

Examination into York Local Plan 2017 - 2033

Response to matters raised by the Inspectors prior to the Phase 2 Hearings

- Strategic Vision, Outcomes and Development principles (Matter 1) and,
- Approach to setting green belt boundaries (Matter 7)

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**CITY OF YORK DRAFT LOCAL PLAN: FURTHER COMMENTS ON THE
STRATEGIC VISION, OUTCOMES AND DEVELOPMENT PRINCIPLES AND
APPROACH TO SETTING GREEN BELT BOUNDARIES**

1. The Council's approach to the Local Plan (Strategic Vision etc.) has been driven by a determination honed over a lengthy period to treat all land lying outside the built up area of the city as green belt. This has led to a mindset which attaches considerable weight to "removing land from the green belt" in appraisals of potential development allocations.
2. Whilst it is accepted there have been many instances of appeal Inspectors and Secretaries of State dismissing appeals on the fringes of the built up area of the city for reasons relating to green belt, the reasons have been expressed as:

Until the boundaries of the green belt have been adopted in a Local Plan, I see no reason why the site should not be treated as if it were green belt.

Or words to that effect.

That is a far cry from the approach taken by the Council in its approach to the Local Plan and my conclusions on Matter 7 (The approach to setting green belt boundaries), that the Local Plan is flawed, inevitably apply to Matter 1 considerations.

3. None of the material concerning green belt issues produced by the Council since the December 2020 Examination Sessions renders the draft Local Plan sound. The Council's approach to green belt was – and remains – flawed.
4. There is no escaping the fact that, for decades and irrespective of the political control of the Council and numerous changes of individual Councillors, the overriding objective of the Council has always been to minimise the amount of land allocated for development and to establish a residual green belt – that is to say, to treat all land not already developed or allocated for development as green belt. That stance remains.

5. Historically and unsurprisingly, over the years, this has led to numerous changes to draft green belt boundaries and potential development sites as sites were removed from – then put back into – the green belt as political control of the Council changed.
6. There is no logic to proposing a new freestanding settlement in the middle of the green belt other than that arising from a – some would say – cynical decision to have one fight in an area with few existing residents rather than a number of fights with communities affected by potential smaller urban extensions (as was explained by one influential former Councillor).
7. At no point has the Council given any (or any recorded) consideration to identifying areas of land which it is not necessary to include in green belt, as required by PPG2 and successive iterations of the National Planning Policy Framework: rather, the approach has been to devise reasons why every piece of land not allocated for development serves a green belt purpose. This is simply an untenable position. For example, if every piece of land at the outer edge of the green belt as currently defined fulfilled a green belt purpose, it should be clear on the ground how that land differs from immediately adjacent non-green belt land. It will become clear at later stages of the Examination when individual sites and boundaries are investigated that such distinctions do not exist.
8. Similarly, there are swathes of land between the transport and river corridors radiating out from the city which have no intervisibility with or make any other contributions to the character or setting of York. The Strays are protected for their historic as well as their landscape importance in any event. Extending them to the outer edge of the “about 6 mile” green belt is unjustified on both historic and landscape grounds.
9. The upshot of the Council’s decisions over a long period of time to treat all undeveloped land surrounding the existing built up area as green belt has been, in effect, to create a stalemate as sites have been variously identified for development then “put back” into the green belt. The upshot is that the boundaries now proposed differ hardly at all from those which resulted from the York Green Belt Local Plan process 30 years ago. During this 30 year period, residential development has largely been restricted to a number of brownfield sites, many of them large, within the City, the majority of which have been developed by high density flats. Opportunities for new family housing has been severely limited.

- 10.** I have read George Wright's detailed submissions on the close correlation between the 30 year old draft green belt boundaries and those currently proposed. I have been involved in planning in the York area since 1965 and took part throughout the York Green Belt Local Plan proceedings including the 6 month long Inquiry on behalf of numerous Clients. I can confirm that Mr Wright's detailed account of the very limited differences in the green belt boundaries between the two plans is correct.
- 11.** The most wide reaching green belt-related failure of the Plan as currently drafted lies in its lack of flexibility which is a direct result of the residual nature of the green belt. The Plan is being examined in the context of the 2012 NPPF which does not include a requirement to review the Plan within 5 years of adoption. It does, however, note that a Local Plan *can be reviewed in whole or in part to respond flexibly to changing circumstances.* (para 153). At paragraph 83, the 2012 NPPF notes: *once established, green belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan and 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.*
- 12.** These two objectives of the NPPF cannot both be realised in the current draft Plan. At its simplest, the failure to identify safeguarded land available to meet unexpected requirements during the Plan period and to provide options for further growth beyond the Plan period means that the Plan lacks the flexibility that was required as long ago as 2012 and this cannot be put right by a review of the Plan in the short term.
- 13.** The green belt boundaries as now proposed are not evidence-based and have not been justified in the Council's latest submissions which do not therefore overcome the fundamental unsoundness of the draft Local Plan.

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