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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #449 ▼



COMPLETE

Started: Monday, March 27, 2023 10:16:04 PM
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IP Address: 79.69.138.248

Page 1: Survey Information

Q1

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

Yes

Page 2: Register for consultation

Q2

Your name:

Chris Wedgwood

Q3

Contact details: Please provide email and/or address

Address

City/town

Post code

Email address

Q4

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

No

Page 3: Your response

Q5

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

Proposed Main Modifications - link

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459 responses



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Section 3: Spatial Strategy

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

MM3.6 Policy SS2: The Role of York's Green Belt

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

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

Q13

To which modification does this response relate?

Respondent skipped this question

Page 12: Section 9: Green Infrastructure

Respondent skipped this question

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

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Object

Q23

Q23

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

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

Q24

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

Please see obj1.doc attached.

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Green Belt Land excluded before the start of the Plan.

1. Local Plans define precise Green Belt boundaries.
2. The 'defined' Green Belt Boundaries of an 'adopted' LP have the ability to identify land inside the boundary as 'Green Belt', and the land outside the Boundary as 'Not Green Belt'.
3. The 'proposed' Green Belt boundary of an 'unadopted' draft LP does not have this ability.
4. The 'proposed' Green Belt boundary of an 'unadopted' draft LP evidences that the land inside the boundary is 'suitable' to be in the Green Belt. It does not identify that the land outside the boundary is 'Not Suitable' to be in the Green Belt.
5. Therefore the land inside the 'proposed' Green Belt boundary of an unadopted Draft Local Plan is evidenced to be suitable to be in the Green Belt, but the Unadopted plan contains absolutely no evidence that any land is either 'Not Green Belt' or 'Not suitable' to be in the Green Belt.
6. The 1995 Post-Modification York Green Belt Local Plan was published in September 1995. It had been successfully examined and was supported by a Planning Inspectors Report, approved for development control purposes by NYCC and updated on deposit draft. In short this plan is evidenced to have done everything it possibly could short of actually being adopted.
7. The 'Proposed' Green Belt boundary of the unadopted 1995 PM YGBLP evidences that the land inside it's boundary is suitable to be in the Green Belt at the same time that the regional plan, 'Structure Plan Alteration No 3' is approved in October 1995.
8. The York Green Belt had been Established in Principle and it's General Extent of Green Belt set through the DP by the approval of the 1st version of the North Yorkshire County Structure Plan in 1980.
9. Structure Plan Alteration No3 was the last alteration to the Structure Plan to be approved.
10. Structure Plan Alteration No3 did not exclude any of the land inside the 'Proposed' Green Belt boundary in the 1995 P-M YGBLP, and it would have been 'irrational' if it had attempted to do so, since the land was evidenced to be 'suitable' to be in the Green belt at the time of the adoption of the Structure Plan.
11. In 2008 the RSS revokes the Structure Plan upon it's adoption. This is not an event that destroys the Green Belt or alters it's General Extent.
12. The General Extent of the Green Belt is 'fixed' By Structure Plan Alteration no3 and is carried forward unaltered into the RSS.
13. The RSS is partially Revoked in 2013. The Green Belt Policies are saved. This is not an event that destroys the Green Belt or alters it's General Extent of Green Belt.

14. The saved policies of the RSS remain in the DP today. They confer the Primacy of the DP onto the land in the General Extent of The Green Belt which has not been altered since October 1995.
15. The General Extent of the Green Belt is an 'imprecise' definition of the land that is in the Green Belt. It is the product of the broad Structural Policies of a regional plan that are not intended to identify the 'precise' boundaries of the Green Belt.
16. For this reason the key diagram accompanying a regional plan can not be drawn precisely on an Ordinance Survey base, because the measure itself is imprecise.
17. The key diagram is 'imprecise'. It is not 'incorrect' and it is not 'irrelevant'.
18. The key diagram is not part of the DP, but it's purpose is to illustrate the General Extent of the Green Belt spatially.
19. The policies of the DP must be considered first, but where these policies are inconclusive the key diagram must be taken into consideration.
20. The RSS key diagram contains an error of omission. It does not show the inner edge of the General Extent of the Green Belt. The Planning Inspector has found that the inner edge of the Green belt from the NYCSP key diagram can be used to identify the inner edge of the General Extent of the Green Belt on the RSS key diagram. This is rational since both key diagrams are illustrations of the same spatial area of land in the same General Extent of Green Belt.
21. The land that is in the Green belt at the start of the LP must be the 'precise' land that is in the Green Belt in accordance with the DP. Otherwise the LP will not be in General Conformity with the DP.
22. In the absence of a defined Green Belt boundary in a previously adopted LP there will be no 'precise' representation of the land in the Green Belt in the DP.
23. In this case the 'imprecise' definition of the General Extent of the Green Belt must be used.
24. The General Extent of the Green Belt is an imprecise area of land to which the Primacy of the DP applies, and within it a precise area of land that is inside the proposed Green Belt boundary in the 1995 PM YGBLP.
25. CYC must undertake an act of planning judgement to precisely transcribe the General Extent of the Green Belt onto an ordinance survey base having regard first to the policies of the rss and then to the key diagrams of both the RSS & NYCSP whilst ensuring that none of the land inside the 1995 PM YGBLP is excluded.
26. The result will be more 'detailed' but it must not be different. If it were different then this would constitute an 'ultra vires' alteration to the General Extent of the Green Belt.
27. CYC necessarily undertook this act of planning judgement in 1997 in order to

produce the 1997 Draft Local Plan. The starting point of which must be a precise representation of the land in the General Extent of the Green Belt at that time. Since the General Extent of the Green Belt has not been altered since October 1995 and no LP has been adopted in the intervening time period, the 1997 Draft LP must have identified the starting point for any LP claiming to define the precise Green belt boundary for the 1st time, including the current Draft LP.

28. In the act of planning judgement which CYC performed in 1997 they collapsed down the edge of the General Extent of the Green Belt until it exactly matched the Proposed Green Belt boundary in the 1995 PM YGBLP.

29. This correctly took into account that the land inside the 1995 PM YGBLP could not be removed by the act of planning judgement since it was an act to compensate for an imprecision, but this area of land was precisely identified by the proposed boundary in the LP.

30. CYC did however make a mistake with this act of planning judgement. The mistake was caused by not correctly taking into account the key diagrams and the policy requirement that the future outer boundary must be about 6 miles.

31. A successful challenge was made on appeal to claim that a site which was outside the outer boundary of the LP can still be inside the edge of the General Extent of the Green Belt if it is within about 6 miles from York and is demonstrated to fulfill Green Belt purpose.

32. The implication of this is that CYC were not entitled in their act of planning judgement to collapse the General Extent of the Green Belt all the way down to exactly meet the proposed boundary in the 1995 PM YGBLP. They must ensure that any land which they exclude through the act of planning judgement where that land can be classed as being about 6 miles from York and fulfills Green Belt purpose continues to be classed as being inside the edge of the general Extent of the Green Belt since it would conflict with RSS policy Y1C1 if it were not. This has no effect on any site that is not about 6 miles from York.

33. Therefore the 'precise' identification of the land within the General Extent of the Green Belt (Green belt at the start of the LP process) requires another act of planning judgement.

34. CYC must take the result of the previous partially flawed 1997 act of planning judgement (Equal to all land within the 1995 PM YGBLP that would be irrational to claim was not inside the General Extent of the Green Belt when it was 'fixed' by the Structure Plan) and then expand the outer edge of the precise representation of the General Extent of the Green Belt to include any sites that are about 6 miles from York and which fulfill Green Belt purpose in accordance with NPPF s80 in order to comply with RSS Policy Y1C1.

35. The result of this gives us the land that the LP must consider to be in the Green belt at the start of the plan in accordance with the DP.

36. The submitted LP has no idea about where the General Extent of the Green Belt is! In 2018 it claimed that all land

in York was in the General Extent of the Green Belt. Now they have changed this to claim that they are entitled to define an urban area in 2018 and then remove this land from the General Extent of the Green Belt. They are not. This would constitute an 'alteration' to the General Extent of the Green Belt. Any such alteration had to be made through a regional plan and had to demonstrate Exceptional Circumstances under PPG2 at the time the regional plan was approved.

37. NPPF 2012 s82 says, 'The general extent of Green Belts across the country is already established.'

38. The LP has no power to alter the General Extent of the Green Belt that has already been established through adopted Regional Policy. It can choose not to include this land inside it's defined Green Belt boundaries at the conclusion of the LP provided it can demonstrate 'Good Reason' for doing so, but it cannot exclude any of this land before the LP process begins.

39. The LP has excluded land at the start of the plan that is in the General Extent of the Green Belt in accordance with the Statutory adopted DP. This land has not been considered through the LP process because it has been incorrectly treated as having already been excluded before the plan starts. It has not been evidenced that this land does not fulfill any purpose of Green Belt under NPPF s80 (and there is evidence that some of it does in the Heslington Village Design Statement, adopted By CYC as Supplementary Planning Guidance).



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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

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Respondent #450 ▼



COMPLETE

Started: Monday, March 27, 2023 10:42:27 PM
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IP Address: 79.69.138.248

Page 1: Survey Information

Q1

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

Yes

Page 2: Register for consultation

Q2

Your name:

Chris Wedgwood

Q3

Contact details: Please provide email and/or address

Address

City/town

Post code

Email address

Q4

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

No

Page 3: Your response

Q5

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

Proposed Main Modifications - link

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459 responses



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Section 3: Spatial Strategy

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

MM3.1 Policy SS1: Delivering Sustainable Growth for York

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

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

Q13

To which modification does this response relate?

Respondent skipped this question

Page 12: Section 9: Green Infrastructure

Respondent skipped this question

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

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Object

Q23

Q23

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

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

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

Not effective - i.e. it won't work

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

Q24

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

please see attachment

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Safeguarded Land.

1. The LP must be able to produce a Green Belt boundary that is permanent and not require alteration well after after the end of the plan period.
2. CYC must ensure there is sufficient land supply available through the LP such that undue pressure to remove further land from the Green Belt for unmet development need beyond the plan period will not necessitate an early review of the Green Belt boundaries set by this plan.
3. The Plan will not be sound if the Green Belt boundary cannot be reasonably be evidenced to be 'permanent' some distance beyond the plan period.
4. There are 2 ways in which the plan can achieve this outcome:
 - a) Find at the outset of the plan sufficient land to meet the whole of the projected demand well beyond the plan dates,
or
 - b) Allocate sufficient buffer of safeguarded land within the plan. The land could than be released for development if required provided 'need' is established through review of the safeguarded land closer to the time (When evidence of need will be stronger).
5. Both of these solutions would solve the problem of ensuring the permanence of the Green Belt boundary equally.
6. CYC has opted for the (option a) to allocate the full amount of expected land at the outset of the plan.
7. The problem with this approach is that CYC is finding the land it needs from within the Green Belt. Land should only be excluded from the Green Belt when it is 'necessary' to do so.
8. CYC cannot establish that it is 'necessary' to exclude land from the Green Belt for development that is projected to take place so far in the future. The further into the future CYC seeks to predict the more unreliable the prediction will be. They cannot know what windfall development may come forward, or what unexpected macro events could befall the housing market. To estimate so far ahead is no better than rolling a dice.
9. The answer is that the 'necessary' test to remove land from the Green Belt for development need cannot be reliably evidenced, but the need to remove land from the Green Belt to ensure the permanence of the Green Belt boundary as safeguarded land can (if there is no other available land outside the Green Belt).
10. s85 of the NPPF indicates that sometimes it is 'necessary' to allocate safeguarded land.
11. Something that is 'necessary' is something the CYC must do and cannot choose not to do. CYC cannot choose not to allocate safeguarded land when the alternatives are either not to have a permanent Green Belt boundary or to take land from the Green Belt in advance without a reliable established need.
12. Therefore where CYC cannot meet it's whole projected land supply requirements without excluding land from the Green Belt to do it; It is necessary under NPPF s85 for the LP to allocate

'Safeguarded Land' to ensure the permanence of the Green Belt boundary being proposed.

13. CYC has failed to allocate any Safeguarded land in the LP.

14. I note that CYC has previously received legal advice that the plan would risk being found unsound if it did not contain Safeguarded land. CYC has chosen to ignore this advice and put forward an unsound plan.



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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #451 ▼



COMPLETE

Started: Monday, March 27, 2023 10:51:43 PM
Last Modified: Monday, March 27, 2023 11:23:19 PM
Time Spent: 00:31:36
IP Address: 79.69.138.248

Page 1: Survey Information

Q1

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

Yes

Page 2: Register for consultation

Q2

Your name:

Chris Wedgwood

Q3

Contact details: Please provide email and/or address

Address

City/town

Post code

Email address

Q4

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

No

Page 3: Your response

Q5

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

Proposed Main Modifications - link

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459 responses



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Section 2: Vision

Page 5: Section 2: Vision

Q7
 To which modification does this response relate?

 MM2.1 Paragraph 2.5

Page 6: Section 3: Spatial Strategy

Q8
 To which modification does this response relate?

 Respondent skipped this question

Page 7: Section 4: Economy and Retail

Q9
 To which modification does this response relate?

 Respondent skipped this question

Page 8: Section 5: Housing

Q10
 To which modification does this response relate?

 Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11
 To which modification does this response relate?

 Respondent skipped this question

Page 10: Section 7: Education

Q12
 To which modification does this response relate?

 Respondent skipped this question

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

Q13
 To which modification does this response relate?

 Respondent skipped this question

Page 12: Section 9: Green Infrastructure

Respondent skipped this question

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

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Object

Q23

Q23

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

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

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

Not effective - i.e. it won't work

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

Q24

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

please see attachment

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Virtual Re-Writing of the Plan:

This objection relates to the entirety of all of the changes that have been proposed in the plan.

The online form will not let me submit it unless I pick a specific section, but the objection relates to the whole set of plan modifications:

1. The proposed modifications are so extensive as to amount to a virtual re-writing of the plan.

In this circumstance the guidance would indicate that the plan should be withdrawn.

2. There is no valid reason why this plan should be assessed against the 2012 NPPF which

is now over a decade old, purely because this plan is a replacement for a substantially different plan that was submitted before the cut-off date for transitional arrangements expired.

3. The Council must produce an up-to-date Local Plan. A plan that is assessed against

out of date policy will not be up-to-date.

4. This has been significantly elongated by the fact that CYC submitted an unsound plan

to start with. Whilst there is no hard cut-off date for how long the transitional arrangements can be used; This must therefore be a matter of planning judgement for the Inspector.

5. It would be expedient for CYC to withdraw the plan and submit a new one to be assessed against up-to-date policy.

I would like to register to attend the hearing sessions to support all my objections in person due to the complexity of the issues. There is no place on the online form to put this.



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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #453 ▼



COMPLETE

Started: Monday, March 27, 2023 11:23:20 PM

Last Modified: Monday, March 27, 2023 11:31:13 PM

Time Spent: 00:07:53

IP Address: 79.69.138.248

Page 1: Survey Information

Q1

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

Yes

Page 2: Register for consultation

Q2

Your name:

Chris Wedgwood

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Contact details: Please provide email and/or address

Address

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Page 3: Your response

Q5

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459 responses



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Section 3: Spatial Strategy

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

MM2.1 Paragraph 2.5

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

MM3.4 Table 1a and 1b (housing supply and distribution)

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

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

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Page 12: Section 9: Green Infrastructure

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Page 15: Section 12: Environmental Quality and Flood Risk

Q17

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Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

MM15.1 Policy DM1: Infrastructure and Developer Contributions

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

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please see attachment

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This objection relates to the failure to comply with the duty to co-operate. I can't find the correct section on the online form to use.

The Duty to Co-operate:

1. The York Housing Market Area (HMA), Travel to work areas (TTWA) and Green Belt all extend beyond CYC's own council area and encompass areas controlled by neighbouring Councils. The use of these sites would require cross-boundary co-operation.
2. It has never been in question if York could meet its housing needs only from within only its own area. Of course it can. The only thing in question is the amount of harm that would cause to the historic city.
3. The question of if York should meet its entire housing need from within its own area must be an evidence based decision in accordance with the NPPF and must be the most sustainable alternative.
4. The NPPF says that Councils should consider the implications of pushing development out beyond the Green Belt boundary.
5. The HMA & TTWA offer potentially sustainable locations beyond the Green Belt that could be used to meet the development needs of York. This must be the starting point of any sustainable, NPPF compliant, site selection process.
6. Meaningful discussions with prescribed bodies about the cross-boundary use of land within the HMA/TTWA can only be undertaken in a manner that is underpinned by evidence. The evidence to support this co-operation will come from the assessment of sites in these areas fairly against other sites by the same site selection methodology.
7. If sites within these areas were to score highly against the methodology CYC should then, and only then begin the discussions about the possible release of the land under the Duty to cooperate.
8. A truly evidence based plan could not exclude these sites without having first undertaken that work.
9. CYC has artificially constrained the site selection process only to sites within its own area because it does not wish to co-operate with its neighbours.
10. The other councils don't want to co-operate either.
11. The joint decision between the councils that CYC has put forward as evidence of co-operation is in reality exactly the opposite. It is a non-co-operation pact that none of the councils will co-operate with each other. This does not amount to co-operation.
12. The duty to co-operate is a 'duty' to 'co-operate'. A duty cannot be circumvented by a decision not to co-operate and it cannot be discharged by anything other than genuine co-operation. That co-operation is not evidenced to have occurred.
13. York has put forward a plan that allocates Green Belt land in York's area for development, but the York Green Belt extends into the neighbouring areas.

14. To allocate Green Belt land requires a sequential test to demonstrate that the piece of land being excluded is the most appropriate piece of land when considered against all reasonable alternatives.
15. The reasonable alternatives must include the Non-Green Belt land in the HMA & TTWA, and the Green Belt land in the portions of the York Green Belt that extends beyond CYC's area.
16. The RSS tells us that the primary purpose of the York Green Belt is to protect the historic character of the city of York. That applies to the whole of the York Green Belt, not just the parts in CYC's area.
17. Should not a piece of Green Belt in another council area sacrifice itself to prevent development of a piece of Green Belt in York if it results in less harm to the historic city of York?
18. It is unlikely that land on the outer edges of the Green Belt near the outer boundary fulfill the 4th purpose of Green Belt to any great degree due to their extensive distance from the City of York.
19. CYC has failed to satisfy the Duty to co-operate and in trying to circumvent it has undermined the legitimacy of the site selection process resulting allocations that cannot be evidenced to be the most sustainable choices.
20. The abject lack co-operation can further be evidenced by the objections that each council has made to the plans of their neighbours in relation to settlements in the HMA/TTWA. Previously Selby objected to York's Plans for Winthorp on the basis it had not been given enough information. More recently CYC has objected to the Selby plans allocation for a settlement at Heronby.
21. Heronby is to be a sizable settlement in the HMA in Selby Council area but close to the boundary with York. York's objection claims this will require a large amount of spending by York on transport and school places.
22. CYC claims that an alternate site considered by Selby at former RAF Church Fenton should have been selected instead. Selby had considered this site for it's settlement but chose Heronby instead.
23. The Duty to co-operate is a duty to co-operate; It is not a duty to agree.
24. Selby has chosen the site at Heronby as it is entitled to do, making the site at Church Fenton surplus to Selby's own need.
25. CYC believe that Church Fenton is the more sustainable site to develop the settlement.
26. The site is a brownfield site, beyond the Green Belt, in the HMA/TTWA close to a railway station approximately 10 minutes from central York.
27. Should the site at Church Fenton not be included in the York site selection

process to avoid
having to take sites from the Green Belt and causing harm to the Historic City
of York?

28. With regard to Heronby, if substantial cost will be accrued by York due to
it's use,
should CYC not negotiate that part of the housing quota should fairly be used to
contribute to
York's housing need through the duty to co-operate?

29. CYC's excuse is that the plans are all at different stages, but there seems
to have been no
attempt to co-ordinate where the opportunity has occurred. It the time that York
has been pursuing
it's unsound plan Selby is now back at the beginning of a new plan. Had York
withdrawn it's plan
when the Inspector invited them to do so they could have already been producing
a joint plan
with Selby, and this is still the most expedient choice today.

30. The neighbouring councils are all due to amalgamate into a single local
authority, and CYC's
engagement with this one body would make cross boundary issues much easier to
deal with.
The current plan should be withdrawn and CYC should seek to engage better with
the neighbouring
authorities through the production of Joint Local Plans covering the whole of
the HMA/TTWA & Green Belt.

31. With reference to the documents (EX/CYC/23 & ex-cyc-64) which CYC has
supplied purporting to be
evidence of co-operation, the approach is misleading and obfuscates the true
situation.

32. The requirement in s110 part 2b of the Localism Act 2011 is that CYC must
engage constructively,
actively and on an ongoing basis with those bodies that are prescribed by the
act for the purpose
of the duty to cooperate.

33. CYC dilutes the list of prescribed bodies with other bodies that are not
prescribed bodies.
This results in a larger list of bodies, and from there the presumption is cast
that these
bodies are equal, but they are not. The requirement of the act is to cooperate
with the prescribed
bodies.

34. In "Table 2: Index of discussions with prescribed body or other organisation
since submission
of the City of York Local Plan
and as part of the proposed modifications consultation (Addendum to Table 4.5 of
D-T-C Statement
(2018))";

CYC then goes on to list an amount of meetings with 'bodies' in their list but
that list
contains hardly any discussions with the prescribed bodies.

35. 2.5 of their report explains what happened to the meetings with the
prescribed bodies.
They were all declined! CYC assume that this was because those bodies had
already got all
of the information that they needed from a 'presentation' that had been

delivered to the LEP's.

LEP's are not prescribed bodies for the purpose of the duty to cooperate.

Interaction with a

non-prescribed body is not a substitute for co-operation with a prescribed body.

36. A presentation is the dissemination of information. It is not a genuine 2 way joint working taking into consideration the contribution of the other party. It is not co-operation.

37. A much more likely reason why these councils declined to have a presentation is that

they recognised that it would not constitute a genuine opportunity for co-operation and

did not wish to give any kind of tacit approval to CYC's actions by even having them in

the same building.

38. A 'presentation' does not constitute 'co-operation', and a presentation that was

refused certainly doesn't.

39. A presentation delivered to some other party other than the prescribed body does

not constitute co-operation with a prescribed body.

40. The reality of the circumstance is that CYC's early decision not to co-operate

with the neighbouring councils has undermined the validity of the site selection process at a formative stage. From this point the process was deeply broken.

This decision was not evidence based and in conflict with the NPPF. CYC is not entitled to not cooperate and produce a less sustainable plan that is harmful to the Historic City in violation of the RSS as a consequence.

41. In attempting to cover over this fundamental lack of cooperation CYC has given some presentations to some bodies that are for the most part not prescribed

bodies and tried to dress it up as if this satisfied their duty to cooperate with

the prescribed bodies constructively, actively and on an ongoing basis. It does not.

Please can I register to attend the hearing sessions to support all my objections in person. I can't find anywhere on the online form to make this request.



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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

All Pages ▼

Respondent #456 ▼



COMPLETE

Started: Monday, March 27, 2023 11:31:13 PM
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Page 1: Survey Information

Q1

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

Yes

Page 2: Register for consultation

Q2

Your name:

Chris Wedgwood

Q3

Contact details: Please provide email and/or address

Address

City/town

Post code

Email address

Q4

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

No

Page 3: Your response

Q5

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

Proposed Policy Map Modifications - link

Share Link

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459 responses



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Respondent skipped this question

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

Respondent skipped this question

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

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

Q13

To which modification does this response relate?

Respondent skipped this question

Page 12: Section 9: Green Infrastructure

Respondent skipped this question

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

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

PMM7 - H56 (Policies Map North) link

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Support

Q23

Q23

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

Respondent skipped this question

Q24

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

Whilst I support that CYC has finally accepted that there is Green Space here; The map is only showing what CYC considers to be new green space(which is actually not new because it's been there all along. It was just that CYC refused to accept it was there before. It would be best if the map showed all of the Green Space including the 'Local Green Space' designation requested by petition as well. Not just the new Green Space added) The mature trees of the plantation and other open spaces in the green wedge need to be included to give a correct overall picture of all green spaces.

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City of York Local Plan Modifications Consultation 2023

QUESTION SUMMARIES

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INDIVIDUAL RESPONSES

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INCOMPLETE

Started: Monday, March 27, 2023 11:47:09 PM
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Yes

Page 2: Register for consultation

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Your name:

Chris Wedgwood

Q3

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Page 3: Your response

Q5

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

Proposed Main Modifications - link

Share Link

[Redacted link]

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459 responses



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Section 3: Spatial Strategy

Page 5: Section 2: Vision

Q7

To which modification does this response relate?

Respondent skipped this question

Page 6: Section 3: Spatial Strategy

Q8

To which modification does this response relate?

MM3.6 Policy SS2: The Role of York's Green Belt

Page 7: Section 4: Economy and Retail

Q9

To which modification does this response relate?

Respondent skipped this question

Page 8: Section 5: Housing

Q10

To which modification does this response relate?

Respondent skipped this question

Page 9: Section 6: Health and Wellbeing

Q11

To which modification does this response relate?

Respondent skipped this question

Page 10: Section 7: Education

Q12

To which modification does this response relate?

Respondent skipped this question

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

Q13

To which modification does this response relate?

Respondent skipped this question

Page 12: Section 9: Green Infrastructure

Respondent skipped this question

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

Q15

To which modification does this response relate?

Respondent skipped this question

Page 14: Section 11: Climate Change

Q16

To which modification does this response relate?

Respondent skipped this question

Page 15: Section 12: Environmental Quality and Flood Risk

Q17

To which modification does this response relate?

Respondent skipped this question

Page 16: Section 14: Transport and Communications

Q18

To which modification does this response relate?

Respondent skipped this question

Page 17: Section 15: Delivery and Monitoring

Q19

To which modification does this response relate?

Respondent skipped this question

Page 18: Proposed Policy Map Modifications

Q20

To which modification does this response relate?

Respondent skipped this question

Page 19: New evidence documents

Q21

To which evidence document does this response relate?

Respondent skipped this question

Page 20: Comment Form

Q22

Do you support or object to the proposed modification(s)?

Respondent skipped this question

Q23

Q23

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

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

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

Not effective - i.e. it won't work

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

Q24

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

Additional document to support my objection PPG2:2001

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Planning Policy Guidance 2: Green belts

On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government.

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Eland House
Bressenden Place
London SW1E 5DU
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Summary

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out.

Order

This is a priced publication available from TSO (The Stationery Office), PO Box 29, Norwich NR3 1GN. Order through the Parliamentary Hotline (Lo-call): 08457 023 474, fax: 0870 600 5533, textphone 0870 240 3701, email: book.orders@tso.co.uk or visit www.tsoshop.co.uk to buy online.

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Foreword

Planning Policy Guidance notes (PPGs) set out the Government's policies on different aspects of planning. Local planning authorities must take their content into account in preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals.

This PPG replaces the 1988 version of PPG2, and advice in Circulars. It:

- states the general intentions of Green Belt policy, including its contribution to sustainable development objectives;
- reaffirms the specific purposes of including land in Green Belts, with slight modifications;
- gives policy a more positive thrust by specifying for the first time objectives for the use of land in Green Belts;
- confirms that Green Belts must be protected as far as can be seen ahead, advises on defining boundaries and on safeguarding land for longer-term development needs; and
- maintains the presumption against inappropriate development within Green Belts and refines the categories of appropriate development, including making provision for the future of major existing developed sites and revising policy on the re-use of buildings.

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1. Introduction

1.1 The Government attaches great importance to Green Belts, which have been an essential element of planning policy for some four decades. The purposes of Green Belt policy and the related development control policies set out in 1955 remain valid today with remarkably little alteration.

History

1.2 The first official proposal "to provide a reserve supply of public open spaces and of recreational areas and to establish a green belt or girdle of open space" was made by the Greater London Regional Planning Committee in 1935. New provisions for compensation in the 1947 Town and Country Planning Act allowed local authorities to incorporate green belt proposals in their first development plans. The codification of Green Belt policy and its extension to areas other than London came in 1955 with an historic circular inviting local planning authorities to consider the establishment of Green Belts.

Extent

1.3 The Green Belts approved through structure plans now cover approximately 1,556,000 hectares, about 12 per cent of England. There are 14 separate Green Belts, varying in size from 486,000 hectares around London to just 700 hectares at Burton-on-Trent. "The general extent and location of the designated areas are given in the table and map opposite."

Intentions of policy

1.4 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development (see paragraph 2.10).

Purposes of including land in Green Belts

1.5 There are five purposes of including land in Green Belts:

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

The use of land in Green Belts

1.6 Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

1.7 The extent to which the use of land fulfils these objectives is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection. For example, although Green Belts often contain areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives.

2. Designation Of Green Belts

2.1 The essential characteristic of Green Belts is their permanence. Their protection must be maintained as far as can be seen ahead.

Regional guidance and development plans

2.2 Regional and strategic planning guidance set the framework for Green Belt policy and settlement policy, including the direction of long-term development. Regional guidance focuses on issues which are of regional importance or which need to be considered on a wider geographical basis than that of individual structure plans. Strategic guidance performs a similar role in metropolitan areas.

2.3 Green Belts are established through development plans. Structure plans provide the strategic policy context for planning at local level. The general extent of Green Belts has been fixed through the approval of structure plans.

2.4 Many detailed Green Belt boundaries have been set in local plans and in old development plans, but in some areas detailed boundaries have not yet been defined. Up-to-date approved boundaries are essential, to provide certainty as to where Green Belt policies do and do not apply and to enable the proper consideration of future development options. The mandatory requirement for district-wide local plans, introduced by the Planning and Compensation Act 1991, will ensure that the definition of detailed boundaries is completed.

2.5 In metropolitan areas, unitary development plans (UDPs) perform the functions of structure and local plans.

Defining boundaries

2.6 Once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances. If such an alteration is proposed the Secretary of State will wish to be satisfied that the authority has considered opportunities for development within the urban areas contained by and beyond the Green Belt. Similarly, detailed Green Belt boundaries defined in adopted local plans or earlier approved development plans should be altered only exceptionally. Detailed boundaries should not be altered or development allowed merely because the land has become derelict.

2.7 Where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision.

2.8 Where detailed Green Belt boundaries have not yet been defined, it is necessary to establish boundaries that will endure. They should be carefully drawn so as not to include land which it is unnecessary to keep permanently open. Otherwise there is a risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development. If boundaries are drawn excessively tightly around existing built-up areas it may not be possible to maintain the degree of permanence that Green Belts should have. This would devalue the concept of the Green Belt and reduce the value of local plans in making proper provision for

necessary development in the future.

2.9 Wherever practicable a Green Belt should be several miles wide, so as to ensure an appreciable open zone all round the built-up area concerned. Boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges where possible. Well-defined long-term Green Belt boundaries help to ensure the future agricultural, recreational and amenity value of Green Belt land, whereas less secure boundaries would make it more difficult for farmers and other landowners to maintain and improve their land. Further advice on land management is in Annex A.

2.10 When drawing Green Belt boundaries in development plans local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development (for example in terms of the effects on car travel) of channelling development towards urban areas inside the inner Green Belt boundary, towards towns and villages inset within the Green Belt, or towards locations beyond the outer Green Belt boundary.

2.11 Guidance on the treatment of existing villages in Green Belts is given in the box below. The advice on affordable housing in paragraph 3.4 is also relevant.

Existing Villages

Development plans should treat existing villages in Green Belt areas in one of the following ways.

If it is proposed to allow *no new building* beyond the categories in the first three indents of paragraph 3.4, the village should be included within the Green Belt. The Green Belt notation should be carried across ("washed over") it.

If *infilling only* is proposed, the village should either be "washed over" and listed in the development plan or should be inset (that is, excluded from the Green Belt). The local plan should include policies to ensure that any infill does not have an adverse effect on the character of the village concerned. If the village is washed over, the local plan may need to define infill boundaries to avoid dispute over whether particular sites are covered by infill policies.

If *limited development* (more than infilling) or *limited expansion* is proposed, the village should be inset. Development control policies for such settlements should be included in the local plan.

Safeguarded land

2.12 When local planning authorities prepare new or revised structure and local plans, any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the plan. They should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period. In order to ensure protection of Green Belts within this longer timescale, this will in some cases mean safeguarding land between the urban area and the Green Belt which may be required to meet

longer-term development needs. Regional/strategic guidance should provide a strategic framework for considering this issue. In preparing and reviewing their development plans authorities should address the possible need to provide safeguarded land. They should consider the broad location of anticipated development beyond the plan period, its effects on urban areas contained by the Green Belt and on areas beyond it, and its implications for sustainable development. In non-metropolitan areas these questions should in the first instance be addressed in the structure plan, which should where necessary indicate a general area where local plans should identify safeguarded land.

2.13 Annex B gives further advice on safeguarded land, which is sometimes known as "white land".

New Green Belts

2.14 Proposals for new Green Belts should be considered through the Regional/Strategic Guidance or Structure Plan process in the first instance. If a local planning authority proposes to establish a new Green Belt, it should demonstrate why normal planning and development control policies would not be adequate, and whether any major changes in circumstances have made the adoption of this exceptional measure necessary. It should also show what the consequences of the proposal would be for sustainable development.

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3. Control Over Development

Presumption against inappropriate development

3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate.

3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

3.3 Green Belt policies in development plans should ensure that any planning applications for inappropriate development would not be in accord with the plan. These exceptional cases would thus be treated as departures from the development plan, to be referred to the Secretary of State under the Town and Country Planning (Development Plans and Consultation) Directions 1992 (see DOE Circular 19/92).

New buildings

3.4 The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry (unless permitted development rights have been withdrawn - see paragraph D2 of Annex D);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 below);
- limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);
- limited infilling in existing villages (under the circumstances described in the box following paragraph 2.11), and limited affordable housing for local community needs under development plan policies according with PPG3 (see Annex E, and the box following paragraph 2.11); or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C¹.

3.5 Essential facilities (see second indent of paragraph 3.4) should be genuinely required for

uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

3.6 Provided that it does not result in disproportionate additions over and above the size of the *original* building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.

Re-use of buildings

3.7 With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

3.8 The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (eg because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings². (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

3.9 If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes³. Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use.

3.10 Local planning authorities should include in their development plans policies for the re-use

of buildings in Green Belts, having regard to the advice above and in Annex D of this PPG.

Mining operations, and other development

3.11 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. Mineral and local planning authorities should include appropriate policies in their development plans. Mineral planning authorities should ensure that planning conditions for mineral working sites within Green Belts achieve suitable environmental standards and restoration. Relevant advice is in MPG2 and MPG7. Paragraph 3.13 below is also relevant to mineral extraction.

3.12 The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. (Advice on material changes in the use of buildings is given in paragraph 3.8 above).

Land use objectives

3.13 When any large-scale development or redevelopment of land occurs in the Green Belt (including mineral extraction, the tipping of waste, and road and other infrastructure developments or improvements), it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts (see paragraph 1.6). This approach applies to large-scale developments irrespective of whether they are appropriate development⁴, or inappropriate development which is justified by very special circumstances. Development plans should make clear the local planning authority's intended approach.

3.14 Planning obligations may be used to offset the loss of or impact on any amenity present on a site prior to development (see DoE Circular 16/91). In the case where amenity on a site adjacent to the Green Belt is lost as a result of development on that site, it may be reasonable for obligations to provide for offsetting benefits on land in the Green Belt, as long as there is a direct relationship between the two sites.

Visual amenity

3.15 The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

Community Forests

3.16 Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts,

and should respect the woodland setting.

This PPG was amended with effect from 27 March 2001 by Annex E of PPG13 (Transport) which inserted new paragraphs 3.17-3.20 as below:

Park and ride

3.17 The countryside immediately around urban areas will often be the preferred location for park and ride schemes. In many instances, such land may be designated as Green Belt. The Government's commitment to maintaining the openness of the Green Belt means that when seeking to locate park and ride development, non-Green Belt alternatives should be investigated first. However, there may be cases where a Green Belt location is the most sustainable of the available options. Park and ride development is not inappropriate in Green Belts, provided that:

- **(a)** a thorough and comprehensive assessment of potential sites has been carried out, including both non-Green Belt and, if appropriate, other Green Belt locations, having regard to sustainable development objectives, and the need to be flexible about size and layout;
- **(b)** the assessment establishes that the proposed green belt site is the most sustainable option taking account of all relevant factors including travel impacts;
- **(c)** the scheme will not seriously compromise the purposes of including land in Green Belts, as set out in paragraph 1.5;
- **(d)** the proposal is contained within the local transport plan (or in Greater London the Local Implementation Plan) and based on a thorough assessment of travel impacts; and
- **(e)** new or re-used buildings are included within the development proposal only for essential facilities associated with the operation of the park and ride scheme.

3.18 For larger-scale schemes local planning authorities must give particular attention to sub-paragraph (c) above. All the criteria in paragraph 3.17 should also be applied when considering proposals for expansion of existing sites. Approval of park and ride development in a particular location does not create any presumption in favour of future expansion of that site. All proposals must be considered on their merits.

3.19 In all cases, the layout, design and landscaping of the scheme must preserve, so far as possible, the openness and visual amenity of the Green Belt. Particular care will be needed on matters, such as floodlighting, which are essential to the safe operation of park and ride schemes but which may be visually intrusive unless carefully designed. Local authorities should make full use of planning conditions or obligations see paragraph 3.14 and Circulars [11/95](#) and 1/97.

3.20 Park and ride development which does not satisfy the criteria in paragraph 3.17 should be not be approved except in very special circumstances see paragraphs 3.2 and 3.3, and

[Circular 7/99.](#)

¹ See also the transitional provision of paragraph C14 regarding redundant hospital sites and paragraph C17 regarding higher and further education establishments not identified in adopted local plans.

² If a planning application is submitted for the re-use of a building which the local planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.

³ In the case of a tenanted agricultural building, the value in planning terms of the existing use should however be taken into consideration.

⁴ But see paragraph C4 of Annex C regarding the redevelopment of major developed sites.

4. Cancellation Of Advice

4.1 The following advice is hereby cancelled:

- PPG2 (January 1988);
- paragraphs 1-3 of Annex D to PPG12 (February 1992);
- paragraph 34 of PPG17 (September 1991), except the first sentence;
- DOE Circular 12/91;
- DOE Circular 14/84, including the Annex reproducing MHLG Circulars 42/55 and 50/57.

Annex A

Land Management

A1 Local authorities can assist landowners in maintaining and improving their land by working together with them, with voluntary organisations including Groundwork Trusts, and with statutory bodies such as the Countryside Commission, the Forestry Commission, and (where significant areas of derelict or vacant land are involved) English Partnerships. The aim should be to enhance the countryside, and especially those areas of land within the Green Belt or adjacent to it, which are suffering from disuse or neglect.

A2 This is particularly important in areas that are close to existing urban development, or within conurbations, and which can be especially vulnerable to neglect or damage. They may come under intense pressure for development, and if so need to be protected and maintained. But in considering whether to include such areas of land within the Green Belt, where detailed boundaries have not yet been established, authorities should also consider carefully whether the land should be better reserved for future development and thus ease the pressure on other land that should have the long-term protection of the Green Belt. The overall aim should be to develop and maintain a positive approach to land management which *both* makes adequate provision for necessary development *and* ensures that the Green Belt serves its proper purpose.

Annex B

Safeguarded Land

B1 This guidance supplements that in paragraph 2.12, and should be read in conjunction with it.

Identifying safeguarded land

B2 Safeguarded land comprises areas and sites which may be required to serve development needs in the longer term, i.e. well beyond the plan period. It should be genuinely capable of development when needed.

B3 Safeguarded land should be located where future development would be an efficient use of land, well integrated with existing development, and well related to public transport and other existing and planned infrastructure, so promoting sustainable development.

B4 In identifying safeguarded land local planning authorities should take account of the advice on housing in PPG3 and on transport in PPG13. They should also have regard to environmental and landscape quality (so far as is consistent with paragraph 1.7 of this PPG); to the contribution which future redevelopment might make to remedying urban fringe problems, producing attractive, well-landscaped urban edges; and to the advice in PPG7 on protecting the best agricultural land.

Development control policies

B5 Development plans should state clearly the policies applying to safeguarded land over the period covered by the plan. They should make clear that the land is not allocated for development at the present time, and keep it free to fulfil its purpose of meeting possible longer-term development needs. No development which would prejudice later comprehensive development should be permitted (though temporary developments may assist in ensuring that the land is properly looked after). Valuable landscape and wildlife features and existing access for recreation should be protected.

B6 Development plan policies should provide that planning permission for the permanent development of safeguarded land should only be granted following a local plan or UDP review which proposes the development of particular areas of safeguarded land. Making safeguarded land available for permanent development in other circumstances would thus be a departure from the plan.

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Annex C

Future Of Major Developed Sites In The Green Belt

C1 Green Belts contain some major developed sites such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. These substantial sites may be in continuing use or be redundant. They often pre-date the town and country planning system and the Green Belt designation.

C2 These sites remain subject to development control policies for Green Belts, and the Green Belt notation should be carried across them. If a major developed site is specifically identified for the purposes of this Annex in an adopted local plan or UDP, infilling or redevelopment which meets the criteria in paragraph C3 or C4 is not inappropriate development. In this context, infilling means the filling of small gaps between built development.

Infilling

C3 Limited infilling at major developed sites in continuing use may help to secure jobs and prosperity without further prejudicing the Green Belt. Where this is so, local planning authorities may in their development plans identify the site, defining the boundary of the present extent of development and setting out a policy for limited infilling for the continuing use within this boundary. Such infilling should:

- (a) have no greater impact on the purposes of including land in the Green Belt (paragraph 1.5) than the existing development;
- (b) not exceed the height of the existing buildings; and
- (c) not lead to a major increase in the developed proportion of the site.

Redevelopment

C4 Whether they are redundant or in continuing use, the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it. Where this is the case, local planning authorities may in their development plans identify the site, setting out a policy for its future redevelopment. They should consider preparing a site brief. Redevelopment should :

- (a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
- (b) contribute to the achievement of the objectives for the use of land in Green Belts (paragraph 1.6 - see also paragraph 3.13);

- (c) not exceed the height of the existing buildings; and
- (d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

C5 The relevant area for the purposes of (d) is the aggregate ground floor area of the existing buildings (the "footprint"), *excluding* temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

C6 The character and dispersal of proposed redevelopment will need to be considered as well as its footprint. For example many houses may together have a much smaller footprint than a few large buildings, but may be unacceptable because their dispersal over a large part of the site and enclosed gardens may have an adverse impact on the character of the Green Belt compared with the current development. The location of the new buildings should be decided having regard to the openness of the Green Belt and the purposes of including land in it, the objectives for the use of land in Green Belts, the main features of the landscape, and the need to integrate the new development with its surroundings. For instance it may be more appropriate to site new development closer to existing buildings.

C7 The site should be considered as a whole, whether or not all the buildings are to be redeveloped. The test of area in paragraph C5 relates to the redevelopment of the entire site; any proposals for *partial* redevelopment should be put forward in the context of comprehensive, long-term plans for the site as a whole.

C8 Proposals should be considered in the light of all material considerations, including for example visual amenity (see paragraph 3.15 of this PPG) and the traffic and travel implications of redevelopment (see [PPG13](#)).

C9 Where buildings are demolished rather than being left in a semi-derelict state pending decisions about their redevelopment, it will be necessary to keep suitable records for the purposes of paragraph C5. These should be agreed between the local planning authority and the landowner.

C10 In granting any planning permission local authorities may wish to consider whether to impose conditions to ensure that buildings which are not to be retained permanently are demolished as new buildings are erected, thus keeping the total developed area under control.

Architectural and historic interest

C11 Suitable re-use is to be preferred to redevelopment where the buildings are of architectural or historic interest. Any proposals for altering or demolishing listed buildings or which affect their settings should be considered in the light of the advice in [Planning Policy Guidance 15: Planning and the Historic Environment](#).

C12 Local planning authorities should have regard to the desirability of preserving gardens and grounds of special historic interest. The English Heritage register of historic gardens lists sites of particular importance (see [PPG15](#)).

Public expenditure

C13 Redevelopment should not normally require additional expenditure by the public sector on the provision of infrastructure, nor should it overload local facilities such as schools and health care facilities. Local planning authorities should take account of any additional infrastructure requirements (eg roads) which may have significant adverse effects on the Green Belt. Adequate financial provision should where necessary be made for the future maintenance of landscaped areas (taking account of advice in DoE Circular 16/91, Planning Obligations).

Redundant hospitals

C14 The special position of redundant hospitals in Green Belts was recognised in DoE Circular 12/91 and earlier advice. That Circular is cancelled by this PPG; hospitals are covered by this Annex. As a transitional measure, pending the next local plan or UDP review, the redevelopment of redundant hospital sites which are not identified in development plans but meet the criteria in paragraph C4 above is not inappropriate development.

Higher and further education establishments

C15 Previous policy allowed "institutions standing in extensive grounds" to undertake new development, because such institutions pre-dated Green Belt policy. It was unclear how much new development was permitted. More recently this provision has been used to press for wholly new development on a scale that is inappropriate in the Green Belt. This revision of PPG2 makes it clear that development by institutions is subject to the same controls as other development in the Green Belt.

C16 It is however Government policy to encourage more people to undertake higher and further education (HFE). There has been a large increase in student numbers and further increases can be expected. The lack of a reasonable alternative site outside the Green Belt (whether within the urban area or elsewhere) for the proposed expansion of an HFE establishment located in or adjacent to the Green Belt should be taken into account in preparing or reviewing a development plan. Green Belt boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. Local planning authorities will wish to take an early opportunity to consult HFE establishments in or adjacent to the Green Belt about their development intentions. Plan preparation procedures provide opportunities for full public consultation on proposals to alter boundaries. Guidance on the timing of plan reviews is given in PPG12.

C17 Meanwhile, pending the next local plan or UDP review, the infilling or (partial or complete) redevelopment of HFE establishments on major sites in the Green Belt, which are not identified in development plans but otherwise meet the criteria in paragraph C3 or C4 of this Annex, is not inappropriate development. HFE establishments means: universities, colleges, schools and institutes of higher education; and establishments funded by the Further Education Funding Council for England, including colleges of further education, VI form colleges, and agricultural and horticultural colleges.

Annex D

Re-Use Of Buildings - Additional Advice

Agricultural buildings

D1 It is important to discourage abuse of permitted development rights. Local planning authorities should examine particularly carefully applications for re-use made within four years of the substantial completion of agricultural buildings erected under the General Development Order. This should alert them to the possibility that, when it was substantially completed, the building was in breach of planning control because there was no genuine agricultural justification.

D2 When granting permission for the use of agricultural buildings for non-agricultural purposes, local planning authorities should consider whether proliferation of farm buildings constructed under permitted development rights could have a seriously detrimental effect on the openness of the Green Belt. If so, they should consider whether it would be reasonable to attach a condition withdrawing these rights for new farm buildings in respect of that particular agricultural unit or holding. Such a condition should be used with great care, and must fairly and reasonably relate to the proposed development. While a restriction on additions to a particular group of farm buildings without specific permission might be reasonable, a restriction which sought to cover the whole of a large holding in connection with the re-use of a single building might well be unreasonable. Authorities should, where appropriate, include in their local plans a policy indicating the factors that they would take into account. If permitted development rights have been withdrawn, very special circumstances would need to be established for a new agricultural building to be permitted.

Residential conversions

D3 The following advice from PPG7, *The Countryside and the Rural Economy* (January 1992), is relevant to the re-use of buildings in Green Belts for residential purposes.

"In some villages, the pressure to convert existing buildings to dwellings is great, and applications for a change of use may, if granted, lead to adverse effects on the local rural economy. The need to accommodate local commerce and industry may well be a material consideration in deciding such applications." (Paragraph 2.13)

"Local planning authorities should examine applications for changes to residential use with particular care. The advice in paragraph D4 of PPG7, is often particularly relevant to such proposals. New housing in the open countryside is subject to strict control (paragraph 2.18 of PPG7); it may be appropriate to apply similar principles to proposals for the conversion of existing rural buildings to dwellings, especially where such buildings are unsuitable for conversion without extensive alteration, rebuilding and/or extension. Residential conversions can often have detrimental effects on the fabric and character of historic farm buildings. While new uses can frequently be the key to the preservation of historic buildings, it is important to ensure that the new use is sympathetic to the rural character. In addition, the creation of a residential curtilage around a newly converted building can sometimes have a harmful effect on the character of the countryside, especially in areas of high quality landscape, including

National Parks and Areas of Outstanding Natural Beauty." (Paragraph D5)

"Residential conversions have a minimal impact on the rural economy. However conversions for holiday use can contribute more, and may reduce pressure to use other houses in the area for holiday use. Separate considerations apply to agricultural dwellings (see Annex E of PPG7)". (Paragraph D6).

Listed buildings

D4 If a building is listed, listed building consent may be needed for its conversion as well as planning permission (see PPG15).

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Annex E

Further Guidance From Other PPGs And Circulars

Other PPGs and Circulars provide further guidance on Green Belt aspects of some specific types of development. Relevant passages are reproduced below.

Affordable Housing (from Annex A of PPG3, March 1992)

"11 This guidance does not alter the general presumption against inappropriate development in the Green Belts. Green Belt policy remains as set out in Planning Policy Guidance note 2.

"12 Most Green Belt areas are by their nature close to the main conurbations, and conditions are not typical of the generality of rural areas to which this policy is addressed. Special considerations may, however, arise in some of the more extensive areas of Green Belt away from the urban fringe, particularly in areas where there are many small settlements and it may not be practicable or appropriate to define Green Belt boundaries around each one.

"13 In some of these areas local planning policies already recognise that very limited development within existing settlements may be acceptable and consistent with the function of the Green Belt. It is for local planning authorities to judge whether low cost housing development for local community needs would fall within the scope of such policies.

"14 The release, exceptionally, for small-scale, low cost housing schemes of other sites within existing settlements, which would not normally be considered for development under such policies, would again be a matter for the judgement of the planning authority, having regard to all material considerations, including the objectives of Green Belt policy and the evidence of local need."

Motorway Service Areas (from Annex A of PPG13, March 1994)

"13 In Green Belts, there is a general presumption against inappropriate development. In line with PPG2, approval should not be given for an MSA within a Green Belt except in very special circumstances. One of the material considerations which could justify such an exception could be the lack of any signed MSAs. The greater the interval between the proposed site and any existing facility the more weight should be placed on the needs of motorway users. Developers should bear in mind the sensitive nature of Green Belt sites and avoid them where possible. Where no alternatives are readily available, developers will be expected to take great care to mitigate the likely impact of the development."

All-seater Football League Stadia (from PPG17, September 1991)

"50 Because of the size of the structures involved, major football stadia cannot be regarded as appropriate development within an approved Green Belt. As PPG2 makes clear, very special circumstances would be needed to justify setting aside the general presumption against inappropriate development in the Green Belts. It would be most unusual for a stadium proposal to meet those very special circumstances unless all other practicable options for location had been exhausted and other considerations had been fully addressed. A site for development as

large as a major football stadium should normally be identified in a local plan. It could be considered alongside any proposal for the adjustment of Green Belt boundaries. Such boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. The procedures for making and reviewing local plans provide opportunities for full public consultation on proposals to alter boundaries."

Gypsy Sites (from paragraph 3 of DOE Circular 1/94)

"As a rule it will not be appropriate to make provision for gypsy sites in areas of open land where development is severely restricted, for example, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and other protected areas. Gypsy sites are not regarded as being among those uses of land which are normally appropriate in Green Belts. Green Belt land should not therefore be allocated for gypsy sites in development plans."

