



**AIREDON**  
PLANNING & DESIGN

## York Local Plan Examination

Phase 3: Matter 4 Statement

Mr J Harrison

July 2022

#### **Matter 4 – Strategic Housing Sites III – Policy SS12 (ST14)**

##### **Summary:**

- **ST14 was originally allocated as a sustainable urban extension, based upon a flawed background study which did not consider what areas of the Green Belt should remain undeveloped. Whilst this was ‘remedied’ by pushing back the boundaries from the ringroad (and creating more separation from Skelton) this was still based upon the flawed Green Belt assessment which had not considered which parts of the Green Belt should remain undeveloped. Consequently, whilst the LPA consider that the site will not have a significant impact upon the Green Belt, it will in fact have a significant detrimental impact because it will appear as an extension to the main urban area extending over the ring road and will be prominent in two of the key views from the Minster as identified by the LPA. The boundaries set are not acceptable permanent physical features to provide a long term Green Belt boundary as set out in the NPPF.**
- **Furthermore, the original ST14 was reasonably sustainable as it was an extension to the urban area and of a size which could support its own facilities and services. The size of the site also passed the sustainability size assessment due to its extent. The reduction in scale of ST14 did not trigger a reassessment under the Sustainability Assessment despite it now falling below the 100ha size, and at a later date the size was reduced to 35ha with no justification.**
- **The site is no longer able to support a sustainable community, and the LPA have argued that the new residents will look to York for most of their needs. As the site is not in a location where it could be served by an existing passing bus route it will need to have a dedicated service, even if that is only an extension to a service that currently stops at Clifton Moor. However, as the settlement will not have sufficient day to day services and facilities, and residents will need to travel out of it for even primary schooling for many years, the bus service is unlikely to be well used and therefore will not be economically viable. This is not a sustainable location for development and does not accord with the NPPF’s suggested locations for sustainable development.**
- **The viability assessment carried out by the LPA is too vague to give any certainty that the development is viable, particularly given the developer’s statement that it is not possible to deliver the scale of primary school stated in Policy SS12 without additional housing. The LPA and the developers have had several years to agree how the site can be brought forward and developed and present viability information – other allocated sites have been progressed through planning applications and all matters addressed, so the timescale is not the problem. This suggests that the site has more significant issues that have not been resolved because it is not viable in this location.**

- **The site is subject to flooding and has a very high water table much of the year. There is no evidence presented to demonstrate that the site can be developed viably given this situation.**
- **The allocation is not soundly based as it does not follow guidance set out in the 2012 NPPF in terms of impact upon the Green Belt, setting Green Belt boundaries, or achieving sustainable development.**

*(Question 4.13) Is the allocation and associated Policy SS12 relating to ST14 soundly based?*

1. No – the allocation and associated Policy SS12 relating to ST14 is not soundly based: it is neither justified nor effective. To avoid duplication, our representations below are in addition to those submitted during the Publication Draft and Local Plan Hearing stages, the contents of which remain relevant.

Sustainability

2. Throughout the preparation and examination of the Local Plan, there has been conflict in the way that ST14 has been considered as a site. As previously highlighted during the Phase 2 Hearing Sessions, there seems to be confusion between the Council, the proposed developers (and their representatives) and interested parties whether ST14 is being considered as an urban extension to York or a standalone settlement or indeed a combination of both. Understanding what we are dealing with is fundamental in determining whether the allocation is appropriate and whether it can be considered sustainable.
3. Our understanding in brief is that the site was originally proposed at a much larger scale and as a significant urban extension to York as part of the previous draft Local Plan that was withdrawn in [INSERT]. Having then assessed the site during the early stages of the preparation of this Local Plan, the southern boundary was moved away from the Outer Ring Road and the main urban area of York; away from the east to avoid the plantation and ecological interest; and away from Skelton to the west. In doing so, the proposed allocation has essentially become a standalone settlement.
4. However, throughout the Local Plan process, the Council appears to have maintained that there is only one standalone settlement proposed within York (ST15). It was also implied during the Phase 2 Hearing Sessions by both the Council and the representative of the landowner that the site would effectively function as both: there would be facilities and services within the proposed Local Centre and a footpath would be provided between the site and Clifton Moor to the south to facilitate trips to retail and leisure services to the south of the Outer Ring Road.

5. It was stated during the Phase 2 Hearing Sessions that the site would be close enough to the main built-up area of York to class the development as an urban extension and that the new residents would use the proposed link to access facilities to the south of the Outer Ring Road.
6. At best the site is located 600m (straight line distance) to the north of the southern boundary of the Outer Ring Road (not the actual retail facilities themselves, which are further to the south). At worst, the most northerly properties would be located 1,778m (straight line distance) to the north. Furthermore, it is highly likely that these distances will be greatly exacerbated once the site layout is proposed, with pedestrians and cyclists having to negotiate internal road layouts in order to access the facilities, making the distances even greater. The footpath will essentially run across 3 isolated fields and will not be an attractive route, especially during the dark winter months. Residents are likely to be hesitant to use it for safety reasons even if they were inclined to make the journey itself.
7. Furthermore, the type of retail and leisure facilities located at Clifton Moor do not lend themselves to journeys by foot or cycle. The retail park mainly comprises furniture, kitchen and carpet stores for example, along with other bulkier goods orientated retailers. At a push, residents may wish to make the journey to visit Costa Coffee or the Wilko Café. In addition, it is likely that car ownership within the development will be significant given the lack of on-site secondary school or significant employment opportunities, and with the retail and leisure park providing more than ample car parking opportunities, there would be very little incentive for residents to make use of more sustainable modes of travel such as walking and cycling.
8. In our opinion it is highly unlikely that new residents will utilise the proposed foot / cycle path between the site and Clifton Moor to any effective degree. The distance between the site and the facilities to the south of the Outer Ring Road is too great to incentivise residents to use alternative methods of travel. ST14 should therefore be considered as a standalone settlement and be capable of demonstrating sustainability in its own right.
9. One only has to look at the Key Diagram to the proposed Local Plan, which clearly shows the physical relationship in terms of distance between the most southerly extent of ST14 and the edge of York's main built up area within the confines of the Outer Ring Road. The distance between the proposed settlement and York is substantial and the proposed allocation cannot reasonably be considered as an extension.
10. The promoters of ST14 even comment in their representations throughout the Local Plan process that it is their aspiration to bring forward a "Garden Village" development. The Town and Country Planning Association's webpage ([www.tcpa.org.uk/areas-of-work/garden-cities-and-new-towns](http://www.tcpa.org.uk/areas-of-work/garden-cities-and-new-towns)) confirms that the organisation recognises the role of new communities as part of a portfolio of solutions necessary to provide genuinely affordable homes in inclusive, healthy

and climate resilient places. Their Garden City Model is relevant to development of all scales, in new and renewed communities and has been cited within Local Plan Inspectors Reports in relation to the creation of new communities and settlements.

11. The Garden City Principles set out by the TCPA are an indivisible and interlocking framework for the delivery of high-quality places, and include:
  - Land value capture for the benefit of the community
  - Strong vision, leadership and community engagement
  - Community ownership of land and long-term stewardship of assets
  - Mixed-tenure homes and housing types that are genuinely affordable
  - A wide range of local jobs in the Garden City within easy commuting distance of homes
  - Beautifully and imaginatively designed homes with gardens, combining the best of town and country to create healthy communities, and including opportunities to grow food
  - Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience
  - Strong cultural, recreational and shopping facilities in walkable, vibrant, social neighbourhoods
  - Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport
  
12. The Council's Publication Draft Sustainability Appraisal at Appendix I (SA Objective 6 for ST14) confirms that the implementation of suitable infrastructure and sustainable travel modes will be critical in influencing residents behaviour and that this should be phased appropriately throughout the development to maximise positive impacts. However, the commentary continues by stating that an extension of existing bus routes from Clifton Moor have only been explored. Furthermore, Policy SS12 (Point ix) provides no reassurance that public transport services will be provided and the Council has put forward no evidence to demonstrate a service is even achievable. For example, is there a critical density by which the service provider would consider re-routing a bus service? This is a critical element of the scheme that has clearly been overlooked and not dealt with in enough detail. The location of the site and the lack of proximity to existing local bus services renders the site unacceptable without a dedicated or re-routed service.

#### Scale of the Proposed Allocation

13. Throughout the Local Plan preparation and examination, we have expressed our significant concerns regarding the use and alteration of a size threshold as part of the site selection methodology that the Council utilised to fast-track any sites capable of bringing forward self-sustaining settlements. The threshold started at 100ha and was later reduced significantly to 35ha.

14. We have significant reservations that ST14 as a 55ha site is capable of having the critical mass to bring forward the necessary facilities and services to render it sustainable. The 55ha site is proposed to bring forward approximately 1,348 homes, significantly less than we would expect to see within a self-sustaining settlement, a substantial distance from existing facilities in the main built-up area.
15. This concern is only amplified by the fact that the Council made such a huge alteration to the threshold with little to no evidence to support it. This provides us with little confidence that the Council has a good grasp on what is expected of a new sustainable community.
16. Furthermore, the promoters of the site have also made representations throughout the preparation and examination process requesting expansion of the site to enable the delivery of a sustainable community, thereby acknowledging that the current proposed allocation as it stands is inadequate.
17. Notwithstanding our point of concern regarding the lack of scale and critical mass associated with the current proposal, there are very compelling arguments to suggest that the site should not be expanded, and these are acknowledged by the Council. These are set out as follows:
  - The eastern boundary of the site was moved west to ensure the retention and protection of the plantation on ecological grounds;
  - The southern boundary of the site was moved north to provide separation distance between the site and the Outer Ring Road and Clifton Moor. The whole premise of the proposal was to create a satellite village in keeping with the historic layout of York and its surrounding settlements. Providing an urban extension beyond the Outer Ring Road would be inappropriate (in our view the site would still create the appearance of a continuous expanse of development stretching out from the main urban area, when viewed from the Minster);
  - The western boundary was set back considerably to ensure adequate separation distance from the neighbouring village of Skelton.

#### Proposed Open Space

13. It is considered that Point xiii of Policy SS12 does not ensure all elements of the proposal are confined to the site boundary. "Providing open space to the west of the site" could be construed as providing it externally to the allocation boundary, which would be wholly inappropriate and would be contrary to Green Belt policy. All aspects of the strategic site should be kept within the allocation boundary to avoid ambiguity.

14. Notwithstanding our client's objection to the allocation of ST14 entirely, if the proposal was accepted, it is considered that an amendment be made to Policy SS12 (Point xiii) to ensure that the phrase "to the west of the site" means within the allocation boundary and not external to it.

#### Local Plan Policies Map North

15. It is unclear why one of the two access locations to ST14 is marked on the Policies Map with a dashed line and the other is with a solid line. There is no indication of a solid line in the key, only a dashed line to represent a 'Indicative Strategic Site Access'.

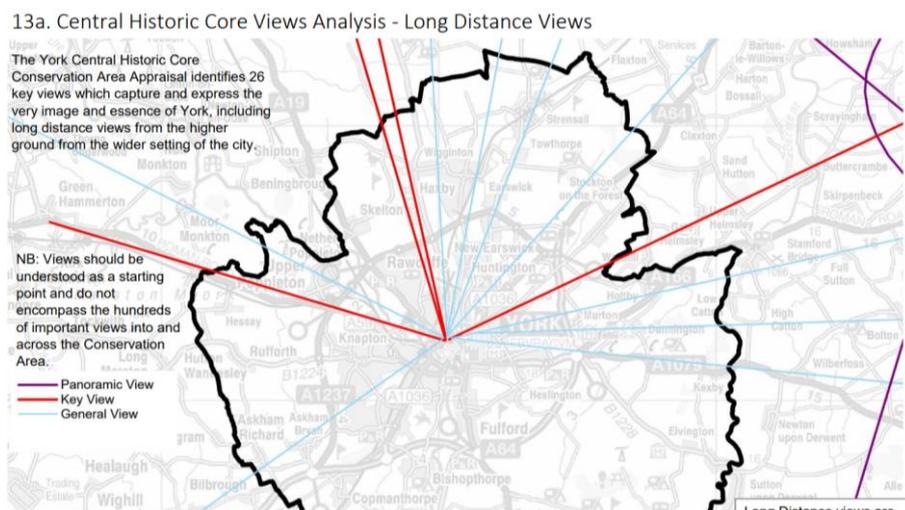
#### Viability

16. Viability evidence has already been submitted on behalf of Mr Harrison with respect to this proposed allocation. Cushman & Wakefield have reviewed the information since this statement was originally submitted, and, in the light of the continued lack of information regarding specific aspects of the viability of the site, have prepared a short statement which is appended. This concludes that the evidence presented so far is wholly inadequate and leaves too many questions for Policy SS12 and ST14 to be soundly based. Indeed it is noted that the developers have indicated that they are unable to provide the level of primary school required by Policy SS12 as they say it is not viable to provide this size of school with the proposed level of housing – if the developers are already highlighting that this site cannot bring forward the level of facilities that is set out in Policy, it leaves a significant level of doubt that the whole is viable.

#### Landscape Impact

17. An updated landscape assessment is attached, which incorporates an analysis of the impact of the ST14 proposals from The Minster.
18. The evidence presented by the Council makes the derivation of the allocation very clear. ST14 was initially allocated as a sustainable urban extension. This is in line with the chosen strategy of identifying one new settlement and accommodating all the remaining housing requirement within the urban area or in sustainable urban extensions. This allocation extended from the ring road and would have meant that the new development was only separated from the retail park by the ring road. Whilst this would have been a physical barrier to access, it meant that a substantial part of the development was close to services and facilities and therefore in a sustainable location. The importance of this site within the Green Belt was not considered prior to this allocation as the Green Belt study only considered existing development, and did not look at what aspects of the land surrounding York were important to maintain free from development.

19. However, at this point Officers noted the objections that this proposal would result in the important gap between the ring road and the outer villages being breached, so the allocation was reduced in size by pulling it away from the ring road, and away from Skelton to the west. Officers have indicated that pulling the new settlement away three modest sized fields back from the ring road will mean that it does not appear to be ‘urban sprawl’ and instead a self-contained settlement in the Green Belt.
20. After a long period during which it was impossible to access York Minster tower, it has been possible to get up to the top and take photographs of the view from the tower. Two panoramas are attached of views from the top of the Minster, in a northern direction. One of them is a panorama taken with a lens at 70mm, and the other is a zoomed in image closer to the location of ST14 so that more detail can be seen easily.
21. The views from the tower are clearly important – The Minster is one of the most important buildings within the City, and is visible from a significant distance away in views. It is also the point from which the Long Distance Views analysis has been based upon, which was cited in the 2021 Green Belt Addendum 59c (see below).



22. It is acknowledged that there are ‘hundreds of important views into and across the Conservation Area’. However, this plan identifies 4 key views from the Minster. Two of these are towards the north – the western one is to The White Horse at Kilburn, and the eastern of the two is to Crayke Castle.
23. From the top of York Minster, it is possible to see the White Horse of Kilburn easily with the naked eye – and this is clear in the 70mm photo which shows the White Horse in the distance as a clearly white element on the distant hills (Appended). It is more easily seen in the zoomed in photograph, although this is not how viewers see it without magnification.
24. Just to the left of the line between the Minster and The White Horse, the site of ST14 can be seen. The hedgeline that is one field to the north of the southern boundary can be clearly picked out – and there is a thin sliver of green noticeable between the hedge and the roofs of Clifton

Moor and it is not possible to determine whether the southern boundary lies within this area or to the south of it as there are no discernible features on it from this angle. The revised landscape report submitted with this report confirms that the proposed development of ST14 will effectively be viewed as an extension to the urban area from the top of The Minster as there will be no discernible gap between the new buildings and the roofs of the retail development at Clifton Moor.

25. During the course of the earlier stages of the Local Plan Inquiry we have heard on several occasions that the distance between the ring road and Skelton is not necessary between the new development and the ring road as other villages don't have such a large gap. On the 70mm panorama, the site of ST14 can be seen towards the right hand side of the image, and Skelton can be seen in the distance towards the left hand side. It is possible to pick out the properties on Brecksfield and the different materials on their southern elevations. From this view it is very evident why the early Green Belt assessment identified that it was necessary to allow such a significant gap between Skelton and the ring road as the 1.1km distance as, whilst the distance is significantly greater than the distance between ST14 and the (much taller) Clifton Moor development, there is only a relatively modest gap of green fields visible between the existing housing development and the southern edge of Skelton.
26. It should also be noted that Skelton does not lie close to one of the four 'key views' identified in the Conservation Area assessment. In contrast, ST14 lies very close to the key view towards the Kilburn White Horse, and so York will appear to sprawl outwards at a point that will impact upon this key view. Indeed, whilst much of the view to the north benefits from a large amount of trees which lessen the impact of existing development such as Wiggington, ST14 lies within a relatively open section of the landscape and will therefore have a more significant impact upon the view.
27. Thus, whilst the 2003 Approach to the Green Belt Appraisal 2003 did consider how large a gap was absolutely necessary in order to prevent urban sprawl between the ring road and Skelton, this critical element was overlooked in determining how close to the ring road it would be acceptable to have development at ST14.
28. The 2012 NPPF indicates that (Paragraphs 150 & 151) "Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development."
- 29 Paragraph 156 requires LPAs to set out the strategic priorities for the area, and set out strategic policies to deliver on a number of matters including "climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape."
- 30 EX-CYC-59, The LPA's 'Approach to defining Green Belt' paper indicates the Local Plan Strategy clearly – in terms of growth, priority was to be given to development within or as an extension to

the urban area, with a single new settlement (although in paragraph 4.60 this is 'the provision of new settlements' which is not how the actual strategy is worded and is misleading because only one settlement was suggested at the strategy setting stage). In relation to the Green Belt, it was decided that the primary purpose should be to preserve the setting and special character of York (para 4.62). 4.63 indicates that this was 'expected to help ensure that any land taken forward for development does not undermine York Green Belt being defined to preserve the setting and special character of York'. This was agreed in 2013, and yet the original 'urban extension' version of ST14 was proposed in 2014, even though it was later identified that it would adversely affect the Green Belt and therefore the historic importance of York as a city. It would have been logical, at this stage, to identify that, as the Green Belt study had failed to identify such a critical element that contradicted the strategy, that further work was necessary in order to make sure it was fit for purpose, but this never happened.

31. Paragraph 158 of the 2012 NPPF requires that the evidence base used by LPA's is proportionate: "Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area."

However, it is clear that no proper assessment of the Green Belt has been carried out which identifies which parcels of land have different levels of value in the different purposes of Green Belt. This was clear very early on in the Plan Process due to the change in boundaries to ST14 to make it into a stand-alone settlement rather than a sustainable urban extension. However, nothing was done in a timely manner to mitigate this situation. Therefore the York Local Plan does not have a proportionate evidence base in relation to Green Belt as the study carried out does not look at what areas of land within the Local Authority area have importance for the various purposes of Green Belt.

- 32 Furthermore, as York has set its own strategic aim to protect the historic character of York in its Green Belt setting, the allocation of ST14, which will be viewed in key views as an extension to the urban area rather than a stand alone settlement, is contrary to its own strategic aims.

#### Drainage

- 33 The Drainage and High Level Hydrological Review of ST14 attached, which has been prepared by Delta Simons on behalf of Mr Harrison, demonstrates that there are significant constraints to be considered. Significant mitigation measures are likely to be needed to deal with the discharge of surface water given that ground water beneath the site is extremely shallow. The site and surrounding land is frequently under water between the months of November and April each year. An example of the groundwater conditions can be seen on the appended Google Earth image. Either the site would need to be raised significantly above current levels to a greater height than 15.28m AOD to allow storage of surface water within attenuation basins, or existing levels could be maintained if a pump system was deployed to discharge surface water. Raising the site would likely have knock on effects with regards to landscape impact and impact

on views of the site from for example York Minster. In comparison, maintaining existing land levels and introducing a pumped system across the site would come at a huge cost, estimated to be between £9m and £11m. The figures above would be considered abnormal costs in this case and are over and above typical drainage construction costs, putting into question the viability of the scheme. Furthermore, no evidence has been provided by either the landowner, their representatives or the Council to demonstrate that such huge costs have been taken into account

## Conclusions

- 34 Paragraph 154 of the NPPF requires that Local Plans should be aspirational but realistic. It is not realistic to expect that a settlement at ST14 will largely use shops and services at Clifton Moor without using motor vehicles. It is not realistic to expect bus companies to extend their routes out through this new settlement (and have to cross the Ring Road which often causes delays) when the settlement is unlikely to generate sufficient passengers due to its size and the nature of trips they are likely to wish to make. During Phase 2 the LPA indicated that ST14 would not be a stand-alone settlement, but that they would expect residents to use York as their main location for shops / facilities / services and jobs. This necessitates good access – which requires public transport as well as cycle routes etc. This simply is not the case with the allocation of ST14 which is too small to provide for the day-to-day needs of the population and therefore will inevitably result in heavy car use, and certainly not result in public transport take-up of the scale that the LPA suggests (which is higher than nearly all other parts of the City).
- 35 Providing a primary school that isn't in the first phase of development will mean that all new residents will need to drive out of the settlement for primary as well as secondary education – and if they start a family, their second children are then likely to also go to the school their older sibling goes to rather than a new one within the settlement – thereby extending the period in which residents will be relying on their cars. Because of needing a car for schooling, residents will find it easier to drive to Clifton Moor even if they could walk or cycle – and this will make the bus services even less viable. Therefore ST14 in the 'stand alone settlement' option is not a sustainable location for development and fails to accord with the requirements of the 2012 NPPF.
- 36 The allocation of ST14 fails to accord with the strategic priorities set out in the early stages of the York Local Plan (paragraph 156 of the NPPF). It does not accord with the aim to accommodate growth in the urban area or as an extension to it, or within one stand alone settlement. Moreover, it's allocation fundamentally contradicts the aim of preserving the historic character of the city of York, surrounded by green, with settlements at a distance – this settlement will be viewed as an extension to the urban area of York and will be prominent in two of the four most important views from the Minster, as identified by the LPA. This fundamental breach in policy is due to the lack of a proper Green Belt assessment – and this was clearly lacking when the LPA realised that ST14 could not be built all the way to the ring road without impacting on the historic nature – although the revised boundaries still do not achieve the necessary degree of separation.

37 Therefore the allocation of ST14 is neither justified nor effective. It will result in a dormitory housing estate where most residents will rely on cars because the settlement is too small to support sufficient shops and services. It will adversely impact upon the historic character of York in that, in key views, it will appear that York sprawls out over the ring road. This is contrary to the strategic policy set by York, will adversely affect the Green Belt purposes in York in that sprawl will not be contained, and is contrary to the requirements of the NPPF. As a result it is considered that the allocation of ST14 is not sound, and that the York Local Plan is therefore not sound.

*(Question 4.14) Are the Green Belt boundaries of the ST14 site reasonably derived?*

#### Green Belt Boundaries

38 Paragraph 84 of the NPPF requires LPAs to 'take account of the need to promote sustainable patterns of development'. Moreover, it specifically suggests that 'They should consider the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.' The LPA has failed to follow this guidance in the allocation of ST14. Whilst ST14 was originally an urban extension, this would have followed the guidance as it was 'inside' the Green Belt boundary – or at least on the inside edge of the newly defined Green Belt boundary. However, in pushing it away from the urban edge it became less sustainable – and also became less sustainable due to the reduced size and therefore reduced facilities and services that would be viable in the new settlement. This does not accord with the aims of paragraph 84.

39 In terms of the definition of the boundaries, Paragraph 85 sets out clear guidance:

When defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

40 Evidence has already been submitted which demonstrates that the allocation of ST14 does not fit with the Local Plan Strategy that was originally used for setting the guidelines for the Local

Plan. Therefore the allocation of ST14 fails to accord with this requirement of paragraph 85 of the NPPF.

- 41 Evidence has been submitted that shows that, if developed, ST14 will appear to be a sprawling extension to York going over the ring road into the green setting of the city, contrary to the aims of the York Green Belt. It therefore occupies land which should not be released from the Green Belt as it is necessary to keep it open to fulfil the purposes of the Green Belt in York. In contrast, because York have not done a proper assessment of the Green Belt in the Local Authority area, there may be substantial areas of the open countryside between the edge of the urban area and the 6 mile perimeter that do not fulfil any Green Belt function – and these have not been identified. Therefore the plan fails to follow this requirement of Paragraph 85.
- 42 Similarly, the plan fails to identify safeguarded land, and fails to identify Green Belt boundaries that will not need to be altered at the end of the plan period to accommodate future development needs.
- 43 The final requirement of paragraph 85 is that LPAs should ‘define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ This is also poorly considered in relation to ST14. Starting at the northern tip of the allocation, the eastern boundary does follow a relatively sensible boundary – a line of trees to start with, then the edge of a narrow wooded area (although the new access road will cut through this woodland and over the fields to the east to join Wiggington Road). However, the southernmost field of the site has a boundary that does not follow the existing field line (which juts to the east) and simply runs across the middle of the field, with absolutely no physical element.
- 44 The southern boundary on its eastern edge abuts a small plantation – which is a logical and physical boundary. However, the remainder of the boundary is simply the boundary between two fields, largely marked with rough grass, with two small remnants of hedge. Whilst this is a physical feature, it is hardly ‘readily recognisable and permanent’ and affords no guarantee that this will be maintained in any way. Indeed, there has been no evidence put forward that elements such as recreational land, flood water alleviation etc can be accommodated within the proposed allocation size and are likely to sprawl outwards from the defined boundaries which will inevitably mean that boundaries such as this, which have no real features to define an edge to the new settlement, will be affected.
- 45 The western boundary to this southern field is also similar to the southern boundary – clearly there once was a hedge in this location but that no longer exists. Again, this does not follow the guidance of the NPPF in that a boundary with no real physical elements does not provide a long term, defensible boundary to the Green Belt that should be identified in the Local Plan.
- 46 Moving up the western boundary, matters improve over the next field which retains most of its hedge and some hedgerow trees. This is an appropriate boundary as defined by the NPPF. Indeed, it should be noted that the southern boundary to this field would also be an appropriate

boundary as it contains a significant number of trees along the hedgeline – this can be seen in the aerial views attached. The next field up the western boundary has a reasonable boundary to the west formed by a hedge, although it has few hedgerow trees so does not provide a strong boundary. It is, however, an identifiable physical feature that can form an acceptable Green Belt boundary. Whilst there are gaps at the corners, the allocation boundary follows the northern edge of this field which is also marked by a hedge to the eastern edge of this field.

47 As the allocation boundary once again heads north, it cuts directly over a field. It follows no physical feature at all. In the assessment of the boundaries in ex-cyc-50g, the ‘permanence of proposed boundary’ assessment suggests that the whole of the western boundary ‘follows historic field boundaries shown on 19<sup>th</sup> and 20<sup>th</sup> Century mapping’. However, it fails to note in the assessment that the actual boundary cuts through the middle of the field which is completely unmarked in terms of any features. Furthermore it should be noted that, whilst the OS plan shows a field boundary going across this field, it does not follow the line of the allocation boundary, so the allocation boundary doesn’t even follow the established historical field boundary. This section of the boundary lacks ‘permanence’ and fails to follow the requirements of the NPPF. The northern most field of the allocation has a hedge on the western side and hedge with a few trees in it on the northern edge.

48 The most suitable boundary is the eastern boundary as it does provide a strong and lasting boundary feature which will help to contain the proposed development. None of the other boundaries are strong as they largely lack the large trees that would help to contain development of this scale. Whilst some do follow features, others are arbitrary lines across fields which have no definition and do not even follow any boundaries that were previously established historically. The proposed boundaries therefore do not follow the guidance set out in Paragraph 85 of the NPPF and are unjustified.

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By Email

5 July 2022

Dear Sarah

**Viability Advice - Strategic Housing Site to the West of Wigginton Road**

Cushman & Wakefield (C&W) has been instructed by Mr J Harrison to provide viability advice in respect of the proposed allocation of the Strategic Housing Site to the West of Wigginton Road – Site Ref ST14.

Mr J Harrison has objected to the proposals and has instructed C&W to review the viability evidence of the Local Plan that sits behind the proposed allocation.

We previously submitted a Review of the Local Plan Viability Evidence prepared by the Council in connection with the Phase 2 Hearings. A copy of our Review is attached for ease of reference.

The Phase 3 Hearings include at Matter 4 a review of the Strategic Housing Sites which includes Site ST14.

This hearing statement is written on behalf of Mr J Harrison specifically in respect of Matter 4.13 - ***Is the allocation and associated Policy SS12 relating to ST14 soundly based?***

We consider the issues raised in our Review of the Local Plan Viability Evidence are relevant to Matter 4.13. Furthermore, our investigations indicate there are significant technical challenges to the delivery of the proposed development notably in respect of flood risk, highways and drainage which put the viability and, as a consequence, the delivery of the proposed allocation in doubt.

We consider that the broad brush viability evidence prepared by the Council in support of ST14 is wholly inadequate and lacking robustness for a strategic allocation of this scale and that there are significant questions regarding the scale of abnormal costs and technical feasibility which remain unanswered. As such we do not consider Policy SS12 and ST14 to be soundly based. We consider it essential that evidence be provided for review ahead of the Phase 3 Hearings to ensure a robust analysis of soundness.

Yours sincerely



**Phil Roebuck FRICS**  
Partner  
Residential I Development





Glebe Farm,  
Moor Lane

Rawcliffe Moor Farmhouse

Moorlands Hall,  
Moor Lane

Hedge line one field north of  
southern boundary of ST14

Dunelm, Clifton Moor

Browns Nurseries  
Plainville Lane

White Horse

Crake Castle

