and 4). Five criteria are identified; three for Purpose 4 (guided by the relevant principal characteristics identified in the Heritage Topic Paper (SD103)), one for Purpose 1 and one for Purpose 3. The Strategic Principles set the broad context for each criterion: SP7 relates to Purpose 4, SP8 to Purpose 1, and SP9 to Purpose 3. A key overarching question sets the goal of each criterion, and a number of detailed questions provide the focus for the assessment of the role, function of land and the relative delineation of boundaries. The recognisability and permanence of the boundaries are then considered reflecting SP12 and SP13 which incorporate NPPF paragraph 85. In completing the assessment, consideration of baseline mapping, land use evidence and historic context evidence is required, alongside site visits. The accompanying desktop

evidence which was used to complete the assessments is contained in TP1 Annex 1 (EX/CYC/59a).

1.3.8 The detailed assessment of villages and other densely developed areas is set out in TP1 Annex 4 (EX/CYC/59f). The Annex is split into two parts:

- Part 1 includes those villages and areas proposed to be excluded from the Green Belt. For each village and area, the justification is provided based on the assessment against paragraph 86 NPPF and SP5. The detailed boundary setting exercise has also been undertaken for these villages and areas applying the method in Section 8 TP1 and in accordance with the NPPF.
- Part 2 includes those villages and areas proposed to be included in the Green Belt. For each village and area, the justification is provided based on the assessment against paragraph 86 NPPF and SP5.

1.3.9 Where the boundary setting exercise has been undertaken, the proposed boundary of the village or area has been split into numbered sections (e.g., Boundary 1, Boundary 2 etc) for the purposes of the assessment. Each stretch of boundary consists of a physical feature or number of features which are readily recognisable and permanent. Some boundaries differ in length or number of features however this reflects the characteristics of the land extending from the proposed boundary (proposed to be Green Belt).

1.3.10 The land extending from the proposed boundary was then assessed against the three relevant Green Belt purposes (applying the criteria set out in Section 8 of TP1) to determine whether it had a Green Belt purpose. All existing planning permissions were also considered to ensure sufficient permanence of the proposed boundary. Alternative boundaries were considered where there were multiple potentially defensible boundaries and the justification for excluding these alternatives is explained in the Annex.

1.3.11 Overall, a clear and defensible Green Belt boundary has been defined around villages and other densely developed areas which are proposed to be excluded from the Green Belt, in accordance with the methodology and NPPF. The Green Belt boundary is reasonably derived and is therefore sound.

1.4 Are the outer Green Belt boundaries (Topic Paper 1 Addendum Annex 2) reasonably derived?

1.4.1 As discussed during Matter 7 (Approach to Setting Green Belt Boundaries) of the Phase 2 hearings, a four-stage approach was applied in arriving at the proposed Green Belt boundaries.

1.4.2 Stage 1 involved establishing Strategic Principles. These principles had regard to a review of RSS policies for the Green Belt, NPPF policy and relevant aspects of the evidence base including Green Belt Appraisal and

Heritage Topic Paper (SD103). In relation to the York Outer Green Belt boundaries, Strategic Principle 2 and 3 are relevant, although other strategic principles are also relevant (as explained further below):

- *‘SP2 – The outer Green Belt boundary should run continuously to join up with the already defined sections of Green Belt in neighbouring authorities.*
- *SP3 - The outstanding sections of outer boundary of the York Green Belt should be defined about 6 miles from York.’* (TP1, EX/CYC/59, p37-8).

1.4.3 As part of Stage 2 of the approach, these Strategic Principles were applied to scope the boundaries for the remaining sections of the York Outer Boundary. As detailed in Section 6 of TP1 (EX/CYC/59), some sections of the York Outer Boundary which extend into other local authority areas have already been defined through their respective adopted Local Plans:

- Hambleton District Council
- Harrogate Borough Council
- Ryedale District Council
- Selby District Council.

1.4.4 Given these areas of the York Green Belt have been adopted through these respective development plans, they did not form the basis of any further analysis in TP1. TP1 and Annex 2 instead focused on the remaining outer boundary. In accordance with SP2, the analysis proceeded to ensure that the remaining potential outer edges to the York Green Belt, which do not directly abut adopted limits, were evaluated so that they can connect with the previously adopted limits.

1.4.5 SP3 aligns with the saved RSS policies. In applying SP3, a 6-mile distance was not mechanically applied however the characteristics of land were considered to ensure that the policy requirements of the saved RSS policy and the NPPF could be taken into account. The Green Belt Appraisal (SD107) and Heritage Topic Paper (SD103) were important considerations as part of this. The approach to this aspect of the RSS policy was considered at Phase 1 of the examination and the broad approach of the Council accepted by the Inspectors subject to wider consideration of the methodology and boundary setting exercise.

1.4.6 Once the scoping stage was complete, Stage 3 (as detailed in Section 7 of TP1 (EX/CYC/59)) considered the need to promote sustainable patterns of development and to ensure consistency with the Local Plan Strategy (in accordance with NPPF paragraphs 84-5). All reasonable options were examined for meeting the identified need for development within the urban areas and locations beyond the outer Green Belt boundary. This aspect of the methodology (along with the Strategic Principles) has been considered as part of the previous phase hearings.

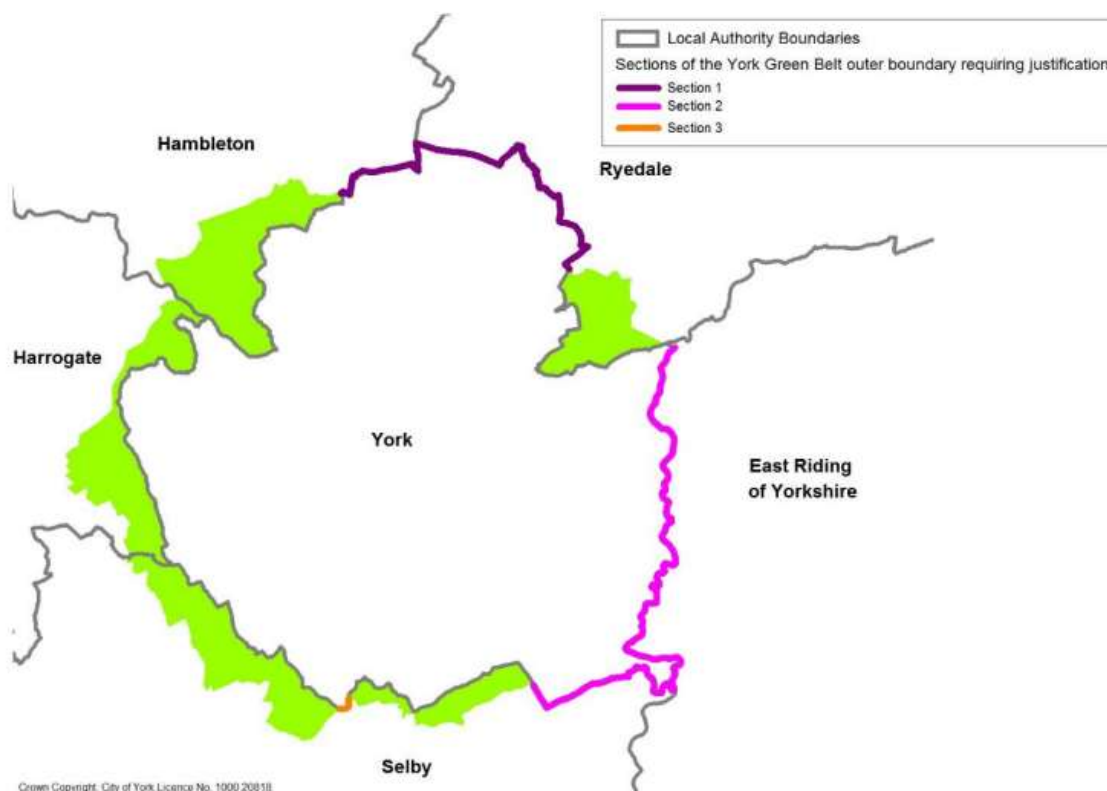
1.4.7 Stage 4 of the approach involved the detailed definition of boundaries. In defining the remainder of the York Outer Boundary, the boundary definition

methodology set out Section 8 of TP1 Green Belt Addendum (EX/CYC/59) was applied. This was informed by both the Strategic Principles and detailed assessment considerations. In addition to Strategic Principles 2 and 3 above, Strategic Principles 1, 6, 7, 8, 9, 10, 11, 12 and 13 were also relevant as part of the detailed boundary setting exercise for the remaining sections of the York Outer Boundary. For ease of reference, the Strategic Principles are set out in Appendix 1.

1.4.8 The boundary definition methodology outlined in paragraph 1.3.7 was then applied.

1.4.9 The detailed assessment of the York Outer Boundary is set out in TP1 Annex 2 (EX/CYC/59b). The diagram on page iv of Annex 2 identifies those areas of the outer boundary which are already defined and the remaining areas are defined in the Annex – see Figure 1 below. The remaining areas are split into three sections. Within each section, each stretch of boundary consists of a physical feature or number of features which are readily recognisable and permanent. Some boundaries differ in length or number of features however this reflects the characteristics of the land within the proposed boundary.

Figure 1. Annex 2 Diagram



1.4.10 The land within the proposed boundary (proposed to be Green Belt) was then assessed against the three relevant Green Belt purposes (applying the criteria set out in Section 8 of TP1) to determine whether it had a Green Belt purpose. All existing planning permissions were also taken into account to ensure sufficient permanence of the proposed boundary. Alternative boundaries were

considered where there were multiple potentially defensible boundaries and the justification for excluding these alternatives is explained in the Annex.

1.4.11 Overall, a clear and defensible outer boundary has been defined, in accordance with the methodology and NPPF. The outer Green Belt boundary is reasonably derived and is therefore sound.

Appendix 1

Strategic Principles – as detailed in TP1 (EX/CYC/59) p37-39

SP1 - The primary purpose of the York Green Belt is to “safeguard the special character and setting of the historic city”.

SP2 – The outer Green Belt boundary should run continuously to join up with the already defined sections of Green Belt in neighbouring authorities.

SP3 - The outstanding sections of outer boundary of the York Green Belt should be defined about 6 miles from York City centre in conjunction with the other aspects of the saved RSS policy.

SP4 - The starting point for scoping the detailed inner boundary should be the edge of the main contiguous urban area of York where built development meets more open land.

SP5 - Villages or development not entirely subsumed and/or that retain a separation from the main urban area need to be considered separately in relation to their contribution to openness.

SP6 - The Heritage Topic Paper Principal Characteristics set the framework for assessing overall impact and harm on the historic character and setting of the city (and examining sprawl and encroachment).

SP7 - The characteristics of York that are relevant to keeping land permanently open to protect the historic character and setting of the city and therefore relevant for setting the detailed boundaries of the York Green belt are:

- a) Compactness which involves consideration of heritage topic paper and Green Belt Appraisal characteristics of the contained concentric form; the relationship between the urban edge and the countryside; the strays, Ings and Green wedges and extended Green wedges; flat terrain and views; arterial roads and open approaches; identifiable compact districts; identity and urban form of urban and rural villages; areas which prevent coalescence.
- b) Landmark Monuments, which involves consideration of heritage topic paper and Green Belt Appraisal characteristics in particular include those of spatial, temporal or Cultural significance to the City and includes City the Minster, and structures associated with the city’s railway and chocolate manufacturing heritage as well as other designated assets. The cities Green Wedges and the long distance views from the surrounding higher ground beyond York are of particular significance to the setting of the Minster as are areas where openness contributes to the significance of more local assets.
- c) Landscape and Setting, which involves consideration of heritage topic paper and Green Belt Appraisal characteristics in particular strays, Ings, river corridors and Green Wedges, open Approaches and views, the impression of an historic city in a rural setting, the relationship with the surrounding villages and the setting of those villages.

SP8 – Given the pattern and distribution of urban development within the City of York authority, the history of subsuming villages within the urban area and the need to maintain compactness and village identity, all areas on the periphery of dense development should consider their contribution to potential Sprawl

SP9 - Outside the clusters of built development analysis has shown that the whole of the authority area is of an open agricultural countryside nature with open views across the flat open landscape and therefore relevant to the consideration of protecting the countryside from encroachment, subject to the overall consideration of strategic principles.

SP10 - Where there are development needs for the authority which cannot be met within the existing urban areas of York or neighbouring local authorities, the most sustainable locations for development should be identified.

SP11 - Where new sites for development are identified these should be those which cause the least harm to the primary purpose of the York Green Belt and have regard to sustainability objectives expressed through the local plan strategy.

SP12 - York Green Belt boundaries will be created that will not need to be altered at the end of the plan period (2033).

SP13 - Detailed boundaries will be defined clearly, using physical features that are readily recognisable and likely to be permanent.