

## COMMITTEE REPORT

**Date:** 3 December 2020      **Ward:** Rural West York  
**Team:** West Area      **Parish:** Upper Poppleton Parish  
Council

**Reference:** 20/00752/FULM  
**Application at:** Land At Boroughbridge Road West Of Trenchard Road York  
**For:** Erection of 60no. affordable homes with associated infrastructure, including access, public open space and landscaping  
**By:** Mr Steve Jackson  
**Application Type:** Major Full Application  
**Target Date:** 11 September 2020  
**Recommendation:** Refuse

### 1.0 PROPOSAL

#### APPLICATION SITE

1.1 The site occupies part of an agricultural field on the south side of Boroughbridge Road (A59), positioned at the edge of the suburban area on the west side of the city. There is housing to the east; Trenchard Road being closest, and Muddy Boots nursery to the west of the site. Beyond the site, there is further agricultural land to the west and then a petrol station and commercial unit positioned at the junction where the A59 meets the outer ring road. To the south is agricultural land between the suburban edge and the outer ring road. Opposite the site on the north side of the A59 is the former Civil Service site, which has planning permission for housing development (266 dwellings approved under application 14/02979/FULM).

1.2 The site is within the general extent of the Green Belt. The development plan for the area is the Upper and Nether Poppleton Neighbourhood Plan. With the plan the site is designated as being within the Green Belt. The site is also within land identified as Green Belt in un-adopted local plans – the 2005 Draft Local Plan and the 2018 Publication Draft Local Plan (DLP).

#### PROPOSALS

1.3 The application proposes 60 dwellings, with a single access point for vehicles from the A59 and associated public open space in the centre of the site and

opposite the A59. The vehicle access would be opposite the approved access for the housing site at former civil service site.

1.4 The accommodation mix would be as follows -

4 x 1-bed flats  
12 x 2-bed bungalows  
2-bed - 24  
3-bed - 20

Total dwellings = 60

1.5 The application is on the basis that all houses would be defined as affordable, in accordance with the definition within the NPPF. Should the application be approved on that basis the details would be established in a s106 agreement. As such the housing could fall into any of the categories specified below –

- Affordable rented or discounted sale (at least 20% below local market rates)
- Starter homes
- Other – such as shared ownership / rent to buy

## BACKGROUND / RELEVANT SITE HISTORY

1.6 A previous application at this site for 130 dwellings was withdrawn when this application was made. That application covered a larger area, including the field to the south, which is beyond Trenchard Road and Sherwood Grove. Application reference 15/00183/FULM.

## 2.0 POLICY CONTEXT

2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.2 The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

2.3 Although the RSS has otherwise been revoked, its policies which relate to the York Green Belt have been saved together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York. Saved policy YH9 states “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”.

2.4 The site falls within the general extent of the Green Belt as shown on the Key Diagram of the saved RSS Green Belt policies.

## THE UPPER AND NETHER POPPLETON NEIGHBOURHOOD PLAN

2.5 The Upper and Nether Poppleton Neighbourhood Plan was made on 19 October 2017 and forms part of the development plan. The site is within the boundaries of the Neighbourhood Plan area. Within the plan the site is designated as Green Belt.

## PUBLICATION DRAFT LOCAL PLAN 2018 (DLP 2018)

2.6 The DLP 2018 was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the Local Plan took place in December 2019. The policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.7 Key relevant DLP 2018 Policies are as follows -

DP2	Sustainable Development
DP3	Sustainable Communities
SS1	Delivering Sustainable Growth for York
SS2	The Role of York's Green Belt
H2	Density of Residential Development
H3	Balancing the Housing Market
H10	Affordable Housing
HW2	New Community Facilities
HW3	Built Sports Facilities
HW4	Childcare Provision
HW7	Healthy Places
D1	Place-making
D2	Landscape and Setting
D6	Archaeology
GI6	New Open Space Provision
CC1	Renewable and Low Carbon Energy Generation and Storage
CC2	Sustainable Design and Construction of New Development
ENV1	Air Quality
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV5	Sustainable Drainage
T1	Sustainable Access
T7	Minimising and Accommodating Generated Trips
DM1	Infrastructure and Developer Contributions

## DRAFT LOCAL PLAN 2005

2.8 The City of York Draft Local Plan Incorporating the Fourth Set of Changes Development Control Local Plan (April 2005) was approved for Development Management purposes. The 2005 plan does not form part of the statutory development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004. Its policies are however considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF although the weight that can be attached to them is very limited.

2.9 Relevant policies of the Draft Local Plan 2005 are as follows -

SP2 The York Green Belt

SP3 Safeguarding the Historic Character and Setting of York

GB1 Development in the Green Belt

### **3.0 CONSULTATIONS**

#### INTERNAL

#### ARCHAEOLOGY

3.1 The site has been subject to a desk-based assessment, geophysical survey and trial trenching. The results of the evaluation confirmed a low presence of surviving archaeological remains across the site, with archaeology recorded in only one trench. This comprised a ditch and a medieval plough furrow. The ditch is further evidence of Romano British activity in the surrounding area, and supports the interpretation of a Romano-British field system and possible settlement at Wheatlands 750m to the southwest. It also compliments evaluation results at the Civil Service site on the other side of Boroughbridge Road.

3.2 The proposed scheme will result in the removal of any surviving archaeological features across the site. Given the results of the evaluation no further work is required across the majority of the site. However, a strip, map and record should take place in the SW corner of the site to further investigate the ditch and any surrounding features which may lie outside the footprint of the evaluation trench. This would be secured through a condition.

#### ECOLOGY

3.3 Officers do not object to development of the site. Planning conditions are recommended to ensure that the development is undertaken in a manner which minimises impacts upon existing biodiversity features and provides enhancement measures for biodiversity in line with national policy. A sensitive lighting scheme and

an ecological management plan would be necessary along with a condition or informative regarding any vegetation removal works during the nesting bird season.

3.4 The site is pre-dominantly an arable field with some margins, hedgerows and a small area of amenity grassland. These habitats can support a range of farmland species, but the habitats themselves are widespread in the local area and can be recreated within a reasonable timeframe. Species impacts can be avoided by retention of features such as the mature trees and hedgerows where possible. In particular, the mature beech and sycamore identified as having potential to support bats should be retained. If plans change and these trees are to be removed, then bat surveys of the trees would be required. Where there is a need to remove vegetation such as hedgerows, trees and scrub this should be undertaken outside the bird nesting season or otherwise check before removal by a suitably qualified ecologist. This is to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

3.5 In order to protect retained vegetation such as hedgerows and trees from indirect impacts associated with noise and lighting there will need to be a sensitive lighting strategy in place. Management of the retained vegetation should form part of a site-wide Ecological Mitigation and Enhancement Plan and could include measures to widen and buffer vegetation to further minimise impacts of lighting and noise.

## EDUCATION

3.6 Contributions requested for off-site facilities as local schools do not have capacity. The s106 contribution would be as follows -

	Projects	Number of places required	Cost per place	Total
Primary	Carr infants / Carr junior / British Sugar	14	£18,976	£265,664
Secondary	Manor academy	9	£26,126	£235,134
Early years	Within catchment 1.5 km	7	£18,976	£132,832

## FLOOD RISK MANAGEMENT

3.7 There was agreement in principle to the surface water run off rates. Officers requested further information as set out below. An updated drainage strategy has been issued and further comment from officers is pending.

- Clarification of the site area & run-off rate (the site area was adjusted on revised scheme)

- Confirmation drainage can run to the outfall ditch (off-site) and modelling to demonstrate it has capacity.

## FORWARD PLANNING

3.8 This site was previously included in a portfolio of sites to meet the identified housing needs of the city in the Publication Draft Local Plan (2014). The allocation was referred to as ST29. The 2014 plan was aborted to review the overall housing requirements included in the plan.

3.9 It was subsequently concluded through the Preferred Sites paper October 2014 that following further technical officer consideration the site provides an important role in the setting of York providing views over open countryside as you travel from York towards the A1237 along the A59. The site has not been taken forward as a potential housing allocation in the publication Local Plan submitted for examination on 25 May 2018.

3.10 On analysis of the very special circumstances put forward by the applicant officers raise a policy objection to the principle of development in this green belt location. Development in this location would be detrimental to the openness of the green belt and its purposes. Whilst the provision of affordable housing, for which there is an identified shortfall in the city, is considered to be a substantial benefit of the scheme, the harm by reason of its inappropriateness cannot be justified by very special circumstances.

### Green Belt policy context

3.11 The York Green Belt has been established for many years but has never been formally adopted. Whilst the Regional Spatial Strategy for Yorkshire and Humber (RSS) has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates those policies and the general extent of the Green Belt around York. It is therefore the role of the new Local Plan to define what land is in the Green Belt and how Green Belt purposes are interpreted in the York context.

3.12 The Local Plan Inspectors have recently confirmed that the proposed inner boundary in the submitted plan is in general conformity with the illustration shown on the RSS Key Diagram, notwithstanding some concerns raised and that it will be necessary for the Council to justify the boundaries in detail through the examination.

3.13 Until a Local Plan for York is adopted, it is the Council's position that development management decisions in relation to proposals falling within the general extent of the Green Belt (as defined in the RSS) will be taken on the basis that land is treated as Green Belt. This is consistent with previous decisions by the Secretary of State.

## Consideration of “Very Special Circumstances”

3.14 The applicant has submitted a very special circumstances argument in relation primarily to:

- Lack of affordable homes in the city;
- Associated local economic benefits and job creation;
- Lack of the site’s contribution to Green Belt purposes and harm to openness;
- Challenge to the Green Belt designation; and
- Local Plan delays preventing consideration of Green Belt issues.

3.15 In plan making terms, the Council has considered York’s development needs and fully examined all reasonable options for meeting development needs, taking into account the use of brownfield and underutilised land, the application of different densities and discussions with neighbouring authorities.

3.16 York’s development needs cannot all be accommodated on the city’s brownfield land. The proposed release of Green Belt land through the emerging Local Plan has been undertaken in a plan led and evidenced based way taking account of identified housing and employment needs over the plan period.

3.17 For decision making, the Council cannot currently demonstrate an NPPF compliant five year supply of deliverable sites on land that is outside of the general extent of York’s Green Belt. It is acknowledged that the housing market in York is not currently delivering the quantity or quality of homes the city needs and the dynamic of high demand and low supply has increased house prices beyond the reach of many people living and working in York. This issue is not restricted to York and can be extended nationally.

3.18 The Council has taken a strategic lead to progress the building of much needed new homes in York, to increase the number of affordable homes and meet the housing needs of a broader range of York residents. The Housing Delivery Programme was established in December 2017, outlining a broad ambition to use Council land and investment to accelerate housing delivery in the city and earmarked a number of surplus General Fund sites suitable for development for housing.

3.19 Officers do not agree with the applicant that the site does not contribute to Green Belt purposes and does not harm openness. The site is identified as being important to the historic character and setting of York in the Green Belt Appraisal

(2003) [SD107] (and its subsequent historic character and setting updates in 2011 and 2013). It was the 2013 update [SD106] that considered that land to the south of the A59, between the A1237 and Acomb is important to retain the rural setting of the city when viewed from the A1237 and the A59, approaching the western edge of the City. This land was subsequently designated as 'Area Retaining the Rural Setting'. This land has been identified as an area of open countryside which provides an impression of a historic city set within a rural setting, and is an area of open countryside visible from a prominent location enabling views of the city, the historic character of which is particularly important. This area therefore performs important Green Belt roles, namely purpose 4 (preserving the setting and special character of historic towns) and purpose 2 (preventing neighbouring towns from merging into one another).

3.20 With regard progress of the emerging Local Plan more recent delays have been beyond the Council's control and relate, in part, to significant policy shift nationally in relation to the assessment of housing need. The Local Plan is at an advanced stage, as confirmed by the Inspector for the ST2 appeal. Whilst of course the Examiners still have much to consider before making their recommendations, the examination into the local plan is progressing.

## HIGHWAY NETWORK MANAGEMENT

3.21 Access road and proposed junction with A59 –

- The principle of the junction design is supported and compatible with the Miller Homes site (access road).
- Visibility splays 2.4m x 120m (as presented in the drawings) to be ensured through condition.
- Full Road Safety Audit to be conditioned (to assess the design of the junction with the A59 as a priority junction and as a signalised junction) HWAY41
- Note Coloured tarmac or similar in the adopted highway would not be adopted due to high maintenance costs. Details to be conditioned (HWAY26 &27)

## Transport assessment (TA)

3.22 The trip rates presented for the site (0.319 – 0.419 vehicle/dwelling in the am peak and 0.384 – 0.411 vehicles/dwelling in the pm peak) are lower than trip rates considered for the Miller homes site opposite were 0.546 vehicle/dwelling in the am peak (8-9am) and 0.647 vehicle per dwelling in the pm peak (7-6pm). This is as affordable housing is proposed. However if comparable trip rates were considered in the Transport Assessment, it is unlikely that they will result in "severe residual



cumulative impacts on the road network” (NPPF para 109). The Highway authority will therefore not object to the development proposal but instead adopt a mitigation approach through travel planning and sustainable travel incentives (see S106).

### 3.23 Car parking

- Car parking provision accords with CYC guidance and is adequate for the site (considering size of proposed dwellings and location).
- Car parking spaces provided in curtilage need to be of adequate size to ensure parked cars encroaching on footways is avoided. 6 m long is recommended as required in the Councils Highway Design Guide.

### 3.24 Cycle parking

- The TA (para 5.3.3) notes “Each property will have a cycle parking shed capable of accommodating two parked cycles. The sheds are secure and accessible”. This will need to be in an accessible location and details should be conditioned.

### 3.25 Pedestrian and cycle links (permeability) –

- The land between the proposed development and Trenchard Road is in 3<sup>rd</sup> party ownership; this restricts the ability to link the development to this area.
- Cycle lane on the access road - although the intention is commendable, instead officers recommend 3m – 4.5m wide shared footpaths which can accommodate cycles.

### 3.26 Construction

- A management plan would be required to include a dilapidation survey, management of construction vehicles and routes (to avoid peak hours on the network), contractors’ vehicles and parking, wheel washing/measures to prevent mud on road.
- Pre occupation conditions required to ensure the highway is fully installed.

### S106 items

3.27 A sustainable travel contribution is required to provide first occupiers with the following:

- £80/dwelling incentive for car club membership and use of the car club. A car club vehicle should be located at the Miller Homes site but if this was not available when this development becomes occupied, we would require a visitor parking space to be allocated to the car club on this site.
- £180/dwelling sustainable travel incentive to be used by first occupiers to purchase a bus pass or cycling equipment

3.28 If CYC were to implement the travel plan the contribution is estimated at £18,000. To cover implementing the travel plan and associated surveys and sustainable travel incentives and events for 5 years.

## LEISURE

3.29 Sport – there is no sport provision on site. The off-site contribution is calculated at £28,968.

3.30 Play and amenity open space is expected on site as we have no local sites which could accommodate off site contributions. Acomb Ward is an area of open space deficit so failure to provide onsite would only compound this further.

3.31 Officers are concerned about the possible use of open spaces as a drainage feature as this may preclude its use - being either full of water or a least a muddy mess for part of the year. (The applicants have advised the basin in the central public open space will typically be 'dry' with 1 in 5 graded slopes).

## PUBLIC PROTECTION

### Traffic noise

3.32 A condition is recommended to require glazing to houses meets the specification recommended in the applicants noise assessment.

### Construction management

3.33 Conditions recommended requiring a construction management plan, to cover noise, vibration, dust, lighting and complaints procedure. It is asked that hours of working are controlled.

### Land contamination

3.34 The desk-based assessment provided recommends a site investigation. This would inform any proposed remediation strategy that would be subject to council approval. Officers agree with this recommendation and request application of the standard conditions in this respect.

## Air Quality

3.35 Ask that each dwelling with in-curtilage parking incorporates facilities for electric vehicle charging. At shared car parking areas 5% provision, with a further 5% passive provision.

3.36 In line with City of York Council's draft Low Emission Planning Guidance, a detailed air quality assessment is not required for this site, as the development is less than 80 residential units. The site is also outside City of York Council's Air Quality Management Area (AQMA).

## EXTERNAL

### AINSTY DRAINAGE BOARD

3.37 Provide advice with regards requirements under the Land Drainage Act. They explain the preference for sustainable methods of drainage, but if connection into a watercourse or drainage the discharge rate should be no more than 4 L/sec. Drainage details require approval.

### HIGHWAYS ENGLAND

3.38 No objection

### YORKSHIRE WATER

3.39 No objection. Ask for conditions for separate surface and foul water drainage and for no discharge into sewers until the drainage details have approval.

## PARISH COUNCILS

### NETHER POPPLETON PARISH COUNCIL

3.40 Objection on the following grounds –

- Site in the general extent of the Green Belt under the preserved RSS and Policy Y1 York sub area.
  - A key aim of the (Poppleton) Neighbourhood Plan is to promote the development of brownfield sites over any Greenfield site or Grade 1, Grade 2 or Grade 3a agricultural land (page 5). This is in part Grade 2 and remainder Grade 3a agricultural land and has been for the last 100 years.
  - Affordable housing provision does not amount to very special circumstances. Only 60 such dwellings would be provided. However there are two sites nearby
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with permission, but as yet undeveloped, which can provide significantly more affordable dwellings (up to 250 affordable houses).

- The site assessment for this piece of land conducted by the Neighbourhood Plan Committee failed owing to the following factors. -
- The distance from local primary schools too great
- At the current time the present buildings on site Manor Academy are at maximum capacity. It was constructed for 1,000 pupils. On the present role there are 1,123 pupils.
- The distance to travel by car to the secondary school is over two miles with no bus route available.
- Many of the statements suggesting that sustainable transport links are already in place are misleading. There is a railway station in Poppleton, but it has very limited car parking. There is no bus route to the station.

#### Drainage

- The lower part of the field in winter and during heavy rainfall periods is severely flooded.
- The present drainage capacity of the Carr Dyke sewerage capacity has been increased to support the development of the British Sugar site and the Civil Service ground, this development would require further access to this facility and would require extensive further disruption of traffic on the A59.

#### Highways issues

- The proposed egress and entrance to the site is off a very busy and heavily congested A 59.
- At peak times the traffic backs up and further traffic in this area would only exacerbate the issues.

### RUFFORTH WITH KNAPTON PARISH COUNCIL

#### Object

3.41 The proposed site is not within the boundaries of the Parish but is immediately adjacent to it. The scheme would have material effects on residents in the Parish, in particular those in the Trenchard Road/Portal Road areas and in the village of

Knapton. Also, it is clear to see that the over-capacity road layout is designed so as to expand the development into the adjacent field which lies within the Rufforth with Knapton parish.

### Green Belt

3.42 When considering the Rufforth with Knapton Neighbourhood Plan (which was made in December 2018) the Independent Examiner removed Housing Allocations from the submitted Plan on the grounds that the Green Belt was defined by the Fourth Set of Changes and that the identification and modification of Green Belt boundaries are matters for the local planning authority. The Independent Examiner of the Poppleton Neighbourhood Plan came to the same conclusion. The vehicle for considering any change to the York Green Belt is the emerging Local Plan (currently under examination) and therefore, until that Plan is adopted, the current definition of the Green Belt applies.

3.43 Development would be inappropriate as the site meets the five purposes of the Green Belt, namely:

- To check the unrestricted sprawl of large built up areas.
- The site is clearly on the edge of the long-standing urban boundary of the city and, whilst on the northern side of Boroughbridge Road there is planned development, the use of this site would fill in the gap entirely.
- To prevent neighbouring towns merging with one another.
- The village of Knapton lies to the south west and is already close to the City. Any further development would risk coalescence and threaten the identity of Knapton as a village community.
- To assist in safeguarding the countryside from encroachment.
- Clearly this is the case here.
- To preserve the character and setting of historic towns.
- Development on the site would seriously affect the visual impact when approaching the City along the A59.
- To assist in urban regeneration by encouraging the use of brownfield sites.
- The submitted York Local plan defines several such sites in the City

3.44 There would be a substantial loss of openness, in particular when viewed from surrounding houses. Regarding very special circumstances the same challenge to the applicant's submission as other parish councils is provided.

## Impact on the highway

3.45 Assessment carried out for the British Sugar site found that local junctions on Boroughbridge Road would subsequently have to operate at over capacity. As such it is questioned whether the infrastructure is able to cope with further development – specifically considering this site,, the site opposite and proposals for some 3,000 houses at Cattal / Green Hammerton.

## POLICE ARCHITECTURAL LIAISON OFFICER

3.46 Commend secure by design features such as avoiding blank frontages, gardens which back onto each other, the use of in-curtilage car parking and clear demarcation of private space.

3.47 Amenity space around the site should be subject to an effective maintenance plan. Such a plan would address issues such as litter removal, damage repair, grass cutting, trimming and pruning shrubs and trees. A well-managed place sends a clear message of care and safety that both dissuades offenders and is reassuring for the users.

## 4.0 REPRESENTATIONS

4.1 There have been two rounds of public consultation on this scheme. The second in October 2020 following submission of an amended layout. In total 66 representations have been made. These all object to the development.

The grounds are as follows -

- Loss of agricultural land and opposition to development of Green Belt land.
- Local infrastructure unable to cope with the amount of development proposed for the area, considering the British Sugar and former Civil Service sites which have permission for residential development. The highway network will be unduly congested and there would be associated air quality issues / schools - Manor is currently over capacity and Poppleton primary has limited sustainable access from this site / GP surgeries and hospitals lack capacity).
- Inadequate measures to promote sustainable travel.
- Disruption during construction process.
- Question housing need, in particular given other planning permissions for housing nearby and the demographic of future occupants.

## 5.0 APPRAISAL

5.1 The key issues are as follows –

- Policy context
- Impact on the Green Belt
- Design – need more information on the pond
- Highway network management and safety – shared cycle / footpath
- Drainage
- Ecology
- Public Protection
- Sustainable design and construction
- Education
- Open Space
- Community uses – open space / health /
- Consideration of Very Special Circumstances

Assessment

### POLICY CONTEXT

5.2 The National Planning Policy Framework (NPPF) 2019 and its planning policies are material to the determination of planning applications.

5.3 The Planning and Compulsory Purchase Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2). It also includes Neighbourhood Plans which have been ‘made’. The Upper and Nether Poppleton Neighbourhood Plan (the neighbourhood plan) was adopted in October 2017 and the application site is within the area covered by the plan.

5.4 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DLP 2005). Whilst the DLP 2005 does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF, although the weight that can be afforded to them is very limited.

5.5 The Publication Draft City of York Local Plan 2018 (DLP 2018) was submitted for examination on 25 May 2018. The policies can be afforded weight in accordance with paragraph 48 of the NPPF, relating the stage of the plan, whether there are

unresolved objections to the policies and the consistency with the first version of the NPPF (2012).

5.6 The site is regarded to be within the general extent of the Green Belt, as defined by the RSS. It is shown as Green Belt in the Neighbourhood Plan, the DLP 2005 and the DLP 2018. It is not allocated for development in the DLP 2018 or the Neighbourhood Plan. The proposed development is, according to the NPPF, inappropriate development in the Green Belt.

5.7 The key issues around the principle of the proposed development is therefore the application of Green Belt policy and the case for Very Special Circumstances. As explained in NPPF paragraph 144 in making this judgement substantial weight is given to any harm to the Green Belt and “‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”. Paragraph 11 of the NPPF establishes the presumption in favour of sustainable development by applying a “tilted balance” to proposals where housing supply policies are out of date. However, the presumption does not apply if the proposal conflicts with restrictive Green Belt policies.

## GREEN BELT

### The site is within the general extent of the Green Belt

5.8 The site is within the general extent of the Green Belt. The development plan for the area is the Neighbourhood Plan. The Neighbourhood Plan shows the site as being within the general extent of the Green Belt (though it does not define the detailed Green Belt boundaries within its area, recognising that these will be determined through the emerging Local Plan). Neighbourhood Plan Green Belt Policy PNP1 applies to the proposal. This states that inappropriate development within the general extent of the Green Belt will not be supported except in very special circumstances. This is consistent with national policy. The site is also Green Belt in the 2005 draft of the Local Plan and the most recent DLP 2018. The inspector’s approach in determining the appeal relating to the Miller Homes site opposite (reference APP/C2741/W/19/3227359), was to regard that site as being within the Green Belt, on the basis of local allocations; the same approach would apply at this site.

5.9 A recent high court judgement (Wedgewood v CYC, March 2020) is also a material consideration in consideration of the approach to be taken to decision making in the Green Belt. The case decided as follows -

*In the absence of a defining Local Development Plan that specifies what is and is not Green Belt, ... (the Council) must apply the high-level policy rationally in order to*



*determine what land within the doughnut ring (the inner and outer boundaries of the Green Belt) is and is not to be treated as Green Belt land. In doing so, it may have regard to the 2005 draft local plan incorporating the full set of changes, as it has previously taken a policy step by resolving to take it into account for development and management purposes. It may take into account the emerging Local Plan, provided it has due regard to the guidance at paragraph 48 of the NPPF. Furthermore, it may and should take into account site-specific features that may tend to treating the site as Green Belt or not.*

5.10 In terms of the latter point (the characteristics of the actual site) and consideration as to whether the application site should be regarded as Green Belt - this site comprises of agricultural land which is beyond the edge of the urban area. It evidently has the character of Green Belt land.

#### Whether the development is appropriate in the Green Belt

5.11 The NPPF explains residential development is inappropriate development in the Green Belt. The development proposed does not fall into any of the exceptions set out in NPPF paragraphs 145. “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

#### Impact on openness

Openness has both a spatial and a visual aspect and here it is considered that the position the development would harm openness through both its scale and massing but also through the introduction of a built form in an otherwise undeveloped site. Para.133 of the NPPF states that the essential characteristics of Green Belts are their openness and their permanence. This proposal would cause loss of openness and permanence of the Green Belt

5.12 The NPPF states “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. It defines the five purposes of the Green Belt 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.

5.13 The DLP 2018 is at examination stage. An element of the plan will be to define the detailed boundaries of the cities’ Green Belt. Topic Paper TP1 – Approach to

Defining York's Green Belt (March 2019 Addendum) is the most recent evidence base in this respect. TP1 establishes the strategic approach, methodology for defining boundaries and justifications for the inner and outer boundaries. It took into account development needs over the plan period. The site was assessed as to whether it was suitable for development as part of the local plan process. It is not allocated for development in the DLP 2018 and is designated as being within the Green Belt. The Green Belt boundaries in the DLP 2018 carry limited weight however, due to the stage in making the plan and the level of objections.

5.14 The inner boundary of the proposed Green Belt between Wetherby Road and Boroughbridge Road was drawn taking into consideration - the need to avoid coalescence with neighbouring settlements, definitive boundaries respecting historic field patterns and the area's role in preserving the setting of the city. The latter considering views from the outer ring road, and key approach roads into the city.

5.15 It is considered development of the site would conflict with all five purposes of the Green Belt as set out in the NPPF, on the following grounds –

- The site is evidently agricultural land at the edge of the urban area. The site has a hedgerow that runs parallel to the A59, there is no footpath on this side of the road and the land beyond is open and agricultural. The development proposed would equate to urban sprawl, encroaching into the countryside.
- There is currently a definitive gap in development on this side of the A59 between Trenchard Road and development around the A59 / A1237 (outer ring road). Development at this site would significantly erode the openness in this area. Considering future development on the opposite side of the A59 there is a case that a meaningful gap between the edge of the city and Poppleton would be significantly lost if this site were developed, also, therefore affecting the setting of these two distinctive urban areas.
- The site is all greenfield and agricultural. There is no recycling of derelict land involved.

#### Applicants' case for Very Special Circumstances

5.16 The applicant has put forward a case that very special circumstances apply which justify the (inappropriate) development. The key argument is around local housing need, and lack of housing delivery in the city; in particular affordable housing. The proposal for this site is that all the housing would be affordable, as defined in the NPPF.

5.17 The case made by the applicants, in summary, is as follows -

- Lack of affordable homes

The Council's 2016 Strategic Housing Market Assessment identified a need of 2,865 affordable homes between 2014 and 2019. The actual delivery was 462 dwellings.

- General low supply and delivery of housing and the lack of 5- year housing land supply (as required under NPPF paragraph 73)

At the Askham Bog / Moor Lane appeal the Council acknowledged its current housing supply (i.e. without sites in the general extent of the Green Belt) was in the range of 2.19 years - 2.77 years. This is combined with historic under-delivery, in particular affordable housing as noted above.

- Associated local economic benefits and job creation investment of £11m to deliver the scheme.

Lack of the site's contribution to Green Belt purposes and harm to openness / Challenge to the Green Belt designation, primarily because the land to the west of the site is developed and a gap would remain between York and Poppleton.

- Local Plan delays preventing consideration of Green Belt issues.

5.18 In correspondence the Oxford Appeal - APP/Q3115/W/19/3230827 is referred to. In that case housing need outweighed the impact on the Green Belt. However, there are fundamental different circumstances compared to this application -

- The site was allocated for development in the relevant emerging local plan
- Only 14% of site was in the Green Belt
- The scheme was found to have a broadly neutral effect on openness as experienced from within the appeal site, and that there would be a significant net beneficial effect on the openness of the wider Green Belt.

## DESIGN

### Policy context

5.19 The NPPF para 127 sets design parameters and advises decisions should ensure that developments:

- Will function well and add to the overall quality of the area over the lifetime of the development;
- Are visually attractive as a result of architecture, layout and landscaping;
- Are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- Establish or maintain a strong sense of place,

- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.20 National Planning Practice Guidance refers to the National Design Guide, which sets out the characteristics of well-designed places and illustrates what good design means in practice. The document can be used for decision-making. DLP 2018 policies D1 Place-making and D2 Landscape and setting also cover design principles.

### Assessment

5.21 The scheme respects local character in terms of its suburban layout, scale and density, with predominantly semi-detached houses (all buildings are 2-storey) with private gardens. It adheres to good design principles considering secure by design. However wider connectivity is an issue as the footpath on this site of the A59 terminates before Trenchard Road.

### Connectivity

5.22 One of the 10 characteristics of good design, as set out in the National Design Guide, is movement. The guide covers the following points -

“Prioritising pedestrians and cyclists mean creating routes that are safe, direct, convenient and accessible for people of all abilities. These are designed as part of attractive spaces with good sightlines, so that people want to use them”.

“Well-designed places have a hierarchy of well-connected routes.... New developments help to reinforce or extend the movement network. For pedestrians and cyclists, direct links create good connections to public transport and promote active travel, particularly where they are along routes with low levels of vehicular traffic”.

5.23 The scheme would include an attractive shared path parallel to the A59. When passing the site this would provide an off road cycle route as an alternative to the A59. The accessible connection onto footpaths will be via a signalised crossing onto the opposite side of the A59. On the pertinent side of the road the footpath cannot connect into Trenchard Road due to land ownership.

5.24 The National Design Guide commentary on public spaces is as follows - “A well-designed public space that encourages social interaction is sited so that it is

open and accessible to all local communities. It is connected into the movement network, preferably so that people naturally pass through it as they move around. It appeals to different groups. This is influenced by the range of activities that can happen within the space and who they are for. It is also influenced by the versatility and accessibility of its design. The uses around its edges reinforce its appeal and help make it into a destination". "Well-designed places provide usable green spaces, taking into account: the wider and local context, including existing landscape and ecology; access; how spaces are connected".

5.25 The main open space proposed will be in the centre of the site and will consequently be a focal point, with houses surrounding the central space. A secondary open space corridor is between housing and the A59. This corridor will provide preferable outlook from the proposed houses; by setting them further back from the main road. The space incorporates the retained hedgerow at the boundary, a path within a more pleasant setting rather than immediately alongside the road and space for children's play and associated seating. The details of these items could be secured through condition. The central open space will also be capable of accommodating flood water. It would have a gentle slope with a 1 in 5 gradient. The developer would be responsible for maintenance. An appropriate landscaping and maintenance regime could be secured through condition, considering the intended function of the area.

5.26 The NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Secure by Design has been considered in the layout, specifically in the revised scheme there is better overlooking / natural surveillance of the public areas, gardens back onto each other and car parking is typically in-curtilage or allocated spaces within sight of owners dwellings.

## HIGHWAY NETWORK MANAGEMENT AND SAFETY

5.27 The NPPF states that in assessing applications it should be ensured that:

- Opportunities to promote sustainable transport included where appropriate.
- Safe and suitable access to the site can be achieved for all users.
- Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.28 The NFFPF also states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or

the residual cumulative impacts on the road network would be severe. Within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

## Assessment

### Site access

5.29 The approved scheme for the Civil Service site opposite allowed for the creation of a signalised junction onto the A59 as the primary vehicle entrance. The intention would be that the access to this site would be directly opposite. This arrangement provides adequate visibility at the junction and has agreement in principle. There would be a signalised crossing at this point so pedestrians can access the wider network from the application site. Through detailed design consideration could be given to incorporating an off road cycle route by the sites' main exit. The site makes adequate provision for servicing vehicles.

### Sustainable travel

5.30 Bus stops are reasonably close to the site and services frequent. The outline Travel Plan contains aspirations to reduce private car travel. Based on Census information from the ward data, it has been estimated that 65.0% of Rural West York Ward residents travelling to work do so as a single car occupant. Therefore, the initial Travel Plan Target is to achieve a 10% reduction from this level within 5 years of occupation. The Travel Plan for the scheme states each property will have a facility for electric vehicle charging and covered and secure cycle parking. Through conditions and s106 agreement the following items could also be secured in the interests of sustainable travel – funding for implementation of the travel plan / financial incentives for residents to travel by bus, cycle and use the local car club.

5.31 The impact on the road network is modelled considering the number of extra vehicle trips at peak times. The assessment takes into account anticipated/modelled extra traffic from development of the site opposite and at British Sugar. Applying reasonable trip rates for the development, which includes 60 dwellings, all of which would be affordable, the local network can accommodate the proposed development whilst still operating below capacity. Applying NPPF policy there is no severe impact or unacceptable impact, and therefore the approach is mitigation. Reasonable mitigation measures could be sought to promote sustainable modes of travel through an s106 agreement.

5.32 The trip rates presented by the applicants for the site have been subject to debate. These projected rates are lower than those assumed for the site opposite as the dwellings proposed for the site are affordable. Using modelling this results in 20-25 vehicle movements in the am and pm peaks. In comparison, trip rates for the civil service site opposite were 0.546 vehicle/dwelling in the am peak (8-9am) and 0.647 vehicle per dwelling in the pm peak (7-6pm). This would equate to around 33 - 39 vehicle trips during the am and pm peaks.

5.33 Even if the trip rates used for the site opposite were used for the basis of assessment, these would not equate to a severe cumulative impacts on the road network i.e. as a consequence of development (factoring in other development permitted locally) the network would not exceed operational capacity. Therefore, as required by the NPPF (paragraph 109), refusal on highways grounds cannot be sustained and the focus must be on mitigation i.e. promoting sustainable travel.

## DRAINAGE / FLOOD RISK

5.34 The site is in an area where there is a low probability of flood risk. In NPPF flood risk terms, the development is (sequentially) appropriate in this location. Relevant NPPF advice on flood risk and this development therefore is not to increase flood risk elsewhere. Local Policy ENV 5 advises sustainable drainage should be implemented unless this is not feasible. Detailed local requirements are set out in the Sustainable Drainage Systems Guidance for Developers 2018.

### Assessment

5.35 The site is Greenfield (undeveloped) so the local policy requirement is surface water run-off rates equate to the existing. This principle is agreed. The drainage strategy follows the sustainable hierarchy. It is assumed, based on investigations to date, water will not soakaway; it will discharge into the watercourse to the western side of the site at the restricted rate. The central open space and cellular storage creates underground would be able to accommodate surface water prior to discharge off site. A detailed strategy, following further site investigation, to whether soakaways would be feasible and the connection to the off-site watercourse, could be secured through planning condition.

## ECOLOGY

5.36 Relevant to this site the NPPF states planning decisions should –

- Protect and enhance valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).
- Minimise impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

5.37 The site is predominantly an arable field with hedgerows. Its habitats can support a range of farmland species, but the habitats themselves are widespread in the local area and can be recreated within a reasonable timeframe. With regards species, impact will be avoided by retention of features such as the mature trees and hedgerows where possible. There would be a landscaping scheme for the site and required management. This can specify management and enhancement of existing hedgerows

5.38 The land is classified to be ‘very good’ agricultural land (as defined by DEFRA). The loss of such is not grounds for refusal. There is a significant amount of such quality land around York and this classification was not a decisive factor when allocating either this site (in previous iterations of the emerging local plan) or the Civil Service site opposite for development.

## PUBLIC PROTECTION

5.39 Section 15 of the NPPF, regarding the natural environment advises that planning decisions should contribute to the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.

### Land contamination

5.40 The desk-based assessment undertaken concludes a low potential for site contamination. Site investigation would occur to confirm ground conditions were suitable for gardens and to assess groundwater and ground gas. There would be a remediation strategy if necessary. These matters can be dealt with through conditions.



## Noise

5.41 Due to the size of the site and proximity of existing residents if development were to proceed a condition to manage noise and vibration during construction would be reasonable. For future residents the main source of noise would be from traffic. The houses' front elevations are setback at least 25m from the A59 and gardens set on the opposite site. A noise assessment has been undertaken to inform the requirements to meet adequate noise levels. Some dwellings will require alternative means of ventilation, as adequate noise levels cannot be achieved with open windows. A detailed scheme would require agreement through condition.

## Air quality

5.42 NPPF policy on air quality states planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.

5.43 For this development air quality predictions were made for a baseline year (2019) and a future year (2025) in which the scheme will be fully occupied. Various worse-case assumptions were made as part of the screening assessment. The screening assessment demonstrated that the development is predicted to have a negligible air quality impact on existing and new receptors

5.44 In line with NPPF policy any permission for the site would take steps to minimise private car journeys, and promote and facilitate use of electric vehicles. Conditions would secure a travel plan and provision for electric charging at each house. As all the four flats are within one block, a shared charging point could be accommodated.

## SUSTAINABLE DESIGN AND CONSTRUCTION

5.45 Emerging plan policy CC1 establishes local requirements on sustainable construction. It requires that compared to Building Regulation targets, buildings achieve a reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. At least 19% of such should be from building fabric efficiency.

5.46 The applicant's energy statement explains how the scheme would accord with local policy CC2 which requires a 19% improvement over Building Regulations in

terms of the housing’s carbon emissions. This would be achieved through fabric efficiency, mechanical ventilation to provide good air quality and PV panels to each dwelling. However the requirement within policy CC1 requires a 28% improvement. An update has been sought from the applicants to confirm the 28% improvement can be secured.

## EDUCATION

5.47 NPPF paragraph 94 states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”. Local draft guidance - the Education Supplementary Planning Guidance 2019 - explains how the need for extra education spaces are determined and the relevant planning obligations.

5.48 Contributions (secured through s106 agreement) would be requested for this scheme towards extra school places, at all levels, to accommodate need arising from the development. Requirements are as shown in the table below. The applicants are yet to confirm the contributions are agreed. Members will be updated at committee if not, as such a position would create a reason for refusal.

	Allocation	No. of places	Contribution
Primary	Carr infants / Carr junior / British Sugar	14	£265,664
Secondary	Manor academy	9	£235,134
Early years	Within catchment (1.5 km)	7	£132,832

## OPEN SPACE

5.49 The NPPF advises that planning decisions should aim to create healthy and inclusive places. Paragraph 96 states ‘access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate’.

5.50 Policy GI6 (new open space provision) of the emerging plan states ‘all residential development proposals should contribute to the provision of open space for recreation and amenity’... ‘The precise type of on-site provision required will

depend on the size and location of the proposal and the existing open space provision in the area. Where there are deficiencies in certain types of open space provision in the area surrounding a proposed development, the Council will seek variations in the component elements to be provided by the developer in order to help to overcome them'. The policy goes on to state that the Council will encourage on-site provision where possible but off-site provision will be considered acceptable in certain circumstances.

## Assessment

5.51 The application site has 0.57ha public open amenity space that accords, in size, with the local requirements, which are currently established in the Open Space and Green Infrastructure Audit (2017 update). This is in addition to each dwelling having its own garden and will include space equipped for play – which could be secured through condition.

5.52 An off-site contribution would be sought for sports facilities, secured through s106 agreement. The amount based on the number and size of dwellings proposed. It has been calculated as £28,968.

## CONSIDERATION OF VERY SPECIAL CIRCUMSTANCES

5.53 Because the site is Green Belt in order for the scheme to be acceptable there need to be Very Special Circumstances to justify approval for what is defined as inappropriate development. In this respect, the NPPF states - "when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

### Harm to the Green Belt

5.54 The application site is within an agricultural field within the general extent of the Green Belt. There is adequate justification to regard the site as Green Belt, considering the RSS, the DLP 2005, the Upper and Nether Poppleton Neighbourhood Plan, the approach taken by the planning inspector at the site opposite and in the recent High Court judgement (Wegewood v CYC March 2020).

5.55 The site was excluded as an allocation for development in the DLP 2018 due to the resultant impact on the role of the York Green Belt; determined using a city-wide methodology and assessment of development need over the plan period, which was followed to define boundaries. In assessing the characteristics of the site, development would conflict with all five purposes of the Green Belt. Introducing 60 dwellings on greenfield / agricultural land, beyond the urban area, would

demonstrably have a significant adverse effect on openness; an essential characteristic of Green Belts.

#### Other harm

5.56 In assessment it is evident that all technical matters could be dealt with by way of condition and s106 legal agreement. The scheme, in design, is appropriate for its setting and proposes family size affordable housing, aimed at prevailing local need i.e. 2 and 3 bedroom dwellings as evidenced in the 2016 SHMA. The applicants still need to confirm homes would be constructed to be energy efficient, in accordance with local policy requirements and that the education contribution is agreed. If not there would be extra grounds for refusal.

#### Very Special Circumstances

5.57 The case put forward by the applicants in support of the application, as summarised in paragraph 5.17, are housing delivery in the context of significant need locally, due to under-supply, and the lack of a 5-year housing land supply. The latter is a requirement of the NPPF. Furthermore, all 60 houses will be affordable. In context, 2,865 affordable homes were needed locally between 2014-2019. The actual delivery was 462 dwellings.

5.58 In consideration of the planning balance, at the appeal for the former Civil Service site the inspector considered housing delivery a 'significant' factor. At the Moor Lane / Askham Bog inquiry 516 homes were proposed, 181 affordable (35%), this was regarded as a 'considerable benefit'.

5.59 In the locality of the application site, live permissions for British Sugar and the former Civil Service site can deliver up to 1,366 dwellings. At British Sugar there will be between 33 and 220 affordable dwellings; 80 at the former Civil Service site.

5.60 Provision of 60 affordable dwellings would make a good contribution to supply. As the Council does not currently have a 5 year housing land supply and in light of the imperative in the NPPF to boost significantly the supply of housing, this provision is given significant weight in support of the proposal. However the live permissions at nearby sites demonstrate locally there are more sustainable and larger sites available to meet housing need in the short to medium term.

5.61 This site has been identified as performing an important Green Belt function. There would be a loss of openness and harm to the Green Belt if this site were developed. National policy gives great importance to Green Belts. It is evident the development would have a significant adverse effect on openness; an essential characteristic of Green Belts and also its five purposes.

5.62 Despite current housing need the emerging local plan is being developed to account for future need and previous under delivery. Support for this scheme would be contrary to NPPF policies for the Green Belt and for the entire planning system as it states that “the planning system should be genuinely plan-led” (paragraph 15). The benefits of the scheme do not either individually or cumulatively, clearly outweigh the harm to the Green Belt and other identified harm

## **6.0 CONCLUSION**

6.1 The site is within the Green Belt. According to the NPPF, the proposals; for housing, should be refused, unless Very Special Circumstances exist that clearly outweigh the harm to the Green Belt, and any other identified harm. The harm to the Green Belt would be high – the scheme would have a significant adverse effect on openness, and would conflict with the five purposes of the Green Belt, through developing previously undeveloped agricultural land located beyond the distinctively defined urban area.

6.2 The main benefit of the scheme is housing provision, and specifically affordable housing. Whilst this benefit carries significant weight, due to local housing supply, it does not clearly outweigh the conflicts with the NPPF relating to Green Belt policy. Refusal is recommended.

## **7.0 RECOMMENDATION: Refuse**

- 1 The proposal by reason of its location within the Green Belt would constitute inappropriate development in the Green Belt as set out in Section 13 of the National Planning Policy Framework. Inappropriate development is by definition harmful to the Green Belt. The proposal would also result in a detrimental impact on openness of the Green Belt due to its scale and location and conflict with the Green Belt's purposes, as identified in NPPF paragraph 134.

The site is not one which has been identified for development in the Publication Draft Local Plan 2018 (which is at examination stage). The benefits put forward by the applicant do not either individually or cumulatively clearly outweigh the totality of this harm and therefore do not amount to very special circumstances necessary to justify the proposal for the purposes of the NPPF. The proposal is, therefore, considered contrary to advice within the National Planning Policy Framework, in particular section 13 'Protecting Green Belt land' and policy GB1 'Development in the Green Belt' of the emerging Local Plan.

## **8.0 INFORMATIVES:**

### **Notes to Applicant**

#### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in an attempt to achieve a positive outcome: ensured that all technical matters (non-green belt) were addressed through the submission of revised plans and further supporting information.

However, the development is in the green belt and unable to demonstrate very special circumstances that clearly outweigh the harm, resulting in planning permission being refused for the reasons stated.

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