



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN**

**2017-2033**

**PHASE 1 HEARINGS**

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**MATTER 3: Green Belt**

**Principles**

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**CITY OF YORK COUNCIL STATEMENT**

## Principles

**3.1 Paragraph 10.1 of the Plan states that “*the plan creates a Green Belt for York that will provide a lasting framework to shape the future development of the city*”. For the purposes of Paragraph 82 of the National Planning Policy Framework, is the Local Plan proposing to establish any new Green Belt?**

3.1.1 The Local Plan is not proposing to establish any new Green Belt. The general extent of the York Green Belt is already established. This task was undertaken by the Regional Spatial Strategy (RSS) and completed via saved RSS policies YH9(C) and Y1 (C1 and C2) (The Regional Strategy for Yorkshire and Humber (partial Revocation) Order (2013) [CD021]).

3.1.2 The Local Plan defines the boundaries of the York Green Belt for the first time (in line with policy Y1 (C1) of the saved RSS policies [CD021]) and this will provide a lasting framework which shapes the future development of the city. The statement of ‘creates a Green Belt for York’ is not intended to suggest that new Green Belt is being proposed; rather it refers to the process of defining the inner and outer boundaries which has the effect of creating the fully defined limits of the York Green Belt.

**a) If so, what are the exceptional circumstances for so doing, and where is the evidence required by the five bullet points set out at Paragraph 82 of the Framework?**

3.1.3 As above, the general extent is already established.

**b) If not, does the Local Plan propose to remove any land from the established general extent of the Green Belt? If it does, is it necessary to demonstrate that exceptional circumstances exist to warrant that approach? Or is it the case that the Local Plan establishes the Green Belt boundaries for the first time, such that the exclusion of land from the Green Belt – such as at the ‘garden villages’, for example – is a matter of establishing Green Belt boundaries rather than altering them, in the terms of Paragraph 82 of the Framework?**

3.1.4 The York Local Plan proposes to set the boundaries to the existing urban areas of York and its surrounding settlements for the first time. This approach is set out in section 6 of ‘The Approach to defining the York Green Belt’ (2019 [EX/CYC/18]) and is based on assessments of open character and contribution to openness that settlements make to the Green Belt (having regard to paragraph 86 of NPPF (2012)).

3.1.5 Setting the boundaries in this way establishes the framework for Green Belt and Settlement Policy (NPPF (2012) Para 83), enables development to be channelled towards these areas (NPPF(2012) Para 84) and seeks not to include land which needs to be kept permanently open.

- 3.1.6 Where there is not the capacity to meet the required need for growth within the urban areas, the Plan proposes to remove land from within the general extent of the Green Belt. The NPPF (2012) does not specifically address circumstances where undeveloped land within the general extent is proposed for release for new development. At paragraph 82 it recognises that the general extent of Green Belts across the country is already established, and advises on the establishment of boundaries at paragraphs 83-85. Paragraph 83 advises that once established, Green Belt boundaries should only be altered in exceptional circumstances. The release of land within the general extent of the Green Belt does not involve an alteration to an established boundary, however given the fundamental aim of Green Belt policy, which is to prevent urban sprawl by keeping land permanently open (paragraph 79), the Council considers it prudent to apply the exceptional circumstances test in the same way as if the boundaries of the Green Belt were being altered to provide for new development.