

# City of York Local Plan Examination

## Matter 3: Green Belt

### Statement by York Travellers Trust, November 2019

#### Introduction

1. This statement should be read with and builds on our earlier representations on Policy SS2, Policy H5 and paras 5.37 – 5.39 & Table 5.3 through the Regulation 19 Consultation, February 2018 and on the Proposed Modifications Consultation, July 2019.
2. We assume the issues of the scale of Gypsy and Traveller accommodation needs, whether the division of those in need between those within and those who fall outside the Gypsy and Traveller definition, the soundness of Policy H5, and the strategic sites will be explored at later stages of the examination.<sup>1</sup>

**Q. 3.2 c) How do the defined Green Belt boundaries ensure consistence 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. There is a significant risk that the proposed Green Belt boundaries are too tight to meet identified development needs contrary to Policy 35a) of the NPPF and paragraphs 9 and 10 of Planning Policy for Traveller Sites. The reason for this is that the plan does not provide a sound approach to ensuring the required accommodation for Gypsies & Travellers can be made.
4. The history is that the City Council found it difficult to allocate the required sites and effectively kicked the issue into the long grass by making provision the responsibility of the developers of the major sites in York, but through a negotiation process where the developer can make provision off site or through a commuted payment (but without allocating any non-Green Belt land where provision could be made or funds invested). In our view the policy as currently drafted is at risk of failing the four soundness tests.
5. We agree with the Council's conclusion at Para 8.11 of the Green Belt Topic Paper Addendum that it would not be possible to meet Traveller housing need in York without releasing land from the Green Belt. The trouble is that the Council then

---

<sup>1</sup> We would hope not too much later. For the reasons in our planning adviser's letters to the Programme Officer of 24 September 2018 and 8 June 2019, we believe Traveller issues are of strategic importance in York, and should be heard early in the process, rather than as has happened with some examinations as a late in the process add-on.

did not go on to allocate the sites, or at the very least, is extremely vague about how they will be provided.

6. Government policy is clear that Traveller sites are inappropriate development in the Green Belt, which should not be approved except in very special circumstances, Planning Policy for Traveller Sites, para 16. Para 17 goes on to specify how in such circumstances provision should be made:

*'If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary ... to meet a specific identified need for a Traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a Traveller site only.'*

7. This means if a Traveller bought land in the countryside, which under the Council's proposals would almost certainly be in the Green Belt, it is very likely to be refused by the Council and on appeal. So, the combination of putting in place a tight inner Green Belt boundary and failing to make adequate allocations for Gypsies and Travellers means risks of conflict over Traveller planning and of not making adequate provision.
8. This raises profound equality issues. By a whole a range of indicators, including homelessness, overcrowding, physical and mental health, numbers with custodial sentences, early death, child death, and literacy the Gypsy and Traveller communities are strikingly disadvantaged, see the attached appendices, Race Disparity Audit, Summary Findings, March 2018 (including figures 4.1 and 4.2 and paras 4.11 and 9.4) and England's Most Deprived Groups: Gypsies Roma & Travellers, Equality and Human Right Commission March 2016. Accommodation shortage and stress are endemic among the Traveller communities and lie behind a number of the other indicators of disadvantage.
9. As we pointed out at paras 1 and 2 of our representations on Policy SS2, The role of York's Green Belt a decision to adopt the Local Plan on the basis of the current draft is unlikely to be compatible with the Public Sector Equality Duty under s. 149 of the 2010 Equality Act and is likely to be indirectly discriminatory contrary to s.19.
10. Here we would stress that the level of need is significantly higher than the Council claims, and that the Council's evidence is not adequate to distinguish between Gypsies and Travellers who meet the Planning Policy for Traveller Sites definition and those who fall outside it.
11. We would also stress that it is not just a matter of meeting the numbers. The provision needs to be of the right types in the right locations. York is exceptional in that nearly all of its provision is on social rented sites. Nationally, the large majority of provision is now on private sites and nearly all of the growth in provision over the last 20 years on such sites. As well as more social rented provision there is a need for a supply of private sites in York. Typically, Travellers

are looking for small private sites of the scale of 1 – 4 pitches in the countryside a little away from housing, the sort of sites that are likely to be in the Green Belt.

12. We have consistently criticised the plan's vagueness about how and where provision is to be made and asked the Council to lead work on site identification, see our letter to Mike Slater of 21 March 2018, a copy of which is attached
13. Given the stage we have reached we would suggest it is for the examination to consider how Gypsy & Traveller provision will be secured through each of the strategic sites. One can imagine that the promoters of many, if not all, of the strategic sites will make the case that they should not be required to make such provision. In some cases, their arguments may stand up to scrutiny. In others they may have alternative land under their control which they could make available, but that land may be within the proposed Green Belt. If that process of site by site consideration does not identify enough land it will be for the City Council to identify to the examination specific sites where such provision should be made.

**Q. 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?**

14. Yes, for two reasons, failing to make provision for Gypsies and Travellers, and only providing for needs to 2037/38, which, on the assumption that the plan is adopted in 2021, would only be for sixteen years.

**Q. 3.4 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?**

15. In principle, yes.

**Q. 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?**

16. Yes, for the reasons at paras 3 – 13 above.