

**Selby District Council
Core Strategy**

Background Paper 15: Green Belt

January 2012



Revised Core Strategy Approach to Green Belt

1. Introduction

- 1.1 This paper sets out the background to and the justification for the new Policy CPXX.
- 1.2 The background paper considers the issues and sets out the discussion at the EIP regarding the Council's approach to the Green Belt in the Core Strategy and the Inspector's concern over Soundness.

2. Background

- 2.1 The Submission Draft Core Strategy (SDCS) set out at para 4.37 that the District contains two areas of Green Belt: the West Riding Green Belt along the western edge of the District, and the York Green Belt in the northern part of the District. The Key Diagram (Figure 6) indicates the general extent of the designations.
- 2.2 The SDCS refers to Green Belt issues and specifically to the intention of protecting the Green Belt, but also notes that there may be a need for localised reviews to accommodate new development. Objections to the SDCS noted that:
 - a) there is no Policy included to protect the general extent of the Green Belt and
 - b) if the Council considers there may be a requirement to review the Green Belt in order to accommodate development needs over the Plan period this should be articulated in the Core Strategy rather than left for consideration at a later date and without any information of the triggers/method to be used.
- 2.3 The Inspector noted concern that the Core Strategy can only be made sound if the Council proposes amendments along the lines of the objections and which would have to be the subject of re-consultation and Sustainability Appraisal.
- 2.4 The Inspector establishes that the concern about the SDCS approach to the Green Belt is not that boundary reviews and land releases might be required. Instead, the Inspector believes that the plan fails to give guidance about the considerations to be taken into account when deciding whether Green Belt releases can be justified, and fails to mention the important 'exceptional circumstances' test required by PPG2.
- 2.5 The Inspector's view is that the over-arching strategy for the District should establish the principles that will govern any Green Belt boundary reviews that are deemed necessary at the Site Allocations DPD (SADPD) stage.
- 2.6 The Inspector's view is that such an amendment would not represent a major change in the strategy, but would constitute the elaboration which is necessary to ensure that the SDCS is consistent with higher order policy and can properly fulfil its strategic role.
- 2.7 As such, the Council has prepared a new Policy CPXX to address these concerns.

3. a) Green Belt Policy

3.1 The area covered by Green Belt is defined on the Proposals Map (for the avoidance of doubt this is currently the published Selby District Local Plan Proposals Map until replaced by any changes which may be adopted through the Site Allocations DPD). For the avoidance of doubt the boundary line shown on the Proposals Map is included in the Green Belt designation. If there are different versions of maps that contradict one another, the most up to date map from the Council's GIS system takes precedence.

3.2 National planning guidance¹ stresses the importance of protecting the open character of Green Belt, and sets out 'inappropriate' forms of development that will be resisted unless very special circumstances can be demonstrated. This general approach is continued through the proposed new Policy CPXX.

Major Developed Sites in the Green Belt

3.3 The existence of established businesses and infrastructure already present in the Green Belt area are constrained from otherwise legitimate development by the designation. The Council is sympathetic to such cases and recognises that these sites are at risk from being unable to invest and continue to operate. The Council wishes to support local businesses, to retain existing jobs and support new jobs, so it proposes to maintain the policy designation "*Major Developed Sites in the Green Belt*" in accordance with national guidance.

3.4 A range of Major Developed Sites in the Green Belt are identified in the Selby District Local Plan (SDLP) Policy GB3 and also shown on the Proposals Map:

- Byram cum Sutton Waste Water Treatment Works
- Bilbrough Top roadside service area
- Former Bacon Factory Site, Sherburn-in-Elmet
- Papyrus Works, Newton Kyme
- Tadcaster Grammar School
- Triesse Vulcan Works, Church Fenton

3.5 Such sites are not removed from the Green Belt, but planning applications for limited infilling development will be considered favourably where the development is in accordance with national guidance and essential for retention or expansion of the core business/use, there is a strong economic justification, and the impact upon the Green Belt is minimal. Such a designation will enable sustainable economic growth in the interests of the economy, but the Council will resist change of use to non-employment uses.

3.6 The Core Strategy Policy CPXX (Green Belt) supersedes the SDLP Green Belt policies, including GB3 on Major Developed Sites. However, the SDLP Proposals Map where these sites are defined remains unchanged, and therefore Policy CPXX will apply to those sites. The Site Allocations Development Plan Document will review these Major Developed Sites and may identify and

¹ Currently "PPG2: Green Belts" January 1995 (Amended March 2001)

designate additional Major Developed Sites in the Green Belt.

4. b) Green Belt Review

- 4.1 The Council considers that there may be exceptional circumstances which justify the need for some Green Belt land to be released in order to deliver some of the aims and objectives of the Core Strategy, particularly in relation to the spatial distribution of development in the Local Service Centre at Tadcaster.
- 4.2 The overall scale and distribution of new development is established in the Core Strategy as well as how development is being directed towards the most sustainable locations within an appropriate settlement hierarchy. As such the focus of development is on Selby as the Principal Town and then to the two identified Local Service Centres to meet local needs (Tadcaster and Sherburn in Elmet) before allocating land in the Designated Service Villages.
- 4.3 The evidence available at the time of developing the SDCS (for example from the SHLAA 2008) suggested that there may be a need to review Green Belt boundaries in order to meet housing requirements over the Plan period and the SDCS outlined that this may be the case for example in Tadcaster. However, there was not enough detailed evidence to establish whether Green Belt boundaries need to be amended to accommodate development needs over the Plan period. As such the SDCS merely flagged up these issues. It is however now accepted that whilst this was a pragmatic view, it is not a sound approach.
- 4.4 The emergence of new evidence at the EIP, and the recent update to SHLAA 2011 set out the need to consider a comprehensive Green Belt review, and include the framework at the strategic level in the Core Strategy. Higher order policy sets out the mechanisms and triggers for a review that are discussed in more detail below.

5. Policy Context

National Policy

PPG2 Green Belts

- 5.1 Planning Policy Guidance (PPG) Note 2 - 'Green Belts' (revised) January 1995, states that in order to be effective, Green Belts require a degree of permanency in that they should be protected as far as can be seen ahead. For this reason they should be altered only in exceptional circumstances.
- 5.2 PPG 2 states at paragraph 2.7 that:-
'Where existing local plans are being revised or updated, existing Green Belt boundaries should not be changed unless alterations to the Structure Plan² have been approved, or other exceptional circumstances exist, which necessitate such a revision.'

Draft National Planning Policy Framework (NPPF)

- 5.3 The emerging national policy continues to protect Green Belt and reaffirms that reviews should only take place where there are exceptional circumstances. It

² The Structure Plan has now been superseded by the Regional Spatial Strategy

states: *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas*
- *to prevent neighbouring towns 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.*

Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; provide opportunities for outdoor sport and recreation; retain and enhance landscapes, visual amenity and biodiversity; or improve damaged and derelict land.”

5.4 The NPPF is expected to be published during 2012 and will replace PPG2.

Regional Policy

The Yorkshire and Humber Plan (RSS) (CS/CD44)

5.5 POLICY YH9 sets out the policy for Green Belts and Part B establishes that *“Localised reviews of Green Belt boundaries may be necessary in some places to deliver the Core Approach and Sub Area policies”* and Part E states that *“Green Belt reviews should also consider whether exceptional circumstances exist to include additional land as Green Belt”*.

5.6 Paragraph 2.62 goes on to state that *“The general extent of the Green Belts in the Region is shown on the Key Diagram. In general the Region’s Green Belts have helped to achieve the aims set out in paragraph 15 of PPG2, and implementation of the Plan should not require any change to their general extent. However, there may be a more specific and localised need to reconsider the extent of Green Belt to meet identifiable development needs for which locations in Regional and Sub Regional Cities and Towns are not available and for which alternative sites would be significantly less sustainable. Any such changes ought to be considered in the context of policies YH1-YH7, and is allowed for by policy YH9B.”*

5.7 Clearly there is a strong justification for maintaining the existing Green Belt, but there is also the recognition that there are sometimes circumstances that necessitate a review of the Green Belt. In considering the spatial distribution of development as set out in CP2, the Council has considered the wider sustainability issues of existing settlements and their growth requirements.

5.8 RSS POLICY YH1: (Overall approach and key spatial priorities) Part B, states: *“Support Principal Towns and Local Service Centres as hubs for the rural and coastal economy and community and social infrastructure and encourage diversification of the rural economy”*.

5.9 RSS POLICY YH6: (Local service centres and rural and coastal areas) states that “*Local Service Centres and rural and coastal areas will be protected and enhanced as attractive and vibrant places and communities, providing quality of place and excellent environmental, economic and social resource. Plans, strategies, investment decisions and programmes should achieve this through applying five specific criteria*”.

5.10 Clearly there is a strong sustainability argument to protect and enhance the District’s existing settlement hierarchy. However, the two strategic aims (protecting Green Belt and enhancing existing settlements) may sometimes conflict, specifically in the case of Tadcaster. This issue is explored more fully below.

6. **Consideration of Green Belt and the need to deliver growth through the most sustainable option.**

6.1 The Council is seeking to protect the settlement hierarchy and considers that it is the most sustainable option to ensure that the Principal Town and Local Service Centres meet their own needs. The text accompanying Core Strategy Policy CP3³ notes the land supply issue across the District in the context of Green Belt which has limited the potential delivery of housing in otherwise very sustainable locations. This is especially true in Tadcaster where it is vitally important in order to deliver the Core Strategy Vision, Aims and Objectives to meet local needs and support the health and regeneration of the town. The Addendum to Background Paper 3 (Housing Distribution Options) and new Background Paper 14 (Scale and Distribution of Housing) set out the sustainability issues in more detail.

6.2 The Council has reviewed new information received as part of the EIP process provided by Cunnane Town Planning at the Hearing on Thursday 22 September. This included categorical statements on behalf of certain landowners that some sites would definitely not be made available for development during the Plan period in Tadcaster.

6.3 Work carried out by the Council on preparing the Site Allocation DPD⁴ has also identified that some Designated Service Villages have either insufficient non-Green Belt land available to accommodate the proposed growth, and/or there are localised issues that would in other respects increase the desirability of some Green Belt sites that offer a greater community benefit over non-Green Belt sites.

6.4 Similarly, although the Council remains of the view that Escrick should not be a Designated Service Village (DSV), if this was altered then because the majority is washed over by Green Belt and surrounded by Green Belt, a review there would be necessary in order for Escrick to accommodate additional development, if this were appropriate in the wider context and would meet policy tests.

6.5 Notwithstanding the above, the Selby District SHLAA⁵ shows that there is sufficient land available across the District to accommodate the quantum of development expressed in the Core Strategy. However only through a more

³ Revised text published January 2012 in the *Proposed Changes to the Submission Draft Core Strategy*

⁴ Two rounds of extensive public consultation undertaken for the *Site Allocations Development Plan Document Issues and Options* January 2011, and *Preferred Options* September 2011.

⁵ *Strategic Housing Land Availability Assessment* 2011

detailed sustainability assessment of these sites could a definitive statement be made on the suitability and deliverability of land outwith the Green Belt designation. Such an assessment would be made in the SADPD.

6.6 The Council considers it imperative that settlements (in particular Tadcaster as a Local Service Centre) should meet their identified development needs, rather than transferring the requirement elsewhere (see Addendum to Background Paper 3 and New Background Paper 14). In addition, in order to give the District wide Green Belt a degree of permanency, the Council considers that a review is required and, as such a comprehensive review of Green Belt land should be undertaken as part of and to inform the Sites Allocation DPD process.

6.7 The provisions for a Green belt review are covered in higher order policies: The draft NPPF states *“The appropriateness of existing Green Belt boundaries should only be considered when a Local Plan is being prepared or reviewed. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.*

When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.

- *When defining boundaries, local planning authorities should:*
- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development*
- *not include land which it is unnecessary to keep permanently open*
- *where necessary, identify in their plans 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*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a local plan review which proposes the development*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.”*

6.8 RSS Policy YH9: (Green Belts of the Yorkshire and Humber) notes that “localised reviews of the Green Belt boundaries may be necessary in some places to deliver the Core Approach and Sub Area policies”. Only in exceptional circumstances where there is an overriding need to accommodate what would otherwise be inappropriate development, which cannot be met elsewhere and where Green Belt land offers the most sustainable option, will land be taken out of the Green Belt. The Green Belt review may also consider identifying areas of safeguarded land to facilitate future growth beyond the plan period.

- 6.9 The overriding objective to accommodate development where it is needed to support the local economy (alongside comprehensive town centre regeneration schemes) cannot take place elsewhere in the District and still have the same effect on securing Tadcaster's longer term health. Revised Core Strategy Policies CP2 and CP3 seek to bring land forward in most sustainable locations within Development Limits in Tadcaster, but the Core Strategy must be flexible and future-proofed. Therefore, if land remains unavailable and other options for facilitating delivery fail, the Council must consider an alternative sustainable option.
- 6.10 The Council therefore considers that this offers the exceptional circumstances that justify a need to strategically assess growth options across the Green Belt. The Core Strategy does not prejudge the outcome of any review or in itself propose alterations to the Green Belt boundaries. Instead it sets the framework for how lower- order DPDs may undertake a review.
- 6.11 The proposed new Green Belt Policy will replace the existing Green Belt Policies GB1, GB2, GB3 and GB4 in the Selby District Local Plan. The new policy refers to the 'Proposals Map'. The Proposals Map remains as the SDLP Proposals Map until replaced by any changes adopted through the Sites Allocations DPD. The main issues of concern and the intended scope of a new Green Belt policy cover the following general points:
1. the general extent of the Green Belt will be protected
 2. what the exceptional circumstances would be to undertake a Green Belt review
 3. whether there is a case to identify any specific locations in the District where there maybe to be a necessity to alter boundaries
 4. that any review will be undertaken as part of the Site Allocations DPD
 5. establish the broad criteria for how a review would be done
 6. the introduction of policy for Major developed Sites in the Green Belt (which is currently covered in the saved SDLP and not in the Core Strategy).
- 6.12 The new Green Belt Policy CPXX and supporting text is set out in the 5th set of Proposed Changes to the Submission Draft Core Strategy (January 2012).
- 6.13 The Addendum to the Sustainability Appraisal noted: at 4.4 "*The revisions to Policies CP2 and CP3 do not result in any changes to the conclusions of the previous SA, however the proposed changes to the Core Strategy result in some additional negative sustainability effects due to the possibility of developing on Green Belt land which would not encourage the development of previously developed land. However, these negative effects must be weighed up against SDC's overall objective of directing development to the more sustainable settlements, and only releasing land from the Green Belt where the need cannot be met on non-Green Belt land or, or where Green Belt land offers a significantly more sustainable option.*"
- 6.14 In response to the Addendum to the Sustainability Appraisal, section F of the proposed Policy CPXX was added to make it explicit that deliverability and sustainability issues would form part of the Green Belt review process. As part of

the SADPD site selection process, a comprehensive assessment of all sites will include consideration of wider sustainability issues and criteria shown in new Policy CPXX.

7. Undertaking a Green Belt Review

7.1 To inform a lower order DPD, the Council will set up a Review Panel of interested persons (similar to the SHLAA panel) to oversee the Green Belt Review. The Panel would seek to ensure that only land that meets the purposes and objectives of Green Belt is designated as Green Belt – it would not be an exercise to introduce unnecessary additional controls over land by expanding the Green Belt for its own sake. Similarly, the review would not seek to remove land from the Green Belt where it is perceived simply to be a nuisance to obtaining planning permission. The review may also address anomalies such as (but not exclusively) cartographic errors and updates in response to planning approvals, reconsider “washed over” villages against Green Belt objectives, and consider simplifying the on-the-ground identification of Green Belt boundaries by following logical physical features.

7.2 The review would be carried out in accordance with up to date national policy and involve all stakeholders, and take in to consideration the need for growth alongside the need to protect the openness of the District. It would examine Green Belt areas for their suitability in terms of the purpose of Green Belt;

- 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.

7.3 Further, the review would consider the contribution towards the objectives of Green Belt;

- 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.

7.4 The review may also consider

- the relationship between urban and rural fringe; and
- the degree of physical and visual separation of settlements

- 7.5 The review could supply a schedule of areas for further investigation where sites may be considered for suitability for development and be subject to a sustainability assessment. This may consider other policy/strategy designations such as existing Local Plan 2005, sustainability criteria such as accessibility to services, facilities and public transport, and also flood risk. A lower-order DPD may then identify land for development, and/or safeguarding to facilitate development beyond the plan period and avoid a further Green Belt review in the future.

Additional detail and a comprehensive review programme may be developed by the Panel at the appropriate time.

8. Conclusions

- 8.1 Having considered the issues discussed at the EIP and taking in to account the most up to date evidence from the SHLAA 2011, the Council considers the Policy CPXX Green Belt sets out a clear strategic policy context for the District's Green Belt areas. The policy satisfies any concerns over Soundness expressed at the EIP by setting out a strong steer towards resisting development proposals, and also allows a review of the Green Belt where it is appropriate and desirable to meet wider sustainability objectives.
- 8.2 National planning guidance stresses the importance of protecting the open character of Green Belt, and sets out 'inappropriate' forms of development that will be resisted unless very special circumstances can be demonstrated. This general approach is continued through the proposed new Policy CPXX.
- 8.3 The Council wishes to support local businesses and retain existing jobs, so it proposes to maintain the policy designation "*Major Developed Sites in the Green Belt*" in accordance with national guidance. The Site Allocations Development Plan Document will review the Major Development Sites and may identify and designate additional Major Developed Sites in the Green Belt.
- 8.4 The Council considers it imperative that settlements (in particular Tadcaster as a Local Service Centre) should meet their identified development needs, rather than transferring the requirement elsewhere, as this has a wider sustainability benefit beyond simply restricting sprawl. The Council therefore considers that this offers the exceptional circumstances that justify a need to strategically assess growth options across the Green Belt.
- 8.5 The Green Belt review will not automatically remove Green Belt designation, or be applied arbitrarily. Only land that is demonstrably more sustainable and deliverable will be removed from the Green Belt designation. The core strategy does not prejudge the outcome of any review or in itself propose alterations to the Green Belt boundaries. Instead it sets the framework for how lower-order DPDs may undertake a review.