

**From:** Swain, Cassy [REDACTED]  
**Sent:** 27 March 2023 17:34  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** York - Local Plan Representations  
**Attachments:** NHS Property Services - Local Plan Main Mods Reps 2023 v3.pdf

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Good afternoon,

I have today submitted representations on the York Local Plan Main Modifications Proposals Map, specifically in relation to PMM29 (York Cricket Club (Policies Map North)). Please see attached our representation document for ease.

I submitted an accidental blank form earlier in the day, please can the most recent submission (attached) from 17:30 (circa) supersede the earlier one which was mistakenly submitted.

Please can you confirm receipt of the attached and the reps form submitted online.

Kind regards

Cassy

**Cassy Swain**

Graduate Planner - Planning & Development North

JLL

Landmark St Peters Square 1 Oxford Street | Manchester | M1 4PB

T [REDACTED]  
M [REDACTED]  
[REDACTED]



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Our ref NHS PS Lime Trees

27<sup>th</sup> March 2023

Dear Sir / Madam

## **New Local Plan Proposed Main Modifications Consultation**

### Introduction

We write on behalf of our client, NHS Property Services (NHS PS hereafter), with regard to their property, Lime Trees, a purpose-built medical facility on Shipton Road in the north of York.

Our client understands that the New Local Plan Proposed Main Modifications Proposals Map Consultation is ongoing and wishes to make a representation relating to the above site, as set out in this letter.

These comments should also be read alongside the comments made by the NHS PS regarding the Clifton Park Hospital site and other modifications.

### Site Background

The site is owned by NHS PS, alongside a wide range of assets across York and Yorkshire. The Lime Trees site was previously occupied by Tees, Ask and Wear Valleys NHS Foundation Trust to provide Child and Adolescent Mental Health Services (CAMHS). The Trust has now relocated to a purpose-built facility within the city, and the site owner has investigated alternative potential healthcare occupiers for the site however following large scale rationalisation of mental health provision in the city, no alternative healthcare occupiers have been found. Furthermore, the site is made up of a mix of different sized buildings of varying but ageing quality, thus no longer fit for purpose to meet occupier expectations.

JLL was instructed by NHS PS in 2021, as a result of the site becoming surplus to requirements and being vacated by previous occupiers. Representations were submitted to the Council in June 2021, in response to the Council's New Local Plan Proposed Modifications and Evidence Base consultation, specifically in relation to EX/CYC/59c Topic Paper 1 Green Belt Addendum January 2021 Annex 3 Inner Boundary Part 1 Sections 1 to 4 (submission reference: 197816 & Reps Volume 4 SID 350 -375 representation 366i).

Furthermore, JLL subsequently submitted a Statement in response to the revised Phase 4 Matters, Issues and Questions (MIQs) for the Examination document issued on 1<sup>st</sup>

August 2022. The response focused on Matter 1 (Green Belt Boundaries) and Matter 6 (Development in the Green Belt).

### Discussion

This representation is submitted as part of the consultation on the Local Plan Main Modifications, after the Local Plan Inspectors recommended a number of changes to the submitted plan in order to make the Plan sound. This letter will focus on the proposed Green Belt Boundaries, which originally included the Lime Trees site as well as the adjacent York Sports Club Buildings (referred to in the Main Modifications as the York Cricket Club). After submitting our original representations, the Council has amended the Green Belt boundaries as shown in PMM29: York Cricket Club Boundary to exclude the Sports Club Buildings, but continued to include the associated sports pitches and Lime Trees buildings. See extract below in Figure 1:

Figure 1



The five purposes of the Green Belt are set out in the NPPF as follows:

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

As set out above and in our previous representations, the site in question is well established and has existed for many years. It benefits from strong boundaries and its removal from the Green Belt is not considered to present a risk to any of the above five purposes of the Green Belt. It would not lead to unfettered development on the site as the site remains constrained by a number of factors including proximity to a conservation

area, trees subject to protection orders, impact on the openness of the remaining Green Belt, neighbouring amenity and general physical constraints on the site. These matters would limit any future development of the site during the development management process through the application of local and national planning policies and legislation.

On 16 November 2022, the joint Inspectors issued comments to the Council, setting out concerns with the proposed Green Belt boundaries. The comments demonstrate inconsistencies with the Council's approach to this, stating there are instances where areas have been included in the Green Belt '*despite the presence of significant infrastructure*', and advises that boundaries should be '*drawn around the curtilage of the facility [...], especially when boundaries to that curtilage are significant in themselves, and more easily defensible*'. These comments echo our view set out in this and earlier representations, in that the Lime Trees site has strong boundaries which provide a level of protection to the openness of the surroundings, and include buildings which are illogically placed in the Green Belt boundary given their proximity and natural continuation from the Shipton Road urban area. The comments from the Inspectors reflect inconsistencies in the Council's approach and clearly states '*we would encourage you to review other boundaries of this type, in the light of our comments.*'

The Council published their response to the Inspector on 9<sup>th</sup> December 2022, and included possible amendments to the York Sports Club Green Belt Boundary, setting out that the land is part of a green wedge and important for views of the city within a rural context. The Council goes on to state that '*the boundary contains ribbon sprawl along Shipton Road and protects the countryside from encroachment*'. The comments continue to set out that, given that the sports club site displays a '*good level of openness*' that no further modifications are necessary, however the Council provided a possible alternative boundary to '*give an impact of such a change*' (see possible modification below in Figure 2) for the Inspectors to consider.

*Figure 2*  
Possible modification Dec 2022



In the meantime, the Council has pursued its Main Modification at the Sports Club site as per PMM29 shown in Figure 1 above.

The consideration of the Council's Response to the Inspector's Email of 9 December clearly considers the Sports Club land but wholly ignores consideration of the Lime Trees land. This must be readdressed.

In terms of PMM29, the Main Modification made by the Council removes the Sports Club buildings from the Green Belt. It is our view that this option only further emphasises our point; maintaining the Lime Trees site within the Green Belt is not logical or constructive and in fact it represents a natural continuation and congruence of the Shipton Road urban area.



The argument proposed is that retaining the Lime Trees properties within the Green Belt would prevent 'urban sprawl', however, as aforementioned, the buildings already exist

and they are completely congruous to the existing sports club, representing a natural continuation of the urban area. The above images of the site demonstrate this, showing the Lime Trees buildings in relation to the Sports Club grounds and from this it is a logical exclusion from the Green Belt.

In summary, the Lime Trees site and Sports Club buildings are contiguous to the urban form of Shipton Road in this area, are already developed and offer strong external boundaries. The proposed inclusion of these sites in the Green Belt is considered to be inconsistent, illogical and not justified. As set out in previous representations, our client proposes that the Green Belt boundaries be set to the west and north of the Lime Trees i.e. that the Lime Trees buildings and hard standing areas as per the Sports Club buildings and hard standing areas be excluded from the Green Belt. Figure 3 below presents the proposed revision to the green belt boundary.

Figure 3



The following image also shows clear views through from the Lime Trees site car park which visibly shows the range of sports club buildings and the northern elevation of 27 Shipton Road, a residential property next to the sports club. The image definitely shows the strong relationship between all properties from Lime Trees south along the Shipton Road corridor demonstrating that all buildings should be removed from the green belt. Otherwise, the methodology of drawing up the green belt boundary is not consistent. PMM29 should therefore be amended further.



On reviewing the Council's Response to the Inspectors' email of 9 December 2022, JLL has reviewed all the revised boundaries within the document. Each and every boundary that has been revised to remove buildings and land from the Green Belt have not resulted in any buildings adjoining the new boundary from remaining in the Green Belt. The Lime Trees buildings are the only set of buildings and associated hard standing areas observed that remain in the green belt when sat next to buildings on the same corridor, on the same side of the road and immediately next to buildings that have been taken out of the green belt. This is a fundamental inconsistency of approach and it is urged that this flaw is rectified.

Our client agrees that restricting sprawl, protecting open space and protecting the special historic setting of York is fundamental to the purposes of the Green Belt however they strongly disagree that this cannot be achieved were the Lime Trees buildings removed from the Green Belt. Doing so would allow the owners of the site some flexibility to adapt to changing circumstances and requirements while the objectives of the Council in this area (retaining open space, protecting the setting of the city etc.) can be equally achieved by the proper application of national and local planning policies.

#### Open Space

JLL also notes that there is an anomaly showing on the Local Plan Publication Draft 2018 and Main Modification Plan in regard to area designated as Existing Open Space. Within the Lime Trees site, the northern section of buildings and hardstanding are washed over as Existing Open Space. It is not possible that the buildings can form or contribute to Open Space within this part of the site therefore it is requested that this is corrected and removed as per the southern buildings within the Lime Trees site before the Local Plan is adopted for consistency.

#### Suggested Amendments

On reviewing the Council's Main Modifications, PMM 29, the Council has amended the Green Belt boundary to remove the York Sports Club buildings from the green belt, but has retained the Lime Trees buildings in the green belt. This is inconsistent and illogical as each group of buildings forms a linear, contiguous strip of established development fronting onto the urban Shipton Road corridor.

The enclosed photographs show the strong relationship of the buildings between the Sports Club and Lime Trees buildings.

Paragraph 143 of the NPPF states that when defining Green Belt boundaries, plans should:

“b) not include land which it is unnecessary to keep permanently open”

As set out in our previous representations, it is unnecessary to keep the group of buildings and hardstanding that form part of the Lime Trees site permanently open as it is bound by the buildings themselves, Shipton Road, York Sports Club and the tree line to the west of the site. As such, the land and buildings do not retain a strong sense of openness, which is one of the essential characteristics of Green Belts (NPPF Paragraph 137).

It is therefore requested that the Council reconsiders the Green Belt boundary in this location which retain the principles of the purpose of green belt boundaries and modifies the boundary further as per Figure 3 above.

The revision made by the Council by way of the Main Modifications, presents a natural continuation of the urban area however it stops short of fully acknowledging the established urban corridor. It is not considered that the urban corridor in this location would threaten the openness of the green belt given its strong boundaries and that existing development management policies will prevent any inappropriate development of the the area to the north of the Lime Trees buildings.

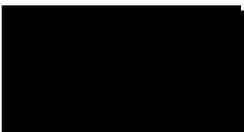
Furthermore, on review of the modifications made by the Council to other green belt boundaries across the City, the Lime Trees site is the only site that has not been reconsidered and where buildings have remained inside the Green Belt whilst neighbouring properites have been removed. The Lime Trees site therefore remains an anomaly within the draft Local Plan and should be corrected.

On behalf of NHS Property Services, JLL therefore objects to the proposed Main Modification PMM 29 and proposes that the Gren Belt boundary is reconsidered to exclude the Lime Trees buildings as per Figure 3 above.

It is also requested that the Council considers amending the anomaly that is the designation of Existing Open Space over the northern buildings within the Lime Trees site such that the designation is removed so it is consistent with the rest of the site.

JLL, on behalf of the landowner, NHS Property Services confirms receipt of this representation and is keen to work with the local planning authority accordingly.

Yours sincerely,



Cassy Swain

Direct line 

Mobile   




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# City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #334 ▼



COMPLETE

**Started:** Monday, March 27, 2023 2:17:20 PM  
**Last Modified:** Monday, March 27, 2023 3:22:34 PM  
**Time Spent:** 01:05:14  
**IP Address:** 163.116.162.119

Page 1: Survey Information

### Q1

Do you confirm that you have read and understood the privacy notice? You must select 'Yes' in order to take the survey.

Yes

Page 2: Register for consultation

### Q2

Your name:

Cassy Swain

### Q3

Contact details: Please provide email and/or address

Organisation (optional) JLL

Address Landmark, 1 Oxford Street

City/town Manchester

Post code M1 4PB

Email address [REDACTED]

### Q4

Do you wish to be notified when the City of York Local Plan is adopted by the Council? If yes we will use contact details provided above

Yes

Page 3: Your response

### Q5

To which consultation document does this response relate? Please note, links shown beside each option are for associated documents.

Proposed Policy Map Modifications - link

Share Link



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459 responses



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To which section does this response relate?

Section 10: Managing Development in the Green Belt

Page 5: Section 2: Vision

**Q7**

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

**Q8**

To which modification does this response relate?

Respondent skipped this question

Page 7: Section 4: Economy and Retail

**Q9**

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

**Q10**

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

**Q11**

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

**Q12**

To which modification does this response relate?

Respondent skipped this question

Page 11: Section 8: Placemaking, Heritage, Design and Culture

**Q13**

To which modification does this response relate?

Respondent skipped this question

Page 12: Section 9: Green Infrastructure

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459 responses

To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 13: Section 10: Managing Development in the Green Belt

**Q15**  
To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 14: Section 11: Climate Change

**Q16**  
To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

**Q17**  
To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 16: Section 14: Transport and Communications

**Q18**  
To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

**Q19**  
To which modification does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 18: Proposed Policy Map Modifications

**Q20**  
To which modification does this response relate?  
\_\_\_\_\_  
PMM29 - York Cricket Club Boundary (Policies Map North) link

Page 19: New evidence documents

**Q21**  
To which evidence document does this response relate?  
\_\_\_\_\_  
Respondent skipped this question

Page 20: Comment Form

**Q22**  
Do you support or object to the proposed modification(s)?  
\_\_\_\_\_  
Object

**Q23**

If you object, please select your reason from the list below (select all that apply):

---

Not positively prepared - i.e. strategy will not meet development needs

---

Not justified - i.e. there is no evidence to justify the modification

---

Not consistent with national policy - i.e. doesn't comply with the law

**Q24**

Please set out the reasoning behind your support or objection: Please note there is a 1000 character limit, therefore if your reason for support or objection is longer than this, please summarise the main issues raised.

---

Respondent skipped this question

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# City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #385 ▼



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**Started:** Monday, March 27, 2023 5:25:23 PM  
**Last Modified:** Monday, March 27, 2023 5:31:21 PM  
**Time Spent:** 00:05:58  
**IP Address:** 163.116.162.122

Page 1: Survey Information

### Q1

Do you confirm that you have read and understood the privacy notice? You must select 'Yes' in order to take the survey.

Yes

Page 2: Register for consultation

### Q2

Your name:

Cassy Swain

### Q3

Contact details: Please provide email and/or address

Organisation (optional) JLL

Address Landmark

Address 2 1 Oxford Street

City/town Manchester

Post code M1 4PB

Email address [REDACTED]

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Yes

Page 3: Your response

### Q5

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459 responses



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**Q6**

To which section does this response relate?

Respondent skipped this question

Page 5: Section 2: Vision

**Q7**

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

**Q8**

To which modification does this response relate?

Respondent skipped this question

Page 7: Section 4: Economy and Retail

**Q9**

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

**Q10**

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Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

**Q11**

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Respondent skipped this question

Page 10: Section 7: Education

**Q12**

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Respondent skipped this question

Page 11: Section 8: Placemaking, Heritage, Design and Culture

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Respondent skipped this question

Page 13: Section 10: Managing Development in the Green Belt

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Respondent skipped this question

Page 14: Section 11: Climate Change

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PMM29 - York Cricket Club Boundary (Policies Map North) link

Page 19: New evidence documents

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Page 20: Comment Form

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On reviewing the Council's Main Modifications Proposals Map, PMM29 (York Cricket Club Boundary (Policies Map North)), the Council has amended the Green Belt boundary to remove the York Sports Club buildings from the green belt, but has retained the Lime Trees buildings in the green belt. This is inconsistent and illogical as each group of buildings forms a linear, contiguous strip of established development fronting onto the urban Shipton Road corridor. Evidence is therefore submitted as prepared by JLL, showing the strong relationship of the buildings between the Sports Club and Lime Trees buildings. It is therefore requested that the Council reconsiders the Green Belt boundary in this location which retain the principles of the purpose of green belt boundaries and modifies the boundary further as per Figure 3 in our evidence.

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Our ref NHS PS Lime Trees

27<sup>th</sup> March 2023

Dear Sir / Madam

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*Figure 2*  
Possible modification Dec 2022



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and they are completely congruous to the existing sports club, representing a natural continuation of the urban area. The above images of the site demonstrate this, showing the Lime Trees buildings in relation to the Sports Club grounds and from this it is a logical exclusion from the Green Belt.

In summary, the Lime Trees site and Sports Club buildings are contiguous to the urban form of Shipton Road in this area, are already developed and offer strong external boundaries. The proposed inclusion of these sites in the Green Belt is considered to be inconsistent, illogical and not justified. As set out in previous representations, our client proposes that the Green Belt boundaries be set to the west and north of the Lime Trees i.e. that the Lime Trees buildings and hard standing areas as per the Sports Club buildings and hard standing areas be excluded from the Green Belt. Figure 3 below presents the proposed revision to the green belt boundary.

Figure 3



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#### Suggested Amendments

On reviewing the Council's Main Modifications, PMM 29, the Council has amended the Green Belt boundary to remove the York Sports Club buildings from the green belt, but has retained the Lime Trees buildings in the green belt. This is inconsistent and illogical as each group of buildings forms a linear, contiguous strip of established development fronting onto the urban Shipton Road corridor.

The enclosed photographs show the strong relationship of the buildings between the Sports Club and Lime Trees buildings.

Paragraph 143 of the NPPF states that when defining Green Belt boundaries, plans should:

“b) not include land which it is unnecessary to keep permanently open”

As set out in our previous representations, it is unnecessary to keep the group of buildings and hardstanding that form part of the Lime Trees site permanently open as it is bound by the buildings themselves, Shipton Road, York Sports Club and the tree line to the west of the site. As such, the land and buildings do not retain a strong sense of openness, which is one of the essential characteristics of Green Belts (NPPF Paragraph 137).

It is therefore requested that the Council reconsiders the Green Belt boundary in this location which retain the principles of the purpose of green belt boundaries and modifies the boundary further as per Figure 3 above.

The revision made by the Council by way of the Main Modifications, presents a natural continuation of the urban area however it stops short of fully acknowledging the established urban corridor. It is not considered that the urban corridor in this location would threaten the openness of the green belt given its strong boundaries and that existing development management policies will prevent any inappropriate development of the the area to the north of the Lime Trees buildings.

Furthermore, on review of the modifications made by the Council to other green belt boundaries across the City, the Lime Trees site is the only site that has not been reconsidered and where buildings have remained inside the Green Belt whilst neighbouring properites have been removed. The Lime Trees site therefore remains an anomaly within the draft Local Plan and should be corrected.

On behalf of NHS Property Services, JLL therefore objects to the proposed Main Modification PMM 29 and proposes that the Gren Belt boundary is reconsidered to exclude the Lime Trees buildings as per Figure 3 above.

It is also requested that the Council considers amending the anomaly that is the designation of Existing Open Space over the northern buildings within the Lime Trees site such that the designation is removed so it is consistent with the rest of the site.

JLL, on behalf of the landowner, NHS Property Services confirms receipt of this representation and is keen to work with the local planning authority accordingly.

Yours sincerely,



Cassy Swain

Direct line



Mobile

