

City of York Council
Examination of the City of York Local Plan
2017 – 2033

Phase I Hearings

Matter 3

The Approach to the Green Belt

SUBMISSION ON BEHALF OF:

Galtres Garden Village Development Company

RESPONSE TO SCHEDULE OF MATTERS, ISSUES
AND QUESTIONS FOR THE EXAMINATION



Chartered Town Planning Consultants

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The questions concerning Green Belt are aimed at the strategic level. Later questions during the Phase 2 hearings will address the issue of exceptional circumstances and other issues in relation to specific sites. In responding to the following questions, consideration should be in the context of the Council's Topic Paper 1 relating to the Green Belt [CD021], the Council's Topic Paper 1: Addendum [EXICYC/18] and the proposed alterations and modifications to the Plan resulting from that document, set out in Annex 6 [EXICYC/18a].

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 No – the saved policies of the RSS have **established** the general extent of the Green Belt. The role of the local plan is to **define** the detailed green belt boundaries and in so doing:*

- exclude land from the Green Belt that is required to meet the need for sustainable development – housing, employment, University leisure etc.... **and***
- Identify safeguarded land to meet development needs beyond the Plan period*

3.1.2 In 1991 North Yorkshire County Council produced the draft York Green Belt Local Plan (GBLP). Remembering, that at the point in time, the City of York comprised a much smaller area, and prior to Local Government Reorganisation in 1996, the majority of what is now the City of York Council Area resided in neighbouring authorities. A Local Plan inquiry was held in 1992 and the Inspector's report was issued in 1994.

- 3.1.3 As the Green Belt Local Plan Inquiry was never completed – the question of how much land should be excluded to meet longer term strategic needs has been left hanging for the last 25 years.
- 3.1.4 It is ironic that if the GB boundary had been confirmed in 1994/95 we would most likely, now, to be considering a review of the Green Belt Boundaries to accommodate future levels of growth from this point forward. In other words, in another timeline, this Inquiry might well be considering a strategic review of the Green Belt around York. But it is not.
- 3.1.5 As the consideration of the County Council GBLP did not progress beyond the 1995 Post Modifications and as the GBLP was never adopted, the role of defining the inner and outer boundaries has essentially fallen to City of York Council.
- 3.1.6 In other words, the Green Belt ‘baton’ was passed from the County Council to the City Council following Local Government Reorganisation in 1996.
- 3.1.7 One of the tasks of the Green Belt Local Plan Inquiry in 1992 was to consider representations on the Proposed Green Belt Boundary and whether any changes were required to include or exclude land to ensure that a long-term permanent Green Belt Boundary was established. That task was never completed and now falls to the City of York Council.
- 3.1.8 The Inspector at the 1994 GBLP Inquiry considered objections that the inner boundary of the Green Belt was drawn too tightly around York. In response to objections, the Inspector made several recommendations that some areas of land – for example the ‘Germany Beck’ site in Fulford and land at Osbaldwick - be excluded from the Green Belt to meet development needs.
- 3.1.9 The Post Modifications to the GBLP produced in September 1995 excluded both sites from the Green Belt and planning approval for housing development was granted 2007 following a call-in inquiry. The site at Osbaldwick – Derwenthorpe - is nearing completion and the Germany Beck site is nearing first completions.

3.1.10 It should also be remembered that at the time of the GBLP Inquiry, the County Council was proposing a new settlement of up to 1,000 dwellings that would have taken some of the development needs of York.

3.1.11 In considering objections to the GBPL about the permanency of the inner boundaries the Inspector concluded that the life of the Green Belt should be at least 20 to 25 years (paragraph A7.27). He also made several interesting observations in respect of the development pressures in what was then the Greater York area:

As land within the Ring Road is of finite quantity and the Green Belt is 'permanent' it must be assumed that in approving the principle of a York Green Belt, the Secretary of State was accepting the eventual need for a strategic policy which would provide for at least some high proportion of future development needs to be met other than by peripheral growth....I consider that limited opportunity for peripheral growth is an inevitable consequence of the decision to have a Green Belt and of its primary stated purpose (para A7.30)

And

It is not my task in relation to this plan to indicate how much of the land within the Green Belt is capable of development for residential or employment purposes, or how much of that land should be reserved for long term development. I need only remark that it is plainly apparent that the amount of such land is very limited and that if it were to be consumed too early there would be very substantial and possible justified pressure to release land from the Green Belt, contrary to national guidance and to the aims of the Green Belt (para A7.35).

3.1.12 The last sentence of that quote is clearly assuming a scenario following the adoption fo the GBLP.

- 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?*

3.1.13 The criteria in paragraph 82 of the NPPF do not apply as new Green Belt is not being 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?

3.1.14 The latter point is the correct interpretation – it is Green Belt Boundaries that are being established and it is paragraph 84 of the NPPF that is relevant. That paragraph advises LPA’s that when drawing up Green Belt Boundaries they should take account of the need to promote sustainable patterns of development. In other words, they should not include land within the Green Belt required to meet sustainable development needs for housing, employment, education and other uses.

3.1.15 Support for this approach can be taken from the Green Belt Local Plan Post Modifications (Sept 1995), following a Local Plan Inquiry and an Inspectors report. The GBLP Post Modifications explained that the York Green Belt was under increasing pressure for development and it was essential that detailed boundaries were adopted to ensure the York Green Belt formed part of a statutory Development Plan.

3.1.16 The Post Modifications explained that:

1.7 All Green Belts require permanence. This has been re-affirmed in PPG2 (Revised) which refers to permanence as the essential characteristic of Green Belts and restates earlier guidance that their protection must be maintained as far as can be seen ahead.

1.8 To achieve this end, it is essential that that proposals in the Green Belt Local plan take full account of the Long-term development requirements of the Greater York area.

3.1.17 The strategy to meet long term development needs included new settlement(s).
However:

1.9 The County Council's decision in February 1995, not to pursue the new settlement proposals in Alteration No.3 to the County Structure Plan means it will be necessary to re-appraise the long term development land requirements of the area and how these are to be accommodated. This is likely to require adjustment of the Green Belt boundaries identified in this Plan

3.1.18 The Post-Modifications plan recognised that under normal circumstances, the provisions of the York GBLP would have been incorporated into the local plans prepared by the district councils of Hambleton, Ryedale, Harrogate, Ryedale, Selby and York.

3.1.19 However, Local Government Re-organisation intervened and the new Unitary Authority of York became responsible for preparing a district wide plan. The definition of the outer boundaries outside of York became the responsibility of the adjoining district councils and those boundaries have been confirmed at various times in the Local Plans of Harrogate, Selby, Ryedale and Hambleton. The only authority where Green Belt Boundaries have not been confirmed in an adopted Local Plan is York.

3.1.20 The unfinished nature of the Green Belt York is summarised in paragraph 3.13 of the Post Modifications document:

3.13 While the Structure Plan confirms the principle of a Green Belt around York, specific proposals are being developed in the context of Alteration No.3 to provide for residential and industrial requirements arising in the York area in the period up to 2006. Between 1991 and 2006 the requirement identified in Alteration no.3 is for about 10,200 additions to the housing stock (new build plus net conversions) (Policy H1) and some 145ha of land for industrial/business development (Policy I5) in the area of the York Authority on the boundaries effective from 1st April 1996

3.1.21 Essentially, there was a recognition that some land, required to meet development needs in the new York Council area, would not be included in the Green Belt. The process was to be left to the York Local plan. That process was started in 1996, has

not been completed and is still ongoing. This Local Plan Examination is the latest iteration in that process. Relevant extracts from the York Green Belt Local Plan Post Modifications are included at Appendix I.

3.1.22 Finally, much is made of the Saved RSS Policy that maintains the General extent of the Green Belt around York. However, as saved, Policy YH9 appears to deal only with the definition of the inner boundaries of the Green Belt Around York. However, there is an important omission. The saved policy YH9 (c), along with the omission, highlighted by underlining, is set out below.

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

3.1.23 This reinforces the point that there has always been an expectation that in defining the boundaries of the Green Belt would involve not including land required for growth and development. There is no mention of the need to demonstrate special circumstances to achieve this.

We recognise that the Council has responded to us on this point previously. As such, a concise summary is all we require from the Council in relation to the above questions.

The approach to defining the Green Belt boundaries

The questions under this heading relate to the proposed broad 'inner' and 'outer' Green Belt boundaries. They do not relate to Green Belt boundaries around land proposed to be 'removed' from the Green Belt.

3.2 *Paragraph 1.1.1 of the Council's "Approach to defining York's Green Belt" Topic Paper (TPI) [CD021] says "York's Local Plan will formally define the boundary of the York Green Belt for the first time." How has the Council approached the task of delineating the Green Belt boundaries shown on the Policies Map? In particular:*

- a) *How has the need to promote sustainable patterns of development been taken into account?*

We will rely on our previous representations if we join the debate on this matter at the Examination

- b) *With regard to Paragraph 84 of the Framework, how have the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary been considered?*

We will rely on our previous representations if we join the debate on this matter at the Examination

- c) *How do the defined Green Belt boundaries ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development and/or include any land which it is unnecessary to keep permanently open?*

3.1.24 The Green Belt Boundaries in the Draft Plan are inconsistent with the Local Plan Strategy for meeting identified requirements for sustainable development because the Council has underestimated development needs and therefore has not excluded enough land from the Green Belt to meet the development needs of the City. Furthermore, the Council has failed to safeguard land for development beyond the plan period as required by paragraph 85 of the NPPF.

3.3 *Will the proposed Green Belt boundaries need to be altered at the end of the Plan period? To this end, are the boundaries clearly defined, using physical features that are readily recognisable and likely to be permanent? What approach has the Council taken in this regard?*

3.3.1 Yes, boundaries will need to be altered at the end fo the Plan period, because the Plan period is shortened by delays and the Council has only assessed development needs for a period 5 years beyond the Plan Period. So I effect the the 20 year plan at this

point in time is not a seventeen and a half year plan. Normally it would be 10 to 15 years. Furthermore, as not enough land has been excluded from the Green Belt to meet development needs, the Green Belt, if approved as proposed in the Draft plan, will very quickly come under pressure for new development.

3.2.0 *Should the Plan identify areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period?*

3.2.1 Yes – that is what the NPPF recommends. The Council had also previously proposed this in earlier versions of the plan. (See paragraphs 6.11 of our 2018 representations and paragraphs 3.15 to 3.25 of our Modifications representations)

3.2.2 In an area of relatively low growth, a Green Belt boundary of 20 years 'permanence' might suffice. However, in York, there are significant development pressures - quite different for example to Harrogate which also has a Green Belt. Those development pressures will continue and are likely to amplify into the future. Also, factors such as excellent rail connectivity and high quality of life factors will continue make York an attractive place for development in the longer term. This longer-term development pressure requires a Green Belt boundary that will endure for at least 25 years and also makes the case for safeguarded land compelling. This question is addressed in more detail in our representations.

3.3.0 *Overall, are the Green Belt boundaries in the plan appropriately defined and consistent with national policy in the National Planning Policy Framework, and is the Plan sound in this regard?*

3.5.1 No – for the reasons set out in Section 6 of our 2018 representations and Section 3 of our representations on the proposed Modifications.

Exceptional circumstances

3.6 *Paragraph 83 of the National Planning Policy Framework is clear that Green Belt boundaries should only be altered in exceptional circumstances. It appears that the Plan proposes to 'release' some land from the Green Belt by altering its boundaries. In broad terms:*

a) *Do the necessary exceptional circumstances exist to warrant the proposed alterations to Green Belt boundaries, in terms of removing land from the Green Belt? If so, what are they?*

3.3.1 Green belt boundaries are being defined, not altered. See our response to question 3.1

b) *What relationship, if any, is there between the exceptional circumstances leading to the alterations proposed to the Green Belt and the proposed spatial strategy/distribution of new housing?*

3.3.2 See our response to question 3.1

c) *What is the capacity of existing urban areas to meet the need for housing and employment uses?*

3.3.3 Realistically there is little capacity above what has been identified in the draft Plan Allocations. All available strategic brownfield opportunities have been identified in the Draft Plan. Major brownfield sites in the urban, for example the British Sugar site, already have planning permission or are identified for development.

d) *Is there any non-Green Belt rural land which could meet all or part of the District's housing and employment needs in a sustainable manner (having regard to any other significant constraints)?*

We will rely on our previous representations if we join the debate on this matter at the Examination

e) *What is the justification for excluding the identified Strategic Sites (e.g. ST7, ST8, ST14 and ST15) from the Green Belt?*

We will rely on our previous representations if we join the debate on this matter at the Examination

In answering the above questions, we ask the Council to explain:

- (i) The acuteness of the objectively assessed need for housing and the need for employment land*
- (ii) The inherent constraints on supply/availability of land for sustainable development (housing and employment development)*
- (iii) The consequent difficulties in achieving sustainable housing and employment development without impinging on the Green Belt*
- (iv) The nature and extent of the harm to the Green Belt (or those parts of it that would be lost)*
- (v) The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.*

Points (iv) and (v) should be dealt with in general terms – we ask this question on a site-specific basis under future matters.

THE APPROACH TO IDENTIFYING LAND TO BE 'RELEASED' FROM THE GREEN BELT FOR DEVELOPMENT

3.7 *How has land the land proposed to be removed from the Green Belt been selected? Has the process of selecting the land in question been based on a robust assessment methodology that:*

- a) reflects the fundamental aim of Green Belts, being to prevent urban sprawl by keeping land permanently open;*

We will rely on our previous representations if we join the debate on this matter at the Examination

- b) *reflects the essential characteristics of Green Belts, being their openness and permanence;*

We will rely on our previous representations if we join the debate on this matter at the Examination

- c) *takes account of both the spatial and visual aspects of the openness of the Green Belt, in the light of the judgements in Turner and Samuel Smith Old Brewery;*

We will rely on our previous representations if we join the debate on this matter at the Examination

- d) *reflects the five purposes that the Green Belt serves, as set out in Paragraph 80 of the Framework; and*

We will rely on our previous representations if we join the debate on this matter at the Examination

- e) *takes account of the need to promote sustainable patterns of development?*

By starting from a position of thinking that exceptional circumstances are required to release land from the Green Belt, the Council has incorrectly assumed the process of identifying land required for sustainable development needs should be limited to the minimum of what is required rather than adopting a more flexible approach that would meet development needs in full and ensure a permanent Green Belt.

We ask that the Council's response to the above questions addresses all the points mentioned in Paragraph 84 of the National Planning Policy Framework.

3.8 *Have the Green Belt boundaries - as proposed to be altered - been considered having regard to their intended permanence in the long term? Are they capable of enduring beyond the plan period?*

3.8.1 No. The Green Belt Boundaries cannot endure beyond the plan period for the reasons set out in our representations and in our response to preceding questions.

3.9 *In this regard, what is the justification for the proposed alterations to the Green Belt boundary, as set out in Annex 6 of the Topic Paper 1: Addendum [EX/CYC/18]?*

We will rely on our previous representations if we join the debate on this matter at the Examination

3.10 *Overall, is the approach to identifying land to be 'released' from the Green Belt robust, and is the Plan sound in this regard?*

3.10.1 No, this approach is totally unsound for the reasons set out in response to question 3.1. The requirement is to not include land in the Green Belt required to meet the City's sustainable development needs. In taking the approach it has, the Council has essentially mis-directed itself.

The above questions are aimed at the strategic level. Later questions for the Phase 2 hearings will address the issue of long-term permanence in relation to specific sites.

APPENDICES

**YORK GREEN BELT LOCAL PLAN
POST-MODIFICATIONS**

**North Yorkshire County Council
September 1995**

**John D Rennilson
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County Planning Officer**

York Green Belt Local Plan

Foreword by the County Planning Officer

This document is the Post-Modifications York Green Belt Local Plan. It has been prepared to take account of the changes that have taken place since the Local Plan was originally placed on deposit in September 1991.

Over the intervening four years the Plan and its proposals have been the subject of a considerable amount of work. In May and August 1992 the County Council published a number of Proposed Changes in response to objections and representations on the deposit Plan. Between September 1992 and April 1993 a Public Local Inquiry was held to consider the outstanding objections. The report and recommendations of the Inspector appointed by the Secretary of State for the Environment were subsequently received in January 1994.

Each of the Inspector's recommendations was considered by the County Council and, as a result, a number of modifications to the Plan were published for public comment in September 1994.

The County Council has now considered the response to the Proposed Modifications and to those recommendations of the Inspector which it did not accept.

The County Council would normally have been expected to complete the statutory procedures leading to formal adoption having reached this advanced stage in the preparation process. However, several factors have come together which have led the County Council to the conclusion that it will not now be possible for it to formally adopt the Local Plan.

First, the Government published a revised version of Planning Policy Guidance Note No. 2, 'Green Belts', in January 1995 - the content of which meant that the County Council would have needed to further amend the Local Plan in order to reflect up-to-date national policies. Second, the County Council at its meeting in February 1995 resolved to abandon the principle of a new settlement for the Greater York area - a decision which had implications for the detailed definition of the Green Belt boundary around the urban area and surrounding villages.

To take proper account of these factors it would have been necessary to re-examine both the Green Belt boundaries and the development control policies in the Local Plan. This would inevitably have taken some time and would almost certainly have resulted in a further Public Local Inquiry.

Clearly there is now insufficient time for North Yorkshire County Council to undertake all the necessary stages leading to formal adoption before local government re-organisation on 1 April 1996 when most of the area covered by the York Green Belt will lie within the new York District Council area.

It is, nevertheless, appropriate that the Plan should be re-published to incorporate all the changes that have been made since it was originally placed on deposit. As such it is intended to provide a clear statement of the position that has been reached and to avoid possible confusion in respect of any individual proposal. The published Plan as modified does not form part of the Development Plan but has been approved as interim policy for the purposes of development control and notified as such to the District Planning Authorities.

Responsibility for formal adoption of the York Green Belt will now fall to the York District Council and to the continuing Hambleton, Harrogate, Ryedale and Selby District Councils in their respective district-wide Local Plans.

JOHN D RENNILSON
COUNTY PLANNING OFFICER

COUNTY HALL
NORTHALLERTON

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- 1.1 This document is the York Green Belt Local Plan. It deals with the definition of the detailed boundaries of the Green Belt in the York area and sets out policies for the control of development relating to that area. The Plan has been prepared in accordance with the Town and Country Planning (Structure and Local Plans) Regulations 1982-1987 and Government advice available at the time. As such it has not been possible to take into account the provisions of the Planning Policy Guidance Note 2 (Revised), Green Belts, which was published in January 1995.

What is a Green Belt?

- 1.2 "A Green Belt is an area of land, near to and sometimes surrounding a town, which is kept open by permanent and severe restrictions on building" (Department of the Environment, The Green Belts, HMSO 1988). In this context, 'open land' means land generally free of buildings. Normally, the only new buildings allowed are those associated with agriculture or other uses which need a large open area or by their very nature need a countryside location.
- 1.3 The designation of a Green Belt is a very important part of planning policies, not only for the Green Belt area itself but also for the built-up areas encircled by it.

The Need for the Plan

- 1.4 The Secretary of State for the Environment is urging local planning authorities to ensure that well prepared and up to date local plans are available as the basis for development control, particularly in areas that are under persistent pressure for new development. This applies especially to those Green Belts where detailed boundaries have not yet been finalised.
- 1.5 The York Green Belt was established some 30 years ago. It is now under increasing pressure for development and it is essential that detailed boundaries are adopted at the earliest opportunity to ensure that the York Green Belt forms part of the statutory Development Plan.
- 1.6 Under normal circumstances, Green Belt boundaries would have been defined in area-based Local Plans prepared by District Councils. In Greater York, however, several individual Local Plans for parts of five District Council areas would need to have been brought forward simultaneously. There would not, in these circumstances, have been an overall assessment of the York Green Belt. The only realistic means, therefore, of securing an early definition of the York Green Belt was considered to be through a Green Belt Local Plan prepared and adopted by the County Council. In one exercise, the entire Green Belt would have been defined in a comprehensive and co-ordinated way. The Greater York Authorities (North Yorkshire County Council, Hambleton, Harrogate, Ryedale, Selby and York District Councils) all agreed that a Green Belt Local Plan was the only way at that time to finally resolve the Green Belt debate.

A Long Term Green Belt

- 1.7 All Green Belts require "permanence". This has been re-affirmed in PPG2 (Revised) which refers to permanence as the essential characteristic of Green Belts and restates earlier guidance that their protection must be maintained as far as can be seen ahead.
- 1.8 To achieve this end, it is essential that the proposals in the Green Belt Local Plan take full account of the long-term development requirements of the Greater York area. Prior to the preparation of this Local Plan the Greater York Authorities had jointly prepared a long-term development strategy for the area. The results of this work were set out in the 'Greater York Study : A Strategy to 2006' which was published in February 1991. The Study's proposals, including provision of a new settlement(s) beyond the outer boundary of the Green Belt, formed the planning framework for the Greater York area on which the detailed definition of Green Belt boundaries in this Local Plan has been based.
- 1.9 The County Council's decision, in February 1995, not to pursue the new settlement proposal in Alteration No.3 to the County Structure Plan means it will be necessary to re-appraise the long term development land requirements of the area and how these are to be accommodated. This is likely to require adjustment of the Green Belt boundaries identified in this Plan.

Public Involvement in the Green Belt Local Plan

- 1.10 The Consultation Draft Green Belt Local Plan was subject to an extensive programme of publicity and consultation with the public, other local authorities, parish councils, Government Departments, statutory undertakings and other interested bodies between 5 February and 19 April 1991.
- 1.11 The Plan was amended as a result of the comments received and subsequently placed on deposit on 11 October 1991 to enable objections or representations in support to be submitted to the County Council. A total of 2071 representations objecting to or supporting the Local Plan were submitted to the County Council. As a result of these representations the County Council advertised Proposed Changes to the Plan in May and August 1992. A further 416 and 11 representations were submitted respectively.
- 1.12 Between 15 September 1992 and 22 April 1993 a Public Local Inquiry was held to consider objections to the deposit Green Belt Local Plan. The report of the Inspector appointed by the Secretary of State for the Environment was received by the County Council in January 1994.

- 1.13 The Inspector's report, detailing his recommendations on each of the objections, was considered by the County Council and Proposed Modifications to the Local Plan were published and placed on deposit on 16 September 1994. A total of 250 separate objections and statements of support were received on the Proposed Modifications and on the recommendations of the Inspector which the County Council did not accept. These were considered by the County Council in March 1995.

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Chapter 2. Scope and Functions of the Local Plan

Nature of the Plan

- 2.1 Preparation of the Green Belt Local Plan began in 1990 within the framework embodied in the Town and Country Planning Act, 1990. This provides for two tiers of plans to be prepared in shire counties - Structure Plans and Local Plans. Structure Plans are prepared by County Councils and establish broad, strategic planning policies for the County as a whole. Local Plans deal with local planning issues in greater detail and on a site-specific basis. They are intended to translate the general planning framework provided by the Structure Plan into specific policies which can be related to individual properties or precise areas of land. In preparing a Local Plan, the planning authority must ensure that its proposals conform generally to the provisions of the approved Structure Plan.
- 2.2 Under the terms of the 1990 Act, Local Plans could be either comprehensive plans covering all aspects of planning within an area or deal with a specific subject. The Green Belt Local Plan is the latter, dealing with the specific issue of the Green Belt.
- 2.3 However, in 1991 the Planning and Compensation Act introduced a mandatory requirement for district-wide local plans to be prepared for all areas. No provision was made in the legislation for new local plans to be prepared dealing with specific subjects. However, provision was made for such local plans that had already reached an advanced stage of preparation to be completed. The York Green Belt Local Plan was one such local plan.
- 2.4 The North Yorkshire County Structure Plan, together with Local Plans prepared for the relevant parts of Hambleton, Harrogate, Ryedale, Selby and York Districts will eventually form the Development Plan for the area defined as being within the York Green Belt. After April 1996 the York Unitary Authority will also become a Structure Plan authority.
- 2.5 Under normal circumstances, the provisions of the York Green Belt Local Plan would have been incorporated into the local plans prepared by the District Councils for the relevant parts of Hambleton, Harrogate, Ryedale, Selby and York Districts. The North Yorkshire County Structure Plan, together with these local plans, would eventually have formed the Development Plan for the area defined as being within the York Green Belt. However, as a result of Local Government Re-organisation which takes effect on 1 April 1996 the new Unitary York Authority will be responsible for preparing and adopting a Structure Plan for its area and for preparing a district-wide local plan within extended boundaries which encompass the majority of the area covered by the Green Belt. Outside the new York District, the County Structure Plan together with the District-wide Local Plans prepared for the relevant parts of Hambleton, Harrogate, Ryedale and Selby District will comprise the Development Plan for those parts of the Green Belt lying beyond the area of the new York District.

Functions of the Local Plan

2.6 The York Green Belt Local Plan has four main functions:-

- (i) **to apply the Government's national planning policies and the policies of the North Yorkshire County Structure Plan:**

In preparing this Local Plan, the County Council must follow guidelines laid down by the Government and by the County Structure Plan. Broad strategic policies on the control of development and the general extent of the Green Belt are indicated in the Structure Plan. The Green Belt Local Plan must reflect these. Reference has already been made to the Revised PPG2, Green Belts, which was published after the Proposed Modifications to the Local Plan had been on deposit, and therefore at a very advanced stage in the Plan's preparation. It has not been possible to take this revised guidance into account in preparing this document.

- (ii) **to define detailed boundaries for the Green Belt around York:**

The Structure Plan indicates the general extent of the Green Belt. The Green Belt Local Plan defines its boundaries in terms of specific features on the ground.

- (iii) **to set out policies for the control of development within the area designated as Green Belt:**

Each year, the local planning authorities receive many applications for planning permission in the Greater York area. A statutorily defined Green Belt will provide a sound and coherent basis for their consideration and will be given appropriate weight by the Secretary of State in taking decisions on appeal. It will also assist potential developers by indicating with greater certainty how their applications are likely to be determined.

All planning applications will be determined by the relevant Councils in accordance with the relevant development plan(s) unless material considerations indicate otherwise. The Green Belt Local Plan will be an important reference point, with applications being considered against all relevant planning policies and proposals in this document. The Green Belt Local Plan is not, however, the only reference point; other approved Local Plans, Central Government advice, including Revised PPG2, and normal planning considerations will also be taken into account.

- (iv) **to bring local and detailed planning issues before the public:**

The Green Belt Local Plan has been the subject of extensive public consultation and debate, since the Consultation Draft Local Plan was published in February 1991. This has included a 7 month Public Local Inquiry, following which a number of modifications have been made which are incorporated in this Plan.

Form and Content of the Local Plan

- 2.7 The Local Plan consists of two elements, a "Written Statement" and a "Proposals Map". In the event of any contradiction, the provisions of the Written Statement will prevail over those of the Proposals Map.

The Written Statement

- 2.8 This sets out in written form the issues which the Local Plan addresses and the policies to be applied in the Plan area. It includes a reasoned justification for the policies and refers to any other policies of relevance to the Local Plan, for example those embodied in the County Structure Plan, and to the views and advice of Government Departments.

The Proposals Map

- 2.9 The Proposals Map (which is divided into four map-sheets at 1:20,000 scale) on which the boundary of the Green Belt is drawn, delineates the precise areas to which the policies contained in the Written Statement apply.

Relationship with other Local Plans

- 2.10 The York Green Belt Local Plan addresses the definition of the detailed boundaries of the Green Belt and establishes policies to control development within it. As such, it differs significantly from other Local Plans which deal more comprehensively with the future development of an area. Such local plans are also required for the area covered by the Green Belt and district-wide local plans are currently being prepared by the relevant District Councils.
- 2.11 The following local plans, either adopted or in draft, relate to various parts of the York Green Belt Local Plan area:

Hambleton District

Vale of York Local Plan : adopted by Hambleton District Council in 1991, this relates to that part of the Green Belt in Hambleton District.

Hambleton District-wide Local Plan : Deposit Draft (1994). This plan relates to the whole of Hambleton District and, when adopted, will supersede the provisions of the Vale of York Local Plan.

Harrogate District

Harrogate District Local Plan : Pre-Deposit Consultation Draft (1995). This Plan relates to the whole of Harrogate District, including that part of the District which will be transferred to the new York Authority on 1 April 1996.

Ryedale District

Ryedale Rural Areas and Kirkbymoorside Local Plan. This relates to part of Ryedale District outside the Greater York area and was adopted by Ryedale District Council in 1987. A small part of the York Green Belt extends into the Local Plan area.

Southern Ryedale Local Plan. This draft Plan was the subject of a joint Public Local Inquiry with the Green Belt Local Plan in 1992-93, but has not yet been formally adopted.

Ryedale Local Plan : Consultation Draft (1995). This relates to that part of Ryedale District outside the North York Moors National Park and beyond the area of the Southern Ryedale Local Plan, the majority of which will be transferred to the new York Authority on 1 April 1996. A small part of the York Green Belt extends into the Local Plan area.

Selby District

Selby Rural Areas Local Plan and Alteration No.1 (Village Envelopes) . This relates to that part of Selby District outside the Greater York area. Nevertheless, it includes a small part of the York Green Belt. The Local Plan was adopted by Selby District Council in 1990 and Alteration No.1 in 1993.

Selby District Local Plan : Consultation Draft (1995). This relates to the whole of Selby District including that part of the District which will be transferred to the new York Authority on 1 April 1996 and, when adopted, will supersede the provisions of the Selby Rural Areas Local Plan.

York District

City of York Local Plan : Consultation Draft (1994).

General

River Ure and Ouse Recreation Subject Plan : adopted by North Yorkshire County Council in 1990, relating to recreational use of the River Ouse and adjoining areas on both banks.

North Yorkshire Minerals Local Plan : Deposit Draft (October 1995). This sets out proposals and policies for the development and use of land for mineral purposes throughout the whole of the Green Belt Local Plan area.

Relationship of the York Green Belt Local Plan to Plans of Adjoining Authorities

- 2.12 For the most part, the eastern boundary of the York Green Belt follows the River Derwent, which is also the County boundary with Humberside. The Humberside County Structure Plan seeks to direct growth to a hierarchy of settlements capable of absorbing varying degrees of development, with emphasis placed on the larger settlements in Humberside. Only limited development is proposed in the largely rural hinterland which abuts North Yorkshire.
- 2.13 The detailed local plan policies to be implemented in that part of Humberside adjoining the York Green Belt are contained in the East Yorkshire Draft Borough Wide Local Plan, prepared by the East Yorkshire Borough Council, which has recently been the subject of a Public Local Inquiry.

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Chapter 3. Policy Framework

History of the York Green Belt

- 3.1 The history of York's Green Belt is a complex one covering a period of more than 30 years. Prior to local government reorganisation in 1974, the Greater York area, as presently defined, was divided between four authorities - the former East, North and West Riding County Councils and York City Council. In response to a Government request during the late 1950's, each County Authority proposed a Green Belt for its part of the Greater York area which, collectively, formed the York Green Belt.
- 3.2 These proposals, which have been amended on numerous subsequent occasions (both before and after local government reorganisation in 1974) were, however, never formally approved by the Secretary of State as no overall, co-ordinated approach to the definition of the Green Belt had been followed. In 1975, the Secretary of State decided to maintain a "sketch plan" Green Belt around the whole of York until such time as comprehensive proposals could be established.
- 3.3 In 1980, the principle of a York Green Belt was formally approved by the Secretary of State for the Environment as part of the North Yorkshire Structure Plan and was defined as "a belt whose outer edge is about 6 miles from York City centre". Following approval of the Structure Plan, the County Council in 1981 attempted to rationalise the boundaries of the sketch plan Green Belt and adopted a definition of the boundary for its own purposes. Although these boundaries had been the subject of discussions with the relevant District Councils, they were not universally agreed and adopted.

Existing Policy Context

- 3.4 The planning policy framework within which the Green Belt Local Plan has been prepared has two principal elements:-
- i) **Government policy**, as expressed in Circulars, Planning Policy Guidance Notes and Ministerial Statements; and
 - ii) **the approved North Yorkshire County Structure Plan.**

Government Policy

- 3.5 At the time this Plan was prepared the most up to date guidance on Green Belts was contained in the 1988 issue of Planning Policy Guidance Note 2 (PPG2), which drew together earlier Government advice in Circulars 42/55, 50/57 and 14/84. This PPG clearly restated the Government's continuing commitment to the principle of Green Belts and their protection from inappropriate development. That commitment can also be identified as a consistent thread running through other Government guidance issued during the past decade.

- 3.6 Account was also taken of specific Government guidance concerning, for example, the definition of Green Belt boundaries. This advice is considered in more detail in relation to the specific issues identified later in this document.

The North Yorkshire County Structure Plan

- 3.7 The North Yorkshire County Structure Plan was approved with modifications by the Secretary of State for the Environment on the 26 November 1980 and has been altered selectively on two subsequent occasions in 1987 and 1989.
- 3.8 The strategic approach adopted in the Plan affords high priority to the conservation and protection of the County's natural resources and environment and seeks to balance these objectives against the demand for development and change, much of which is generated from outside the County. In the Greater York area, a realistic balance is sought between the need for development and the need to protect the historic fabric and unique character of the City from development which is unsympathetic and inappropriate in terms of its scale, type and location.
- 3.9 In approving the Structure Plan in 1980, the Secretary of State accepted that there should be some restraint on the scale and pace of development in the County. This strategy was again endorsed by the Secretary of State when approving County Structure Plan Alteration No.1 in 1987. The Secretary of State also recognised at that time the particular needs of Greater York and added to the appropriate Structure Plan policies a specific Greater York dimension. Guidelines for both housing and employment needs up to 1996 were established.
- 3.10 In the context of the approved strategy of giving high priority to the conservation of the County's environment, it is entirely appropriate that the long established Green Belt policies applied around York should be carried forward.
- 3.11 In approving the Structure Plan in 1980, the Secretary of State confirmed the principle of a Green Belt encircling the City, defining it as "a belt whose outer edge is about 6 miles from York City centre" (Policy E8).
- 3.12 Other policies within the approved Structure Plan also relate specifically to Green Belts. Policy E8(a) gives guidance on the factors to be taken into account in defining the precise boundary of Green Belts in Local Plans, while Policy E9 specifies the types of development that will normally be permitted in the Green Belt. Policy E10 deals with development in settlements which are not inset within the Green Belt and with the treatment of settlements where a need for more than limited (infill) development can be established. These policies are set out in full in Appendix 1.

- 3.13 While the Structure Plan confirms the principle of a Green Belt around York, specific proposals are being developed in the context of Alteration No.3 to provide for residential and industrial requirements arising in the York area in the period up to 2006. Between 1991 and 2006 the requirement identified in Alteration No.3 is for about 10,200 additions to the housing stock (new build plus net conversions) (Policy H1) and some 145ha of land for industrial/business development (Policy I5) in the area of the York Authority on the boundaries effective from 1 April 1996.