

Harrogate District Local Plan: Green Belt Background Paper Submission Update



August 2018

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1 Introduction

- 1.1** As set out in the National Planning Policy Framework (NPPF),⁽¹⁾ Local Planning Authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans, setting the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.
- 1.2** A Green Belt Background Paper was published alongside the draft Local Plan in November 2016, providing the context to the council's approach to the district's Green Belt in the draft Local Plan. It provided information on:
- National policy and guidance context
 - Whether exceptional circumstances are considered to exist to warrant an alteration to the Green Belt boundaries
- 1.3** Following publication of the draft Local Plan, the council commissioned an update of the assessment of Gypsy and Traveller Accommodation needs and an assessment of the district's housing and economic development needs (the Housing and Economic Development Needs Assessment - HEDNA), using the latest available demographic evidence and up-to-date econometric forecasts. The Green Belt Background Paper has been updated to reflect this updated evidence base.
- 1.4** The following evidence base documents should be read alongside this background paper:⁽²⁾
- Harrogate Housing and Economic Development Needs Assessment (Justin Gardner and GL Hearn, May 2018)⁽³⁾
 - Harrogate Strategic Housing and Economic Land Availability Assessment (HBC, December 2017)
 - Housing Background Paper (HBC, August 2018)
 - Settlement Hierarchy Background Paper (HBC, October 2016)
 - Harrogate Local Plan Sustainability Appraisal/Strategic Environmental Assessment (HBC, August 2018)
 - Harrogate Gypsy and Traveller Background Paper (HBC, August 2018)

2 Green Belt in Harrogate District

- 2.1** Harrogate district incorporates parts of the West Yorkshire and York Green Belts, the extent of which was established in earlier development plans.

1 A revised NPPF was published in July 2018. However, for the purposes of examining the Harrogate District Local Plan the policies in the previous NPPF (2012) will apply (paragraph 219 of the NPPF, 2018). As such, NPPF references in the Green Belt Background Paper are to the 2012 NPPF. The transitional arrangements also applies to the Planning Practice Guidance.

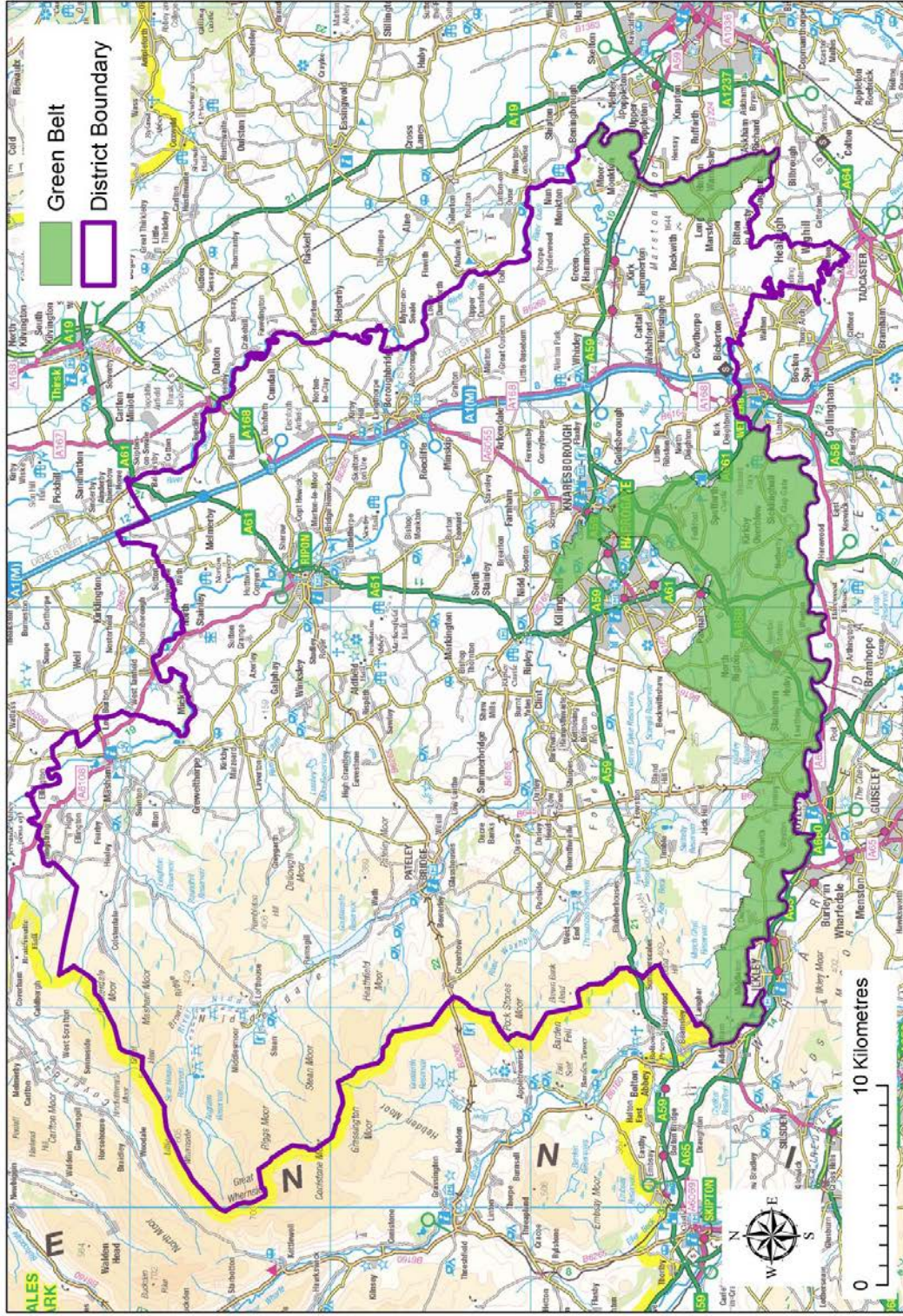
2 All documents are available on the council's website www.harrogate.gov.uk

3 Replaced the Harrogate Strategic Housing Market Assessment published in September 2015 and June 2016

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- 2.2** The West Yorkshire Green Belt was originally established in the 1960s. It extends over the southern fringe of the district and includes the narrow gap between the towns of Harrogate and Knaresborough. The main purposes of the Green Belt as it effects Harrogate district are to check the further growth of the West Yorkshire conurbation, and to protect the special character of the towns of Harrogate and Knaresborough and prevent them from merging.
- 2.3** The Green Belt in the Harrogate and Knaresborough area was reviewed in the Harrogate and Knaresborough Local Plan adopted in December 1992 and further minor changes to ensure that the boundary followed readily recognisable features were approved through the Harrogate Local Plan (2001).
- 2.4** The south-eastern part of the district lies within the York Green Belt, the main purpose of which is to protect the special character of the city. The Green Belt was approved in principle in 1980 as part of the North Yorkshire County Structure Plan. The detailed Green Belt boundary was defined through the county council's York Green Belt Local Plan. This was approved as interim policy for the purposes of development control in 1995 and it was expected the Green Belt would be formally established through the preparation of individual district wide local plans, including the definition of outer boundaries (Harrogate Local Plan, 2001).
- 2.5** Currently 14,510 hectares of the district are designated Green Belt, equivalent to 11% of the total area of the district.⁽⁴⁾

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Map 2.1 Areas of Green Belt in Harrogate District

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3 Policy Context

National Policy

- 3.1** Protecting the Green Belt around urban areas is one of the core planning principles of the NPPF. The policy for Green Belt is set out in section 13 of the NPPF, which emphasises the importance the government attaches to Green Belt (paragraph 133).
- 3.2** The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the NPPF emphasises openness and permanence as essential characteristics of Green Belts. The NPPF (paragraph 80) identifies the five key purposes of Green Belts as:
- 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.
- 3.3** In addition, the NPPF advocates enhancement to existing Green Belts. Once defined, paragraph 81 states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt including 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.'
- 3.4** Green Belt boundaries should be established through an authority's Local Plan and once established, should only be altered in exceptional circumstances through the preparation or review of the Local Plan (paragraph 83). Importantly, any boundary review should have regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
- 3.5** The need to promote sustainable patterns of development when reviewing Green Belt boundaries is acknowledged and local planning authorities encouraged to consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary (paragraph 84).
- 3.6** The NPPF (paragraph 85) provides guidance on defining Green Belt boundaries. It states that 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;

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- 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.

3.7 The NPPF also states that when considering if new settlements or extensions to towns/villages is the best way of achieving sustainable development, a local planning authority should consider whether it is appropriate to establish Green Belt around or adjoining any such new development (paragraph 52).

3.8 If proposing new Green Belt, local planning authorities should (paragraph 82):

- Demonstrate why normal planning and development management policies would not be adequate;
- Set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary;
- Show what the consequences of the proposal would be for sustainable development;
- Demonstrate the necessity for the Green Belt and its consistency with Local Plans for adjoining areas; and
- Show how the Green Belt would meet the other objectives of the Framework.

3.9 National Policy relating to the provision for Gypsy and Travellers is found in "Planning Policy for Traveller sites, August 2015". This policy states that whilst sites within the Green Belt are considered to be inappropriate development, a local authority may accommodate a site inset within the Green Belt to meet a specific, identified Gypsy and Traveller need. It should only be done through the plan-making process and not in response to a planning application and should specifically be allocated for the purposes of a Gypsy and Traveller site only.

National Guidance

3.10 The NPPF is supported by Planning Practice Guidance (PPG), which reiterates the importance of the Green Belt.

3.11 The PPG was amended in October 2014 to address how presence of Green Belt should be taken into account in addressing the policy requirement that 'local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted'. The PPG notes that Green Belt is identified as such a policy in the NPPF.⁽⁵⁾

3.12 The PPG goes on to say that 'once the need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in doing so take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need'.⁽⁶⁾

5 Paragraph: 044 Reference ID: 3-044-20141006

6 Paragraph: 045 Reference ID: 3-045-20141006

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- 3.13** The PPG repeats the NPPF, making clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. Therefore, whilst Green Belt can be a constraint to development, a local planning authority can review it and release suitable land in order to provide growth to meet objectively assessed needs, should this be required.

Legal Cases

- 3.14** There is no definition of what constitutes 'exceptional circumstances' in the NPPF, or in the PPG. However, it has been considered in a number of local plan examinations where Green Belt releases have been proposed and by the courts.
- 3.15** In the case of *Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council*, the judgement set out a number of matters that should be identified and dealt with in order to ascertain whether exceptional circumstances exist to justify altering the Green Belt boundary.⁽⁷⁾ These matters were:
- i. The acuteness/intensity of the objectively assessed need;
 - ii. The inherent constraints on supply/availability of land prima facie suitable for sustainable development;
 - iii. The consequent difficulties in achieving sustainable development without impinging on the Green Belt;
 - iv. The nature and extent of the harm to the Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and
 - v. The extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.

4 Green Belt Experience

- 4.1** As the Green Belt areas of the district are part of wider sub-regional Green Belts it is important to be aware of the approach being taken by neighbouring local authorities to reviewing the Green Belt.

Local Authority	Green Belt	Approach
City of Bradford Metropolitan District Council	West Yorkshire	<p>The Bradford Core Strategy proposes a selective review of the Green Belt including the deletion of Green Belt areas, using the exceptional circumstances under paragraph 83 of the NPPF, to meet unmet development needs within the plan period which cannot be accommodated in non Green Belt areas. The Core Strategy itself does not identify any Green Belt areas for release, as the selective review will be undertaken through the Allocations Development Plan Document.</p> <p>However, the Core Strategy also indicates that the City Council considers that given the current evidence on land supply and constraints within the district, the extent of the Green Belt beyond 2030 will need to be considered strategically in future plan reviews.</p> <p>The Inspector's Report following the examination of the Core Strategy was received in August 2016. The Inspector found the Core Strategy approach to the Green Belt to be sound. In doing so, he commented that:</p> <p><i>'Some participants argued that a full review of the Green Belt is needed; indeed, some suggested a wider review of the sub-regional Green Belt undertaken in collaboration with neighbouring authorities. However, given the underlying strategy of the BCS, with its focus on specific areas, and in view of the different stages that</i></p>

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Local Authority	Green Belt	Approach
		<p><i>adjoining local plans are at, this is neither practicable nor necessary. CBMDC and the LCR authorities accept that a strategic review of the wider Green Belt may be needed in the future, but there is currently no commitment to such a review, and neighbouring authorities are content with CBMDC's approach.'</i></p> <p>The Council consulted on a methodology for carrying out a Green Belt Review between December 2017 and January 2018.</p>
Leeds City Council	West Yorkshire	The Core Strategy (adopted 2014) sets the context for a Green Belt review. As part of the preparation of the Site Allocations Plan an assessment of Green Belt sites has been carried out. The revised Submission Site Allocations Plan (published January 2018) has adopted a sequential preference of the release of Green Belt sites with sites with the least impact on Green Belt purposes being released and the remainder designated as broad locations, which will remain within the Green Belt pending a further review of the Plan.
Selby District Council	West Yorkshire & York	<p>The adopted Selby Core Strategy recognises that the most sustainable pattern of growth may require the allocation of land currently within the Green Belt as some of the district's most sustainable settlements are within or lie close to the Green Belt. A Green Belt Study has been undertaken to inform the development of the Sites Allocations Local Plan.</p> <p>A consultation on potential development sites for inclusion in the Site Allocations Local Plan (published in October 2017) indicated that it was not considered that exceptional circumstances to justify a district-wide review of the Green belt existed but that issues of land ownership impacting on housing delivery may constitute exceptional circumstances to justify a review of the Green Belt around Tadcaster.</p>
Hambleton District Council	York	No review currently planned.
City of York Council	York	The Submission York Local Plan (May 2018) finalises the inner Green Belt boundary and those parts of the outer boundary that lie in the authority's area.

Table 4.1 Green Belt Approach in Neighbouring Local Authorities

5 Harrogate Green Belt Approach

Green Belt Review

- 5.1** The Claverton Parish Council legal case (see Section 3) identified matters to be considered in determining whether exceptional circumstances existed to warrant Green Belt boundary amendments. Three of these matters could also be considered relevant in determining whether there is a need to undertake a review of the Green Belt, namely.
- i. The acuteness/intensity of the objectively assessed need;
 - ii. The inherent constraints on supply/availability of land prima facie suitable for sustainable development; and
 - iii. The consequent difficulties in achieving sustainable development without impinging on the Green Belt.

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Objectively Assessed Need

- 5.2** The council has established through the Housing and Economic Development Needs Assessment (HEDNA) an objectively assessed need (OAN) for housing over the 2014-2035 plan period of 14,049 dwellings, equivalent to 669 dwellings per annum (dpa).⁽⁸⁾
- 5.3** Compared to the existing number of dwellings in the district (approximately 67,169 in 2011) the OAN suggests that the number of homes in the district needs to increase by around 21%. The annual housing requirement identified through the HEDNA of 669 dpa also represents a significant increase on that previously set out in the Core Strategy (of 390 dpa) and well above the average 325 homes a year built in the 10 year period to 2018.
- 5.4** The HEDNA assessment of employment land recommended the allocation of 38ha of new employment land for the period up to 2035 in order to address the shortfall in B1/B8 land and to create a better balance in the type of employment land available. This compares to a requirement included in the Core Strategy (2009), of 45ha of employment land.
- 5.5** Whilst the step change in housing delivery will be challenging, it does not in itself lead to the need for a Green Belt review if there is sufficient suitable and available land in sustainable locations outside of the Green Belt to deliver the OAN.
- 5.6** It should also be noted that to date, no neighbouring local authority, or from the wider region, had approached the council about accommodating any of their development needs: as such there is no additional housing or employment land requirements for which land needs to be identified within the district.

Land Availability

- 5.7** Nearly 600 sites for housing and employment have been submitted to the council as potential development locations either as part of the Local Plan 'Call for Sites' or in response to Local Plan consultations. The suitability, availability and achievability of these sites for development was assessed in the the Strategic Housing and Economic Land Availability Assessment (SHELAA) (December 2017).
- 5.8** The SHELAA identified that over 300 sites in non-Green Belt locations were capable of delivering housing, with a potential capacity for around 33,400 homes. The SHELAA also identified sites with the potential to deliver approximately 73 ha of land (for B1, B2 and B8 use classes).
- 5.9** The Local Plan growth strategy seeks to direct development to the most sustainable locations with the majority of new housing and employment growth proposed in the district's main settlements (Harrogate, Knaresborough and Ripon) and in the public transport corridor to the east of Knaresborough.
- 5.10** Within or adjoining the growth strategy settlements, the SHELAA identified 198 sites capable of delivering housing or employment, of which 190 were in non-Green Belt locations. These latter sites had a potential capacity for around 28,000 homes and 30 ha of land for employment.

8 When completions since 2014 and sites with an extant planning permission are taken into account this figure reduces to 6,164 dwellings

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- 5.1** This demonstrates that there is potentially sufficient suitable and available land for development outside of the Green Belt with the capacity to meet the district's objectively assessed needs for both housing and employment.

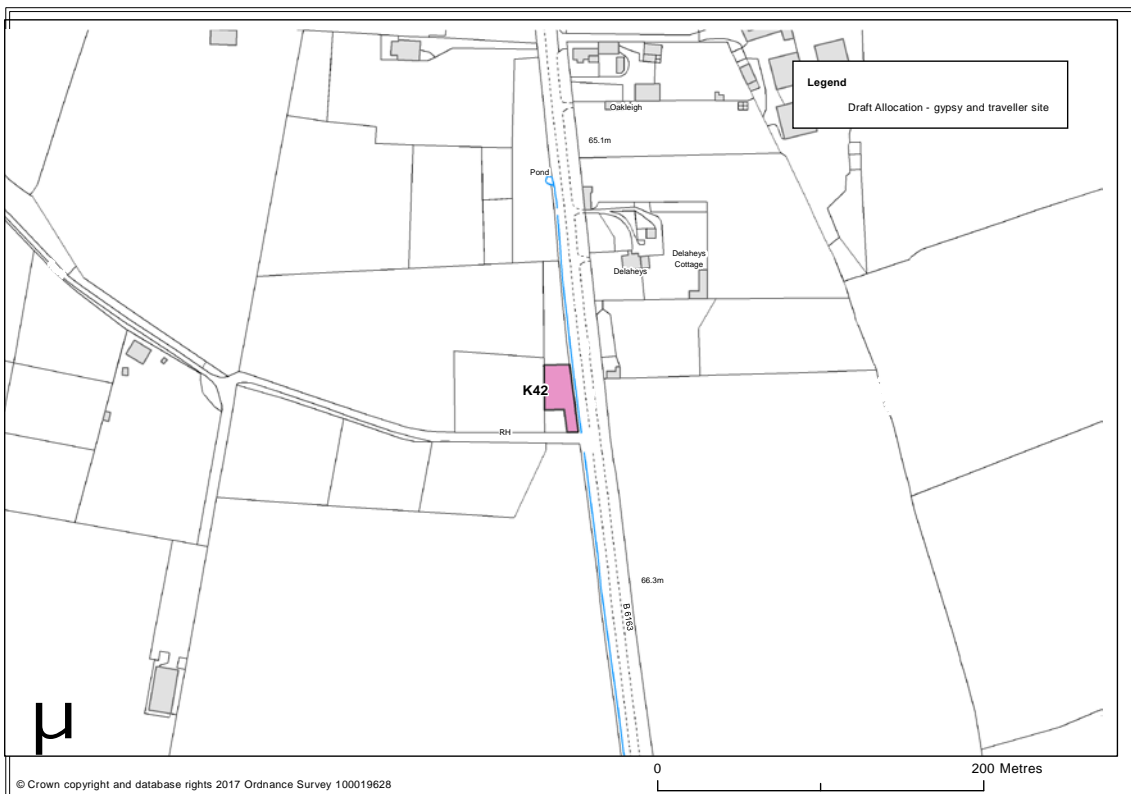
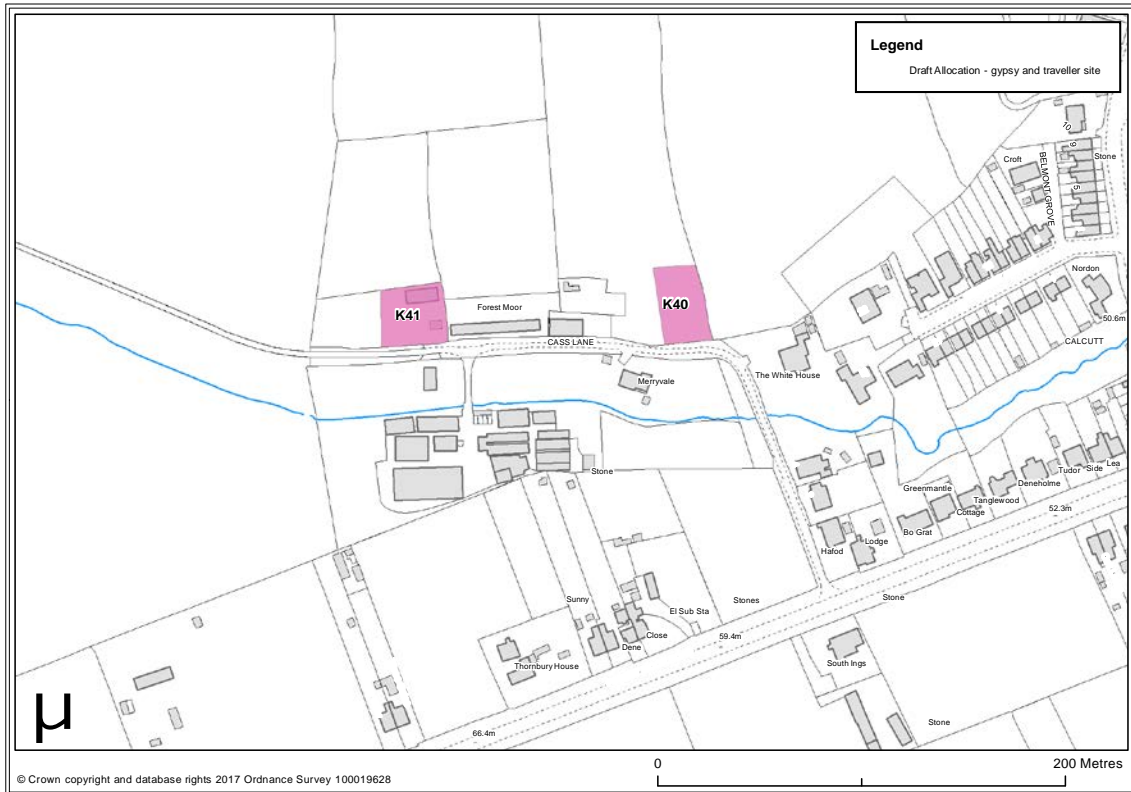
Sustainability

- 5.2** All sites submitted to the 'Call for Sites' or through Local Plan consultations have been subject to a Sustainability Appraisal (SA) assessment: this includes sites within the Green Belt. Through this detailed appraisal the most sustainable sites, those considered to have the most positive and/or least adverse effects on the SA objectives, have been identified.
- 5.3** The SA has demonstrated that sufficient land can be identified in locations outside the Green Belt, and which align with the draft Local Plan growth strategy, to accommodate the anticipated growth of the district during the plan period.

Gypsy and Traveller Provision

- 5.4** The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (2017) has identified a net need for six additional Gypsy and Traveller pitches between 2017 and 2032. Despite assessing approximately 125 sites within the identified area search, there are no available and deliverable sites which could be allocated in the Local Plan. It was therefore necessary to consider other appropriate options that would meet the pitch requirement including using the existing temporary sites where the need is arising from. There are presently three private Gypsy and Traveller sites located within the Knaresborough Green Belt, all of which have temporary planning permission and are already developed and provide a settled base that enables the families to access local facilities and services.
- 5.5** As stated in national policy, sites within the Green Belt are considered to be inappropriate development however a local authority may accommodate a site inset within the Green Belt to meet a specific, identified Gypsy and Traveller need. It should only be done through the plan-making process and not in response to a planning application and should specifically be allocated for the purposes of a Gypsy and Traveller site only.
- 5.6** The allocation of the three existing sites as inset sites is considered to be the most appropriate strategy when considered against a lack of any reasonable alternatives and the fact that the requirement specifically comes from these three sites. The fact that Harrogate has a long standing identified unmet need and no available sites elsewhere constitute very special circumstances. The identification of alternative land outside the Green Belt has proved undeliverable and whilst there are other options such as CPO, these would require disproportionate intervention, given the extent of the need, from the Council which could prove to be very expensive and a long process and therefore not to be considered a reasonable alternative.
- 5.7** The three inset allocation sites (K40, K41 and K42) are shown overleaf and the full justification of the approach for meeting Gypsy and Traveller needs can be found in the Harrogate District Local Plan: Gypsy and Traveller Background Paper (August 2018).

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Picture 5.1

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Green Belt Settlements

- 5.8** There are a number of settlements which either immediately adjoin the outer edge of the Green Belt or are 'washed over', either fully or partly, by Green Belt. Within 'washed over' settlements the NPPF is clear that limited infilling is not inappropriate development where it accords with Local Plan policies.
- 5.9** Development limits have been drawn around the growth strategy settlements and are used to define the areas where specific plan policies will apply.⁽⁹⁾ The development limits defined in the Harrogate District Local Plan (2001) have been reviewed and some minor changes proposed as part of the draft Local Plan. Those affecting settlements that adjoin or are within the Green Belt are listed in Table 5.1 below: however, they do not affect the policy approach to 'washed over' villages.

Settlement	Green Belt	Green Belt Status	Development Limit Change (where it affects Green Belt area)
Askwith	West Yorkshire	Washed over	Minor change to follow physical feature on ground
Beckwithshaw	West Yorkshire	Partly in Green Belt	No change
Follifoot	West Yorkshire	Washed over	No change
Harrogate	West Yorkshire	Built up area adjoins outer Green Belt edge	No change
Huby	West Yorkshire	Washed over	Minor change to follow physical feature on ground
Kirkby Overblow	West Yorkshire	Washed over	Minor change to include area closely related to built up area of settlement
Knaresborough	West Yorkshire	Built up area adjoins outer Green Belt edge	No change
Long Marston	York	Washed over	No change
North Rigton	West Yorkshire	Washed over	Minor change to follow physical feature on ground
Pannal	West Yorkshire	Built up area adjoins outer Green Belt edge	No change
Sicklinghall	West Yorkshire	Washed over	Minor change to follow physical feature on ground and area closely related to built up area of settlement
Spofforth	West Yorkshire	Built up area adjoins outer Green Belt edge	No change
Weeton	West Yorkshire	Washed over	New boundary

Table 5.1 Green Belt Settlements

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6 Conclusion

- 6.1** In the context of matters identified in Section 5, the council has concluded that there is no necessity to undertake a review of the Green Belt at the current time as there is sufficient available, suitable and sustainable land in settlements outwith the Green Belt to deliver the level of growth planned in the district during the period to 2035.

