
Examination of the City of York Local Plan 2017 - 2033

Phase 4 Hearings – September 2022
Matter 1 – Green Belt Boundaries

Hearing Statement prepared by Savills on behalf of The Retreat,
Heslington Road, York YO10 5BN



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Executive Summary

These Representations have been prepared by Savills (UK) Limited on behalf of The Retreat – a mental healthcare facility located at Heslington Road, York YO10 5BN.

We have previously set out during the Phase I Hearings (Ref. EX/HS/M3/Prin/1) why we considered there to be serious deficiencies in the City of York Council evidence base where it relates to defining the detailed Green Belt boundaries. Our previous Hearing Statement set out in detail where these deficiencies lie. In essence, we do not consider that the evidence base contains sufficient assessment of land around York against the five Green Belt purposes as defined by the NPPF.

The Phase I Hearings took place in December 2019 whereby it became apparent that the appointed Inspectors shared this view and therefore as part of the EiP process requested the Council provide additional evidence to justify their approach to the Green Belt within the Plan. The Council were therefore instructed to undertake further work on its Green Belt assessment methodology and to update Topic Paper 1: Approach to defining York's Green Belt (May 2018) (TP001) and the Topic Paper Addendum (March 2019) (Ref Ex/CYC/18).

This additional work was undertaken in May 2021 by way of City of York Council (CYC) Topic Paper 1 : Approach to defining York's Green Belt Addendum 2021 (Ref Ex/CYC/59e) - Annex 3 Inner Boundary – Part 3 : Sections 7 – 8. Further Representations were made on behalf of The Retreat in July 2021 in response to the Consultation (the Proposed Modifications and Evidence Base Consultation between 25th May 2021 and 7th July 2021) on this additional work. These Representations seek to provide a proper assessment of the land at The Retreat against the five Green Belt purposes which, irrespective of the Council's additional work referred to above, has never been undertaken before in sufficient detail. The Representation included an Openness Assessment prepared by the Landscape Agency, York. This Representation concludes that an alternative Green Belt boundary should be adopted. Minor changes were proposed to the Green Belt boundary of relevance to The Retreat which included the removal of the main Retreat building from the Green Belt. Whilst this change is welcome, the proposed changes do not go far enough and follow the evidence. Representations were made on this basis in July 2021.

We maintain our objection to the Plan because even the latest addendum to the evidence base is confusing heritage designations and protections with Green Belt purposes. We have previously suggested alternative Green Belt boundaries. Such an approach would remove our objection to this Local Plan process.

1. Introduction

- 1.1. This EIP Statement has been prepared by Savills (UK) Limited on behalf The Retreat - a mental healthcare facility located at Heslington Road, York YO10 5BN. A site location plan is contained as Appendix 1 of this Statement.
- 1.2. This Statement must be read in conjunction with :-
- i. Written Representations prepared by Savills and dated July 2021 – re-attached as Appendix 2. This Statement contains an assessment against the 5 Green Belt purposes and a Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency.
 - ii. Phase I Hearing Statement¹ prepared by Savills and dated November 2019 (Ref. EX/HS/M3/Prin/1) - re-attached as Appendix 3. The evidence contained within this previous Statement and presented at the Phase I Hearings, in conjunction with others, was a significant factor in the formulation Inspector's letter 12th June 2020².
 - iii. These Representations should also be read in conjunction with the Savills representations to the Proposed Main Modifications dated July 2019, the representations submitted by Carter Jonas at the Publication Draft Stage dated 4th April 2018 and the representations submitted by JLL at the Preferred Sites Stage dated 12 September 2016.

Updated Background and Context

- 1.3. The Retreat is an institutional campus consisting of a number of buildings set in mature grounds on Heslington Road, York. It has remained in its original use as a mental healthcare facility since its establishment in 1792 by the Society of Friends (known as Quakers) and today, promotes and supports the wellbeing of people affected by mental ill-health in a campus setting. The Retreat was a pioneer in the 'moral treatment', a more humane method of treatment, and influenced the development of care in the UK, North America and beyond. The main buildings have seen organic growth through extension over many years, some of which has been sympathetic to the character of the original main building and some significantly harmful.
- 1.4. The main health care facility is currently housed in the Grade II* listed Retreat building set within the wider site totalling circa 16ha (40 acres). The campus is bound by housing to the north-west, north and north-east. The University of York - Heslington Campus is situated to the east and south-east. To the west and south-west lie the urban greenspaces of York Cemetery and the Low Moor Allotments, with Walmgate Stray to the immediate south. Saint Lawrence's Primary School is also located opposite the site.

¹ Savills Phase I Hearing Statement (Examination Ref. EX/HS/M3/Prin/1)

² Inspector's Letter to CYC of 12th June 2020 (Examination Ref. EX-INS-15-letter-to-lpa-12-june-2020).

- 1.5. The existing buildings on The Retreat Estate are no longer considered fit for health related and clinical purposes. Following a detailed review of assets and approach to healthcare provisions, The Retreat is exploring potential development options for the remainder of the Estate. The Retreat has previously engaged in pre-application discussions with City of York Council (CYC) which concluded positively.
- 1.6. Since the last EIP Hearing sessions, The Retreat has exchanged conditional contracts with the specialist historic building developer / conservator / renovator, PJ Livesey. The pre-application process is continuing with CYC. The Retreat will retain ownership of part of the Estate to continue providing medical services and facilities. In addition, The Retreat will remain involved in the legacy and longevity of part of the wider site through a close working relationship with the selected purchaser.

Adopted Land Use, Heritage and Environmental Designations

- 1.7. The site in its entirety falls within the wider Retreat and Heslington Road Conservation Area, with a number of heritage designations (Listed Buildings and Scheduled Monuments) also situated across the wider site. In summary, the relevant built heritage designations are:
 - a) The Retreat, Listed Grade II*;
 - b) Garrow Hill (aka Garrow House), Listed Grade II;
 - c) Summerhouse, Listed Grade II;
 - d) Various, including East Villa and the Cottage - Curtilage Listed;
 - e) The Tuke Centre - Non-designated Heritage Asset;
 - f) Lamel Hill, Scheduled Monument; and
 - g) Registered Grade II* Park and Gardens.
- 1.8. A Historical Designations Plan is included at Appendix 4 of this Statement.
- 1.9. The site is located within Flood Zone 1 (low probability). The nearest natural watercourse is circa 1.5km west of the site. Online resources confirm there are no environmental statutory designations in or within 1km of the site in respect of Special Areas of Conservation, Ramsar Sites, SSSI's, Nature Reserves or records of Protected Species. There are also no Tree Preservation Orders covering the site although trees on site are afforded protection by the Conservation Area designation.
- 1.10. Non-definitive footpaths and a cycle path cross Walmgate Stray to the south. Public Rights of Way ref. 47/199/20 runs adjacent to the western boundary of the site and ref: 47/198/10 to the eastern boundary.

Non Adopted Designations

- 1.11. The detailed Green Belt boundaries for York have never been formally set. Self-evidently, identification of the general extent of the Green Belt did not comprise any detailed assessment of land against the five Green Belt purposes (in national policy) and never involved Ordnance Survey mapping. The mapping³ which accompanies the saved RSS policies is high level and individual sites and boundaries are indistinguishable. The 2005 'City of York Draft Local Plan Incorporating the 4th Set of Changes' is used by CYC for the purpose of development control. However, this Plan never achieved adopted status, is dated and never formally set detailed York Green Belt boundaries.
- 1.12. In our Phase I Examination Hearing Statement⁴ we drew attention to the deficiencies in the current approach to Green Belt boundary setting and the methodology uses. In our July 2021 Representations we provided an assessment against Green Belt purposes and submitted an Landscape Appraisal and Openness Assessment which concluded that alternative Green Belt boundaries would be appropriate. CYC subsequently published proposed modifications which suggested alternative Green Belt boundaries. Whilst these changes were welcome, they did not go far enough and so The Retreat's objection to the Plan remains. For the avoidance of doubt, this Hearing Statement has been prepared in response to the following document : Topic Paper 1 : Approach to defining York's Green Belt Addendum (2021) – Annex 3 Inner Boundaries – Part 3 Sections 7 – 8 (Ref Ex/CYC/59e).

Modifications Sought

- 1.13. We are seeking based on the evidence put forward in this Statement, changes to the proposed Green Belt boundary to exclude land at The Retreat altogether. The revised proposed Green Belt boundary is therefore shown on the Plan in Appendix 5.
- 1.14. Should the Inspectors not consider this proposed change appropriate, then an alternative proposed Green Belt boundary modification is shown on the Plan in Appendix 6. The Inspectors will note that with this proposed change, the Northern portion of the site with the majority of buildings would remain outside the Green Belt, but The Retreat land to the South would form part of the Green Belt. This would also be consistent with the Green Wedge designation.
- 1.15. The Green Wedge designation and all the land use, conservation and heritage designations identified above would remain unaltered.

³ Figure 2 Page 7 Approach to defining York's Green Belt (TP1)

⁴ Savills Phase I Hearing Statement (Examination Ref. EX/HS/M3/Prin/1) paragraphs 2.3-2.30



- 1.16. The Inspectors are requested to note that a property known as Lamel Beeches is situated to the north east of The Retreat ownership. It is within the currently proposed Green Belt boundary but outside of the Green Wedge. If the Inspectors are minded to modify the proposed Green Belt inner boundary in a way that this Statement is seeking, then there may be merit in also removing this property from the proposed Green Belt. However, we would stress this is outside the scope of the interests this Statement represents.
- 1.17. The Inspectors are invited to undertake a detailed site visit to witness the features and situation on the ground. If necessary, access arrangements can be made via Savills.

2. Matter 1 - Green Belt Boundaries

1.2 Are the inner Green Belt boundaries (Topic Paper 1 Addendum Annex 3 – Sections 5-7) reasonably derived?

- 2.1. In our Representations to the Proposed Modifications and Evidence Base Consultation in July 2021 we provided our own assessment against the 5 Green Belt purposes, supported by the Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency, York. At the time of writing, this had never been done before. In broad terms, this assessment concluded that the land forming part of The Retreat did not contribute to Green Belt purposes 1, 2, 3 and 5 and that purpose 4 had become confused with other heritage designations across the site. All of this evidence is contained in Appendices 2 and 3 of this Statement for completeness and is not repeated here.
- 2.2. The latest Green Belt Topic Paper Addendum (Ref Ex/CYC/59e) in Section 7 deals specifically with the inner boundary of relevance to The Retreat. In addition, to the issues and points we have raised at earlier stages of the Plan making process and contained within the appendices to this Statement, we would make the following additional comments on this document.
- 2.3. The focus of the document is on Purpose 4 – Preserving the setting and special character of historic towns. Throughout this section reference is made to the importance of the various heritage designations and the need to protect them. We agree. This is common ground, but the importance of heritage designations does not mean that land and buildings should also be designated Green Belt. This theme runs throughout the latest document and is flawed.
- 2.4. The Walmgate Stray does not form part of The Retreat.
- 2.5. There is specific mention of views to York Minster from the frontage of the site. It does not follow that because there is a protected view a Green Belt designation should be applied.
- 2.6. There is currently no public access to The Retreat or the grounds. Levels of public access are likely to form part of the discussions regarding new uses for the site in the future.
- 2.7. The document does rehearse possible alternative Green Belt boundaries, but discounts them on the basis of views to the Minster, the importance of keeping the historic parkland open and possible development pressure in the future. It is also worth stressing that the entire site was used for medical purposes and parts of the site, most notably to the east, will continue to be so in the future as part of the legacy on site.

3. Summary and Conclusion

- 3.1. Therefore, in conclusion, when the land at The Retreat is assessed against the five Green Belt purposes, it is clear that it does not perform a Green Belt function. The proposed designation of The Retreat within the Green Belt has been based on a confused assessment process which has utilised the restrictive heritage and conservation designations as being the basis for a Green Belt designation. This is clearly incorrect.

- 3.2. On the basis of the evidence contained within these Representations we therefore respectfully request the Council and appointed Inspectors to set the inner Green Belt boundary, insofar as it is relevant to The Retreat, in accordance with the Modifications Sought within this Statement.



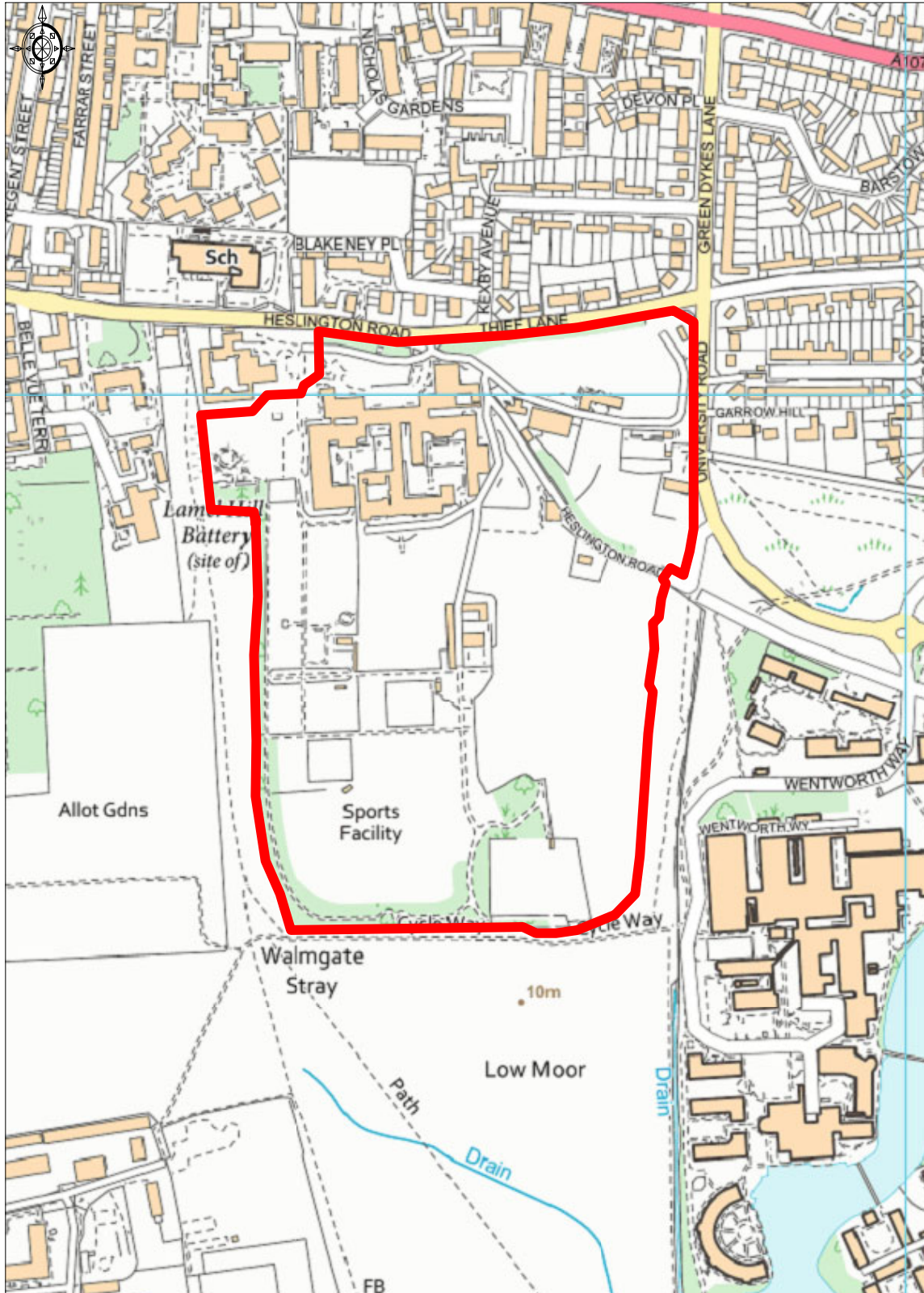
Appendices



Appendix 1
Site Location Plan

The Retreat, York

Site Location Plan





Appendix 2
Representations including Landscape Appraisal and
Assessment of Openness (prepared by the Landscape
Agency).

Examination of the City of York Local Plan 2017 - 2033

New Local Plan Proposed Modifications and Evidence Base Consultation

Written Representations prepared by Savills on behalf of The Retreat, Heslington Road, York YO10 5BN



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Executive Summary

These Representations have been prepared by Savills (UK) Limited on behalf of The Retreat – a mental healthcare facility located at Heslington Road, York YO10 5BN.

We have previously set out during the Phase I Hearings (Examination Ref. EX/HS/M3/Prin/1) why we considered there to be serious deficiencies in the City of York Council evidence base where it relates to defining the detailed Green Belt boundaries. Our previous Hearing Statement set out in detail where these deficiencies lie. In essence, we do not consider that the evidence base contains sufficient assessment of land around York against the five Green Belt purposes as defined by the NPPF.

The Phase I Hearings took place in December 2019 whereby it became apparent that the appointed Inspectors shared this view therefore as part of the EiP process they requested that the Council provide additional evidence to justify their approach to the Green Belt within the Plan. The Council were therefore instructed to undertake further work on its Green Belt assessment methodology and to update Topic Paper 1: Approach to defining York's Green Belt (May 2018) [TP001] and the Topic Paper Addendum (March 2019) [Ex/CYC/18]. This additional work has now been undertaken and these Representations are made in response to the Consultation on this additional work.

In doing so, these Representations seek to provide a proper assessment of the land at The Retreat against the five Green Belt purposes which, irrespective of the Council's additional work referred to above, has never been undertaken before in sufficient detail. This Representation concludes that an alternative Green Belt boundary should be adopted. Such an approach would remove our objection to this Local Plan process.

1. Introduction

- 1.1. These written representations have been prepared by Savills (UK) Limited on behalf The Retreat - a mental healthcare facility located at Heslington Road, York YO10 5BN. A site location plan is contained as Appendix 1 of these Representations.
- 1.2. Crucially, these Representations must be read in conjunction with our Phase I Hearing Statement¹ dated November 2019 which is re-attached as Appendix 2. The evidence contained within this previous Statement and presented at the Phase I Hearings, in conjunction with others, was a significant factor in the formulation Inspector's letter 12th June 2020².
- 1.3. These Representations should also be read in conjunction with the Savills representations to the Proposed Main Modifications dated July 2019, the representations submitted by Carter Jonas at the Publication Draft Stage dated 4th April 2018 and the representations submitted by JLL at the Preferred Sites Stage dated 12 September 2016.
- 1.4. Contained within Appendix 3 to this Representation is a Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency. This is a crucial piece of new evidence base and is referred to throughout.

Background and Context

- 1.5. The Retreat is an institutional campus consisting of a number of buildings set in mature grounds on Heslington Road, York. It has remained in its original use as a mental healthcare facility since its establishment in 1792 by the Society of Friends (known as Quakers) and today, promotes and supports the wellbeing of people affected by mental ill-health in a campus setting. The Retreat was a pioneer in the 'moral treatment', a more humane method of treatment, and influenced the development of care in the UK, North America and beyond. The main buildings have seen organic growth through extension over many years, some of which has been sympathetic to the character of the original main building and some significantly harmful.
- 1.6. The main health care facility is currently housed in the Grade II* listed Retreat building set within the wider site totalling circa 16ha (40 acres). The campus is bound by housing to the north-west, north and north-east. The University of York - Heslington Campus is situated to the east and south-east. To the west and south-west lie the urban greenspaces of York Cemetery and the Low Moor Allotments, with Walmgate Stray to the immediate south. Saint Lawrence's Primary School is also located opposite the site.

¹ Savills Phase I Hearing Statement (Examination Ref. EX/HS/M3/Prin/1)

² Inspector's Letter to CYC of 12th June 2020 (Examination Ref. EX-INS-15-letter-to-lpa-12-june-2020).

- 1.7. The existing buildings on The Retreat Estate are no longer considered fit for health related and clinical purposes. Following a detailed review of assets and approach to healthcare provisions, The Retreat is exploring potential development options for the remainder of the Estate. The Retreat has previously engaged in pre-application discussions with City of York Council (CYC) which concluded positively. Part of The Retreat Estate has since been marketed for sale and The Retreat are currently reviewing bids in detail to identify a suitable purchaser in this respect. The Retreat will retain ownership of part of The Estate and remain involved in the legacy and longevity of the wider site through a close working relationship with the selected purchaser.

Adopted Land Use, Heritage and Environmental Designations

- 1.8. The site in its entirety falls within the wider Retreat and Heslington Road Conservation Area, with a number of heritage designations (Listed Buildings and Scheduled Monuments) also situated across the wider site. In summary, the relevant built heritage designations are:
- a) The Retreat, Listed Grade II*;
 - b) Garrow Hill (aka Garrow House), Listed Grade II;
 - c) Summerhouse, Listed Grade II;
 - d) Various, including East Villa and the Cottage - Curtilage Listed;
 - e) The Tuke Centre - Non-designated Heritage Asset;
 - f) Lamel Hill, Scheduled Monument; and
 - g) Listed Park and Gardens.
- 1.9. A Designations Plan is included at Appendix 4 of this Representation which includes Walmgate Stray a designated Green Wedge.
- 1.10. The site is located within Flood Zone 1 (low probability). The nearest natural watercourse is circa 1.5km west of the site. Online resources confirm there are no environmental statutory designations in or within 1km of the site in respect of Special Areas of Conservation, Ramsar Sites, SSSI's, Nature Reserves or records of Protected Species. There are also no Tree Preservation Orders covering the site although trees on site are afforded protection by the Conservation Area designation.
- 1.11. Non-definitive footpaths and a cycle path cross Walmgate Stray to the south. Public Rights of Way ref. 47/199/20 runs adjacent to the western boundary of the site and ref: 47/198/10 to the eastern boundary.

Non Adopted Designations

- 1.12. The detailed Green Belt boundaries for York have never been formally set. Self-evidently, identification of the general extent of the Green Belt did not comprise any detailed assessment of land against the five Green Belt purposes (in national policy) and never involved Ordnance Survey mapping. The mapping³ which accompanies the saved RSS policies is high level and individual sites and boundaries are indistinguishable. The 2005 'City of York Draft Local Plan Incorporating the 4th Set of Changes' is used by CYC for the purpose of development control. However, this Plan never achieved adopted status, is dated and never formally set detailed York Green Belt boundaries.
- 1.13. In our Phase I Examination Hearing Statement⁴ we drew attention to the deficiencies in the current approach to Green Belt boundary setting and the methodology uses. These Representations therefore focus on the additional evidence provided by CYC to justify the proposed Green Belt boundaries and outline the case for removing The Retreat from the proposed inclusion within the Green Belt. For completeness, these Representations have been prepared in response to the following documents:
- 1.14. Green Belt Topic Paper Addendum [EXCYC50] and its Annexes 1- 6 [EX/CYC/50a]

Modifications Proposed by CYC

- 1.15. In preparing the revised Green Belt Topic Paper Addendum and its Annexes, the Council have concluded that it would be appropriate to propose modifications to the boundaries originally identified. Annex 6 presents the proposed modifications which seek to *'correct drafting errors, reflect planning decisions made since the publication of previous work, ensure consistency in applying the updated methodology consistently in response to concerns'* ref: [EX-CYC-55].
- 1.16. Annex 3 details the proposed amendments within the Green Belt Inner Boundaries. Notably, Annex 3 proposes an amendment at The Retreat to exclude the main building from the proposed Green Belt. This is detailed at Section 7, Boundary 16 as follows:

³ Figure 2 Page 7 Approach to defining York's Green Belt (TP1)

⁴ Savills Phase I Hearing Statement (Examination Ref. EX/HS/M3/Prin/1) paragraphs 2.3-2.30

The Retreat, York

City of York Council– Local Plan Proposed Modifications and Evidence Base Consultation



Section: 7	Boundaries: 16	Boundary Name: University Road, Heslington Road and The Retreat
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The boundary then continues north along University Road until Thief Lane/Heslington Road. This then continues along to the west of Thief Lane/Heslington Road until the access road to The Retreat. It extends around the access road surrounding The Retreat before continuing west around the curtilage of Lamel Beeches joining back onto Heslington Road. The boundary then follows the tree line south to the rear of properties at William Plows Avenue until the allotments where it returns and carries on north to the southern point of Belle Vue Terrace.

This is a proposed modification from the boundary submitted in the City of York Local Plan (2018). Please see Annex 6 for further details



- 1.17. This is detailed as proposed modification Ref: PM 89 and is supported in principle, alongside the additional evidence provided however, we consider further modifications are required in order to make the draft Plan sound. The proposed amendments to the draft Green Belt boundary in this location does not go far enough.

Modifications Sought

- 1.18. We are seeking based on the evidence put forward in these Representations, changes to the proposed Green Belt boundary to exclude land at The Retreat altogether. The revised proposed Green Belt boundary is therefore shown on the Plan in Appendix 5.
- 1.19. Should the Inspectors not consider this proposed change appropriate, then an alternative proposed Green Belt boundary modification is shown on the Plan in Appendix 6. The Inspectors will note that with this proposed change, the Northern portion of the site with the majority of buildings would remain outside the Green Belt, but The Retreat land to the South would form part of the Green Belt. This would also be consistent with the Green Wedge designation.
- 1.20. The Green Wedge designation and all the land use, conservation and heritage designations identified above would remain unaltered.
- 1.21. Officers and the Inspectors are requested to note that a property known as Lamel Beeches is situated to the north east of The Retreat ownership. It is within the currently proposed Green Belt boundary but outside of the Green Wedge. If the Inspectors are minded to modify the proposed Green Belt inner boundary in a way that these Representations are seeking, then there may be merit in also removing this property from the proposed Green Belt. However, we would stress this is outside the scope of the interests these Representations represent.



- 1.22. Officers and the Inspectors are invited to undertake a detailed site visit to witness the features and situation on the ground. If necessary, access arrangements can be made via Savills.

2. Detailed Green Belt Boundaries

Green Belt Boundaries: Are the proposed detailed Green Belt boundaries appropriate in the context of the NPPF and the five purposes?

- 2.1. We object to the draft Local Plan on the basis the proposed detailed Green Belt boundaries have not been adequately assessed against the five Green Belt purposes. This exercise has recently been attempted for the first time as part of the Local Plan Proposed Modifications and Evidence Base Consultation which is the subject of these Representations. This exercise had not been undertaken as part of the preparation of the Local Plan prior to the previous Phase I Examination Hearings which took place in December 2019.
- 2.2. These representations and subsequent Examination therefore represent the opportunity for there to be a critical assessment of the exercise conducted by CYC in drawing up detailed Green Belt boundaries. Such an exercise should proceed on the basis of a robust analysis against the five Green Belt purposes set out at paragraph 80 of the NPPF. We contend that the assessment conducted by CYC is insufficient. In our original Hearing Statement⁵ we drew attention to the deficiencies in the CYC evidence base and the approach taken to setting Green Belt boundaries.
- 2.3. We have reviewed the approach undertaken by CYC in an attempt to define York's Green Belt Addendum: Annex 3: Inner Boundaries (Part 3: Sections 7-8) [EX_CYC-59e]. Notably, Section 7 Boundary 16 of this document.
- 2.4. We have also undertaken our own Green Belt assessment against the five purposes below. This exercise is limited in its scope to the land holdings of The Retreat and the immediate surrounding areas. This part of the Representations needs to be read in conjunction with the Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency and is contained within Appendix 3.
- 2.5. The NPPF⁶ requires that the Green Belt serves five purposes. These are identified below along with our own assessment against these criteria.

Purpose 1 - to check the unrestricted sprawl of large built-up areas.

- 2.6. It is recognised that in many instances around York it is necessary to include land within the Green Belt in order to check unrestricted sprawl. However, this does not apply to the Retreat. The North of the site is already occupied by buildings and is not 'open' land in a Green Belt context. The existing buildings on site include the Grade II* main building, other listed buildings, non listed buildings, a Scheduled Ancient Monument and other structures. As is appropriate, very restrictive planning controls are associated with these heritage assets and designations. These heritage related designations should not be confused with Green Belt purposes.

⁵ Savills Phase I Hearing Statement (Examination Ref. EX/HS/M3/Prin/1) paragraphs 2.3-2.30

⁶ NPPF 2012 paragraph 80

2.7. The land at the Retreat does not fulfil Purpose 1 because it is already developed with buildings, other structures and curtilage land. It is part of the urban fabric of York. The critical question is if the Green Belt designation were removed from the Retreat site, would this facilitate unrestricted sprawl in this part of York. This answer is no. The site is already previously developed land and as is demonstrated in evidence below is not open and is of a typical density for this part of York. It should already be considered part of the urban fabric of York and it reads as such. In this regard alone, the inner Green Belt boundary is proposed to be incorrectly set. The Green Belt boundary should be set beyond The Retreat land.

2.8. In addition to the above, the restrictive heritage designations on site mean that very little change can take place on the site in any event. In summary, the City of York will not ‘sprawl’ because the site is already developed and levels of development on site are unlikely to materially alter because of the heritage designations.

Purpose 2 - to prevent neighbouring towns merging into one another.

2.9. York does not have any nearby major settlements which could merge. Draft allocated Green Belt land at the Retreat is not fulfilling any role under this purpose. This view aligns with that of CYC as detailed in the updated Topic Paper 1: Approach to defining Green Belt Addendum [EX_CYC_59].

Purpose 3 - to assist in safeguarding the countryside from encroachment.

2.10. The land at the Retreat does not meet Purpose 3 because it is not countryside. As set out above, it is a previously developed site with formal registered walled gardens. The land it is completely different in terms of character, appearance and openness when compared to the open countryside further to the South which is also subject to a Green Wedge designation. Draft allocated Green Belt land at The Retreat is not fulfilling any role under this purpose.

Purpose 4 - to preserve the setting and special character of historic towns.

2.11. See para 2.12 below.

Purpose 5 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.12. In the context of York there is very little derelict land. The central sites which are to be regenerated and recycled are well known, complex and proposals are being brought forward. The removal of The Retreat from the Green Belt will have no implications for these central sites. Purpose 5 is not relevant in this context.

2.13. The updated Topic Paper 1: Approach to defining Green Belt Addendum [EX_CYC_59] details that this purpose is considered to be achieved through the overall effect of the York Green Belt, rather than through the identification of particular parcels of land which must be kept permanently open. This view is supported.

Assessment Under Purpose 4 - to preserve the setting and special character of historic towns.

- 2.14. The updated Topic Paper 1: Approach to defining Green Belt Addendum [EX_CYC_59] outlines that CYC place a primary emphasis on the fourth NPPF Green Belt purpose and recognises this fourth purpose as the most appropriate in the context of York. This view is supported in principle however it is considered that this has not been adequately assessed in the evidence provided by CYC.
- 2.15. In order to thoroughly assess the land at The Retreat against purpose 4, the following further evidence is presented below :
- Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency; and
 - Commentary on CYC Density Assessment.

Landscape Appraisal and Assessment of Openness prepared by the Landscape Agency

- 2.16. The site's contribution to the openness of the Green Belt is limited by existing built form of The Retreat, the strong line of existing mature trees and the high brick walls that define the site's historic boundary. The findings of the Visual Appraisal conclude that :
- Within the northern part of the site, the large buildings of The Retreat screen views of the wider site from Heslington Road and reduce the sense of openness. Openness is further constrained by adjacent residential properties along Heslington Road and mature trees within the grounds of The Retreat. There is an area of open mown grassland to the frontage of The Retreat along Heslington Road which contributes to the perceived levels of openness. However, this is a relatively small area of open landscape, which is enclosed by the buildings of The Retreat and surrounding residential development. It should be read as a small area of open space within the urban fabric of York.
 - Within the south of The Retreat site is a large area of grassland including a cricket pitch which results in a moderate level of openness. However, the presence of the high brick boundary walls and mature trees along the boundaries of The Retreat prevent these open areas contributing to the perceived openness of the surrounding Stray to the south. There are limited long range views into the site from Walmgate Stray and a lack of intervisibility with the wider landscape. For this reason, the levels of openness associated with Walmgate Stray are not replicated within the site.
 - Much of the surrounding landscape of Walmgate Stray to the south has strong sense of openness with a large expanse of open grassland with far reaching views. However, the northern "fingers" of the stray, that extend either side of The Retreat to the east and west, are constrained either side by built development and the presence of dense mature trees and vegetation. This, combined with the narrowed width of these "fingers" significantly reduces the perceived openness that is experienced compared to the expansive areas of the Stray to the south.
 - The Assessment concludes the site has a low contribution to the overall openness of the Green Belt.

CYC Density Assessment

- 2.17. As set out earlier in this Representation, The Retreat is a previously developed site with a number of significant historical and conservation designations. These designations do not mean it should automatically be within the Green Belt.
- 2.18. The draft Local Plan⁷ contains a density assessment. We did not comment on this assessment in our Phase I Hearing Statement and do so briefly here. There is not much detail, but in essence the exercise breaks York down into 250 square meter grids and then seeks to identify the urban area and then those areas with a density of 33 or more structures per 250 sqm and those which are less than 33 structures per 250 sqm. We believe this approach to be incorrect for the following reasons :
- i. It is not clear how the 250 square meter grid has been positioned on York. The positioning of each grid will have implications for the density within it. Clearly a grid square on the urban fringe could include a significant area of non developed land, then by definition the overall density within that square would be reduced even if the developed area within that same grid square was actually very dense. This cannot be right;
 - ii. We do not know what the threshold of 33 structures is based on;
 - iii. The number of structures is the incorrect measurement. A significant building such as The Retreat Main Building allows for significant dense forms of development / use, but it only counts as one structure. This cannot be right; and
 - iv. In many ways the higher the number of structures, the greater the openness because there will be gaps and views between buildings. Or to put it another way, a smaller number of larger structures will result in a less open townscape / landscape. Again, this points to the deficiencies in assessing Green Belt openness on the basis of densities.

⁷ Paragraph 64 (page 44), Topic Paper TP1 Addendum March 2019

3. Summary and Conclusion

- 3.1. Therefore, in conclusion, when the land at The Retreat is assessed against the five Green Belt purposes, it is clear that it does not perform a Green Belt function. The proposed designation of The Retreat within the Green Belt has been based on a confused assessment process which has utilised the restrictive heritage and conservation designations as being the basis for a Green Belt designation. This is clearly incorrect.
- 3.2. On the basis of the evidence contained within these Representations we therefore respectfully request the Council and appointed Inspectors to set the inner Green Belt boundary, insofar as it is relevant to The Retreat, in accordance with the Modifications Sought within this Representation.



The Retreat, York
Landscape Appraisal and Assessment of Openness
City of York Council – Local Plan

Document Title	Project Number	Prepared for	Prepared by	Date	Reviewed by
Landscape Appraisal and Assessment of Openness	1322	Savills	Ed.Payne	September 2020	Patrick James

Revision	Description	Prepared by	Date	Reviewed by
A	Document updated following comments from client.	Rosie Turner	25.09.2020	Ed.Payne
B	Document updated following comments from client.	Rosie Turner	30.09.2020	Ed.Payne

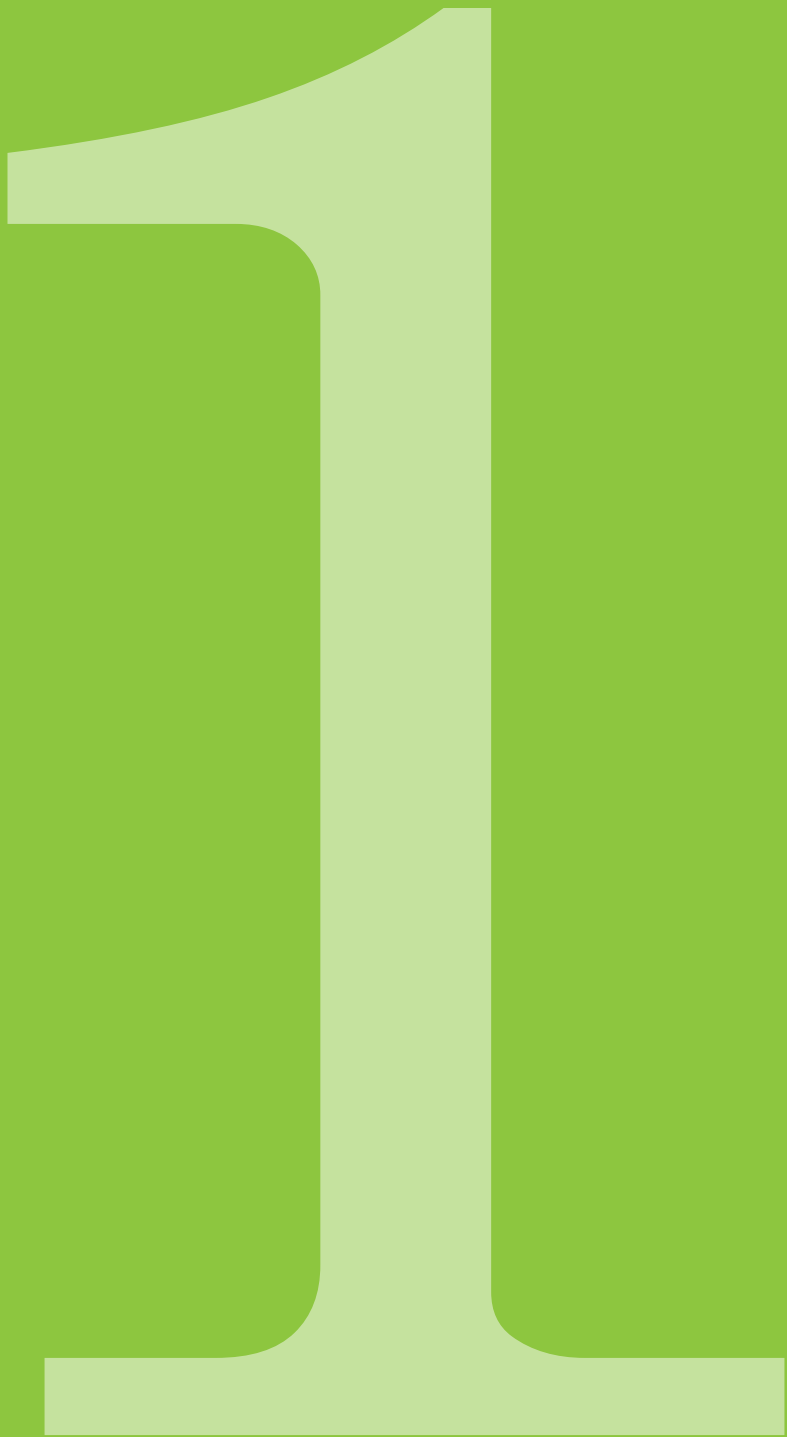
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Introduction



1.1 PURPOSE OF THE DOCUMENT

The Landscape Agency has been commissioned by Savills Ltd. to undertake an initial Landscape Appraisal and Assessment of Openness to support an Examination in Public as part of the City of York's Council's emerging Local Plan process.

The project involves development proposals for The Retreat, a historic mental healthcare facility set within extensive mature gardens and grounds, on Heslington Road, York. The main aims of this report are to:

- Develop an understanding of the context, including landscape designations, history and landscape character of the site and its immediate setting.
- Assess the visibility of the site from key public receptors including public roads and Rights of Way.
- Assess the visual openness of the site and its contribution to the Green Belt including impacts on long and short distance views and visual links to the wider City of York Council Green Belt.



▲ Figure 1. Site location



SAINT LAWRENCE'S
PRIMARY SCHOOL

HESLINGTON ROAD

THEIF LANE



YORK CEMENTARY

THE RETREAT

UNIVERSITY ROAD

LOW MOOR ALLOTMENTS

UNIVERSITY OF
YORK

▲ Figure 2. Aerial Map of site

1.2 THE SITE

The site is located at The Retreat, a historic mental health unit located on Heslington Road adjacent to the University of York. The main health care facility is located within the Grade II* listed Retreat buildings set within the wider estate totalling approximately 16ha (40 acres). Much of the site is also a Grade II* listed Registered Park and Garden .

The site is bound by housing to the north-west, north and north-east. Saint Lawrence's Primary School is located to the north of the site on the opposite side of Heslington Road. The University of York - Heslington Campus is situated to the east and south-east. To the west and south-west lie the urban greenspaces of York Cemetery and the Low Moor Allotments. Walmgate Stray, a historic area of open common land is located to the immediate south.

The existing mental health facility at The Retreat is no longer considered fit for purpose. Following a detailed review of assets and approach to healthcare provisions, The Retreat is exploring potential residential development options for the Estate and is currently engaged with positive pre-application discussions with City of York Council (CYC).

Current proposals comprise the following plots:

Plot 1 - Daffodil Field

Mix of 3 and 4 storey blocks

Plot 2a - South Garrow Triangle

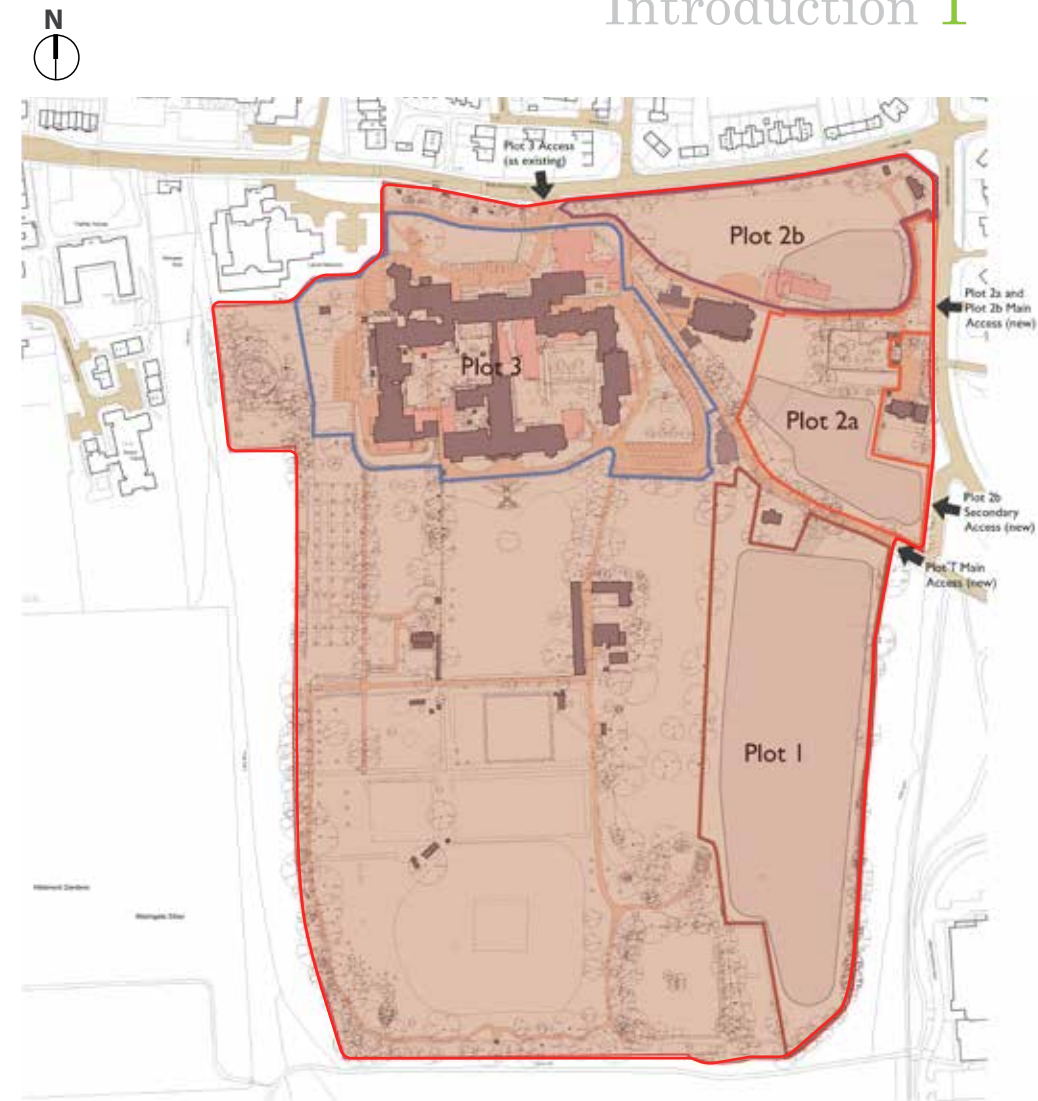
3 storey building

Plot 2b - North Garrow Triangle

2 storey building

Plot 3 - Main Building - Residential Use

Approximately 150no. 2 bed units



▲ **Figure 3.** The Site

1.3 SITE PHOTOGRAPHS



▲ **Figure 4.** Photo viewpoint locations



▲ **A.** High brick boundary wall with archway entrance adjacent to Heslington Road.



▲ **B.** Brick retaining wall with metal railings adjacent to Heslington Road near the entrance to The Retreat.



▲ C. High brick boundary wall running along western boundary adjacent to Walmgate Stray.



▲ E. The high brick wall along the western edge reduces in height and is replaced with railings for a portion of the boundary before returning to a high wall.



▲ D. High brick boundary wall running along southern boundary adjacent to Walmgate Stray.



▲ F. The entrance to The Retreat along Heslington Road.



Landscape Baseline



2.1 LANDSCAPE DESIGNATIONS

This section outlines the statutory designations that cover the site and its immediate context. It summarises designations, both at a national and local level.

Designations include:

Green Belt
the site is covered by the City of York Council's Green Belt which is currently under review as part of the Local Plan examination process. Refer to section 2.2 for further details.

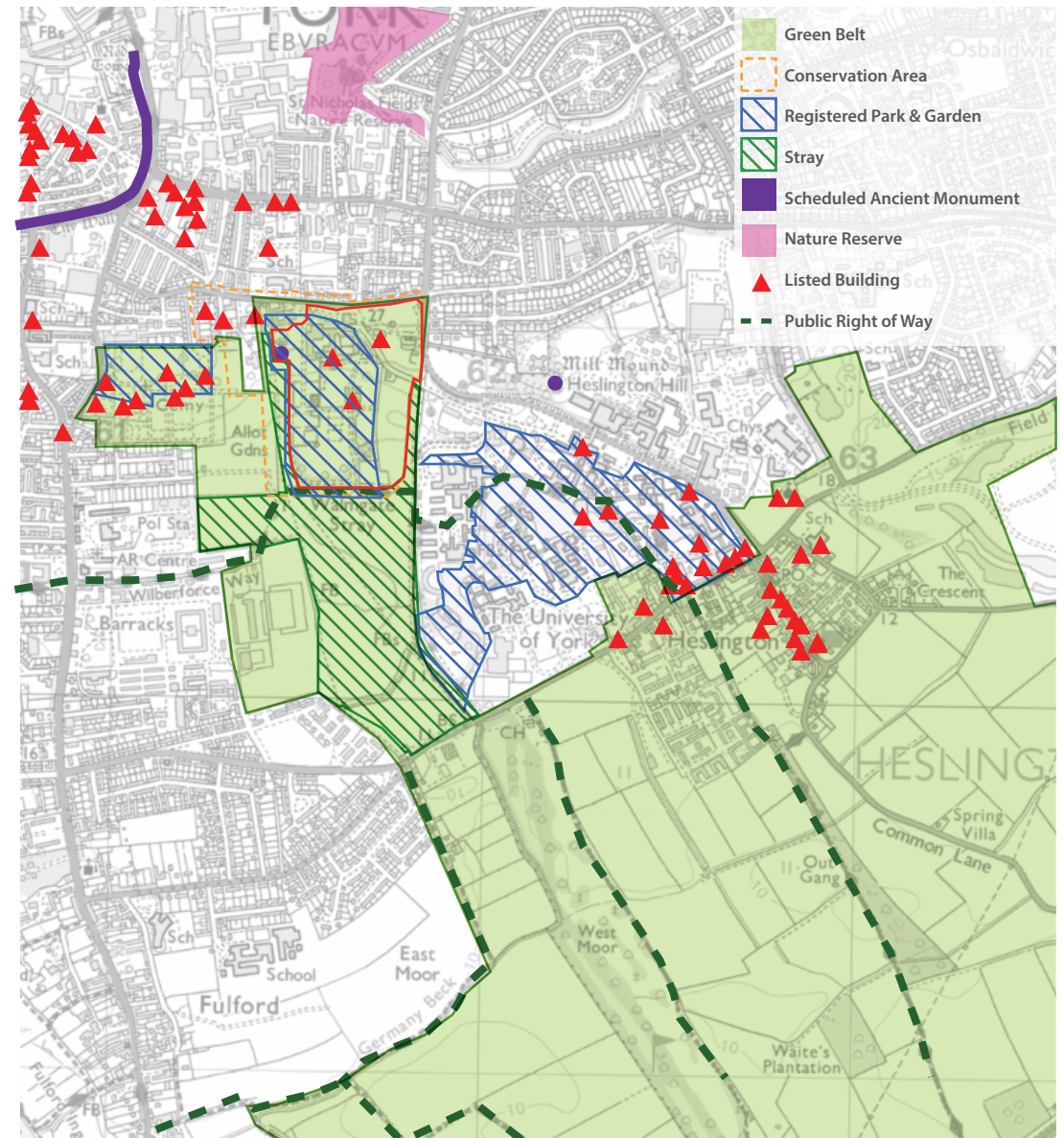
Conservation Area
The entirety of the site falls within The Retreat and Heslington Road Conservation Area, designated to manage and protect the areas special architectural and historic interest. Refer to section 2.3 for further details.

Registered Park and Garden
The historic grounds of The Retreat are also designated a Grade II* Registered Park and Garden. Refer to section 2.5 for further details.

The Victorian York Cemetery to the west of the site is also a Grade II* Listed Registered Park and Garden and much of the original designed landscape at the University of York Campus West to the east of The Retreat is a Grade II listed Registered Park and Garden.

Scheduled Ancient Monuments: A designated Scheduled Ancient Monument, Lamel Hill, is located within The Retreat site boundary, towards the north west of the site. The Anglo-Saxon burial mound was used as a gun emplacement during the siege of York in the Civil War.

Within the wider setting, Scheduled Ancient Monuments in close proximity to The Retreat include Siwards How at Heslington Hill and a section of the City Walls to the north west.



▲ Figure 5. Landscape Designations



▲ Walmgate Stray



▲ Walmgate Stray

LANDSCAPE DESIGNATIONS (Cont.)

▣ Walmgate Stray

Walmgate stray, a historic area of open pasture, lies immediately to the south of The Retreat. Walmgate stray is one of four historic strays within the city, which in total encompass approximately 800 acres (323 ha) of land. Historically, the Freeman of York held established grazing rights across the strays and Walmgate Stray is still grazed in part today. The stray has also been retained for public use with a network of footpaths and is now managed by the City of York Council. The stray forms an important open landscape within the city and is a valuable remnant of York's historic landscape. Refer to section 2.3 for further details.

▲ Listed Buildings

The Retreat is Grade II* Listed. This listing covers a range of the historic built features including the boundary walls. Additional listed buildings within the site boundary include the Grade II listed Garrow Hill (aka Garrow House) towards the north east corner, a Grade II listed Summerhouse within grounds to the north west and the Grade II listed Stables and coach house with attached mortuary within the grounds to the east. Refer to section 2.5 for a detailed location plan.

There are a large number of listed buildings within the historic urban setting surrounding the site.

Tree Preservation Orders:

Many of the large mature trees along the boundaries of The Retreat and within Walmgate Stray have been served Tree Preservation Orders (TPOs).

■ Nature Reserve:

St Nicholas Field Nature Reserve is located approximately 500m to the north of The Retreat. The former landfill site was transformed in the 1990's to provide a local nature reserve in the heart of the city.

■ ■ ■ Public Rights of Way:

There are no Public Right of Way within The Retreat site. However, a public right of way runs along the site's southern boundary within Walmgate Stray, providing a footpath and cycle link from the University and Heslington to Fulford linking to Millennium bridge. Further Public Rights of Way are located to the south of the Stray and provide footpath links to Heslington Common and the Minster Way.

2.2 THE CITY OF YORK GREEN BELT

The National Planning Policy Framework (NPPF) sets out government's planning policies for England and how these are expected to be applied. Paragraph 134 of the NPPF defines the five purposes of the green belt:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns from merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The City of York Council's Local Plan is currently under examination and will formally define the boundary of the York Green Belt for the first time. In May 2018, as part of the evidence to support the Local Plan, The City of York Council published 'Topic Paper (TP1) - Approach to Defining York's Green Belt. This paper describes the methodology used to determine an appropriate boundary, maintaining openness and preserving the special character and setting of the historic City.

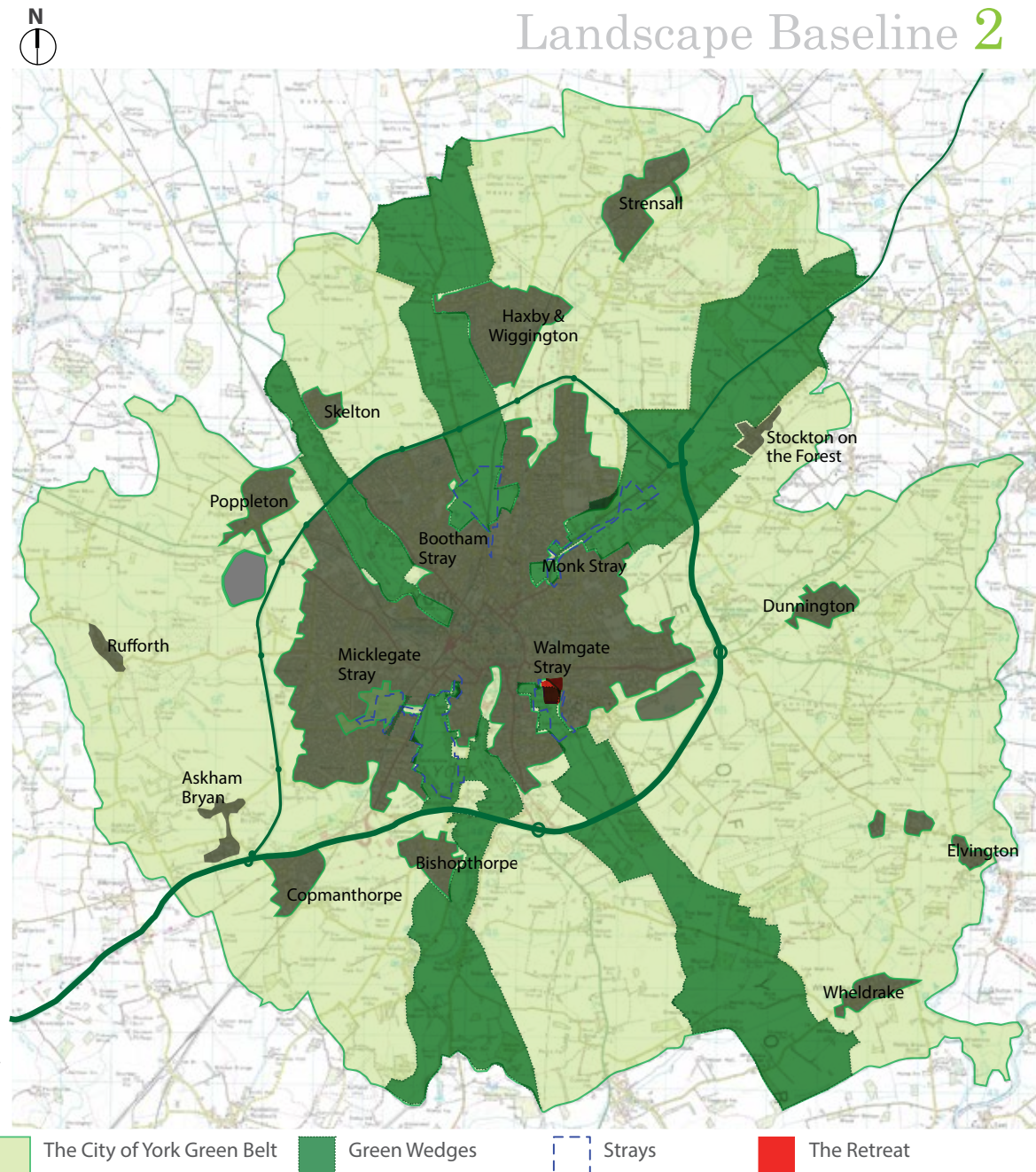
The Green Belt includes five Green Wedges, broad tracts of undeveloped extending from the countryside into the City. The Green Wedges are usually bounded on three sides by urban development, part of which comprises the historic Strays and Ings and river floodplains.

"The Green Wedges prevent the lateral coalescence of different parts of the urban area, and help retain the distinctive characteristics of earlier periods of individual settlements.

The Green Wedges bring a feeling of the countryside within a close proximity to the City Centre, allowing views to be enjoyed, including those towards the Minster.

Green Wedges have helped shape the character and form of the urban edge and the pattern of built development which contributes greatly to the local distinctiveness and attractiveness of York."

The City of York Council published 'Topic Paper (TP1) Approach to Defining York's Green Belt.



▲ Figure6: City of York Green Belt

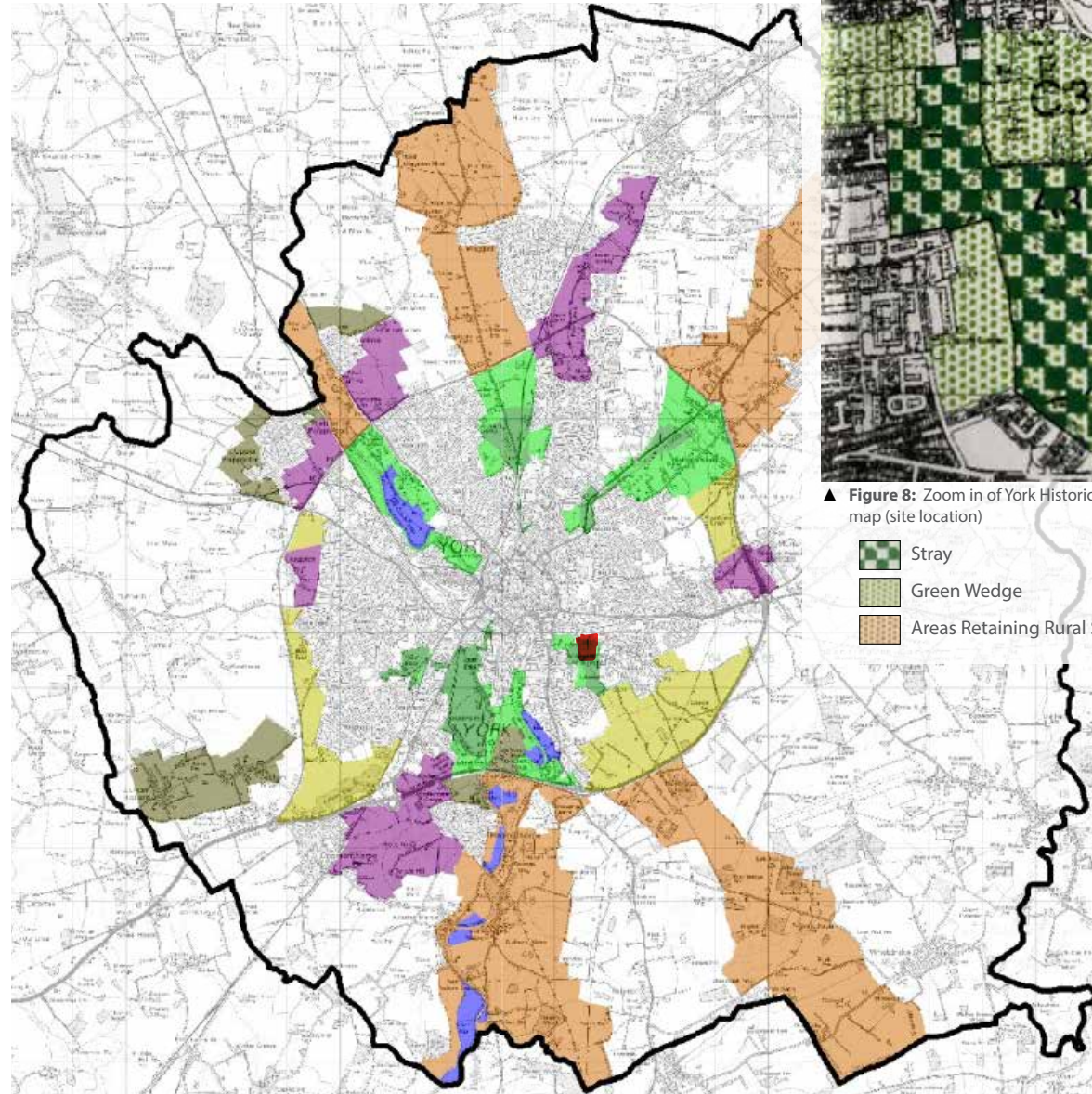
THE CITY OF YORK GREEN BELT (Cont.)

Within TP1 the Council concluded that the historic character and setting of the City in the context of the Green Belt could be defined in terms of the following elements:

- Areas which retain, reinforce and extend the pattern of historic green wedges.
- The setting of villages whose traditional form, character and relationship with the surrounding agricultural landscape is substantially changed.
- Areas which provide an impression of a historic City situated within a rural setting.
- Areas which prevent the coalescence of settlements to retain their individual identity

Figure 7 opposite, extracted from TP1, demonstrates survey work carried out by the Council identifying land outside the existing built up areas that should be retained as open land, protected by the Green Belt, due to their role in preserving the historic character and setting of York.

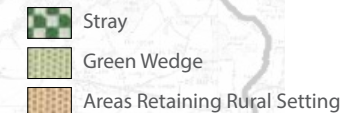
In terms of The Retreat, the southern section of The Retreat falls within a Green Wedge as an extension to Walmgate Stray. However, the presence of the historic brick boundary walls to the east and south of The Retreat prevent the grounds of The Retreat extending into Walmgate Stray.



▲ **Figure 7:** Historic Character and Setting map extracted from City of York Local Plan - Approach to defining York's Green Belt (TP1)



▲ **Figure 8:** Zoom in of York Historic Character and Setting map (site location)



2.3 THE RETREAT / HESLINGTON ROAD CONSERVATION AREA

The Retreat/Heslington Road Conservation Area covers 22 ha of land occupying the highest ground south of the City and commands views northwards across the City of York and southwards over Walmgate Stray towards Fulford. The Conservation Area was designated in 1975.

The entire Retreat site falls within the Conservation Area including the designated Scheduled Ancient Monument, Lamel Hill, a large mound raised during the Civil war. The area around the mound includes an extensive late Roman or Anglian cemetery, because of this Lamel Hill has also been designated an Area of Archaeological Importance.

The Retreat is the focal point of the Conservation Area.

Defining Characteristics

The main elements of the character and appearance of the area are:

1. The Retreat - set in parkland **surrounded by high obscuring walls** but with views out. The Retreat grounds were enclosed with high walls to keep the patients safe inside the garden areas.
2. A series of **gardens and adjoining parkland** surrounding The Retreat. These were laid out with numerous ornamental and shrubs and with hedges in a series of gardens and parkland. In the 1850s further areas were purchased and the hospital extended whilst still retaining its parkland setting.
3. Pleasant Victorian suburban housing on Belle Vue Terrace, some of which are listed, **forms an edge to the open space.**
4. The **open character of the Conservation Area extends west to York Cemetery, south to Walmgate Stray and east to the landscaped campus of the University.** It consists mainly of open greenspace on the edge of the city located within the City of York Council's Green Belt.



▲ Figure 9: The Retreat / Heslington Road Conservation Area

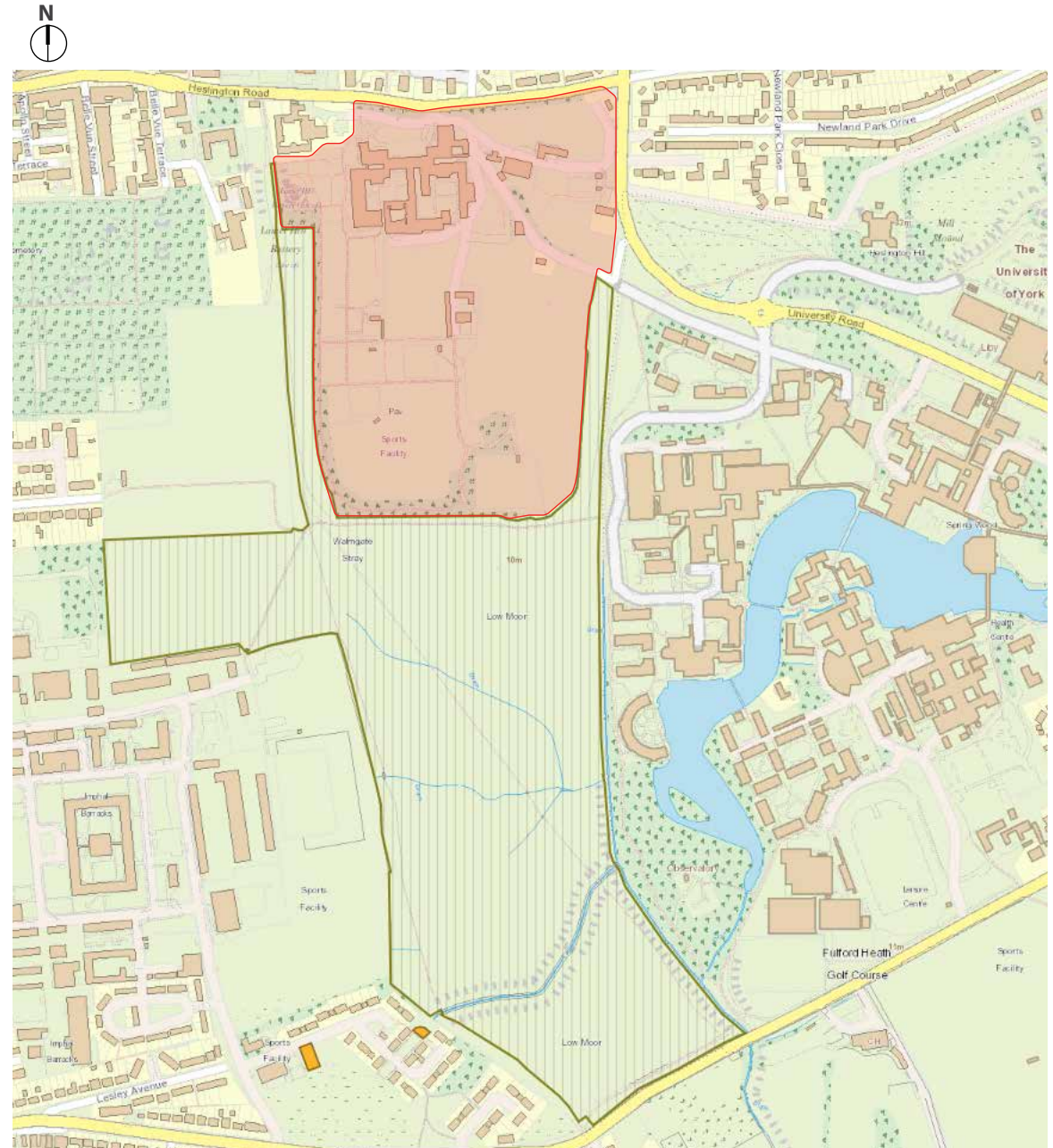
2.4 WALMGATE STRAY

Walmgate Stray is located immediately to the south of The Retreat, a historic area of open common. Walmgate Stray is one of four historic strays in the City which also include Micklegate Stray (which includes the Knavesmire and Hob Moor), Bootham Stray and Monk Stray.

Walmgate Stray consists of around 32 hectares (79 acres) of pasture, located immediately to the south of The Retreat. The main area of Walmgate Stray, between the southern boundary of The Retreat and Heslington Lane, is known as Low Moor. Although the Stray remains largely open pasture, a large part of its north-western corner is occupied by council allotment plots, known as Low Moor Allotments.

The Strays are the remains of much greater areas of common land on which the hereditary Freemen of the City had the right to graze cattle. After the Parliamentary Enclosures of the eighteenth and early nineteenth centuries, whereby commons were enclosed and rights of pasturage extinguished, areas of grazing land were allotted to the Freemen in lieu of their existing rights. Together with the Knavesmire and Hob Moor, land already used by the City for pasturage, these areas became the Strays, land vested in the Corporation to be held in trust for the Freemen of each of the original four Wards of the City.

Walmgate Stray is now managed by City of York Council in consultation with Freemen of the City. It is still grazed for part of the year by Cattle and represents an important link with the past to which great value is attached. Low Moor is crossed by a series of informal public footpaths and provides a valuable space for connectivity and recreation. There is also a hard surfaced shared use footpath which runs between York University and the A19 which leads to Millenium Bridge



▲ Figure 10: Walmgate Stray

2.5 THE REGISTERED PARK AND GARDEN

The grounds associated with The Retreat of 1794 to 1797, enlarged in 1828, are registered at Grade II* on Historic England's 'Register of Historic Parks and Gardens of Special Historic Interest in England'. It has been registered for the following principal reasons:

HISTORIC INTEREST:

As the prototype therapeutic asylum landscape which was to directly influence the design for all future asylum landscapes.

DESIGN INTEREST:

The grounds were designed for the benefit of the patients both through recreation and exercise, being landscaped with gardens and walks, kitchen gardens and a small farm in the manner of a small country house estate, and later in the nineteenth century with an increased provision of sports facilities.

SURVIVAL:

The extent, character and legibility of the historic landscape remains and the grounds still continue in their therapeutic use for the benefit of patients.

HISTORICAL ASSOCIATION:

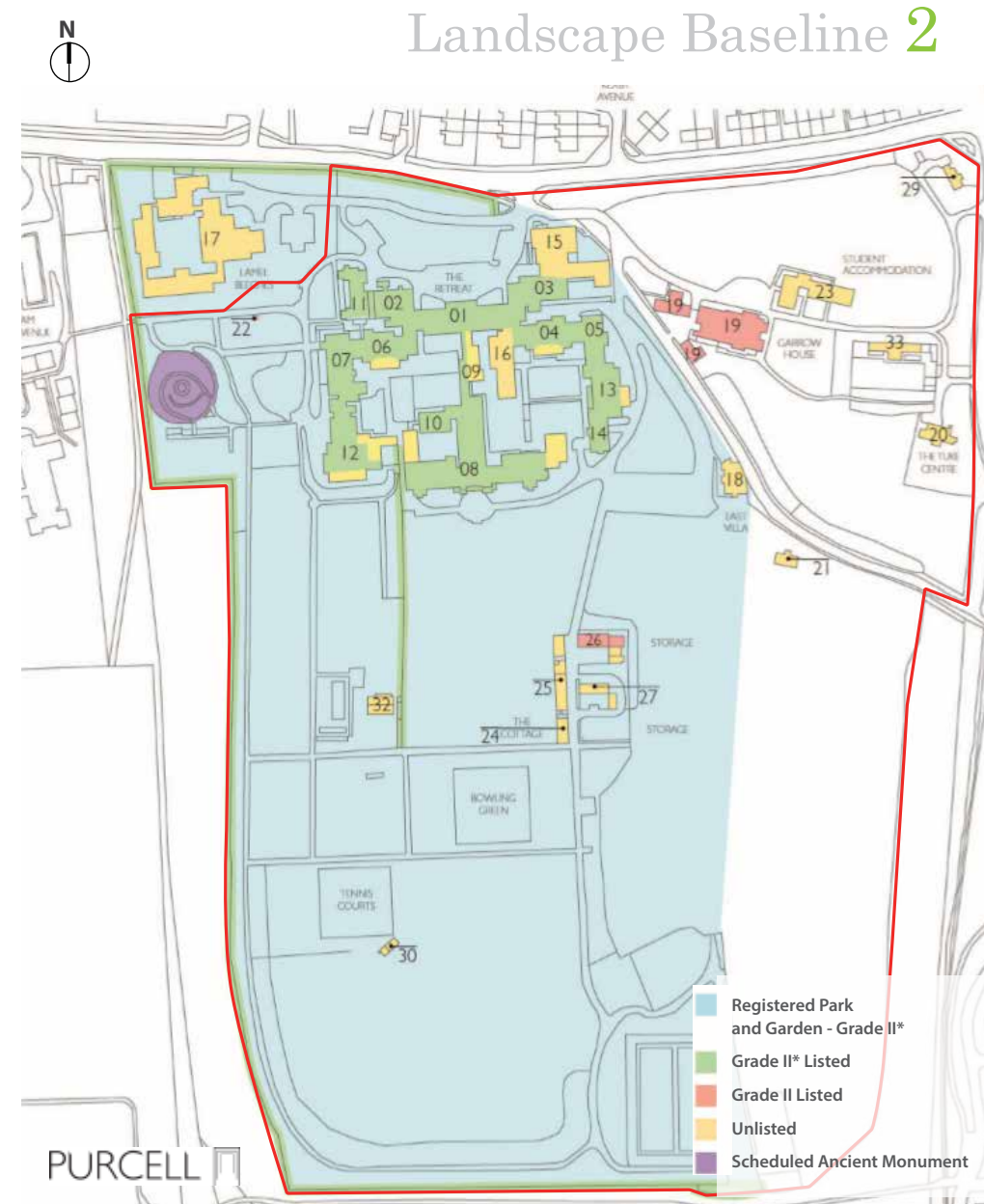
Devised by the asylum reformer William Tuke as a fundamental component of his more enlightened and humane treatment of the insane which was hugely influential in future provision of care for the mentally ill.

INFLUENCE:

The humane treatment pioneered at The Retreat led to the Asylums Act of 1808, the publication by Samuel Tuke in 1813 of a 'Description of The Retreat', including the grounds, led to its wide dissemination both here and abroad, and William Tuke's evidence to the Select Committee on Madhouses (1814 to 1816) contributed to its support of the new reforming ideology and led to the creation of county asylums.

GROUP VALUE:

For its strong historic, aesthetic and functional group value with The Retreat, a pioneering mental asylum in the humane treatment of the mentally ill, listed at Grade II*, with hospital and grounds continuing to be run by the Quakers and providing care for the mentally ill to the present day.



▲ **Figure 11:** Plan illustrating Registered Park and Garden boundary and listed features produced by Purcell. Extracted from Examination of the City of York Local Plan 2017 - 2033 Examination in Public Hearing Statement – Phase I Hearings Hearing Statement, Nov 2019 prepared by Savills on behalf of The Retreat



▲ Figure12: Extract from the 6-inch OS Map, published in 1853



The drawing was prepared by the artist of the Retreat and was presented to the National Committee by the Trustees.

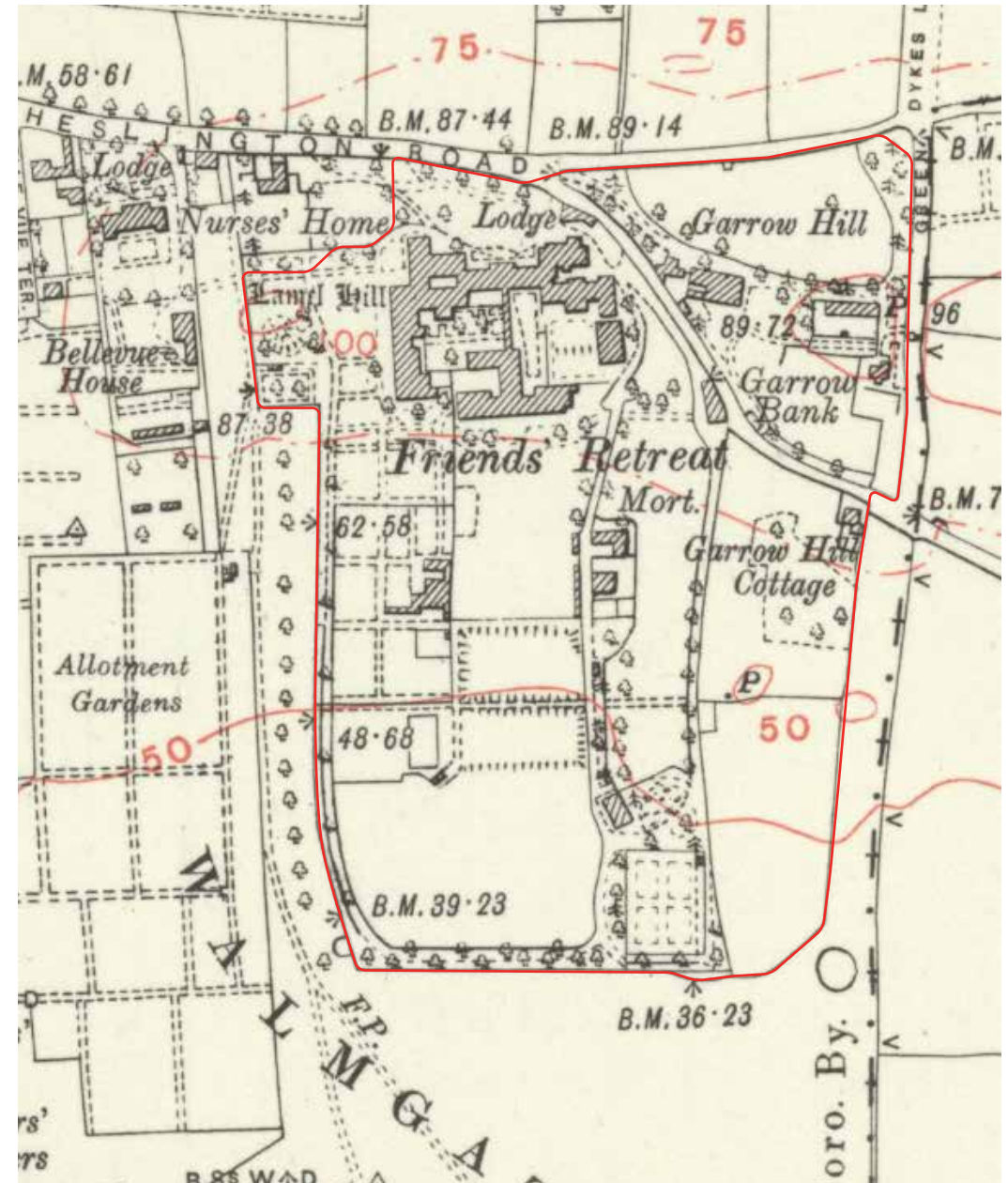
2.6 HISTORIC APPRAISAL

A brief overview of the historic development of the landscape has been carried out to better understand the Site and its designed landscape setting.

The Retreat was established as a hospital for the mentally ill between 1793 and 1797 by the Society of Friends (Quakers) on a previously undeveloped site. William Tuke, the Societies founding member, a Quaker tea-merchant and philanthropist, was a notable asylum reformer. He pioneered the kind and moral treatment of the insane which was hugely influential in future provision of care for the mentally ill. The Society's Vision for The Retreat was to provide humane treatment for the mentally ill, in airy surroundings with access to gardens and farm animals.

The original asylum building was completed in 1796 to designs by John Bevans, a Quaker architect from London, in consultation with William Tuke. The construction was supervised by Peter Atkinson of York. It was then extended in 1799 and altered over the course of the nineteenth and twentieth centuries.

From the outset the landscape setting and the grounds were as important as the building itself. The founding Quakers had aspirations for the grounds to promote the health and wellbeing of patients through recreation and exercise. Most of the grounds lay to the south, or rear of the building with two long strips of fields stretching down towards Walmgate Stray. These were extensively landscaped as exercise fields with walks, large kitchen gardens and a small farm in the manner of a small country house estate. The frontage of the buildings to the north was laid out as ornamental pleasure grounds with serpentine walks, a shrubbery and shaped flower beds. The care taken over the landscaping of the grounds is shown in the purchase of 768 plants from notable York nurseries in 1794, when building work was still in its initial stages. These included 100 Beeches, 30 Black Poplars, 50 Lombardy Poplars, 25 Oaks, 25 Larches, 2 Horse Chestnuts, 2 American Spruce, and many others, as well as shrubs such as honeysuckles and guilder roses. In 1828 an extra strip of fields was purchased on the west side incorporating Lamel Hill. Later in the nineteenth century a variety of increased provision of sports facilities were added including multiple tennis courts, bowling green, croquet lawns and a large cricket field to the south.



▲ Figure13: Extract from the 6-inch OS map, revised in 1929



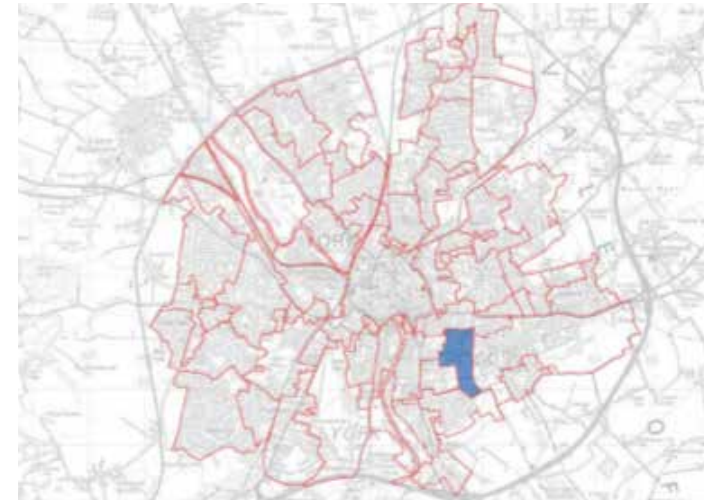
2.7 LANDSCAPE CHARACTER

The 'City of York Historic Environment Characterisation Project' (YHECP) was undertaken in 2013 as part of English Heritage's Characterisation Programme. The project identifies 24 Character Areas across the historic core of the city and 52 Character Areas for Suburban York (areas 25 to 76) from the edges of the Historic Core Conservation Area to the outer ring road with corresponding Character Statements for each area.

The Retreat falls within Area 63: ***The Retreat & Walmgate Stray***

Defining characteristics include:

- Large open public green space with scattered trees and historic hedgerows incorporating Walmgate Stray and Low Moor as well as private parkland area of The Retreat.
- Buildings are generally late 18th to early 19th century and relate to The Retreat or the Stray.
- The Retreat occupies high ground with views north of the city and south over Walmgate Stray, land slopes down towards the south and Low Moor.
- Stray is historically important as common grazing land.
- Important recreational and aesthetic green space – one of York's principal characteristics
- Includes Area of Archaeological Importance – Lamel Hill.
- Extant rural boundaries dating to at least 1750.
- Remains of First and Second World War military training areas.
- Approximate walking/cycling distance to the city centre from the centre of entrance to Walmgate Stray on Heslington Road is 1.6km.
- Dominant Building Type: Three-storey 18th century former institutional building.



▲ **Figure 14:** Character Area 63: The Retreat and Walmgate Stray. Extracted map from City of York Historic Characterisation Project, 2013

- Other Key Building Types: One-storey 19th century former Herdsmen's Cottage and 20th century buildings.
- Designated Heritage Assets: Lamel Hill (SAM) and three Grade II listed buildings, Heslington Road Conservation Area and Lamel Hill Area of Archaeological Importance.
- Non-designated Heritage Assets: Fairfax House, Post-Medieval and possibly older hedgerow boundaries, First and Second World War military training remains, early 20th century allotments and Medieval and Post Medieval ridge and furrow.
- Key Views: Local views of The Retreat from the Stray and university buildings in particular Wentworth College and the Siwards Howe concrete tower from the Stray and Low Moor. Rural views to the south. Glimpses of Layerthorpe chimney and Rowntree/Nestle factory from highest points.
- Surviving historic roads and tracks: Heslington Road, Green Dikes Lane (now unnamed) and informal tracks running north- south-east across the Stray.



Visual Appraisal

3.1 VISUAL APPRAISAL



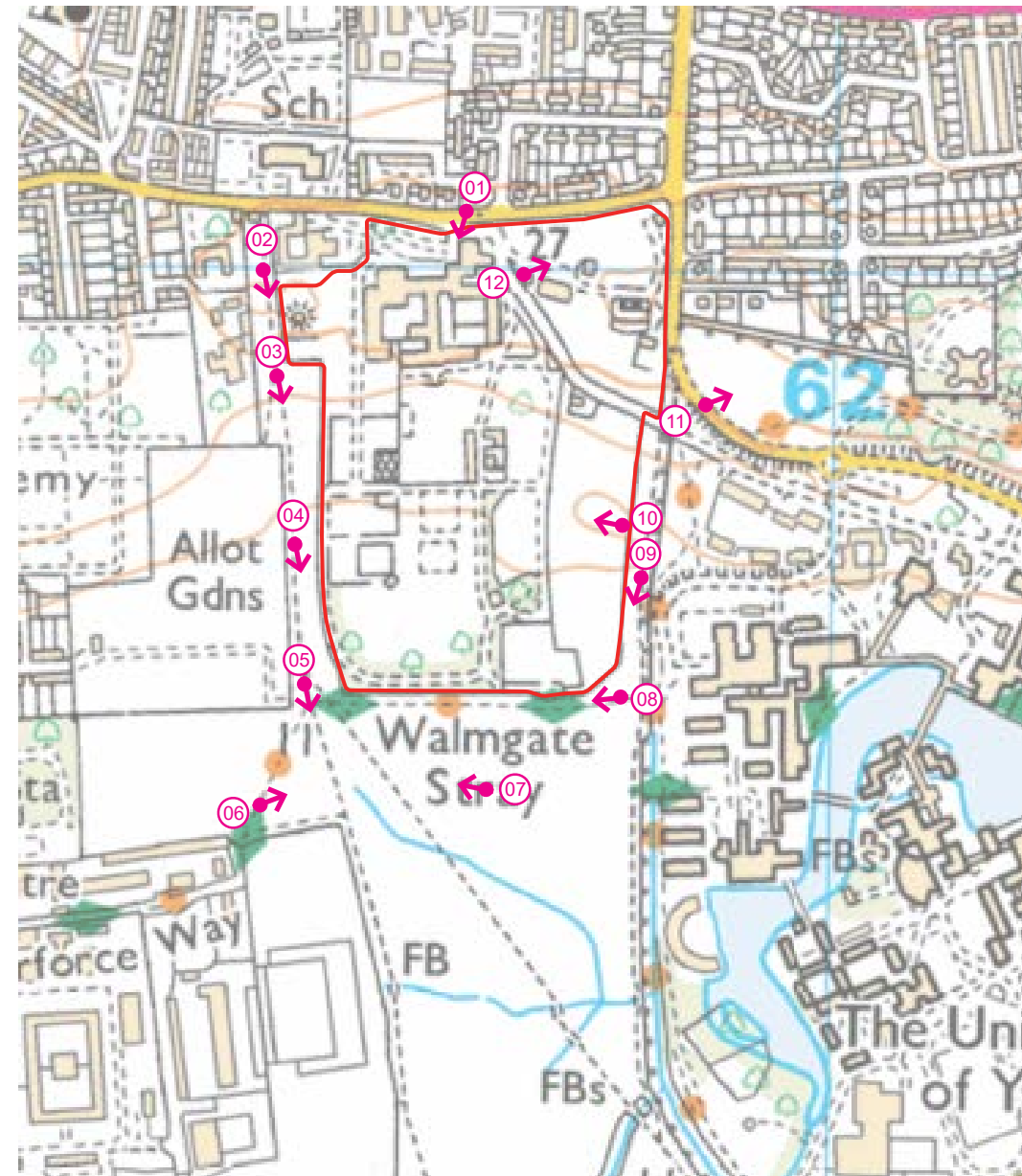
A field survey has been conducted from public receptors. A mix of short to long views were taken.

Public Rights of Way were walked on the day of the field assessment to assess the visibility of the site, its openness and character and its setting within the wider landscape.

The site survey was undertaken in August 2019 when trees were fully in leaf. It should be noted that the site would be more visible during the winter months, when the trees are bare of leaves.

The level of openness is assessed following against the following criteria:

LEVEL OF OPENNESS	
HIGH	<i>The landscape character is very open with expansive long range views and good intervisibility. Built form and existing vegetation is at a scale which does not impeded long range views and retains a sense of remoteness.</i>
MODERATE	<i>The landscape has a degree of openness. Views may be medium to long range with a moderate level of screening by vegetation or built form.</i>
LOW	<i>The landscape is confined, contained or enclosed in character with few inward or outward views. Little inter-visibility with adjacent sensitive landscapes or viewpoints. Views are short range. Medium and long range views are screened by built form or dense/ mature vegetation.</i>



▲ Figure 15: Viewpoint locations

VIEWPOINT 1



▲ Looking south towards the site from entrance to The Retreat off Heslington Road

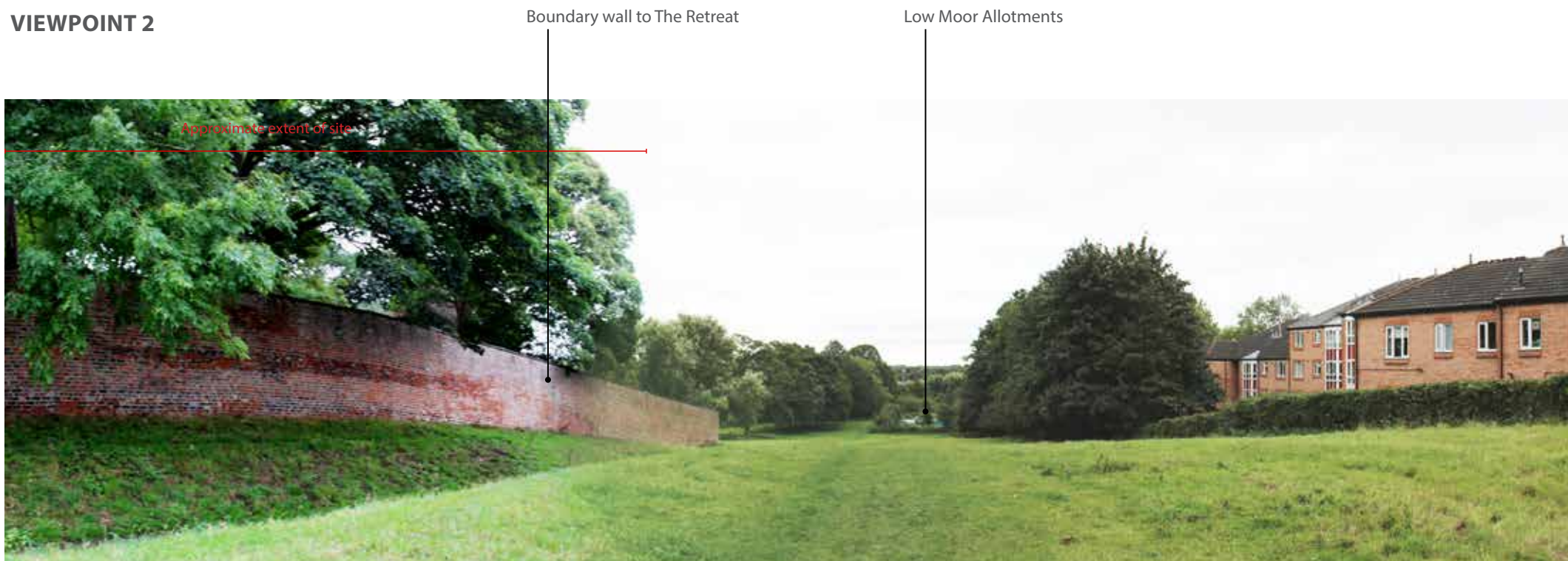
GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE616510	Residential , Recreational (PRoW)and Transport	7	30

This represents views south from Heslington Road looking into the site. The existing buildings and parking areas are visible, set back from the road behind the boundary wall and railings. The setting to the frontage with a large area of mown grass and existing mature trees breaks up views towards the built form.

LEVEL OF OPENNESS

Low	Moderate	High
Presence of built form and existing trees blocks medium/long range views.	Buildings are set back from the road and there are areas of open green space.	

VIEWPOINT 2



▲ Looking south towards Walmgate Stray on the western edge of site.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE614509	Recreational (PRoW)	20	32

This represents views from the northern extent of Walmgate Stray looking south. Residential housing is located to the west. Views into the site are prevented by the existing mature trees and high brick boundary wall of The Retreat.

LEVEL OF OPENNESS

Low	Moderate	High
	<i>This is an open area of grassland associated with Walmgate Stray. Long range views to the south are blocked by mature existing trees. Views are constrained by residential housing to the west and the boundary wall and mature trees of The Retreat to the east.</i>	

VIEWPOINT 3



▲ Looking south towards Walmgate Stray on the western edge of site.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE614509	Recreational (PRoW)	12	28

This represents views from the northern extent of Walmgate Stray looking south. Views into the site are screened by the existing mature trees and high brick boundary wall of The Retreat.

LEVEL OF OPENNESS

Low	Moderate	High
	<i>This is an open area of grassland associated with Walmgate Stray. Long range views to the south are blocked by mature existing trees. Views are constrained by the boundary wall and mature trees of The Retreat and a dominant line of mature trees within the Stray.</i>	

VIEWPOINT 4



Boundary wall to The Retreat

Low Moor Allotments

▲ Looking south towards Walmgate Stray adjacent to Low Moor allotments.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE614507	Recreational (PRoW)	45	18.0

This represents views from the northern extent of Walmgate Stray looking south. Views into the site are screened by the existing mature trees and the boundary wall and railings of The Retreat. Low Moor allotments are to the west.

LEVEL OF OPENNESS

Low	Moderate	High
The landscape is enclosed by a dense line of mature trees and vegetation within the Stray adjacent to the Low Moor allotments. Views are constrained to short range only with glimpses through the canopy to the wider expanse of Walmgate Stray to the south.		

VIEWPOINT 5



▲ Looking south from Walmgate Stray

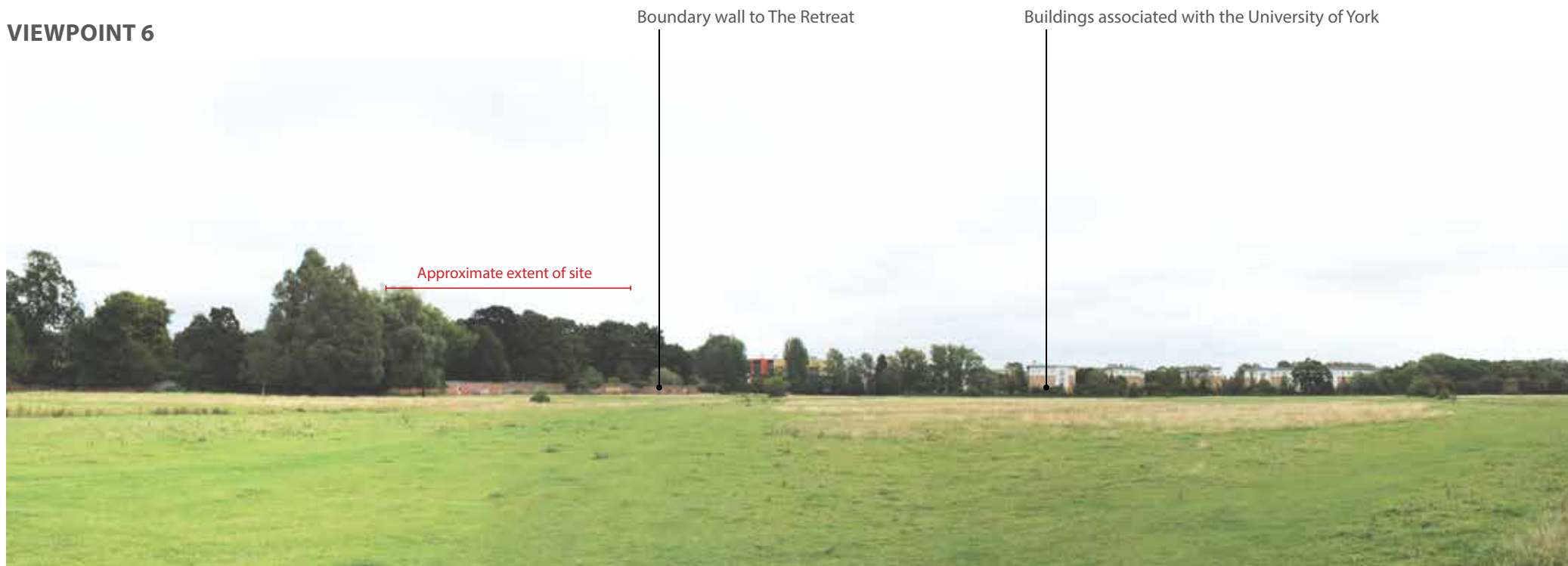
GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE614505	Recreational (PRoW)	46	11.0

This represents views from a formalised footpath running through Walmgate Stray. Long distance views are constrained by the presence of numerous mature trees within the Stray which also reduces the degree of openness. However, glimpsed long distance views south can be experienced through gaps in tree cover and under the canopies of trees.

LEVEL OF OPENNESS

<i>Low</i>	<i>Moderate</i>	<i>High</i>
	<i>This is an open area of grassland associated with Walmgate Stray. Long range views to the south are partially blocked existing trees.</i>	<i>Long range views south between and beneath tree canopies can be appreciated.</i>

VIEWPOINT 6



▲ Looking north east from Walmgate Stray

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE614504	Recreational (PRoW)	1600	13.0

This represents views looking northeast from Walmgate Stray. The landscape is very open in character with long range views in all directions. However, views of the site are screened behind the high brick boundary wall and dense tree canopy along The Retreat's southern boundary.

LEVEL OF OPENNESS

Low	Moderate	High
		Large expanse of grassland and lack of trees or built form within Walmgate Stray to block views.

Buildings associated with the University of York

Approximate extent of site

VIEWPOINT 7



▲ Looking west from Walmgate Stray

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE616504	Recreational (PRoW)	83	11.0

This represents views looking west from Walmgate Stray. The landscape is very open in character with long range views. However, views north, towards the site are screened behind the wall and dense tree canopy along The Retreat's southern boundary. The site does not contribute to the openness of this view.

LEVEL OF OPENNESS

Low	Moderate	High
	Views north are constrained by the existing wall and mature trees along the southern boundary of The Retreat.	Long range views south and east across a large expanse of grassland.

Approximate extent of site

VIEWPOINT 8



▲ Looking west from footpath entrance to Walmgate stray from University campus.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE617505	Recreational (PRoW)	1600	35.0

This represents views from a footpath entering Walmgate Stray from the University campus. Views south are far reaching whilst views north and west are partially constrained by mature tree planting along The Retreat's eastern boundary.

LEVEL OF OPENNESS

Low	Moderate	High
	Views north and east are partially constrained by mature tree planting enclosing the space.	Long range views south across a large expanse of grassland.

Mature trees to the eastern boundary of the Stray

Approximate extent of site

VIEWPOINT 9



▲ Looking south from Walmgate Stray

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE(m)	ELEVATION (m AOD)
SE618506	Recreational (PRoW)	17	95.0

This represents views from an informal path running along the northern finger of Walmgate Stray adjacent to The Retreat's eastern boundary. The narrowed of the Stray and the presence of surrounding mature vegetation encloses the footpath and reduces the degree of openness. Views into the site are partially screened by mature trees however this site is more visible than from the west due to the lack of a high boundary wall.

LEVEL OF OPENNESS

Low	Moderate	High
	<i>This is narrowed area of open grassland associated with Walmgate Stray. Long range views to the south are blocked by mature existing trees. Views are constrained by the mature trees either side of which enclose the space</i>	

VIEWPOINT 10



▲ Looking west into the site from Walmgate Stray through a break in the boundary vegetation.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE617507	Recreational (PRoW)	1	17.0

This represents views looking into the site from the eastern boundary within Walmgate Stray. The vegetation cover along the site's eastern edge is broken in places providing unobstructed views into the site. The landscape character is more open due to the larger area of open grassland albeit constrained on all sides by a strong edge of mature trees.

LEVEL OF OPENNESS

Low	Moderate	High
	Long range views are constrained by a strong boundary of mature trees that enclose the space.	A large area of grassland providing an open character.

VIEWPOINT 11



▲ Looking north from University Road

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE618508	Residential , Recreational (PRoW)and Transport	23	26.0

This represents views looking north from University Road across an open area of grass adjacent to the site. The site can not be seen from this viewpoint. Although this view is outside City of York Green Belt it illustrates an open setting to the immediate context of the Green Belt.

LEVEL OF OPENNESS

Low	Moderate	High
	<i>The presence of a large area of grass with relatively little tree cover or built form provides a moderate level of openness and medium range views.</i>	

VIEWPOINT 12

Approximate extent of site



▲ Looking east from access road with The Retreat site.

GRID REFERENCE	RECEPTOR TYPE	DISTANCE FROM SITE (m)	ELEVATION (m AOD)
SE616510	Recreational (PRoW)	0	30.0

This represents views across an open area of mown grass at the frontage to The Retreat on the northern edge of the site. This is a relatively small area of open landscape surrounded by 20th century residential development along Heslington Road and The Retreat buildings.

LEVEL OF OPENNESS

Low	Moderate	High
Built form of The Retreat and adjacent residential properties enclose the space along with a level of mature trees prevent medium to long range views.	Presence of an open area of grass provides a degree of openness.	

Conclusion

4 CONCLUSION

The site's contribution to the openness of the Green Wedge and the City of York Greenbelt is limited by existing built form of The Retreat, the strong line of existing mature trees and the high brick walls that define the site's historic boundary. The findings of the Visual Appraisal conclude that:

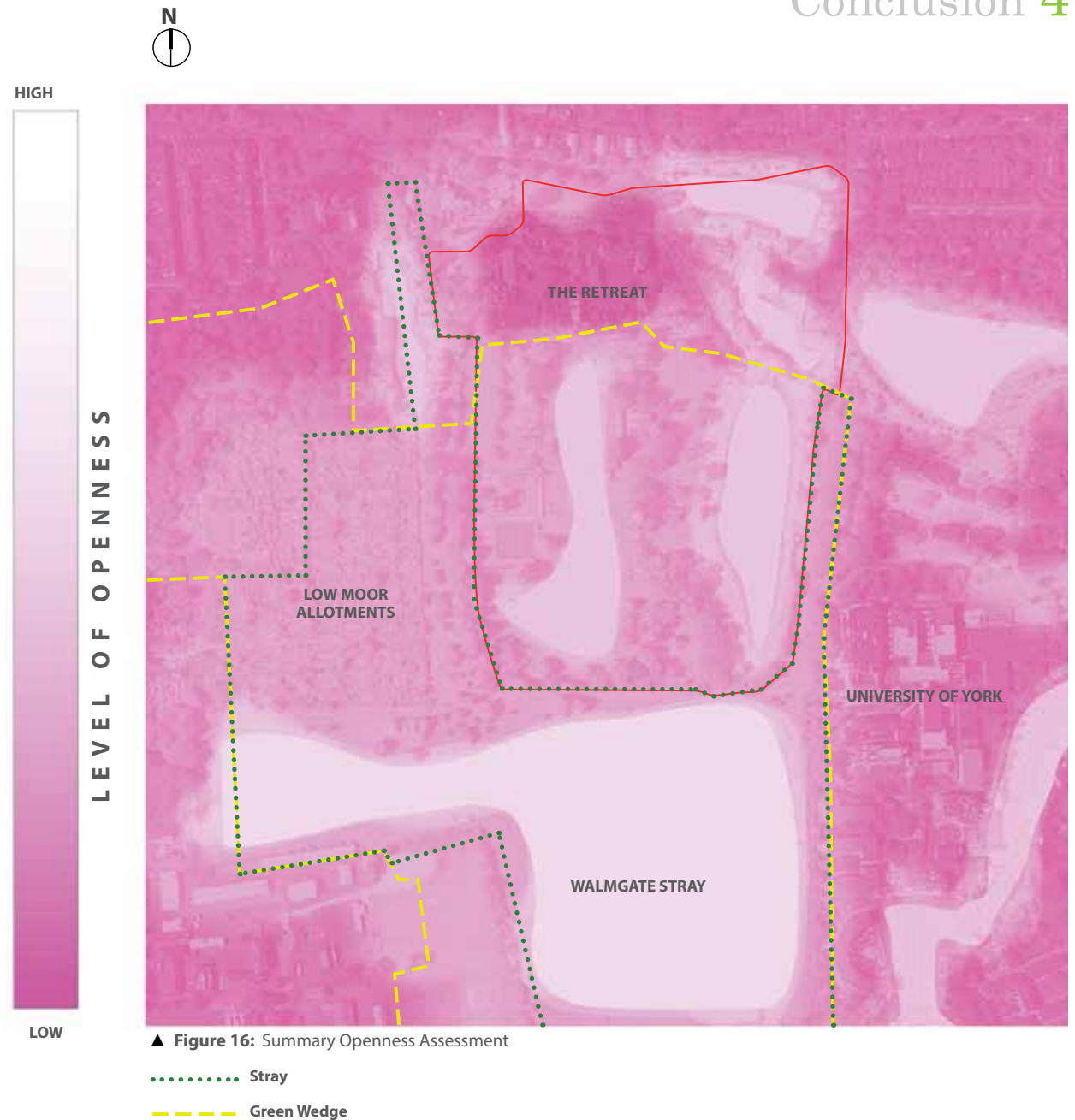
- From the north, existing buildings within The Retreat screen views of the wider site and open landscape to the south.
- The mature trees and boundary walls to The Retreat largely screen views from the south and west, preventing any long distance views into the site from Walmgate Stray.
- To the east, glimpsed views into the site are permitted from the narrow "finger" of Walmgate Stray which runs along the site's eastern boundary, through gaps in boundary vegetation.

Within the northern part of the site, the large buildings of The Retreat screen views of the wider site from Heslington Road and reduce the sense of openness. Openness is further constrained by adjacent residential properties along Heslington Road and mature trees within the grounds of The Retreat. There is an area of open mown grassland to the frontage of The Retreat along Heslington Road which contributes to the perceived levels of openness. However, this is a relatively small area of open landscape, which is enclosed by the buildings of The Retreat and surrounding residential development.

Much of the surrounding landscape of Walmgate Stray to the south has strong sense of openness with a large expanse of open grassland with far reaching views. However, the northern "fingers" of the stray, that extend either side of The Retreat to the east and west, are constrained either side by built development and the presence of dense mature trees and vegetation. This, combined with the narrowed width of these "fingers" significantly reduces the perceived openness that is experienced compared to the expansive areas of the Stray to the south.

Within the south of The Retreat site is a large area of open grassland including a cricket pitch which results in a moderate level of openness. However, the presence of the high brick boundary walls and mature trees along the boundaries of The Retreat prevent these open areas contributing to the perceived openness of the surrounding Stray to the south. There are limited long range views into the site from Walmgate Stray and a lack of intervisibility with the wider landscape. For this reason, the levels of openness associated with Walmgate Stray are not replicated within the site.

In conclusion, the site has a low contribution to the overall openness of the Green Wedge of Walmgate Stray and the wider City of York Council Green Belt. Development within the site boundary as illustrated on the parameter plan would be well screened from the wider open landscape and largely enclosed within the existing historic defined boundary of brick walls and mature tree planting.





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Appendix 3
Savills Phase I Hearing Statement

Examination of the City of York Local Plan 2017 - 2033

Examination in Public Hearing Statement – Phase I Hearings

Hearing Statement prepared by Savills on behalf of The Retreat,
Heslington Road, York YO10 5BN



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Executive Summary

This Hearing Statement has been prepared by Savills (UK) Limited on behalf of The Retreat – a mental healthcare facility located at Heslington Road, York YO10 5BN.

We consider there are serious deficiencies in the City of York Council evidence base where it relates to defining the detailed Green Belt boundaries. This Statement sets out in detail where these deficiencies lie. In essence, we do not consider that the evidence base contains any proper assessment of land around York against the five Green Belt purposes as defined by the NPPF. Accordingly, the emerging plan is neither justified nor consistent with national policy (as required by paragraph 182 of the Framework). These deficiencies go to the soundness of the Plan.

1. Introduction

- 1.1. This Hearing Statement has been prepared by Savills (UK) Limited on behalf The Retreat - a mental healthcare facility located at Heslington Road, York YO10 5BN. A site location plan is contained at Appendix 1 of this Statement.
- 1.2. This Statement should be read in conjunction with the Savills representations to the Proposed Main Modifications dated July 2019, the representations submitted by Carter Jonas at the Publication Draft Stage dated 4th April 2018 and the representations submitted by JLL at the Preferred Sites Stage dated 12 September 2016.
- 1.3. The Retreat is an institutional campus consisting of a number of buildings set in mature grounds on Heslington Road, York. It has remained in its original use as a mental healthcare facility since its establishment in 1792 by the Society of Friends (known as Quakers) and today, promotes and supports the wellbeing of people affected by mental ill-health in a campus setting. The Retreat was a pioneer in the 'moral treatment', a more humane method of treatment, and influenced the development of care in the UK, North America and beyond. The main buildings have seen organic growth through extension over many years, some of which has been sympathetic to the character of the original main building and some significantly harmful.
- 1.4. The main health care facility is currently housed in the Grade II* listed Retreat building set within the wider site totalling circa 16ha (40 acres). The campus is bound by housing to the north-west, north and north-east. The University of York - Heslington Campus is situated to the east and south-east. To the west and south-west lie the urban greenspaces of York Cemetery and the Low Moor Allotments, with Walmgate Stray to the immediate south. Saint Lawrence's Primary School is also located opposite the site.
- 1.5. The existing buildings on The Retreat Estate are no longer considered fit for health related and clinical purposes. Following a detailed review of assets and approach to healthcare provisions, The Retreat is exploring potential development options for the remainder of the Estate. The Retreat is currently engaged with positive pre-application discussions with City of York Council (CYC).

Adopted Land Use, Heritage and Environmental Designations

- 1.6. The site in its entirety falls within the wider Retreat and Heslington Road Conservation Area, with a number of heritage designations (Listed Buildings and Scheduled Monuments) also situated across the wider site. In summary, the relevant built heritage designations are:
- a) The Retreat, Listed Grade II*;
 - b) Garrow Hill (aka Garrow House), Listed Grade II;
 - c) Summerhouse, Listed Grade II;
 - d) Various, including East Villa and the Cottage - Curtilage Listed;
 - e) The Tuke Centre - Non-designated Heritage Asset;
 - f) Lamel Hill, Scheduled Monument; and
 - g) Listed Park and Gardens.
- 1.7. A Designations Plan is included at Appendix 2 of this Statement.
- 1.8. The site is located within Flood Zone 1 (low probability), and therefore the land is defined as having a less than 1 in 1,000 annual probability of flooding. The nearest natural watercourse is circa 1.5km west of the site. Online resources confirm there are no environmental statutory designations in or within 1km of the site in respect of Special Areas of Conservation, Ramsar Sites, SSSI's, Nature Reserves or records of Protected Species. There are also no Tree Preservation Orders covering the site although trees on site are afforded protection by the Conservation Area designation.
- 1.9. Non-definitive footpaths and a cycle path cross Walmgate Stray to the south. Public Rights of Way ref. 47/199/20 runs adjacent to the western boundary of the site and ref: 47/198/10 to the eastern boundary.

Approach to the Examination in Public

- 1.10. This Statement is directed at specific matters, issues and questions raised for the Phase I Hearings. Broadly, this Statement is directed at CYC's approach and methodology for setting the detailed boundary of the Green Belt.
- 1.11. It is anticipated that a later phase of the examination in public will be concerned with site specific matters, including the question of whether or not the Site (or parts of the Site) should be included within the Green Belt. The Retreat will submit Hearing Statements in respect of any later phase of the examination in accordance with the Inspectors' directions.
- 1.12. Reference has been made to the following CYC documents in producing this Hearing Statement: -
- i. Approach to the Green Belt Appraisal – February 2003 – Ref SD107A;
 - ii. Approach to the Green Belt Appraisal South Map – February 2003 – Ref SD107C ;
 - iii. Green Belt Topic Paper 1 - May 2018 – Ref TP1;
 - iv. Green Belt Topic Paper 1 Addendum – March 2019 – Ref EX/CYC/18;
 - v. Green Belt Topic Paper 1 Annex 1 – March 2019 – Ref EX/CYC/18f;
 - vi. Green Belt Topic Paper 1 Annex 3 (Inner Boundary) – March 2019 – Ref EX/CYC/18d;



- vii. Green Belt Topic Paper 1 Annex 4 (Urban Areas in the Green Belt) – March 2019 – Ref EX/CYC/18c;
- viii. Green Belt Topic Paper 1 Annex 5 (Development Sites in the Green Belt) – March 2019 – Ref EX/CYC/18b; and
- ix. Green Belt Topic Paper 1 Annex 6 – March 2019 – Ref EX/CYC/18a;

2. Matter 3 – Green Belt

Matter 3 – Green Belt: principles, the approach to defining the Green Belt boundaries, exceptional circumstances and the approach to identifying land to be ‘released’ from the Green Belt for development

The questions concerning Green Belt are aimed at the strategic level. Later questions during the Phase 2 hearings will address the issue of exceptional circumstances and other issues in relation to specific sites. In responding to the following questions, consideration should be in the context of the Council’s Topic Paper 1 relating to the Green Belt [CD021], the Council’s Topic Paper 1: Addendum [EX/CYC/18] and the proposed alterations and modifications to the Plan resulting from that document, set out in Annex 6 [EX/CYC/18a].

Principles:

3.1 Paragraph 10.1 of the Plan states that “the plan creates a Green Belt for York that will provide a lasting framework to shape the future development of the city”. For the purposes of Paragraph 82 of the National Planning Policy Framework, is the Local Plan proposing to establish any new Green Belt?

b) If not, does the Local Plan propose to remove any land from the established general extent of the Green Belt? If it does, is it necessary to demonstrate that exceptional circumstances exist to warrant that approach? Or is it the case that the Local Plan establishes the Green Belt boundaries for the first time, such that the exclusion of land from the Green Belt – such as at the ‘garden villages’, for example – is a matter of establishing Green Belt boundaries rather than altering them, in the terms of Paragraph 82 of the Framework?

- 2.1. Whilst the general extent of the York Green Belt is identified through saved (“non-revoked”) Policies YH9c and Y1c of the Yorkshire and Humberside Regional Spatial Strategy, the detailed boundaries of the Green Belt are being set for the first time. The general extent of the Green Belt is identified by reference to an approximate 6 mile radius from the City Centre. Self-evidently, identification of the general extent of the Green Belt did not comprise any detailed assessment of land against the five Green Belt purposes (in national policy) and never involved Ordnance Survey mapping. The mapping¹ which accompanies the saved RSS policies is high level and individual sites and boundaries are indistinguishable.
- 2.2. The 2005 'City of York Draft Local Plan Incorporating the 4th Set of Changes' is used by CYC for the purpose of development control. However, this Plan never achieved adopted status, is dated and never formally set detailed York Green Belt boundaries.
- 2.3. This Examination therefore represents the opportunity for there to be a critical assessment of the exercise conducted by CYC in drawing up detailed Green Belt boundaries. Such an exercise should proceed on the basis of a robust analysis against the five Green Belt purposes set out at paragraph 80 of the NPPF. We contend that the assessment conducted by CYC is deficient. This is explored further below.

¹ Figure 2 Page 7 Approach to defining York’s Green Belt (TP1)

3.2 Paragraph 1.1.1 of the Council's "Approach to defining York's Green Belt" Topic Paper (TP1) [CD021] says "York's Local Plan will formally define the boundary of the York Green Belt for the first time." How has the Council approached the task of delineating the Green Belt boundaries shown on the Policies Map? In particular:

2.4. We agree with the acknowledgement at Paragraph 1.1.1. that this Local Plan will formally define the boundary of the York Green Belt for the first time. We address the question of how CYC has sought to define GB boundaries in the context of the emerging Local Plan in the commentary set out below.

3.5 Overall, are the Green Belt boundaries in the plan appropriately defined and consistent with national policy in the National Planning Policy Framework, and is the Plan sound in this regard?

2.5. We do not consider that the Green Belt boundaries in the draft Local Plan have been appropriately defined and nor are they consistent with national policy as set out in the NPPF. We have undertaken a detailed review of the evidence base relating to the York Green Belt and draw on the following evidence to support our position.

City of York Local Plan - Approach to the Green Belt Appraisal – February 2003 – Ref SD107A and Approach to the Green Belt Appraisal South Map – February 2003 – Ref SD107C;

2.6. This document is dated, but is referred to and relied upon in more recent evidence base documents which are considered below. The document sets out the five Green Belt purposes and then identifies², on a desk based assessment, a number of elements which the document considers defined the character and setting of the City. These are Open approaches to the City; Green Wedges, Views of the Minster, Character of the Landscape, Urban form, Relationship between the urban edge and the countryside and the Relationship with surrounding villages. The document then goes on³ to identify areas which retain, reinforce and extend the pattern of historic Green Wedges. Nowhere in this document are the identified areas of land assessed in terms of their performance against the five Green Belt purposes identified in national policy.

2.7. In terms of The Retreat, the accompanying map identifies the Southern portion of the site as falling within a Green Wedge with the identification of area C3⁴ as an extension to Walmgate Stray. The Northern portion of the site is excluded from these suggested designations. These aspects will be discussed in greater detail later in the Examination process.

Green Belt Topic Paper 1 - May 2018 – Ref TP1 – TP001

2.8. This document draws on the February 2003 Appraisal identified above⁵. However, as noted above, the February 2003 Appraisal failed to test the performance of parcels of land against the five Green Belt purposes.

² Section 4 Page 6

³ Section 6 Page 9

⁴ See map and Page 12

⁵ Figure 4 Page 15 and paragraph 4.3.12 Page 16

- 2.9. Whilst paragraph 4.2.4 of the Green Belt Topic Paper 1 records that, “The boundary of the Green Belt is the consequence of decisions about which land serves a Green Belt purpose and which can be allocated for development”, there is a continuing failure to assess parcels of land against Green Belt Purposes.
- 2.10. At paragraph 4.3.19 it is stated that Figure 7⁶, “shows how land around York contributes to one or more green belt purposes...”. Self-evidently, Figure 7 does not show how land around York contributes to one or more of the green belt purposes. In particular:
- i. there has been no assessment of individual parcels of land against the five Green Belt purposes. This is a fundamental flaw in the evidence base,
 - ii. whilst the NPPF⁷ identifies sustainable patterns of development as a relevant consideration when drawing up or reviewing Green Belt boundaries, the relevance of that factor does not dilute the requirement for an assessment against the five Green Belt purposes. The correct approach should be to assess the relevant land against the five Green Belt purposes and then to consider other factors (for example, as part of the process of identifying whether or not land should be made available for development),
 - iii. Figure 7 contains ‘islands’ of Green Belt within central York. The fact that CYC’s analysis (that purports to show land said to serve one or more Green Belt purposes) identifies islands of land in central York demonstrates the flaws in CYC’s approach. These spaces may perform other environmental roles, or have other open space designations or constraints, but this does not mean they perform a Green Belt purpose.
- 2.11. Table 1⁸ identifies the five Green Belt purposes and then applies site selection criteria. In terms of Green Belt purpose 1 – checking unrestricted sprawl and purpose 3 – safeguarding the countryside from encroachment, CYC appears to rely on other open space designations, access to services, sites of nature conservation, ancient woodland and flood zones as a proxy for measuring the performance of sites against Green Belt purposes. This approach is self-evidently incorrect. These other environmental designations are not the equivalent of Green Belt purposes.

Green Belt Topic Paper 1 Addendum – March 2019 – Ref EX/CYC/18

- 2.12. At paragraph 4.1 (page 11) of “the Addendum”, CYC states that its section 4 adds further detail to TP1, “in particular how the approach and evidence base relates to the five NPPF (2012) purposes of Green Belt”. This document at page 12 works through the five Green Belt purposes.
- 2.13. The analysis with regard to Purpose 4 relies, for the most part, on the 2003 Appraisal (commented on above).

⁶ Pages 20 and 22

⁷ NPPF 2012 para 84

⁸ Table 1 – Site Selection principles relevant to Green Belt Purposes – Page 24

- 2.14. With regard to Purpose 1, paragraphs 4.23 - 4.25 address the broad requirement of achieving sustainable development patterns as set out at paragraph 84 of the NPPF. That requirement is separate from the purposes to be served by land within the Green Belt. The exercise of drawing up Green Belt boundaries requires a clear assessment against the five Green Belt purposes. Other considerations (for example, related to sustainable patterns of development) are not a substitute for that assessment. In this document the assessment against Green Belt Purpose 1 appears to have been substituted by an assessment against NPPF paragraph 84.
- 2.15. With regard to Purpose 2, CYC states at paragraph 4.27 that, 'York does not have any major towns close to the general extent of the Green Belt, so the potential issue of towns merging does not arise'. However, at paragraph 4.29 CYC refers to other designations including Strays, and Common Land that form part of Green Wedges that are said to, "have prevented lateral coalescence of different parts of the urban area and have played a role in retaining the distinctive characteristics of earlier individual settlements". Self-evidently, that role is not the same as Purpose 2. Accordingly, there has been no clear assessment of the performance of land parcels against Purpose 2.
- 2.16. With regard to Purpose 3 at paragraphs 4.36 and 4.37, CYC identifies Nature Conservation Sites, Existing Open Space, Green Infrastructure Corridors and Ancient Woodlands as important features of the open countryside which should remain permanently open. Again, this approach fails to assess land against the Green Belt purpose. Whilst these other designations are relevant in their own right, they are not the equivalent of performing a Green Belt purpose. The NPPF⁹ states that 'once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land'. In other words, once land has been designated as Green Belt (because it performs a Green Belt purpose), steps should be taken to enhance its use (e.g. in landscape, recreation or ecological terms).
- 2.17. The same Figure 7 appears in the Addendum as appears in TP1. Paragraph 4.42 states that Figure 7, "shows land which, when assessed against the five purposes of Green Belt, has been identified as strategically important to keep permanently open." It is clear that by reference to TP1 and the Addendum, there has been no proper assessment of land against the 5 purposes of Green Belt.
- 2.18. Section 5 of the Addendum considers the identification of Green Belt boundaries and from paragraph 5.16 onwards considers the Inner boundary. Paragraph 5.16 records the appropriate objective ("to establish long term development limits to the built up area, and distinguish land that needs to be kept permanently open to meet the purposes of Green Belt..."). However, paragraph 5.17 simply sets out that the inner boundary is 'taken to be that which adjoins the main built up areas which radiates out from the historic core of the city'. Self-evidently, that is not the correct approach. Each parcel of land which is in or close to the inner boundary needs to be assessed against the five Green Belt purposes.
- 2.19. At paragraph 5.25 – 5.26 the Inner boundary is divided into eight main sections for analysis. The Retreat falls within Section 7 of Figure 15. The Inner boundary is said to be defined by the 'built up edge of York' (see "Summary" on page 30).

⁹ NPPF 2012 paragraph 81

- 2.20. Section 5c on page 31 identifies criteria for boundary delineation. On page 31 of the Addendum previous errors are repeated and compounded in that environmental and heritage designations are put forward as the equivalent to performance of the five Green Belt purposes (see part 1 of the “Openness Criteria”). As set out previously in this Statement, that approach is incorrect. These environmental and heritage designations are important in their own right, but they are not the same as performance of a Green Belt purpose.
- 2.21. Accordingly, contrary to paragraph 5.41 of the Addendum, land has not been identified by reference to its fulfilment of Green Belt purposes, whether in section 4 of the Addendum or anywhere else (for completeness, we note that the word ‘not’ in paragraph 5.39 is a typographical error).
- 2.22. Part 2 of the “Openness Criteria” (the “Local Assessment”) confuses matters further by referring to local historic assets as being somehow relevant to the designation of land as Green Belt. Paragraphs 5.46 – 5.48 refer again to local historic assets and in particular the identification of conservation areas, listed buildings, scheduled ancient monuments, historic park and gardens and city views. These assets and designations have significance in their own right but that significance is not the same as performance of a Green Belt purpose.
- 2.23. In a similar way paragraphs 5.59 – 5.60 identify other assets such as school playing fields which in some cases may be considered part of the urban environment, but in other cases part of the open countryside.
- 2.24. The suggestion (at paragraph 5.44) that, “Whilst some of these local considerations relate to the 5 purposes...they have been assessed broadly in relation to their contribution to overall openness” does not provide any adequate (or coherent) explanation to justify CYC’s flawed approach.

Safeguarded Land

- 2.25. We do have concerns that the setting of Green Belt boundaries are not being approached with sufficient longevity in mind. Green Belt boundaries are supposed to endure beyond Plan periods. It is important that the boundary endures not just for this Local Plan, but for at least the next one as well.
- 2.26. The Plan currently proposes to allocate enough land to endure for a minimum of 20 years to 2037 / 2038 i.e. beyond the Plan period of 2033¹⁰. Accordingly, the Green Belt boundary will be in need of review to meet further employment and housing needs by the end of the current Local Plan period (in order to make provision for the next Plan period). Even if the proposed allocations are not developed in their entirety during the emerging Local Plan period, they are insufficient, on their own, to accommodate the likely development needs for the next Plan period. Additional sites will need to be found and this is highly likely to require a further Green Belt review.
- 2.27. The proper means for avoiding that outcome is the identification in the emerging plan of Safeguarded Land.

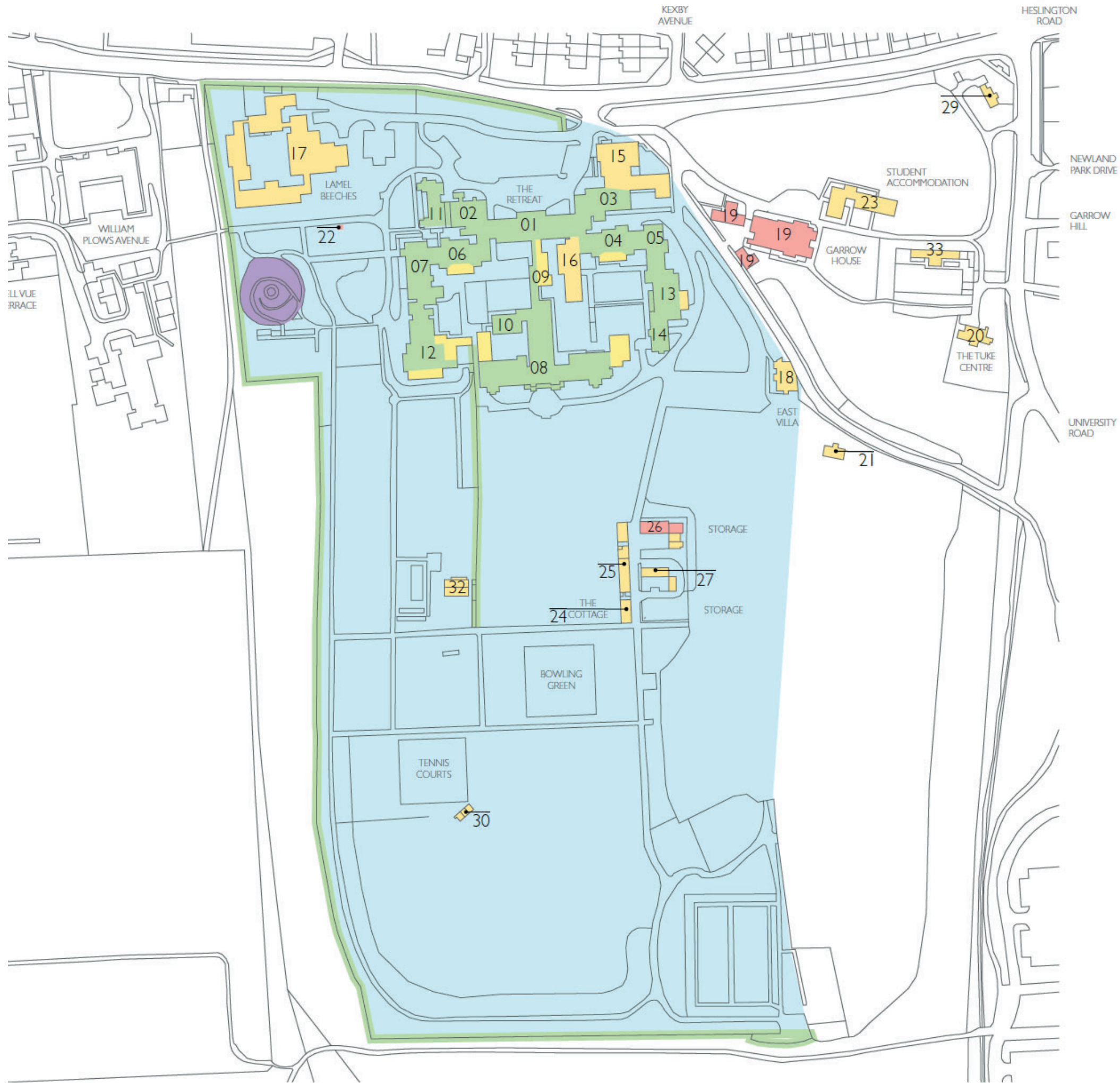
¹⁰ Paragraph 7.15 – Green Belt TP1 Addendum - March 2019

Green Belt Topic Paper 1 Annex 3 (Inner Boundary) – March 2019 – Ref EX/CYC/18d

- 2.28. This document is more site specific in nature and for the first time in the evidence base, more detailed boundaries are considered based on Ordnance Survey mapping. We intend to submit a Hearing Statement on site specific boundaries for the Green Belt (that are relevant to the Retreat) at the appropriate time i.e. before the Phase 2 Hearings. We note at this stage that insofar as the drawing of detailed boundaries adopts and relies on the flawed approach in the TP1 and TP1 Addendum documents outlined above, then this exercise (set out in Annex 3) is also flawed.
- 2.29. In the meantime, we have the following initial comments to make : -
- i. even in this more detailed site specific analysis, there is still no proper assessment against the five Green Belt purposes,
 - ii. under the very brief commentary against purposes 4 & 2 reference is made to 'The Approach to the Green Belt Appraisal' 2003 on which we have already commented in this Statement and drawn attention to its lack of assessment against the five Green Belt purposes,
 - iii. the commentary in respect of The Retreat refers to 'adjacent land' as being important in terms of Green Wedges and Walmgate Stray. The presence of other designations on adjacent land does not support Green Belt designation of The Retreat,
 - iv. the analysis is factually incorrect. For example, there is a Scheduled Ancient Monument within the site, and,
 - v. it would appear that ECUS did not undertake a landscape appraisal of The Retreat.
- 2.30. As stated above, our site specific evidence in respect of The Retreat will be submitted in accordance with the Inspectors' directions directed at later Examination Hearing sessions.



Appendix 4
Historic Designations Plan



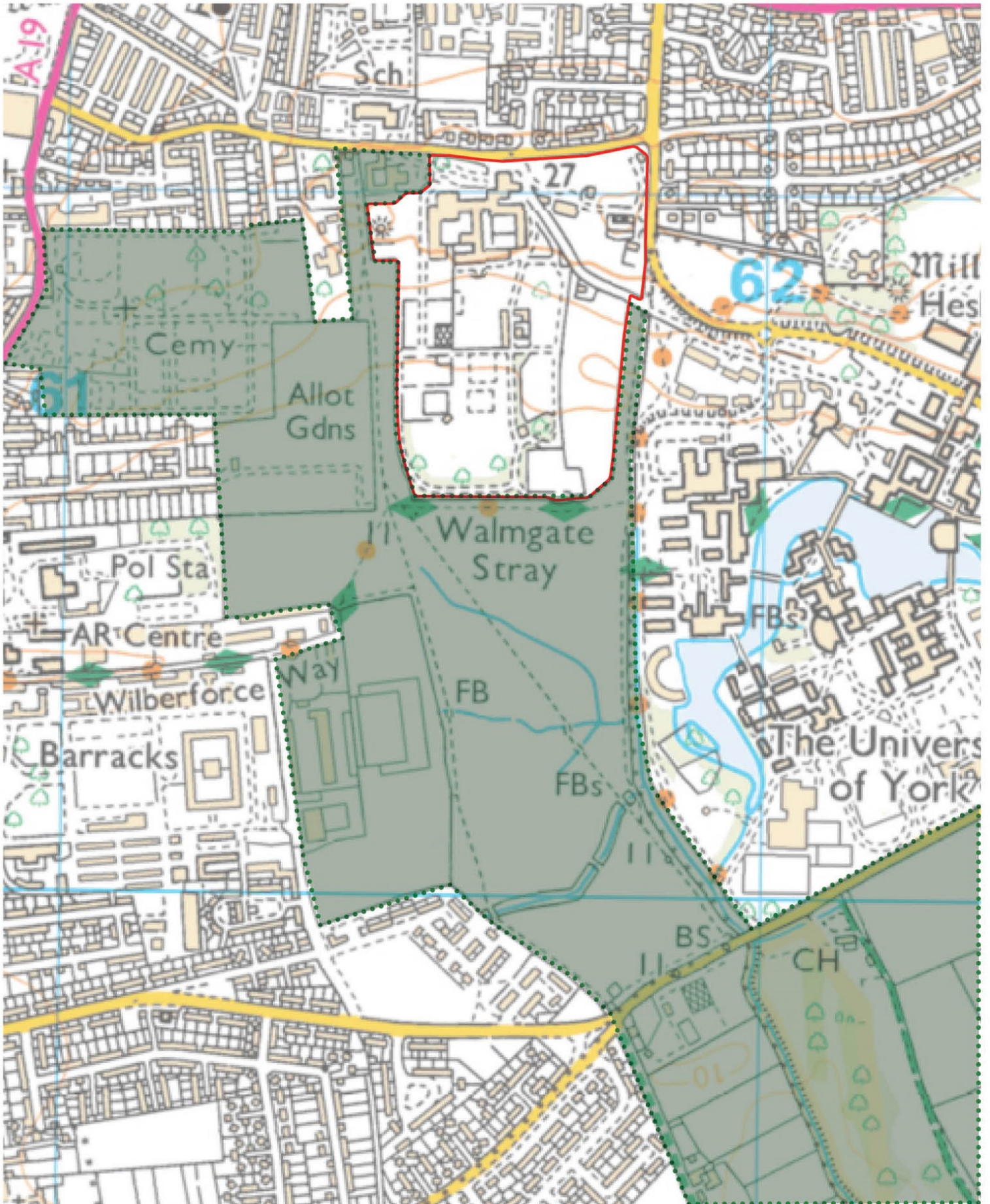
THE RETREAT: DESIGNATIONS

- Registered Park and Garden
- Boundary
- Grade II*
- Grade II
- Unlisted
- Scheduled Monument

This plan is not to scale



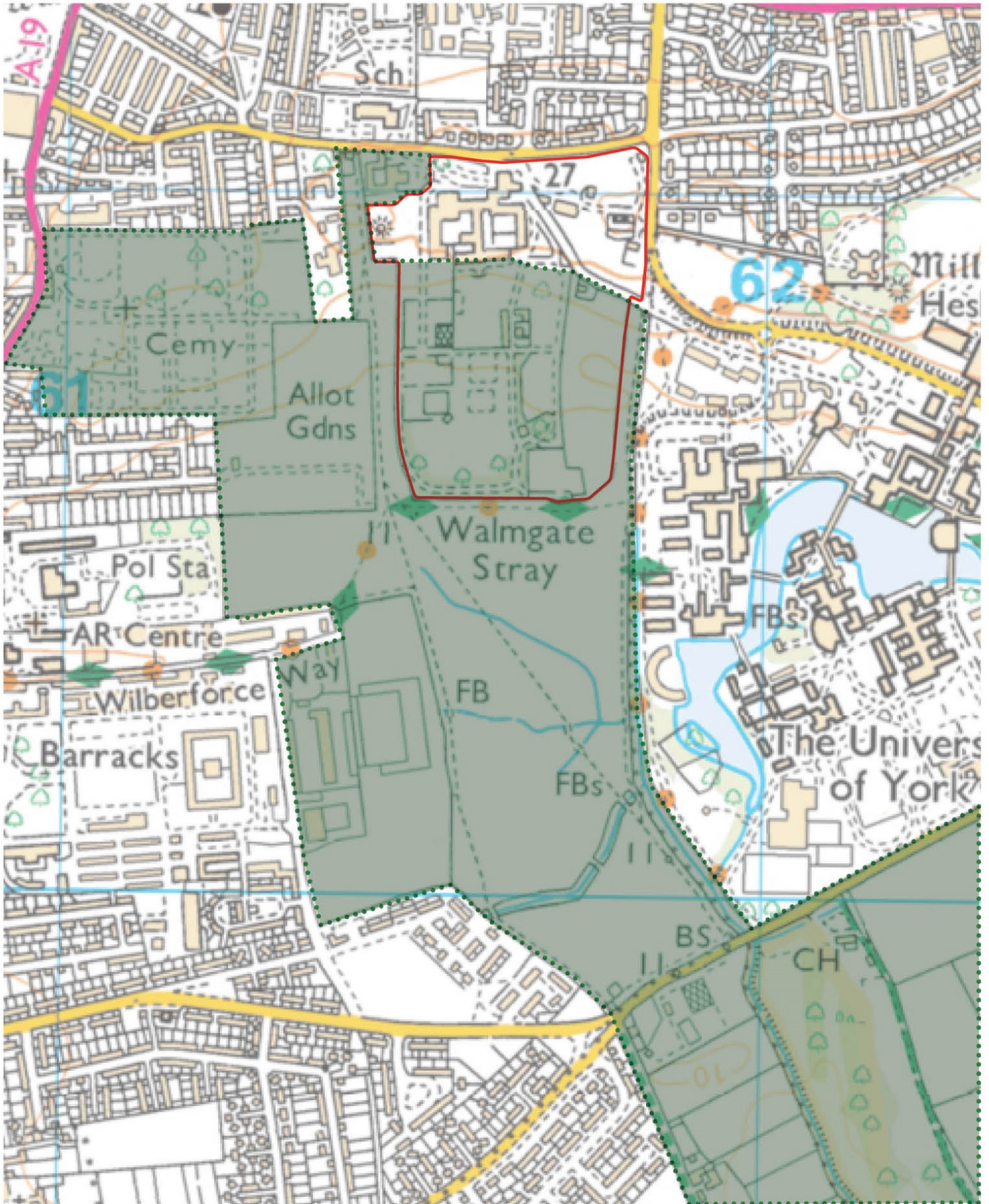
Appendix 5
Revised Proposed Green Belt Boundary



Proposed Green Belt Boundary - Option 1



Appendix 6
Alternative Revised Proposed Green Belt Boundary



Proposed Green Belt Boundary - Option 2

