

YORK LOCAL PLAN

EXAMINATION OF THE CITY OF YORK LOCAL PLAN 2017 – 2033

**Schedule of Matters, Issues and Questions for the Examination
Phase 4 Hearings**

Made on Behalf of Barratt and David Wilson Homes

Matter 1 – Green Belt Boundaries

Introduction

- 1.1 These representations are made on behalf of Barratt and David Wilson Homes (Yorkshire East). Our Client has a number of strategic allocations and housing allocations across the city and has made representations at all stages of the plan, together with appearing at the Examination in Public. These representations should be read in conjunction with those representations and also our separate responses to the Councils housing needs assessment.

1.1 Are the inner Green Belt boundaries (Topic Paper 1 Addendum Annex 3 – Sections 1-4) reasonably derived?

- 1.2 No. The inner boundary follows the existing built form rather than making an assessment of the quality of land against the purposes of the Green Belt. Our phase 3 statement included examples of this, however for this session we focus on Our Clients land at New Lane Huntington, which makes no contribution to the Green Belt purposes. The site comprises boundaries in section 5 boundaries 30-31.
- 1.3 The Site comprises 11.6 hectares and is located on the eastern edge of the settlement of Huntington, within the administrative boundary of York. The Site is surrounded by existing development on all sides, with residential areas to the north and west, and retail and leisure areas to the east including Monks Cross Shopping Centre.
- 1.4 The Site is therefore heavily influenced by surrounding urban influences which reduces the Site's sensitivity. For ease of reference an aerial photograph is included below to assist with discussion.



- 1.5 The site has previously formed a draft allocation, ST11 in the 1012, 2013 and 2014 versions of the Local Plan. The site was deleted as an allocation in 2016 as a result of the Councils housing requirement reducing.
- 1.6 The Councils previous version of TP1 showed that the land was not in any areas that contributed to purposes of the Green Belt. The site assessment however considered heritage assets as a reason for including the site in the Green Belt, including a listed building and SAM. This was cited at the previous Green Belt sessions and we note the concerns of the Inspectors on this approach, which resulted in a revised version of TP1.
- 1.7 The Councils approach to Green Belt in the Local Plan is a binary approach, whereby land should either be Green Belt or allocated for a proposed use. This was evident within the Local Plan examination and the Councils evidence base. The Framework is clear at paragraph 143 that when drawing up Green Belt boundaries, plans should 'not include land

which is unnecessary to keep permanently open.’ On this basis it is possible to exclude land for the Green Belt, without it being allocated for development.

- 1.8 This flawed approach can be seen through the history of the site and its proposed designation as Green Belt (2005), followed by being an area of search (2009), then a draft allocation (2013) and finally reverted back to proposed Green Belt in the current version of the plan (2016). Each of these decisions was based upon the changing need for housing and subsequent increase/decrease in the level of required housing allocations, rather the contribution that the site makes to the Green Belt.
- 1.9 Having reviewed the history of the site it is clear that on many occasions independent assessment concluded that the site should not be in the Green Belt.
- 1.10 The most recent explanation of the deletion of the site and inclusion in the proposed Green Belt, is included in the Council’s Pre-Publication Draft Heritage Impact Assessment (2017), which confirms the reasons for the deletion of the site from the earlier version of the Local Plan as allocation ST11 as:

“ST11 was previously considered at preferred options stage. Following further consideration of the site it was considered that the site performed a significant role in preserving the character and setting of Huntington, keeping an important gap between the existing residential area of Huntington and the commercial area of Monks Cross. Further, the area has a lack of green space, and the site has local amenity value as well as providing a green wedge into the City. The site also contains a Scheduled Ancient Monument (Roman Camp) which should be preserved along with Huntington Grange and the cemetery which would need room for future expansion. ST11 was therefore deleted at Preferred Sites stage and removed as a potential allocation.”

- 1.11 It is considered that the justification provided in the above paragraph by the Council to include the Site within the Green Belt is not sound or robust for the following reasons:
- 1.12 **Issue 1: Character and Setting of Huntington** – The Site is not considered to be important in terms of the character and setting of Huntington (and the contrary is not demonstrated). There has been significant development to the east of the Site and the Site is surrounded on all sides by existing development.
- 1.13 **Issue 2: an important gap between the existing residential area of Huntington and the commercial area of Monks Cross** – The assessment does not define why the land is an important gap or in what function the land holds in particular. The site is simply an unplanned gap separating the two uses and delivering new homes in this area would not result in any adverse impact on existing residents from the commercial area, both located in Huntington.

- 1.14 **Issue 3 – the area has a lack of green space** – The Site is in private use and provides no public access at the moment. Notwithstanding this paragraph 31 of the neighbourhood Plan confirms that there are large areas of green space that surround and intersperse the Parish, albeit this is not grounds to include the land in the Green Belt.
- 1.15 **Issue 4: the Site has local amenity value** – The Site is not publicly accessible and therefore serves no function in terms of being serving an amenity function. Again this is not an appropriate reason to include the land in the Green Belt.
- 1.16 **Issue 5: Green Wedge** – The identification of the site as a ‘green wedge’ forms no policy basis in Green Belt terms and is not one of the main purposes of Green Belt land. Furthermore the Site has not previously been identified as a Green Wedge in previous Green Belt assessments undertaken by the Council, including the 2003 Green Belt Appraisal nor is it included as such in the Councils Green Belt Assessment in TP1.
- 1.17 **Issue 6: Scheduled Ancient Monument (Roman Camp)** – the presence of a scheduled ancient monument is not sufficient justification to include the site as Green Belt land as per the Inspectors previous letter to the Council.
- 1.18 **Issue 7: Huntington Grange (listed building)** – the presence of a listed building is not sufficient justification to include the site as Green Belt land.
- 1.19 **Issue 8: Cemetery needs room for future expansion** –this is also not a sufficient reason to include the land within the Green Belt.
- 1.20 The Council's reasons for including land within the Green Belt are not related to the purposes of the Green Belt but rather material considerations and constraints around the Site. The specific evidence relating to the Green Belt supports our analysis and these other matters are not appropriate to consider in determining whether the land should be considered as Green Belt.
- 1.21 With regards the updated TP1 and the councils revised methodology, we consider that the assessment of the site is incorrect, inconsistent with the methodology and retrofits the previous decision.
- 1.22 A prime example of this relates to urban sprawl, where the Councils own assessment against the methodology proves the site would not result in urban sprawl, indeed it actually describes the site as ‘**an ideal site for rounding off**’. However it concludes **that ‘although it is enclosed by built development on three sides, it is of sufficient size that sprawl could take place within it.’** This isn’t a test in the Councils methodology and is not cited anywhere else other than this site.

- 1.23 With regards encroachment, the site is considered to function as countryside, simply because of its use. The site is in an urban area surrounded by development on all three sides, with no views outside of the city. It has no link to the countryside and cannot reasonably be described in this way.
- 1.24 Finally in relation to preserving the historic city, the reasons given again relate to the separation of residential and commercial uses in the same settlement and views of the minster, which are limited at best. These are not related to the Green Belt and do not support the designation of the land.
- 1.25 In simple terms the site is surrounded by built development, makes no contribution to any of the purposes of the Green Belt and has historically been allocated for housing. The reasons to delete the allocation were based on the reduction in housing numbers and material considerations citing why the site should not be allocated. To simply put the site in the Green Belt as an alternative is unsound and as such the boundary should be redrawn following the existing roads.

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

- 1.26 Our Client has land in both Copmanthorpe (Manor Heath) and Elvington, both sites which were previously allocated for housing and excluded from the Green Belt. Following a reduction in the level of homes both of these allocations were deleted and the land included in the Green Belt.
- 1.27 In allocating the sites, they were assessed against the Councils distribution, settlement hierarchy, sustainability objectives and against the purposes of the Green Belt. This assessment complies fully with the framework, which identifies that land that is not necessary to be kept permanently open should not be included in the Green Belt and that when defining boundaries regard should be had to the Councils wider sustainability objectives.
- 1.28 It is clear that the Council had regard to this in making the previous decision and there is no evidence to support a change in this position, other than the Council no longer needing the sites for housing. Whilst that may be correct that does not simply mean it should revert back to Green Belt and to simply make the change is considered contrary to national policy and unsound.
- 1.29 The evidence in the revised TP1 continues to support large areas of land not meeting Green Belt purposes, however the conclusion simply follows the outer edge of the settlement, together with land defined as housing. Give the evidence shows that land is not necessary to be kept permanently open, the Green belt boundary should be drawn in accordance with the evidence rather than the need for homes.