

Harrogate District Local Plan: Green Belt Background Paper



October 2016

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1 Introduction

- 1.1** As set out in the National Planning Policy Framework (NPPF), 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** This paper provides the context to the council's approach to the district's Green Belt in the draft Local Plan. It provides 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** The following evidence base documents should be read alongside this background paper:⁽¹⁾
- Harrogate Strategic Housing Market Assessment (GL Hearn, September 2015)
 - Harrogate Strategic Housing Market Assessment Update (GL Hearn, June 2016)
 - Harrogate Strategic Housing and Economic Land Availability Assessment (HBC, July 2016)
 - Housing Background Paper (HBC, October 2016)
 - Settlement Hierarchy Background Paper (HBC, October 2016)
 - Harrogate Local Plan Sustainability Appraisal/Strategic Environmental Assessment (HBC, October 2016)

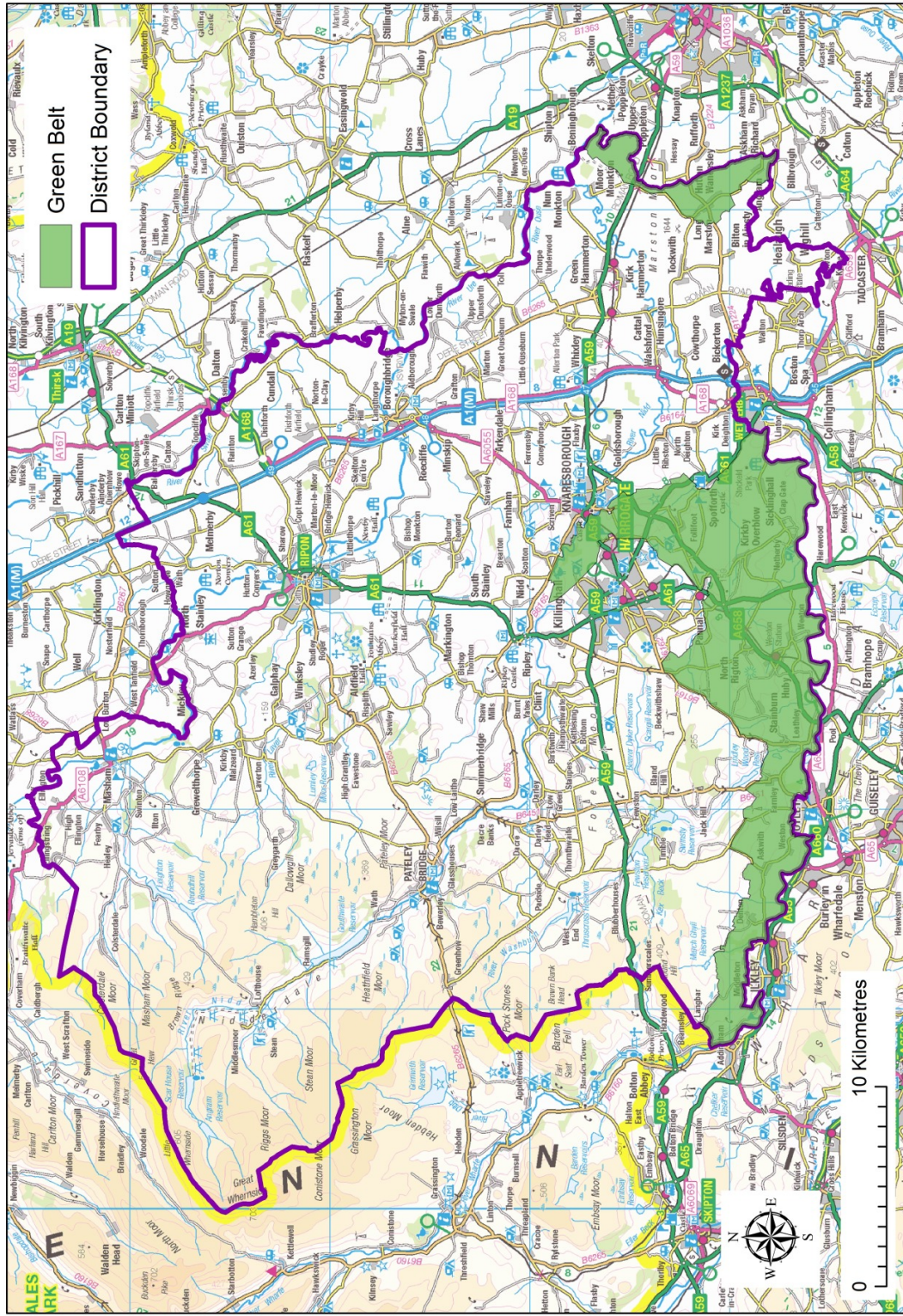
2 Green Belt in Harrogate District

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

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- 2.5** Currently 14,510 hectares of the district are designated Green Belt, equivalent to 11% of the total area of the district.⁽²⁾

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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 9 of the NPPF, which emphasises the importance the government attaches to Green Belt (paragraph 79).
- 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.

National Guidance

- 3.9** The NPPF is supported by Planning Practice Guidance (PPG), which reiterates the importance of the Green Belt.
- 3.10** 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.⁽³⁾
- 3.11** 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'.⁽⁴⁾
- 3.12** 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.

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

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

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Legal Cases

- 3.13** 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.
- 3.14** 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.⁽⁵⁾ 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 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>
Leeds City Council	West Yorkshire	<p>The Core Strategy (adopted 2014) sets the context for a Green Belt review. As part of the draft Site Allocations Plan (published September 2015) an assessment</p>

5 *Calverton Parish Council v Nottingham City Council & Ors* [2015] EWHC 1078 (Admin) (21 April 2015)

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Local Authority	Green Belt	Approach
		of Green Belt sites has been carried out, with those sites with the least harm to Green Belt purposes proposed for allocation.
Selby District Council	West Yorkshire & York	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 and Policies Local Plan.
Hambleton District Council	York	No review currently planned
City of York Council	York	The emerging York Local Plan will finalise the inner Green Belt boundary and those parts of the outer boundary that lie in the authority's area and a Green Belt appraisal is being undertaken to assist this. The Publication Draft Plan (2014) defined Green Belt boundaries and proposed the allocation of safeguarded land. ⁽⁶⁾ This approach has now been reviewed and the Preferred Sites Consultation (2016) no longer identifies any areas of safeguarded land.

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.

Objectively Assessed Need

- 5.2** The council has established through the Strategic Housing Market Assessment (SHMA) reports an objectively assessed need (OAN) for housing over the 2014-2035 plan period of 11,697 dwellings, equivalent to 557 dwellings per annum (dpa).⁽⁷⁾
- 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 17%. The annual housing requirement identified through the SHMA of 557 dpa also represents a significant increase on that previously set out in the Core Strategy (of 390 dpa) and well above the average 307 homes a year built in the 10 year period to 2016.

6 This is land, if required, to meet development needs beyond the current plan period

7 When completions since 2014 and sites with an extant planning permission are taken into account this figure reduces to 6,385 dwellings

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- 5.4** The Employment Land Review (ELR) recommended the allocation of 20-25ha 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 in the previous ELR, and 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 at the time of preparing the draft Local Plan, 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** Over 460 sites for housing and employment were submitted as part of the Local Plan 'Call for Sites'. The suitability, availability and achievability of these sites for development was assessed in the the Strategic Housing and Economic Land Availability Assessment (SHELAA) (July 2016).
- 5.8** The SHELAA identified that in total 210 sites in non-Green Belt locations were capable of delivering housing, with a potential capacity for 30,460 homes. The SHELAA also identified sites with the potential to deliver approximately 41.3 ha of land (for B1, B2 and B8 use classes).
- 5.9** The draft 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.
- 5.11** 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

- 5.12** All sites submitted to the 'Call for Sites' 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.
- 5.13** 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.

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Green Belt Settlements

- 5.14** 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.
- 5.15** Development limits have been drawn around the growth strategy settlements and are used to define the areas where specific plan policies will apply.⁽⁸⁾ 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.

