

Matter 1 – Green Belt Boundaries

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

We provide the same response below to both 1.1 and 1.2

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

We do not believe that CYC have used boundaries that use clearly recognisable physical features, such as roads or railways. Instead CYC are incorrectly re-using weak former draft boundaries designed restrict development in the 1980s. The boundaries cannot endure well beyond the plan period and are not reasonably derived. The selection of inner boundaries is linked to the positive preparation of the Local Plan and its aim to, at a minimum, meet the OAHN and to comply with the Government’s desire to significantly boost the supply of housing. There is urban fringe land which is deliverable, viable and in sustainable locations which is proposed to be made Green Belt land unnecessarily. At the same time the draft plan proposes that there are exceptional circumstances to release land, which is definitely in the middle of the Green Belt, in less sustainable locations.

Pilcher Homes provided a response to the topic paper TP1 and we bear in mind the Guidance Note (EX/INS/32) and wish to avoid repetition.

The main points relevant to matter 1.1 and 1.2 are;

1. the inner boundaries are inadequate to create the permanence required by the NPPF,
2. CYC goes against the specific advice from John Hobson QC that they need at least 10 years beyond the plan period,
3. the draft inner boundaries leave neither white land, nor safeguarded for future development. Instead everything is either Green Belt or allocated.
4. The inner boundaries are near identical to those described at a Local Plan examination in the late nineties ‘as excessively tight and in need of immediate review’

5. The inner boundaries disregard the evidence base which shows white land in Figure 7 of TP1 which is inside the ring road and yet would get unnecessarily washed over with Green Belt.
6. The boundaries leave no flexibility to bring forward a range of sites to maintain supply in the event of the inevitable persistent shortfall.
7. The draft boundaries leave no flexibility in the event of the standard method applying to a 5 year review.
8. The inner boundaries setting exercise provided a missed opportunity for rounding off settlement patterns to assist in creating sustainable patterns of development and in delivering a range of sites of different sizes for a wide range of developers. Instead 97% of the housing proposed by numbers would be on large sites built by a very limited number of developers which will have a negative impact on the character and setting of York.

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

Pilcher Homes has submitted representations on the ridiculous Wheldrake boundary used to exclude Appendix 1 site H28 Land North of North Lane. In short that draft boundary in ex-cyc-18c page 41 is not sound. The land was removed from the Green Belt in the 1990s and documents including that Planning Inspectorate recommended amendment were adopted by North Yorkshire County Council. CYC has disregarded that 4th set of changes amendment as a starting point. The land it effectively released in the 1990s should be an allocated site. Even if it were not an allocated site it could come forwards as a windfall site and provide some of the 1592 units (199pa*8 remaining years) in the plan period 995 thereafter (or a further 5 years x 199dpa). Instead without that boundary made a straight line across the top of Wheldrake the land will have to be released under exceptional circumstances at 5 year plan amendment or at a later plan making process.

Matter 6 – Development in the Green Belt

6.2 Is Policy GB2 a sound approach to development in settlements in (washed over by) the Green Belt?

Policy GB2 should only apply to settlements washed over by green belt. However, paragraph 86 of the 2012 framework would advise that villages should not be washed over by Green Belt unless the openness of the settlement itself contributes to the openness of the Green Belt. Villages around the City of York, such as Knapton, Askham Richard and Askham Bryan have clear identifiable boundaries that mean it is unnecessary to wash them over with Green Belt. Therefore there should be very limited circumstances where GB2 might apply. We cannot agree that any of the settlements shown as Part B in the Annexe 4 ex-cyc-18c could not be given fair boundaries that would not unduly restrict development in those villages.

6.4 Is Policy GB4 that deals with exception sites in the Green Belt in accord with national policy?

The Framework 2012 would support limited affordable housing for local community needs under draft policy GB4. The weakness with the current draft GB4 is not its link to the Framework but its efficacy. It will not be effective and is not positively prepared to significantly boost the supply of housing. Other representations have opined that CYC has not delivered any units in line with the policy over the last 12 years. During the phase 2 hearings a figure of 12 units delivered in line with the draft policy was used by the local authority. Either way it is clear that the policy cannot make a meaningful difference to the delivery of affordable housing. If the policy is intent on assisting the delivery of the windfall sites on green belt land, rather than only relying on brown field land, then it requires amendment. The 'limited' affordable housing for local community needs should be the identified social housing need of 573 dpa less the planned delivery of 221 dpa (on H and ST sites). i.e. at least $352 \times 15 \text{ years} = 5,280$ affordable homes could be delivered for the community needs while still complying with the Framework. However, it is totally unrealistic to assume that GB4 can deliver any HA units. The recent application 20/00752/FULM accords with the policy but was refused at committee and unsuccessful at appeal. The

nature of the primary intent of Green Belt to limit unrestricted urban sprawl means that a site specific approach will be used on the future urban fringe applications. There are few sites that can meet the criteria that will be brought forward as a result of the policy. The sites which could meet the policy criteria are clearly sustainable, deliverable and viable and therefore should have already been brought forward as allocated sites so that CYC can significantly boost supply of housing and address its persistent undersupply and ongoing housing crisis.

GB4 was also an opportunity to address the complete failure to deliver for the self-build register. The Roundhouse Farm, Land Off Bullens Green Lane, Colney Heath appeal (Appeal A: APP/B1930/W/20/3265925 & Appeal B: APP/C1950/W/20/3265926) decision shows that delivery of self-build plots to meet the identified need of the register is significant for Green Belt appeals. GB4 is an opportunity to include self-build plots in some percentage along with affordable housing. Since we last made representation to the Inspectors the self-build register in York has gone from c.400 to c.600. CYC has delivered 14 plots under the legislation over the last 6 years. The draft plan is not effective at delivering the self-build register. Modifications to GB4 could significantly help in this regard because the self-build plots would have a market value enough to justify land owners bringing GB4 compliant land forward.

6.5 Does Policy SS2 properly reflect the role of York's Green Belt?

No, SS2 does not properly reflect the role of York's green belt. The policy SS2 should not say that the purpose of the Green Belt is to deliver the Local Plan Spatial Strategy. Instead SS2 should be re-written to say that 'the purpose of Green Belt policy is to prevent unrestricted urban sprawl and that for the City of York the focus is on the protection of the setting and special character of York. It also should not just refer to a 'degree of permanence'. It should be intent of creating a permanent Green Belt that can endure well beyond the plan period without the need for amendments of the boundaries at the end of the plan period (or at a 5 year review).