



Review of
City of York Council's 'The Approach to the Green
Belt Appraisal' (2003)

For Fulford Parish Council

Pegasus Planning Group
4215 Park Approach Avenue
Thorpe Park
Leeds
LS15 8GB

Telephone: 0113 260 0731
Facsimile: 0113 260 8454

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1.0 INTRODUCTION

- 1.1 This report has been prepared by Pegasus Planning Group under the instruction of Fulford Parish Council. The purpose of the report is to undertake an analysis and assessment of a document published by City of York Council in 2003.
- 1.2 The document to be assessed was produced as part of the Local Plan process and was published under the title 'City of York Local Plan: The Approach to Green Belt Appraisal' in 2003. It is not the scope of this report to reappraise York's green belt in order to interrogate the findings of that report but to consider the context, methodology and outcomes of the 2003 Green Belt Appraisal and its current and future uses and applications.
- 1.4 In order to assess the document the first stage of this report is to briefly identify and consider the stated scope and purpose of the document (chapter 2). This is done in order to understand the function of the document when it was produced.
- 1.5 The second stage of the report is to consider the methodology used in the 2003 Green Belt Appraisal and to consider its suitability both at the time of publication and in the context of current planning policy. This section considers the strengths and weaknesses of the appraisal in terms of consistency of application, transparency and level of detail.
- 1.6 The third stage of the report was to consider Fulford itself, its historic significance and how this is addressed in the Green Belt Appraisal. The final stage of the report was to consider the 2003 Appraisal in the context of its uses and applications, with particular focus on its role as part of the Local Development Framework Evidence Base. This then enables a number of key conclusions and issues to be identified at the close of the report.

2.0 BACKGROUND

2.1 The introduction to the 2003 Green Belt Appraisal provides, at paragraph 1.1 a background to the production of the document as follows:

In November 1999 a public inquiry opened to examine objections to the City of York Local Plan. One of the first issues to be considered by the independently appointed Government Inspector was the York Green Belt. In January 2000 he published his provisional views which made it clear that York should seek to adopt a permanent green belt. This differed to the approach advocated by the Council which involved initially designating an interim Green Belt whose boundaries would endure only for the life time of the Local Plan. Taking its lead from the inspector in February 2000 the Council suspended the inquiry and officers began a Green Belt Review.

An essential aspect of any review of the Green Belt would clearly be to appraise the existing draft Green Belt as defined in the unadopted York Green Belt Local Plan (post mods draft 1995). It was considered that this work was essential to aid in the identification of these areas surrounding the City that should be permanently kept open.

2.2 This introduction highlights a couple of important points which need to be borne in mind in this assessment of the 2003 Appraisal. Firstly, it is clear from the above that the green belt review to be undertaken is based on a draft green belt boundary in an unadopted local plan. This is relevant in the sense that, whilst the principle of a York Green Belt dates back many years in Structure Plan Policy, this has never been taken forward to a precisely defined green belt boundary through an adopted Local Plan. This places York in a somewhat unique position in that most green belt reviews are undertaken on the basis of a statutory rather than a draft inner boundary. The importance of this point will become clearer later in this report when consideration is given to the emerging LDF.

2.3 It is also clear from the above quotation that the intention of the 2003 document was to appraise the draft green belt to establish which parts of it should be kept permanently open. That is not the same as a more comprehensive green belt review. Indeed, the appraisal is specifically referred to as 'an important aspect of any review of the green belt' which strongly suggests that the appraisal forms part of a city wide green belt review undertaken to establish a permanent green belt boundary for the city. This

distinction is subtle but important, particularly in understanding the scope and application of a green belt appraisal compared to green belt boundary review.

3.0 ASSESSMENT OF METHODOLOGY

3.1 The 2003 Appraisal was published in the context of national planning policy guidance published in 1995; Planning Policy Guidance Note 2: Green Belts. This document remains in place as the government's stated national planning policy. Although PPG's are currently being replaced by Planning Policy Statements as part of a rolling review, no consultation has to date taken place in respect of national green belt policy.

3.2 The 2003 Green Belt Appraisal (GBA) correctly identifies that the key aim of green belt policy is to prevent urban sprawl by keeping land permanently open. The GBA also identifies the five purposes set out in PPG2 for which land can be designated as green belt.

3.3 The GBA then goes on, at paragraph 2.2, to consider the meaning attached by City of York Council to each of the five stated purposes in PPG2. It also identifies which of those five purposes are considered to be most relevant in the context of York. This part of the methodology is extremely important in considering the application of the document and any limitations in scope.

3.4 For the purposes of assessment, the five purposes of including land within a green belt in PPG2 are:

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;
5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

3.5 Paragraph 3 of the York GBA states that while purposes 1, 3 & 5 are considered important elements of all green belt, 'when considered alone in the case of York, do not assist in a spatial assessment of which areas are the most valuable in Green Belt terms'. It is therefore explicitly stated that points 2 & 4 'provide the basis on which an evaluation can be made and are therefore the most useful for the purposes of this study.'

3.6 Furthermore, the GBA goes on (para 3 page 6) to state that the Council considers the most important green belt purpose to be the preservation of the setting and special

character of historic towns. This further limits the scope of the GBA in that it specifically sets out to focus on those parts of the green belt which are considered most important in the context of one particular green belt function rather than all five.

3.7 This is clearly stated in the GBA and therefore its limited scope is not necessarily problematic in itself, provided the document is not incorrectly applied as a green belt review or as the sole means for setting green belt boundaries. It also means that in principle areas of land not identified in the study could still serve other important green belt functions but would have been excluded from more detailed appraisal on the basis of this methodology.

3.8 A further point to be made before considering the methodology in more detail is that PPG2 does not place any particular weight to each of the five purposes nor does it specify which of the purposes are more valuable. Therefore, whilst the green belt function of preservation of the historic character and setting of the historic towns is without doubt extremely important in the case of York, this does not mean that other green belt land serving one of the other five functions should be considered less 'valuable'.

3.9 The following paragraphs consider parts four and five of the Green Belt Appraisal in more detail. The aim is to consider each section in the context of consistency, transparency and suitability as a means of green belt appraisal. However, there are no current best practice examples of how to carry out green belt appraisals, unlike in the case of green belt reviews. The GBA is appraising the draft green belt to assess which parts of it are important open areas, it is not reviewing the green belt boundary in the context of all five of the green belt functions in PPG2.

Part 4 – Desktop methodology

3.10 The methodology for the GBA is set out in para 4 of the document and considers, based on a desk top study, what are considered to be the elements which define the historic character and setting of the city. Clearly, defining the particular characteristics of the historic setting and character of York is a fundamental part of any appraisal of the most important parts of that green belt function. This section of the report considers each of the characters identified in the GBA and provides an assessment of the general scope and description of each category.

(i) Open approaches to the city

3.11 It is clear that the relatively flat topography allowing long views towards the city is particularly characteristic of the area and therefore this could rightly be considered to be an important part of the setting of York. The GBA specifically refers to 'green wedges enabling long vistas' which suggests this would be a very broad category which would, by definition include quite large areas of land.

3.12 Within this category the GBA refers to 'city landmarks' but does not define what these are. Landmarks can be both buildings and sites of historic or local significance and in order to define this category more clearly it would have been beneficial to have provided some examples of what is meant by 'city landmarks'. Whilst the Minster is the most obvious example other key buildings, such as Terry's chocolate factory and areas of land such as the strays could also be considered locally important landmarks.

3.13 Examples of 'city landmarks' could also have been identified through engagement with the local community to enable a deeper understanding of what residents consider to be important city landmarks. If the reference to 'city landmarks' were more clearly defined in this category, and based on public consultation, the GBA would certainly be more robust in this regard.

(ii) Green wedges

3.14 There is no doubt that the green wedges which extend into the urban area are a particular characteristic of York and are of considerable historic and environmental significance. The historic strays and the landscape character of the lngs are therefore clearly identified in the appraisal as a key characteristic of the green wedges.

3.15 This element of York's historic character is more clearly defined in the GBA than the much more broad definition of 'open approaches' above and the description refers to specific locations and features as well as allowing for an understanding of the character of this land and its functions. It is therefore considered that the description in the GBA under this category is robust and transparent and should enable a consistent approach to the spatial identification of green wedges in York.

(iii) Views of the minster

3.16 This description in the GBA makes it clear which landmark is the most important to the historic character and setting of the city. The GBA notes that it can be viewed, both in terms of a clear view and the occasional glance, from numerous positions within the surrounding landscape and from the ring road and other approaches into the city. This suggests that numerous parcels of land around the city might be identified under this category based on the description.

3.17 It would however, be extremely difficult to spatially identify and map all of these clear views and glimpses without extensive fieldwork. Furthermore, it is likely that many of the views and glimpses would be from the ring road, where practical issues such as the lack of parking and speed of traffic would make it difficult to identify them with a great deal of accuracy. It is more likely that broad areas of land would have to be identified based on an assessment of where the topography and landscape allows for both glimpses and clear views.

(iv) Character of the landscape

3.18 The GBA considers that the particular character of the landscape around York contributes to the overall setting of the city. Specific examples are given, in terms of topography allowing views of the Minster, field patterns and water meadows around the Ouse. Reference is also made to the spatial distribution of agricultural villages and distinction made between those and other villages which have expanded, although there is no reference to specific examples.

3.19 In terms of the GBA it is not problematic to identify as part of the methodology that the character of a particular landscape contributes to the historic setting of a settlement. What would be problematic however, were if landscape character were to be used in the context of designating a green belt boundary. PPG specifically states that (para 1.7) “although Green Belts often contain areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection”.

3.20 What the GBA is doing therefore, in reference to landscape character is attaching weight to its significance as part of the historic setting of the city. This should not be interpreted to mean that the GBA identifies particular landscape character areas which are

more valuable in green belt terms based on landscape character assessment. The purposes for including land within green belts, and landscape character appraisal are two distinct exercises which require different methodologies. This is not stated explicitly in the GBA but is implicit in the scope, intent and context of the document.

3.21 Under this category it is likely that it could be demonstrated that large amounts of land around the city could be considered to fulfil the green belt function of preserving the historic character of the city. The GBA acknowledges that the spatial pattern of agricultural villages within the large expanse of open relatively flat flood plain are part of the broad landscape character which contributes to the setting of the historic city. Indeed, it would be as hard to identify land that did not fall within such a broad category as it would be to define precise boundaries for such areas.

(v) Urban form

3.22 This is a brief description of the urban area of York which acknowledges that it comprises of the central historic core of the city surrounded by an amalgamation of formerly separate villages. The GBA acknowledges that these villages were previously physically independent of the city but now form part of a wider urban area, although this is qualified by reference to the strays and lngs having restricted their lateral coalescence.

3.23 This is a relatively broad description but it is considered that it would have been possible to provide additional background to explain precisely how the development of the urban form over time contributes to the historic setting of the city. No specific villages are mentioned in this part of the GBA, although there are a handful of examples in York of villages which were formerly separate settlements but now form part of the urban area, including Fulford, Heslington and Osbaldwick. All of these formerly independent villages had designated conservation areas at the time of the GBA which reflects their historic significance but is not referenced in this section of the GBA.

(vi) Relationship between the urban edge and the countryside

3.24 Under this category conservation areas within the urban area are referred to, although specifically in the context of those located on the urban fringe, which are considered to make a positive contribution to the character of the City. Many of these conservation areas will be designated around the formerly separate villages which now form part of the urban area. This means that there would have to be a significant degree of

overlap between this and the above element of York's historic character as the urban form of the city and its historic amalgamation of formerly distinct villages are in some cases what define the relationship between the urban edge and the countryside.

3.25 In order to establish a permanent green belt boundary for the city, the relationship between the urban edge and the countryside is undoubtedly extremely important. This is particularly the case for York, where the preservation of the historic setting and character of the city is a key function of the green belt. However, in order to identify spatially which areas of the green belt are valuable for this reason it would first be necessary to establish which parts of the urban edge are of particular value.

3.26 It would have been beneficial if the GBA could have been specific in this regard and actually referenced some examples, perhaps even indicated spatially which particular parts of the urban area were of most significance. This would have provided greater clarity as to where 'the relationship between the urban edge and the open countryside is harmonious' and where 'the urban edge bears little relationship with the surrounding landscape'. Although this may have been done as part of the fieldwork, this is not explicit in the report and therefore the process of distinguishing between the two is not transparent.

3.27 Under this category in the GBA another criteria is that 'in locations where conservation areas are situated at the urban fringe the form, siting, character of the areas and the architecture is considered to make a positive contribution to the setting and special character of York'. It would also have been beneficial therefore, if the locations where conservation areas meet the urban fringe were identified spatially on the map, and this point will be given further consideration in section 4 of this report.

(vii) The relationship with the surrounding villages

3.28 There are many villages surrounding the urban area of York which are physically separated from it, unlike those former villages which now form part of the urban area. This section of the GBA acknowledges the agricultural origins of those villages, whilst accepting that some have now expanded significantly.

3.29 Whilst the villages undoubtedly contribute to the historic setting of York it would have been helpful to have examples of particular villages which are considered to be the most significant in their current form. Reference could also have been made to the conservation areas in some of these villages, many of which would have been designated prior to

undertaking the GBA. This could have been done spatially in a map in order to add more clarity as to which villages were considered to be of particular importance to the historic setting of York.

Summary

3.30 This assessment of the desk top methodology used in the GBA highlights a number of points which are relevant. It has already been explained that the scope of the report is to consider in particular one of the five green belt functions in PPG2. The approach taken in the GBA seeks to establish what constitutes the most important elements of York's historic setting and character in the GBA. This is a reasonable approach as without defining the different elements which contribute to the character and setting of the city it would be difficult to appraise the most important parts of the green belt. However, it does exclude other green belt functions from appraisal which must in turn limit the applications for the document.

3.31 However, although the elements identified within the scope of the appraisal are not considered to be inherently incorrect there are some areas where the application of this methodology might become problematic. Firstly, the descriptions are rather broad and lack the level of detail which might be necessary to make the process of the spatial identification of land transparent. For example, the desk top methodology does not identify which particular agricultural villages or parts of the urban edge were identified as important, nor has it established what are considered to be city landmarks other than the Minster. Without more detailed understanding of which villages and parts of the urban area are considered important it is difficult to establish how the green belt in and around those areas might have a key role in preserving that character, or indeed why other parts of the green belt are 'less valuable'.

3.32 The problem therefore is one of transparency and consistency. Although the desk top methodology identifies in broad terms the important elements of York's character it does not go on to identify those elements spatially. If this work had been included in the appraisal document it would be more clear what parts of the historic city in particular the green belt is preserving. Although this work may have been done by officers before progressing to application of that methodology, it is not transparent from the descriptions in the GBA that a consistent methodology has been established.

Part 5 – 9 – Application of the methodology

3.33 The next paragraphs focus on the application of the desk top methodology and how this is expressed spatially in map 2 of the GBA. It has already been noted above that it is not within the scope of this report to undertake a reappraisal of York's green belt. This part of the report however, considers in general terms how the methodology has been applied in terms of clarity and consistency.

3.34 It seems clear from the preceding section that there is considerable overlap between many of the elements identified in part 4 of the GBA as contributing to the character and setting of York. Section 5 of the GBA acknowledges this and, in addition with considering how they might be applied spatially, explains that those seven points above were then translated into three broad categories:

1. Areas which retain reinforce and extend the pattern of historic green wedges;
2. Areas which provide an impression of a historic city situated in a rural setting;
and
3. The setting of villages whose traditional form, character and relationship with the surrounding landscape is substantially unchanged.

In addition, based on the earlier consideration of the five purposes for including land within the green belt set out in PPG2, a fourth category was added:

4. Areas which prevent the coalescence of settlements to retain their individual identity.

3.35 In terms of this latter category the only explanation in the GBA to its inclusion is 'in addition using the analysis of green belt purposes earlier in the report category four below was also identified'. This is presumably a reference to section 2.2 of the green belt purposes where the Council's interpretation of the meaning of each of the five green belt categories is given.

3.36 The GBA does not state explicitly which of the remaining four purposes for including land within the green belt has been used to define category 4 above. Purpose 2 for including land within the green belt is to prevent neighbouring towns from merging into one another but in this context this does not seem applicable as the GBA is dealing with the

relationship between an urban area and surrounding villages rather than neighbouring towns.

3.37 It may be that purpose 3 is the reason for the inclusion of category 4 above, as section 2.2 of the GBA gives the Council's interpretation of this purpose as; 'it can be used to justify the exercise of very restrictive control to prevent ad hoc or unplanned development, around or outside any settlement in the Green Belt, or within any washed over settlement'.

3.38 However, it could also be argued that category 4 falls within purpose 4 of PPG2, as the council's interpretation of this purpose in section 2.2 of the GBA includes 'if the character and setting of a town is interpreted as including the open countryside around it and its spatial relationship with surrounding villages then the land designated as green belt for this purpose is likely to be considerable'.

3.39 The weakness of the GBA in this regard is again one of a lack of transparency and clarity. It is not considered that the GBA is wrong to consider the need to prevent coalescence between neighbouring villages or to their relationship with the urban area. However, category 4 of the GBA gives no definition of what is considered to constitute a settlement nor does it establish which purpose for including land within the green belt is being applied. This makes it difficult to follow the application of the methodology later in the GBA, based on the level of information contained within the document itself.

3.40 Turning to sections 6, 7, 8 & 9 of the GBA each of the four categories above is given a brief description and then specific areas of land are mapped and given a reference number. In this assessment of the GBA, the description given for each of the four categories above was considered as well as the specific areas identified, any reasons given for their inclusion and their spatial expression and extent as shown on map 2 of the GBA.

3.41 In doing that assessment the main issue which became apparent was a lack of transparency in how the desk top methodology has been applied in the field. This is not to say that it has been applied incorrectly but more that it was difficult to reach a judgement based on the information in the report itself.

3.42 In terms of the field work aspect of the study it is not clear how this was carried out from the content of the report, how the data was captured, reported and analysed. It may be that detailed assessments were drawn up based on certain viewpoints but there is no information on these within the actual report. There are no photographs, site assessment

forms or reports and the only information is the short bullet point information given in sections 6 to 9 of the GBA. Without this information forming part of the GBA report it would be difficult to retrace the steps of the field work carried out, even though this was beyond the scope of this report.

3.43 Without knowledge of which viewpoints were used, how precise boundaries were defined and what particular physical characteristics were used to identify parts of land as falling within a particular category it is not possible to establish that a consistent approach was taken. In many of the areas shown on map 2 of the GBA field boundaries are used to delineate each of the character areas (e.g. D2 & D3). In other cases a river or a road may be used (D1 & G1). In other areas physical features such as rivers and roads have been straddled (D2, B7, B8, C6 & D5)

3.44 Although PPG 2 provides advice on setting clear green belt boundaries using clearly recognisable features this is not the purpose of the GBA. The purpose of the GBA is to appraise areas *within* the draft green belt rather than define the green belt boundary. However it not clear from the GBA report how the boundaries of each character area have been defined. Without an understanding of how the extent of each area is defined spatially the approach appears inconsistent based on the different approaches on the map.

3.45 Another point on which there is a lack of clarity is how the fieldwork established the primary reason that each area was considered important. In section 5 of the GBA it is acknowledged that in some areas there is more than one reason that it is important land remains open but that the map reflected the primary reason each area is important. However, there is no information on which areas might serve multiple functions or as to how the primary function was established.

3.46 For example, the village of Stockton on the Forest is referred to in section 6 of the GBA as being adjacent to an extended green wedge east of Monks Cross (Area D2, page 13). The wedge is adjacent to the conservation area of the village, 'the character of which is enhanced by the adjoining agricultural landscape'. This description of a village with a conservation area in a rural setting suggests that Stockton on the Forest could be considered as one in which the 'traditional form, character and relationship with the surrounding agricultural landscape is substantially unchanged' (GBA, page 13 7(E)). However, it is not clear from the report whether the village was considered important in this regard but that the primary reason for its importance was as an extension to a green wedge or if the former was not considered important at all.

3.47 There are other examples of where the lack of detail within the report makes it difficult to establish that the methodology has been applied consistently in all parts of the city. One such example can be found in the treatment of the green wedges. Map 2 of the GBA identifies 6 green wedges which are described in the report as extending up to the ring road and bounded on three sides by urban development part of which may comprise the historic strays and Ings. In the case of areas C1 and C6, the application of this description spatially appears clear. However, there is no explanation why C2, although extending up to the ring road includes land which is not bounded on three sides by urban development. In the case of C4 it is not explained why the wedge stops at Naburn Road and does not extend up to the ring road as implied in the description.

Summary

3.48 It has already been established that it is not the purpose of this assessment to reappraise York's green belt but to consider the scope and methodology of the GBA. The main problem identified in this section has been a lack of clarity and consistency which reflects the level of detail given in the report. There is no detail on how the methodology has been applied in the field, for example how viewpoints were identified recorded and assessed how boundaries for each of the areas have been defined and how the primary reason for importance was established.

3.49 Without this information the GBA lacks robustness because it is not transparent how the spatial conclusions shown on map G2 have been reached. It would have been beneficial for the GBA to have been accompanied by a technical appendix showing how the field work was undertaken, view points, photographs, and area assessments for example. This would have made the process of applying the methodology more clear and therefore made the GBA report more robust.

4.0 FULFORD

4.1 This section of the report considers more specifically the historic village of Fulford, which in the emerging LDF forms part of the urban area of York located on the southern fringe of the city. It is not within the scope of this report to appraise the green belt around Fulford but to consider in general terms the significance of the village in the context of preserving the historic character and setting of York and how this is reflected in the GBA.

4.2 Fulford was originally made up of two distinct villages: Water Fulford and Gate Fulford, which became one parish in 1828. The area which is currently known as Fulford village is covered by a 24 ha conservation area around and extending behind Main Street. In the draft Local Plan the conservation area description recognises that although no longer physically separated from York, the village has its own sense of identity 'in the unity of its character, historical form and setting'. This sense of identity is an important element of the conservation area in addition to how the traditional buildings maintain 'the sense of scale and detailing associated with a rural village' (City of York Council Development Control Local Plan, April 2005, Appendix B conservation area no 30).

4.3 A separate but adjacent conservation area designation to the north covers Fulford Road, which was originally part of Gate Fulford. The conservation area was designated in recognition of the special historic and townscape value of Fulford Road. Together the two conservation areas form the historic linear entrance to the city from the south. The Fulford village conservation area, as part of this historic gateway to the city, and also forming part of a key route into the city today is clearly relevant to any consideration of the historic character of the City of York.

4.4 Although both of these conservation areas were designated prior to the GBA being undertaken, they receive no mention in the report itself. However, other conservation areas are referenced in the report which appears inconsistent. For example, in section six of the GBA, for area B4 'Middlethorpe Ings', part of its importance is stated to be that it is 'adjacent to Middlethorpe conservation area, the character of which is enhanced by the setting of the ings'. However, for area B3 'Fulford Ings' there is no reference to the Fulford village conservation area, even though it also abuts the boundary of ings as defined in the GBA.

4.5 Considering the description given of the Fulford village conservation area in the local plan there is a clear relevance in the context of the elements of York's historic character identified under section (v) of the desktop methodology. Furthermore, the conservation area

of Fulford village would seem to be particularly relevant in the context of element (vi) as it extends to the green belt boundary in the draft local plan and therefore would seemingly be a location 'where conservation areas are situated at the urban fringe' and thus 'make a positive contribution to the setting and special character of York.' (GBA, page 8 (vi)).

4.6 It is worthwhile to note that the conservation area boundary to the south has recently been extended to include the area where the stone bridge crosses Germany Beck at the A19. Whilst the designation of conservation areas and appraisal of green belt functions are two entirely distinct processes it does suggest that the area around the A19 at the southern edge of Fulford Village makes a contribution to the historic setting and character of the village. If this were the case then it could be that this area could be considered as one where conservation areas 'make a positive contribution to the setting and special character of York'.

4.7 It not clear from the GBA report whether or not the conservation area of Fulford village has been considered relevant under the description of parts v (urban form) or vi (relationship between the urban edge and the countryside) of the desktop methodology set out in the appraisal (see paragraphs 3.23 & 3.27 above). If Fulford Village was assessed to be of significance under criteria v and vi of the desktop methodology, the land around it, at least logically, would have been included within section 8 of the assessment. This latter category (F) 'Impression of a historic city within a rural setting' states that these designations are important because they either 'afford good views of the Minster or the urban edge comprised of a conservation area, the historic character of which it is important to retain'.

4.8 This illustrates the point made in paragraph 3.29 above about the benefit of representing where conservation area boundaries abut the green belt spatially as part of map 2. Furthermore, from the GBA report it is not clear why only land to the west of the Fulford Village conservation area is located within a green belt character area, but the land to the south and east of the conservation area boundary is excluded. The lack of information within or appended to the report about how these different areas have been evaluated in the context of the desktop methodology is illustrated by this point.

4.9 To the west of the Fulford village conservation area the GBA identifies an area B3: *Fulford Ings* as noted above. In addition a green wedge which extends Middlethorpe and Fulford Ings is identified as character area C4 in the GBA. This designation stops at the western extent of Selby Road (A19).

4.10 This is an example which illustrates the point made in paragraph 3.43 above about the lack of information as to how the boundaries of each area have been defined. It may be that the A19 was taken to define the western boundary of this character area, but there are other parts of the green belt where the appraisal areas straddle physical boundaries such as roads and rivers so this is unclear.

4.11 Another example of this lack of clarity is that the south eastern extent of the green wedge C4 is defined by Naburn Lane. This appears inconsistent with other green wedges (C1, C2, C5 & C6) which extend right up to the ring road. The exclusion of the triangle of land between Naburn Lane and the ring road from area C4 may have been for a particular reason but without understanding the technical application of the methodology in the field this is difficult to establish.

4.12 An area requiring further clarification is what is the correct spatial extent of the green wedge D4, as shown on Map 2 of the GBA? The area washed over in red on map 2, marked on the key as 'extension to the green wedge' and annotated as D4 also covers designations B5, B6, B7, B8 and B10 which come under the category of 'The Ings'. This lack of delineation between categories B and D is not exemplified elsewhere on map 2 and is confusing in the context of the descriptions under each of those character areas.

4.13 The description for character area D4 is an 'open area of river valley east of Bishopthorpe and west of the Designer Outlet continuing south to include Naburn and Acaster Malbis in order to continue the open approach to the city along the river valley'. Looking at this description in comparison with the other areas identified under the 'D' category it is not clear why the river corridor approach is included in the extension to the wedge but the key southern approach to the city along the A19 is excluded.

4.14 Naburn Lane appears to have been used to delineate the boundary of the extension to the wedge but other extensions, such as D1 and D2, straddle 'important approach roads to the city'. In this context the southern approach to the city along either side of the A19 and into the historic village of Fulford would appear comparable to the descriptions given for those character areas. Again, this may be the outcome of the assessment and fieldwork but this is not clear and raises issues of possible inconsistencies and lack of clarity and transparency.

4.15 Finally, none of the land around Fulford village has been identified for inclusion under category (G) of the GBA, 'areas which prevent the coalescence of settlements to retain their

individual identity'. It is possible, that, based on the description in this category in the GBA, the land between the Fordlands Road area and Fulford village could have been considered.

4.16 Fordlands Road is washed over green belt in the draft Local Plan and in the emerging LDF is included as a 'small village' in the settlement hierarchy (LDF Preferred Options Topic Paper 1 – Approach to the Spatial Strategy). In contrast, Fulford Village is included in the main urban area in the draft Local Plan and therefore the land between the two could fit the criteria of G(i) of the GBA, as an area which retains 'the physical separation of settlements with a separate identify and character'. Again, it may be the case that a distinction was made between the relationship between Fordlands Road and Fulford Village and the other areas designated under category 'G'; however, the lack of detail within the report makes it difficult to assess this.

5.0 USE OF THE GBA

Local Development Framework

5.1 At the time the GBA was undertaken and published the Council was progressing the draft City of York Local Plan towards adoption. Following publication of the 2003 GBA, changes introduced to the planning system in 2004 meant that work on the local plan was abandoned after the fourth set of draft changes were approved by members in April 2005 for use for development control purposes. In accordance with the requirements of the new planning legislation the Council is now proceeding with a Local Development Framework. The 2003 GBA is being used by the council as part of the evidence base for production of the LDF.

5.2 *Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning* sets out government policy on Local Development Frameworks. It requires Local Authorities to produce a Core Strategy which sets out a vision for their area and how it should develop covering a time period of at least 15 years from the date of adoption. The Core Strategy is eventually subject to independent examination, where an Inspector is charged with checking that the plan complies with legislation, namely section 20(5) (a) of the Planning and Compulsory Purchase Act 2004.

5.3 One of these legal requirements is that the Core Strategy 'conforms generally to the Regional Spatial Strategy' (RSS). The current RSS is the Yorkshire & Humber Plan issued in May 2008 meaning that there has been a change in policy since the production of the 2003 appraisal to the statutory development plan for York. At the time the 2003 appraisal was carried out, North Yorkshire Structure Plan policy E8 formed part of the statutory development plan for the area. This policy stated that North Yorkshire's green belt would include 'a belt whose outer edge is about 6 miles from York City Centre'.

5.4 The Regional Spatial Strategy for Yorkshire and Humber issued in May 2008 deleted policy E8 (see footnote 1) and replaced it with Policies YH9 and Y1C1 (see Paragraph 2.63)

Policy YH9 states:

A The Green Belts in North, South and West Yorkshire have a valuable role in supporting urban renaissance, transformation and concentration, as well as conserving countryside, and their general extent as shown on the Key Diagram should not be changed.

B Localised reviews of Green Belt boundaries may be necessary in some places to deliver the Core Approach and Sub Area policies.

C The detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. The boundaries must take account of the levels of growth set out in this RSS and must also endure beyond the Plan period.

D A strategic review of the West Yorkshire Green Belt may be required to deliver longer term housing growth as set out in Table 12.1 in locations that deliver the Core Approach and the strategic patterns of development set out in policy LCR1E.

E Green Belt reviews should also consider whether exceptional circumstances exist to include additional land as Green Belt.

5.5 Policy Y1 deals specifically with the York sub area and is divided into a number of parts. Policy Y1 (C1) states:

In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.

Part C2 of the same policy also sets out the need to:

Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas

5.6 This change in regional policy does not automatically mean that the GBA, which pre-dates the new RSS, is no longer relevant. What the RSS does however, is provide a much greater steer to City of York Council as to what it needs to do in the context of its LDF, namely:

- Define the inner and remaining outer boundaries of York's boundaries
- In defining inner boundaries account must be taken of the levels of growth (housing and employment) set out in the RSS

- The boundaries must last beyond the plan period
- The historical and environmental character of York, including its setting, views and important open areas should be protected.

5.7 It is significant to note that the RSS refers to protecting both important open areas and the historic setting of the City. This suggests that the two things are not mutually inclusive and that in addition to any areas identified as important open areas there will be additional areas of land which protect the setting of the city.

5.8 In addition to checking that Core Strategies comply with legislation, the 2004 Planning and Compulsory Purchase Act also requires the independent Inspector to determine whether the plan is “sound”. PPS12 advises the following:

Soundness

To be “sound” a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

“Justified” means that the document must be:

- Founded on a robust and credible evidence base
- The most appropriate strategy when considered against the reasonable alternatives

“Effective” means that the document must be:

- Deliverable
- Flexible

5.9 Paragraphs 4.36 to 4.37 of PPS12 provide further information on the role of the evidence base in ensuring that core strategies are justifiable and state that it is essential that they are based on thorough evidence made up of two elements:

- *Participation*: evidence of the views of the local community and others who have a stake in the future of the areas.
- *Research/fact finding*: evidence that the choices made by the plan are backed up by the background facts.

5.10 PPS12 further states that 'evidence gathered should be proportionate to the job being undertaken by the plan, relevant to the place in question and as up to date as practical having regard to what may have changed since the evidence was collected.

5.11 In the context of this report, the key issue is to what extent the GBA can be used as part of the LDF process in order to ensure that it is in general conformity with the RSS and meets the tests of soundness. The Council has included the 2003 GBA as part of its evidence base for the LDF.

5.12 It seems fair to assume that the 2003 GBA appraisal would come within the definition of a research document forming part of the evidence base, given that it is not evidence of the views of the local community. It should therefore, in addition to being robust and credible, be used as evidence backing up the choices in the plan. It should also be as up to date as practicable and proportionate to the job being undertaken by the plan. It is clearly relevant to the area in that it deals only with York. The following part of the report considers the remaining criteria in the context of the 2003 GBA.

Date of the GBA

5.13 The reference in PPS12 to the evidence base being as up to date as far as practicable also makes reference to changes which may have occurred since the evidence was collected. In this case PPG2 remains the government's stated green belt policy and therefore there is no more recent national planning policy which would make the 2003 document out of date.

5.14 In terms of the RSS, it is not considered that the deletion of Policy E8 of the Structure Plan should in itself necessitate a review of the GBA, since the wording of that policy has effectively been absorbed into RSS policy YH9. However, the RSS does set new growth requirements for the city and requires York to establish long term boundaries which last beyond the 15 year span for the Core Strategy.

Scope of the GBA (proportionate to job)

5.15 It has already been noted above that the GBA is primarily concerned with one of the five purposes for including land within a green belt, namely the setting and historic character of the city. This is not an inappropriate approach, particularly given that the recently issued RSS specifically requires York, through its LDF, to preserve that setting. However, it follows

that this would necessitate further work beyond the scope of the GBA to establish to what extent other areas around the city fulfil other green belt functions.

5.16 Furthermore, the stated purpose of the GBA is 'to aid in the identification of those areas surrounding the city that should be kept permanently open' (GBA, para 1.1). This is not the same as determining a green belt boundary. Indeed, in defining the draft green belt boundaries through the now abandoned local plan process the GBA has not been used as a means of defining the extent of the green belt - the latter has always been defined much more widely. This, particularly in the context of the distinction in the RSS between important open areas and historic setting, indicates that the scope of the GBA is limited.

5.17 In terms of it being proportionate to the job therefore, the use of the GBA in the LDF evidence base would appear limited to informing decisions about which land must be kept permanently open. However, in defining the inner boundaries of the green belt in accordance with RSS Policy YH9, York will also need to consider the need to protect and enhance the setting of the city and important views. The other green belt functions as set out in PPG2 will also need to be taken into account. The GBA therefore, could be considered proportionate to the job provided it is not applied to make decisions beyond the scope of its stated purpose and methodology.

Robustness & credibility

5.18 Sections three and four of this report consider the methodology and its application in the field and the conclusions would be relevant to any assessment of the robustness and credibility of the 2003 GBA as part of the LDF evidence base. The main criticism which could be levelled at the document is that the lack of detail in the document itself raises issues of transparency and clarity in terms of a consistent application of the methodology.

5.19 It is usually the case that factual or research based reports are accompanied by more detailed technical appendices. This makes the main findings and conclusions of such reports more accessible but also allows for closer scrutiny of the detailed work which underpins those conclusions. With the GBA, the main conclusions form the body of the report but there is no supporting technical, factual or other information to back up those conclusions.

5.20 Although this does not mean that the GBA is in itself factually or otherwise incorrect it does weaken its credibility because it is difficult to scrutinise the application of the

methodology. If the technical and field work underpinning the findings of the GBA were published this would enable the robustness of the document to be examined.

Use of the GBA in emerging LDF

5.21 It is beyond the scope of this report to review all of the work undertaken thus far on the production of key Local Development Framework Documents. However, a brief overview of the current position in relation to the LDF at the time of this assessment is as follows:

Core Strategy

5.22 Consultation on the Council's 'Preferred Options' for the Core Strategy was undertaken in June 2009. That followed two 'Issues and Options' consultations carried out in June 2006 and August 2007. Council officers are currently assessing consultation responses to the most recent 'Preferred Options' document before proceeding to a submission draft document.

5.23 Section 3 of the 2009 consultation draft sets out the approach taken to producing a spatial strategy. In paragraph 3.5 it is explained that the Council initially considered five issues in that regard, including preserving the historic character and setting of York and the relationship between York and its surrounding settlements. Map 2 of the 2003 GBA is used as basis for figure 6 in the consultation document to illustrate which areas of land should be retained as open.

5.24 Therefore, if the 2003 GBA was not a robust and credible evidence base document it could impact on the soundness of the Core Strategy because decisions based on it might not be justifiable. Again, without the technical aspects of the GBA work being available for scrutiny this is difficult to ascertain.

5.25 Spatial Principle 2: Areas of Constraint (SP2) in the draft Core Strategy document identifies that one of the criteria for the identification of sites or future areas suitable for development will be ensuring that the city's unique historic character and setting is enhanced. It is not made explicit in the document that the GBA will be used to ascertain this but the inclusion of figure 6 does imply that this might be the case. This could be problematic if the application of the methodology in the GBA was found to be inconsistent.

5.26 Section 4 of the Preferred Options draft Core Strategy deals with the role of York's Green Belt. In this section the GBA is described as 'a key part of the evidence base that underpins the overall spatial strategy'. The findings of the GBA are reflected in draft policy CS1 which sets out the primary purpose of York's green belt. Given that the GBA is being used in this way, that is to underpin the Spatial Approach in the Core Strategy it is fundamentally important that the document stands up to scrutiny as a basis for such decisions. The lack of information contained within the GBA report makes it difficult to do so.

5.27 However, what is clear is that the GBA is not being used to define the general extent of York's green belt through the LDF. The 2009 Preferred Options consultation document includes a key diagram which indicates the general extent of the proposed Green Belt. This is not based solely on the GBA character areas and acknowledges the concept of a wide green belt around York which has been enshrined in regional planning policy. Many parts of the outer boundaries of York's green belt have already been established through adopted plans in other local authority areas and therefore the key issue is to establish the inner boundary. This however, is not going to be done through the Core Strategy but through the Allocations DPD.

Allocations DPD

5.28 Consultation of 'Issues and Options' for the Allocations DPD was undertaken in March 2008. This will be followed by further consultation on Preferred Options. In the Issues and Options document the GBA is referred to but the consultation is mainly based on asking for feedback on the draft green belt boundaries as currently set in the unadopted local plan.

5.29 Whilst there seems to be a presumption that any areas identified in the GBA will be kept open, as representations are made on the boundary through the allocations DPD they would have to be considered in the context of all five purposes for including land in the green belt set out in PPG2. This would mean that even if land is not included within the GBA it could still be considered to serve a green belt function due to the scope of the GBA being restricted.

5.30 At the moment the allocations DPD is at an early stage in the process towards adoption and it is not possible at this stage to make any assumptions about the Council's Preferred Options for setting a permanent green belt boundary. It is clear from minutes of the Local Development Framework Working Group that elected members have indicated a

desire to maintain the green belt boundary as currently defined in the draft local plan. The key issues for the Allocations DPD will be to determine if this makes sufficient land available to meet growth requirements in the RSS and beyond.

SHLAA

5.31 The Strategic Housing Land Availability Assessment is being undertaken in two stages, the first of which has been completed. A draft of the second stage assessment has been considered by committee members through LDF working group. This draft excluded a number of sites put forward for consideration (in the 'call for sites') on the basis that the character areas in the 2003 GBA were a primary constraint for ruling sites out. It may be that part of the strategy of promoters of such sites would be to challenge the robustness of the GBA as a basis for such exclusion, as the LDF progresses.

5.32 The GBA is not the only document being used to inform site selection in the SHLAA, as other landscape, environmental and other infrastructure constraints will be used in the process of filtering sites. However, as the character areas of the GBA are being used as a 'primary constraint' the robustness of the designation of those character areas is an issue. As well as challenging the inclusion of land within a character area in order to promote an allocation, it would also be possible through the LDF to challenge decisions to take sites forward based partly on the robustness and credibility of the GBA. The SHLAA will inform the site allocations DPD which will also be examined by an Inspector in due course for 'soundness' and other legal requirements.

Summary

5.33 It is not considered that a strong argument could be made that the GBA was out of date as an evidence base document, given that there has been no change in national policy and that the recent RSS reiterates the former structure plan policy. In terms of being proportionate to the job, the GBA should not be used as the sole means of defining the green belt boundary, because it does not cover all of the green belt functions in PPG2. In this context, the scope and limitations of the GBA are clear from the methodology and its stated purpose.

5.34 It is considered therefore that the key issue in the context of the GBA being used as part of the evidence base is its robustness and credibility. The lack of detail in the document

makes it difficult to understand the more detailed processes of identifying the character areas spatially and this makes it unclear as to how decisions have been made.

5.35 It may be that the work undertaken by the council as part of the process could be appended to the report in the form of a technical document providing a greater level of detail about field work, view point and boundary selection etc. However, although the GBA could be criticised for its lack of information, without undertaking a full reappraisal of the green belt it would be difficult to demonstrate that it was inaccurate.

Development Control

5.36 The GBA was originally produced as a local plan document and currently forms part of the evidence base for the Local Development Framework. In terms of determining planning applications for development in the green belt, the advice in PPG2 and the statutory development plan for the area (the RSS) carry the most weight. As PPG2 does not distinguish between 'good' or 'bad' green belt or attach any particular weight to any of the five green belt functions, whether or not a site falls in or out of a character area in the GBA should not be afforded more weight in the determination of applications than the provision of PPG2 and the development plan for the area.

6.0 CONCLUSIONS

- 6.1 This report has analysed the methodology used in the 2003 Green Belt Appraisal and considered its application in terms of the conclusions reached in the document. It has not reappraised any area of York's draft Green Belt nor sought to reassess any of the character areas identified in the GBA.
- 6.2 A number of issues have been identified in the context of the methodology, mainly in terms of transparency and consistency. The descriptions of different aspects of York's historic setting are in many cases very broad, exhibit considerable overlap and could apply to large areas of land around the city. Furthermore, in looking at the application of the methodology the lack of detail in the GBA report makes it difficult to establish that it has been applied consistently or how boundaries were defined or primary character areas was established
- 6.3 The report has also considered the historic significance of Fulford and suggested how this might have been referenced in the GBA. As set out in section 4 of this report, there is no reference to the Fulford village conservation area in the GBA although from the character area description in the appraisal it is not clear why this would be the case. It also raises a number of questions concerning the character areas around Fulford, although due to the lack of detail in the GBA it is difficult to challenge its conclusions without a full reappraisal.
- 6.4 In the context of the GBA's use as part of the LDF evidence base, consideration has been given to the key criteria set out in PPS12. The report concludes that the lack of detail and technical information in the GBA could make it open to challenge on the grounds that it is not robust. However, it would not be possible to challenge the assumptions made in the GBA without undertaking a reappraisal of the draft green belt, which was beyond the scope of this report.