



York Local Plan Hearings Statement

On behalf of Oakgate Group Limited

York Local Plan Hearings Phase 4

Matters 1 (Green Belt Boundaries), 6 (Development in the Green Belt) and 8 (Economy and Retail)

August 2022

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Final Date: August 2022

For and on behalf of Avison Young

1. Introduction

1.1 This Hearing Statement has been prepared on behalf of Oakgate Group Limited in response to the issues and questions identified by the Inspectors for the York Local Plan Hearings. This statement addresses:

- Matter 1 (Green Belt Boundaries);
- Matter 6 (Development in the Green Belt); and,
- Matter 8 (Economy and Retail).

1.2 Oakgate Group Limited has engaged in the preparation of the York Local Plan over several years and has consistently argued that there is an under provision of employment space in York, quantitatively and qualitatively, which is damaging to the local economy.

1.3 The Plan fails to address York's employment needs by not allocating or safeguarding sufficient employment land, and continues to work upon an out of date evidence base. This is a major failing of the Plan.

1.4 The Plan can therefore not be considered the most appropriate strategy in terms of overall sustainability. Without an updated Employment Land Review and subsequent allocation of further land/ re-allocation of employment sites to meet the identified shortfall in employment land needs, it is not possible to conclude that the Local Plan is justified, likely to be effective, positively prepared or consistent with the NPPF.

Naburn Business Park

1.5 Oakgate Group control 18.2ha of land to the east of the York Designer Outlet, Naburn (the site).

1.6 In June 2019, a planning application was submitted to the City of York Council (CYC) for a new business park on the site under application ref: 19/01260/OUTM ('the Naburn business Park'). A masterplan is included at **Appendix I**.

1.7 The proposals will meet employment needs that have not been adequately addressed through the Local Plan, delivering 25,000sqm of office floor space and an innovation centre, 2,000 new jobs, an enhanced park and ride facility and better public access to the Green Belt. The application is currently under determination with all major technical matters agreed.

2. Matter 1 – Green Belt Boundaries

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

- 2.1 The Green Belt boundaries contained within Topic Paper 1 Addendum, Annex 4 cannot be considered reasonably derived for two main reasons:
1. failure to undertake an up-to-date comprehensive Green Belt Review; and
 2. retrospectively seeking to prepare Green Belt evidence blinkered to reasonable alternatives.
- 2.2 Annex 4 of Topic Paper 1 Addendum continues to rely upon historic and incomplete work on the Green Belt, including the 2003 'The Approach to the Green Belt Appraisal' which is just 16 pages long, and the subsequent 2011 update, which did not methodically review the 2003 Appraisal, but was merely limited to responding to particular comments submitted at the time.
- 2.3 The Council therefore substantiate reasoning for including/ excluding land within the Green Belt as set out in Annex 4 based upon conclusions and designations applied to land by virtue of out of date Green Belt Appraisal work which is fundamentally unsound.
- 2.4 Annex 4 was additionally only produced by the Council in 2019 as part of the Addendum to Topic Paper 1, following submission of the Local Plan for examination in 2018 and subsequent correspondence with the Inspectors. In the original iteration of Annex 4 (2019), the sites were not correctly assessed against the purposes of the Green Belt, with the Council only drawing boundaries around existing development within the Green Belt.
- 2.5 The 2021 iteration of Annex 4 is therefore a revision, in response to comments made by Inspectors, to assess the individual parcels of land against the actual purposes of the Green Belt, taking into consideration surrounding land. The lack of this evidence being readily available on the submission of the Local Plan, and only being available some 4 years after the Local Plan was drafted upon specific request by Inspectors, demonstrates the retrospective approach the Council have taken to defining the Green Belt boundaries.
- 2.6 Annex 4, or indeed any other Annex of Topic Paper 1 Addendum, consequently, does not provide an equivalent in detailed assessment of all other individual sites that have been discounted in the Council's evidence base which would demonstrate that comparative analysis of reasonable alternatives has been properly undertaken. Instead it appears sites already decided by the Council as included/ excluded from the Green Belt have been retrofitted into the assessment against the purposes of the Green Belt, as provided in the 2021 iteration of Annex 4, to fit in with the allocations already chosen within the Local Plan.
- 2.7 As an example, the Naburn Business Park site had not until the 2021 iteration of Annex 4 appeared in any assessment of Green Belt boundaries contained within Topic Paper 1. This is despite having been partly allocated within the 2005 Local Plan as a reserved site for development (following the conclusions of the 2003 Green Belt Report which appraised the site as not falling within any of the historic character areas) and being considered at various other stages of the Local Plan process.

- 2.8 The 2021 iteration of Annex 4 now includes the Naburn Business Park site in the assessment of Green Belt boundaries but only under the justification for the extraction of the York Designer Outlet from the Green Belt. It is concluded by the Council that *'the open land surrounding the Designer Outlet to boundaries 1 and 3 is not suitable for development'* and that *'there is limited potential to the south of the Designer Outlet, boundary 2'* (the Naburn Business Park site sits to the east/ south-east of boundaries 1 and 2 of the York Designer Outlet identified within Annex 4, 2021). The Naburn Business Park site appears purely in the latest iteration of Annex 4 to be dismissed, with the main reason for doing so seemingly relying upon the site being of *'primary importance to the setting of the historic city as part of an extended Green Wedge'*.
- 2.9 The identification of the Naburn Business Park site under an area of an extended Green Wedge' is however, notably derived from the 2011 update to the 2003 Green Belt Report which, as mentioned above, did not comprehensively review all of the historic character areas. Instead this update only responded to specific comments raised by representors. Designations set in this 2011 update, which have now followed through into the Local Plan and are shaping the Green Belt boundaries as set out by Annex 4, are thus reliant upon solely the Parish Council's evaluation of the Green Belt some 11 years ago.
- 2.10 The example above therefore highlights that the Council, even in their attempt to rectify their Green Belt work, are still favouring out of date, under informed assessments to conclude analysis of Green Belt boundaries in replacement of any assessment against the purposes of the Green Belt in line with national policy. Sites, such as the Naburn Business Park site, that could help to meet an identified need in the Local Plan (explained further in this Statement) are thus being discounted at the hands of the Council who are merely retrofitting pre-made decisions about sites into assessments now required to justify Green Belt boundaries already set.
- 2.11 An extract from the Supporting Planning Statement submitted for the Naburn Business Park site under application reference: 19/01260/OUTM is provided at **Appendix II** which provides a thorough assessment of the site against the purposes of the Green Belt and demonstrates the appropriateness of removing the site from the Green Belt to meet development needs.
- 2.12 In light of the above, it is therefore considered a comprehensive Green Belt appraisal should be completed to allow for all reasonable alternatives to be considered before the boundaries in Annex 4 can be considered reasonably derived. This should include the Naburn Business Park site which was assessed by the Council as not warranting inclusion in the Green Belt in 2003 and 2005 and only subsequently altered in 2011 for inclusion within the Green Belt following an objection from Fulford Parish Council with no comprehensive appraisal or justification, as discussed above.
- 2.13 A comprehensive Green Belt review is necessary to ensure consistency with the spatial strategy and to ensure that the boundaries will not need to be reviewed again at the end of the plan period in accordance with NPPF Paragraphs 140 and 143. This is the same conclusion that the Inspector for the Leeds City Council Core Strategy reached in September 2014.
- 2.14 This is particularly relevant in York because:
- a) it will be the first time that York's Green Belt has been properly defined; and,
 - b) the identified shortfall of employment land identified in Policy EC1 (discussed further below).

3. Matter 6 – Development in the Green Belt

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

3.1 Policy SS2 cannot be considered to properly reflect the role of York's Green Belt, as the policy wording comprises the following sentence:

"To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038."

3.2 We maintain, as further explained in our response to Matter 8 (below), that the Local Plan does not allocate sufficient office floorspace through the employment allocations identified in Policy EC1. This statement is made based upon a host of flaws in the evidence base which underpins the employment requirements and allocations as set out in the Local Plan (as explained further in the response to Matter 8). However, most notably on the fact that the B1a floorspace figure of 107,081sq.m has remained unchanged over recent years and has not been updated to reflect the current position of each allocated site and the amount of floorspace that can actually still be delivered relevant to the suitable employment uses identified.

3.3 We therefore provide in **Appendix III** the latest position on each allocation site which has been identified as suitable for B1a use in the Local Plan, and highlight a 26,606sq.m shortfall in employment floorspace as a result.

3.4 Therefore, York's Green Belt as it is currently drawn up will not have a degree of permeance beyond the plan period to meet the needs identified in the plan as it is considered Green Belt boundaries will need to be altered to account for this error further down the line, to bring forward further employment sites.

3.5 York's Green Belt and the boundaries drawn up by the Council should thus be comprehensively reviewed now, in light of this identified shortfall in employment floorspace, to ensure that sufficient land is allocated to meet the needs of York over the plan period and beyond, in line with national policy and the intentions of Policy SS2.

3.6 The Naburn Business Park site is the subject of a live planning application that is deliverable in the short term to meet identified need now and should be identified in the Local Plan. The proposals comprise circa. 25,000sqm of office floorspace and an innovation centre that could plug the identified office floorspace gap. The application is supported by a suite of technical documents which demonstrate how the proposals represent sustainable development.

4. Matter 8 – Economy and Retail

Question 8.1: Are Policies EC1 to EC5 soundly based in terms of employment and York's economy?

4.1 Policy EC1 is not soundly based in terms of employment and York's economy for the following key reasons addressed in turn:

i. The employment figures are derived from an out of date evidence base and do not take account of key changes that have occurred since submission of the Local Plan

4.2 The employment figures contained within Policy EC1 are derived from the Local Plan's evidence base comprising the Employment Land Review (ELR) 2016 and its subsequent update in 2017. As stated in Paragraph 4.1 of the Local Plan, the ELR's bring together evidence on the demand for and supply of employment land. The demand calculated by "using a well-established method of converting econometric forecasts into floorspace/employment land." The job growth forecasts by Oxford Economics (OE) included in the ELR's therefore indicate job growth to be 650 jobs per annum over the plan period and subsequently the employment land figures contained within the Plan have been derived from this forecast.

4.3 Given the above, this does mean that the overall employment floorspace requirement figure of 231,239 sq.m (B1a – 107,081 sq.m) and the subsequent allocations set out under Policy EC1, rely on evidence dating back 7 years, with the OE forecast dated May 2015. This would not only be considered out of date evidence under normal circumstances, but this also means the evidence base which underpins the Local Plan does not account for the past two years which more importantly than just the passage of time, does not reflect one of the most pivotal periods of time for the world's economy due to the impact of Covid-19 and Brexit. It consequently cannot be said that the evidence base underpinning jobs growth and employment land within the Local Plan is justified, likely to be effective, positively prepared or consistent with the NPPF as a result.

4.4 As an example, according to ONS, average annual jobs growth figures have been well above 650 jobs per annum over the last 5, 10 and 20 year period as set out below:

- 20 year average growth – 900
- 10 year average growth – 1,000
- 5 year average growth – 1,400

4.5 In light of the above, the annual jobs growth figure of 650 which underpins the floorspace requirements set out in Policy EC1 appears cautious and under estimated. It cannot be concluded that this figure is robust.

4.6 The floorspace requirements as listed in Policy EC1 additionally do not take account of the loss of office floorspace within York that needs to be replaced. This a major issue for the city as noted by Valuation Office Agency (VOA) data which shows the total stock of office floorspace in the Leeds City Region has decreased by over 1 million sq.ft between 2015 and 2020, with a large proportion of this being lost in York. The main reason for this loss has been the change to permitted development rights introduced in 2014 which has made it easier for landlords to convert offices into residential dwellings. The Use Class Order has additionally underwent changes for which the losses to employment floorspace as a result have not been assessed or taken account of by the Council.

- 4.7 Within York much of the space that has been lost recently has been good quality, occupied space and has meant that tenants have been displaced. This is said to be due to the very strong residential market and high house prices in the city which creates incentives for landlords to convert premises that are already providing a return. Given the very limited availability of office space in York, it is therefore reported that this is resulting in some businesses having to move out of the city all together.
- 4.8 An up to date and reliable economic evidence base is imperative to the Local Plan for various reasons but in particular when it comes to assessing employment land allocated within the Plan. It is impossible to ensure only the most suitable and sustainable sites for employment have been chosen if the Council does not have a clear understanding of the economy within York and where this is likely to be heading over the course of the Plan period. Paragraphs 81, 82 and 83 of the NPPF are therefore relevant.
- 4.9 An updated ELR or Economic Outlook report should thus be produced to inform the Local Plan and in particular Policy EC1 so that the sites allocated for employment can be assessed as to whether these are still the most suitable and sustainable sites for York's economy and the market sector going forward. It will be critical to understand not only whether the correct amount of floorspace has been allocated to ensure growth in the local economy, but also whether the correct locations have been chosen based upon the impacts of Brexit and Covid-19 and the sectors currently seeking to invest.
- 4.10 It is clear to see that already the demand for office space within the centres of cities has slowed down as a result of Covid-19 and a key focus for all cities, including York, will be about ensuring sites are available in alternative locations to continue to attract and retain business in the city for those who may prefer sites which are located outside the centre and are better connected to good transport links.
- 4.11 It is worth noting specifically in relation to general business/workspace demand that the industrial warehouse and distribution sectors continue to demonstrate high levels of demand nationally, regionally and locally. Employment land and building availability in York in this sector is currently only restricted to a handful of smaller sites going forward and thus the potential to capture jobs and investment from the larger internet based manufacturers/business's and distributors for York are currently limited.
- ii. The employment figures do not take account of the current position of allocated sites
- 4.12 Policy EC1 identifies four sites to meet York's office floorspace requirement of 107,081sq.m, over the plan period. The floorspace figures have however (as already set out in Paragraph 3.3), remained unchanged over recent years and have not been updated to reflect the current position of each allocated site and the amount of floorspace that can actually still be delivered relevant to the suitable employment uses identified. We therefore provide in **Appendix III** the latest position on each allocation site which has been identified as suitable for B1a use, and highlight a 26,606sq.m shortfall in employment floorspace as a result.
- 4.13 In quantitative terms we can therefore say that the Plan cannot be considered positively prepared, justified, effective or consistent with national policy as it does not allocate sufficient employment land.
- 4.14 In qualitative terms this also means that potential investors looking for B1a accommodation will have a choice of just one large site at York Central and left over land at Northminster Business Park. It is important that employment allocations provide a balanced portfolio of sites to reflect the needs of different markets and occupiers (who will have differing locational drivers). Therefore, in addition to there not being a sufficient

quantity of land allocated for B1a development, under Policy EC1 as it stands, there would be insufficient choice for investors. A point which has previously been raised by The York and North Yorkshire Chambers of Commerce in response to the Preferred Sites Consultation (2016).

- 4.15 In determining whether the Policy EC1 is soundly based we must also consider the deliverability of the sites and analyse if there is sufficient supply to meet demand in the short, medium and long term. It is common practice for ELRs to undertake this assessment based upon the likelihood that sites will come forward, the nature of any barriers which need to be overcome and the implications for timescales for delivery. However, this is not considered in either the 2016 ELR or the 2017 update.
- 4.16 This is particularly important given the continued reliance on York Central to deliver the majority of B1a office space, which could take many years to complete (anticipated delivery 2026-2033) and the only other site available to deliver B1a being Northminster Business Park for which there is no guarantee that sufficient B1a floorspace will come forward. Indeed, based on current evidence this is most unlikely.
- 4.17 With the sites allocated for office development not forecast to be delivered in the short term, coupled with York presenting a vacancy rate of under 2%, this means that the city is facing a significant shortage of B1a office space which will ultimately stunt growth within the City and deter investors from wanting to move or relocate to the City or expand their business. It is therefore unlikely that the identified sites will meet demand for B1a office space in the short to medium term and this means there is a risk of York losing out on potential investment in the next five or ten years if it does not have a readily available product for occupiers.
- 4.18 In light of the above, alongside an updated evidence base, Policy EC1 should also be updated to reflect the most up to date status of the allocation sites to ensure sufficient employment floorspace is allocated in the Local Plan. This should include plugging the identified shortfall in office floorspace.
- 4.19 The Naburn Business Park site, comprising 25,000sqm of office floorspace and an innovation centre, would meet this quantitative need. The site would also provide a genuine range of choice for a variety of occupiers, particularly cost sensitive SMEs and businesses that need good access to the road network (for example industrial warehouse and distribution companies). The Naburn site will therefore be attractive to the current market being well located for the road network, accessing a skilled workforce and capable of providing a high quality business park environment. The site would thus also address the qualitative need for office locations outside of the centre of York.

Appendix I

Naburn Business Park Masterplan

DEVELOPMENT BOUNDARY
AREA = 18.200 HECTARES (44.987 ACRES)

PROPOSED PARK AND RIDE
 Area includes car parking, bus drop off and associated infrastructure (including access, drainage and shelters), amenity and meadow grass areas, and ornamental tree and shrub planting
AREA = 2.288 HECTARES (5.653 ACRES)
12.5% OF TOTAL SITE AREA

CORE SITE WIDE GREEN INFRASTRUCTURE
 Area includes native tree and scrub planting, ornamental tree and shrub planting, amenity and meadow grass areas, ponds/wetland with native planting, and associated infrastructure including access and drainage.
AREA = 6.851 HECTARES (16.929 ACRES)
37.6% OF TOTAL SITE AREA

DEVELOPMENT PLOT INDICATIVE OPEN SPACE
 Area includes ornamental tree and shrub planting and associated infrastructure including access and drainage.
AREA = 0.9100 HECTARES (2.251 ACRES)
5% OF TOTAL SITE AREA

Schedule of Approximate Gross Floor Areas

2 STOREY B1 OFFICE UNITS

UNIT A	20,000 SQ FT	2 STOREY
UNIT B	16,000 SQ FT	2 STOREY
UNIT C	15,000 SQ FT	2 STOREY
UNIT D	20,000 SQ FT	2 STOREY
UNIT E	20,000 SQ FT	2 STOREY
UNIT F	12,000 SQ FT	2 STOREY
UNIT G	20,000 SQ FT	2 STOREY
UNIT H	20,000 SQ FT	2 STOREY
UNIT I	10,000 SQ FT	2 STOREY
UNIT J	10,000 SQ FT	2 STOREY
UNIT K	15,000 SQ FT	2 STOREY
UNIT L	15,000 SQ FT	2 STOREY
UNIT M	15,000 SQ FT	2 STOREY
UNIT N	17,000 SQ FT	2 STOREY
UNIT O	15,000 SQ FT	2 STOREY
UNIT P	15,000 SQ FT	2 STOREY
UNIT Q	15,000 SQ FT	2 STOREY
TOTAL	270,000 SQ FT	

2 STOREY INNOVATION CENTRE

UNIT R	70,000 SQ FT	2 STOREY
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PARK AND RIDE AMENITY BUILDING

UNIT S	2,000 SQ FT	SINGLE STOREY PAVILION UNIT
UNIT T	3,000 SQ FT	2 STOREY PAVILION UNIT
UNIT U	3,000 SQ FT	2 STOREY PAVILION UNIT
UNIT V	3,000 SQ FT	2 STOREY PAVILION UNIT

OVERALL TOTAL 351,000 SQ FT

On plot car and cycle parking will be provided in accordance with the City of York's car and cycle parking standards.

This is: 1 car space per 30 sq m of accommodation.

This equates to circa 1,000 on plot car parking spaces.

REVISIONS

A	14/11/18	OB	JD
Site plan updated following community consultation feedback			
B	27/11/18	OB	JD
Site plan updated following Highway works			
C	17/01/19	OB	JD
Red Line updated			
Area updated			
Scale to 1:1250			
D	20/01/19	OB	JD
Red line updated			
E	13/02/19	OB	JD
Innovation Centre Updated			
F	10/04/19	OB	JD
Highways Update			



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PROJECT
 NABURN, YORK

TITLE
 SITE PLAN

SCALE
 1 : 1250 @ A0

DATE
 04/10/18

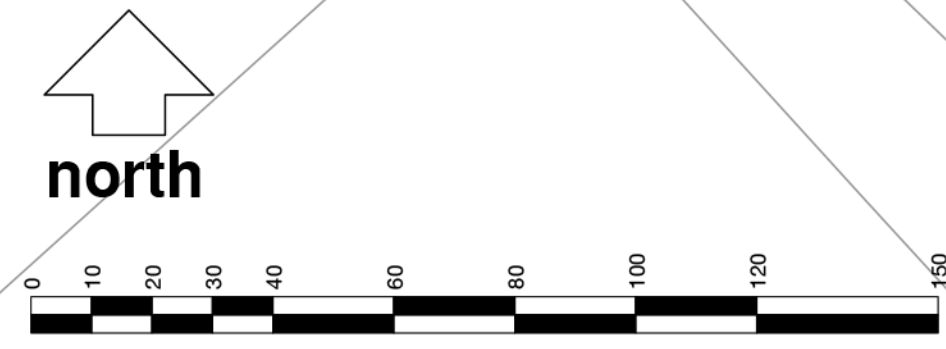
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DRAWING NO
 2013-104_002

REVISION
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FILE PATH



Appendix II

Extract from 19/01260/OUTM
Supporting Planning Statement

- identify areas that can be developed in a sustainable way. This will essentially be identifying transport nodes along high capacity public transport corridors that have the capacity, or the potential to economically create the capacity, to take additional journeys into the centre of the conurbation or other areas of significant economic activity.
- In reviewing the GB it is important to understand the intrinsic quality of the land in terms of SSSI, SNCI, Heritage, alongside high quality landscape (AONB, SLA etc) and other features. The need is to understand the relative qualities of land so that informed decisions can be made about the acceptability of release.
- It is important to accept that the character of some landscapes will change in this process, so understanding the relative merits of landscape quality will be vital
- A GB review would also involve a review of all such similarly protected land to test what is the most appropriate land to release. This would be an exercise in ensuring that areas remain well served by public open space but looking carefully at areas where there may be an overprovision.
- Once all these factors are captured, spatial areas will emerge with the greatest potential for development in the most sustainable way.

6.21 It is not considered that the incremental updates to the 2003 Green Belt Study accord with the above methodology. In particular, the 2011 update which changed the designation around the Naburn site was not fully justified by an appraisal that carried out a full assessment of the various factors that are important to the purposes of Green Belts.

6.22 The changes made to the Green Belt can therefore not be considered sound or definitive and whilst the site does remain proposed Green Belt in the emerging Local Plan, limited weight can be given to its Green Belt policies given the degree of objection and concerns raised by the Local Plan Inspectors (**Appendix V**).

6.23 As a result of the Council failing to undertake a review of the Green Belt since 2003 and not having an up to date Local Plan, we must refer to the default position of the 2005 Local Plan, in which the site was identified partly as a reserved site for development, that was approved by the Council on the 12 April 2005 for the purposes of making development control decisions in the city. This Plan represents the most advanced Local Plan document approved to date.

Contribution of the Site to the Green Belt

6.24 In order to understand the potential for harm to the Green Belt, we assess the sites contribution to the five Green Belt purposes set out in NPPF.

i) Checking the unrestricted sprawl of large built-up areas.

6.25 Developing the site would not constitute unrestricted sprawl of large built-up area for two reasons:

- 1) The Council has already acknowledged that exceptional circumstances exist to alter Green Belt boundaries to meet York's development needs. The proposed development is not 'unrestricted' in the sense that it will meet an identified need and has been planned in a comprehensive manner to create strong defensive Green Belt boundaries along the A19, A64 and Lingcroft Lane.

Clear defensible boundaries can be drawn to ensure that the site contains and prevents unrestricted sprawl. These boundaries have previously been considered by the Council and the development of the adjacent York Designer Outlet, along with the review of land to the south of the York Designer Outlet within the most recent employment land review (2017), can be found to provide evidence in that the Council deem this area appropriate for development that will not affect sprawl. The land is bound by the substantial A64 embankment to the north and the A19 to the east, which make it clear that the wider strategic Green Belt function will not be materially affected by development of the site. These strong physical boundaries provide a level of containment to the site and offer the opportunity to create a new, strong, defensible boundary to the Green Belt.

Significant landscape buffers are provided to the entire boundary of the site as well as the retention of hedgerow and additional screening provided to the east. The site also benefits from the significant area of landscaping to the north of the site which provides ample screening to the A64 and the wider Fulford area; and,

- 2) The site represents a sustainable location for development linked to the adjacent York Designer Outlet and associated Park and Ride service which will be enhanced and expanded as part of the proposals. The scheme proposals have been formulated to respond to the need for an out of centre office development in an accessible location and, relative to the rest of York, will not create a large area of new development.

Amending the Green Belt boundary to the edge of this site would take account of the development and urbanisation that has occurred over the years within this area, including the York Designer Outlet, and would ensure that a long term, defensible new Green Belt is established that can endure for the foreseeable future.

ii) Preventing neighbouring towns merging into one another.

- 6.26 The site does not play an important role in the separation of neighbouring towns. The nearest settlement being the village of Fulford to the north which lies approximately 1.4km away from the site. It is therefore deemed that a substantial gap would still be maintained after the proposed development. From a visual perspective, the boundary screening around the site, including the significant area of landscaping to the north and the proposed retention and enhancement of boundary screening, will ensure that the degree of openness between the settlement is not materially diminished.
- 6.27 The character of Fulford Village and the existing Designer Outlet have their own very distinct character and due to this lack of inter-visibility between the two areas, it is not anticipated that changes to the site, which falls within the character of the area of the Designer Outlet, would have any effect on setting (positive or negative) of the landscape character within the area of the Fulford Village.

iii) Assisting in safeguarding the countryside from encroachment.

- 6.28 CYC has acknowledged that the Green Belt boundaries need to be altered to meet development needs, which will involve a degree of encroachment on the countryside. It is therefore important to assess and identify the development sites that could come forward to meet York's development need and deliver the most benefits and the least harm.
- 6.29 The site is tightly defined by strong physical elements on all sides. When travelling north on the A19, open countryside is assessed to extend only up to the grounds of Persimmon House. Thereafter open views are not possible due to vegetation on both sides of road after which the character is heavily influenced by highways paraphernalia on the approach to the roundabout.
- 6.30 The site can therefore only be seen briefly in between blocks of dense roadside planting by those travelling on the A64. Much of this road to both West and East of the A19 junction does indeed pass through open countryside but around the junction itself and to the west of Naburn Lane views are at present restricted by substantial planting blocks. Consequently the introduction of development screened by new buffer planting along the Northern boundary of the study site (as proposed) would be consistent with this existing pattern.
- 6.31 A Landscape and Visual Assessment (LVIA) has been undertaken as part of the EIA of the proposals is summarised in Section 8 of this statement. This concludes that development of the site would not have a negative impact on the setting of York city and Fulford since the site is closely defined by a number of major landscape features and so does not appear as 'open countryside' at the present time. Nor would built development on site have any impact on York city and village of Fulford to the north since it would be separated from these by a major physical barrier – namely the substantial embankment carrying the A64 over the A19.

iv) Preserving the setting and special character of historic towns.

- 6.32 The site does not contain any designated heritage assets that would represent a constraint to its development. The site is not considered to be part of the setting of any listed buildings, and therefore its development would have no effect in this regard.
- 6.33 Whilst out of date, it is important to note that CYC's 2003 Green Belt Appraisal's classification of land important to the historic character and setting of York, does not identify the site within any of the areas of 'land important to the historic character and setting of York'.
- 6.34 This is important in considering the preservation of the setting and special character of historic towns given that this appraisal is still used by the Council in defining Green Belt boundaries and is the reasoning behind why the site was partly allocated as a reserved site for development in the 2005 Draft Local Plan.

v) Assisting in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 6.35 Exceptional circumstances exist in York that require the extent of the Green Belt boundaries to be considered through its emerging Plan. Section 7 of this SPS sets out that additional employment land is needed in York in order to accommodate forecast economic growth within York, including 107,081 sqm of B1a space (13.8 Ha).

Given the concerns regarding the reliance on York Central, the scale of needs and the acceptance by CYC that Green Belt development needs to occur to meet this demand it is evident that the site would not detract from urban / brownfield sites coming forward elsewhere in York. The application would assist in the diversification of York's employment land and would ensure that sufficient land was provided for those businesses looking for out-of-centre employment space that are often put off by the congestion of inner-city locations.

Summary on Green Belt

- 6.36 The emerging Local Plan will establish the detailed boundaries of the of the York Green Belt for the first time. The evidence base upon which CYC is relying to set long-term defensible boundaries is grounded in analysis dating back to the 1990s which is considered to be fundamentally unsound. The site nonetheless is defined within this evidence as falling outside of any of the historic character areas deemed important and subsequently has since forth been partly allocated (9ha) as a reserved site for development in the 2005 Draft Local Plan. This allocation (since removed) alongside an assessment of the site's contribution to the purposes of the York Green Belt, which demonstrates that the proposed development would not undermine the importance of the York Green Belt, is set out and reasoning as to why strong defensible boundaries would be established is demonstrated.

Appendix III

Local Plan Employment Allocation Updates

ST5: York Central

- 4.20 The largest proposed allocation, by far, is York Central accounting for 93% of the total office floorspace requirement.
- 4.21 The Local Plan fails to consider the latest position at York Central and continues to overstate the amount of office space that can be delivered. An outline planning permission for York Central was approved in March 2019 (Ref: 18/01884/OUTM) and permits only between 70,000sqm and 87,693 sqm of office space. Comparing this against the proposed allocation for York Central in the Local Plan at 100,000 sqm, this means at York Central there will be a shortfall of at least 12,000 sqm, and potentially up to 30,000sqm, of office floorspace against the Local Plan allocation.
- 4.22 The majority of this floorspace (anticipated 76,762sq.m as per the Phasing Plans submitted with the outline application) is additionally only intended to be delivered within Phases 3 and 4 of the scheme's phasing plan, with Phases 1 and 2 focused on the delivery of residential development. Phases 3 and 4 are not due to be completed until at least 2033 and have start dates ranging between 2023 and 2026. There is no floorspace proposed to be delivered post-plan period (post 2033).
- 4.23 Since the granting of permission, no reserved matters applications pursuant to the delivery of office space have been submitted to the Council. Given the range proposed within the application approved (70,000sqm and 87,693 sqm), we have therefore assumed a median of 78,000sq.m as a more robust position for the expected delivery, with very limited floorspace delivered in the short-medium term.

ST19: Land at Northminster Business Park

- 4.24 Northminster Business Park is currently not an office development site and is dominated predominantly by B1c, B2 and B8 uses, including distribution, industrial and warehouse units.
- 4.25 Planning permission for part of this site (Ref: 18/02919/FULM) was granted in 2019 for 1,188sq.m B1a floorspace (alongside B8 floorspace). However, this application has never been implemented, nor conditions discharged, with the permission set to expire in June 2022.
- 4.26 An application has in addition recently been approved for part of the site (Ref: 21/00796/FULM) for 5,570sq.m of B8 floorspace.
- 4.27 It is therefore considered that, in line with the explanatory text to Policy EC1, future development at this site will be focused on the expansion of the existing B1c, B2 and B8 uses with minimal B1a floorspace. For robustness however, with regard to Policy EC1 stating that 'an element of B1a may be appropriate' and the most recent application for the site (Ref: 18/02919/FULM), we have assumed a 5% of provision of office floorspace for the anticipated delivery (2,475sq.m).

E11: Annamine Nurseries, Jockey Lane

- 4.28 This site has been bought by the Shepherd Group who own the surrounding land. Future development on this site has therefore been reserved exclusively for the expansion of the existing portakabin business surrounding the site, with no new office space anticipated to be delivered.

E16: Poppleton Garden Centre

4.29 Poppleton is an active Garden Centre, purchased by Dobbies from Wyevalle in April 2019. The site is no longer considered a likely future employment site. In any case the Council has only identified that the site may be suitable for "an element of B1a". The Council has not justified that the site can be relied on to deliver any new office floorspace during the plan period.

Based on the above updated positions for each allocated site for B1a floorspace, there is potentially a shortfall of 26,606sq.m (against the target of 107,081sq.m) of office floorspace unaccounted for in the Plan. This is summarised in the table below:

Sites Allocated for B1a Employment in Draft Local Plan				
Sites	Allocation size (sqm)	Suitable Employment Uses	Comments	AY anticipated delivery (sqm)
ST5: York Central	100,000	B1a	An outline application approved has been approved (Ref: 18/01884/OUTM) which permits up to 70,000-87,693sq.m of B1a floorspace. The estimated delivery has therefore been calculated as the median of this permitted range. No reserved matters applications relevant to the office floorspace have been submitted only applications for access roads (Ref: 20/00710/REMM) and the Central Hall/ museum (Ref: 21/02793/REMM).	78,000
ST19: Land at Northminster Business Park	49,500	B1c, B2 and B8. May also be suitable for an element of B1a .	Planning permission for part of this site (Ref: 18/02919/FULM) was granted in 2019 for 1,188sq.m B1a floorspace (alongside B8 floorspace). However, this application has never been implemented, nor conditions discharged with the permission is set to expire in June 2022. An application has also been approved for part of the site (Ref: 21/00796/FULM) for 5,570sq.m of B8 floorspace. It is therefore considered that minimal B1a floorspace will actually be delivered at this site. As a maximum we have therefore assumed 5% of the total allocation.	2,475
E11: Annamine Nurseries, Jockey Lane	3,300	B1a , B1c, B2 and B8	The site has been bought by the Shepherd Group who own the surrounding land. Future development on this site is anticipated to focus on the expansion of the existing portakabin business surrounding the site, with no new office space delivered.	0
E16: Poppleton Garden Centre	9,240	B1c, B2 and B8. May also be suitable for an element of B1a .	The site has been bought by Dobbies and is currently being used as a garden centre. Based on the site being in active use and no plans for redevelopment, the anticipated delivery of B1a floorspace has been calculated as 0.	0
Total	162,040		Total anticipated delivery	80,475
Total B1a required in Local Plan	107,081		Difference in anticipated delivery against Council's B1a target	-26,606

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