



## Notice of a public meeting of

### Local Plan Working Group

- To:** Councillors Ayre (Chair), Carr (Vice-Chair), N Barnes, D'Agorne, Derbyshire, Lisle, Looker, Mercer, Orrell, Reid, Steward, Warters and Williams
- Date:** Tuesday, 27 June 2017
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor, West Offices (F045)

### AGENDA

#### 1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

#### 2. **Minutes** (Pages 1 - 6)

To approve and sign the minutes of the meeting of the Local Plan Working Group held on 23 January 2017.

#### 3. **Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Working Group, may do so. The deadline for registering is **5.00pm** on **Monday 26 June 2017**.

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### **4. Minerals and Waste Joint Plan - Proposed Changes** (Pages 7 - 102)

This report updates Members on the outcomes of the consultation on the Publication draft Minerals and Waste Joint Plan and asks Members to recommend that Executive approve the Proposed Changes to the Joint Plan for the purposes of public consultation.

### **5. Upper and Nether Poppleton Neighbourhood Plan - Examiners Report** (Pages 103 - 244)

Members are asked to consider the Upper and Nether Poppleton Neighbourhood Plan Examiner's Report and a Decision Statement which includes the Council's proposed response to the Examiner's recommended modifications.

### **6. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officers:

Name: Louise Cook/Catherine Clarke

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For more information about any of the following please contact the Democracy Officers responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City Of York Council

Committee Minutes

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Meeting	Local Plan Working Group
Date	23 January 2017
Present	Councillors Ayre (Chair), N Barnes, Carr (Vice-Chair), D'Agorne, Derbyshire, Levene, Lisle, Mercer, Reid, Steward, Warters, Williams and Cuthbertson (Substitute for Councillor Orrell)
Apologies	Councillor Orrell

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#### **14. Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they might have in respect of business on the agenda.

Councillor Cuthbertson declared that he was a trustee of the York Museums Trust so had a personal non-prejudicial interest in the Castle Gateway item.

#### **15. Minutes**

Resolved: That the minutes of the meeting held on 5 December 2016 be approved as a correct record and then signed by the Chair.

#### **16. Public Participation**

It was reported that there had been one registration to speak under the Council's Public Participation Scheme on the following item:

##### 4. Castle Gateway Vision and Draft Area of Opportunity Policy

Mr Paul Hepworth spoke, on behalf of Cycling UK, in support of the proposal for a Foss cycle bridge and for cycle underpass facilities on the inner ring road at Castle Mills. He also emphasised the that the Foss cycle bridge should be a dedicated, high quality structure.

**17. Castle Gateway Vision and Draft Area Of Opportunity Policy**

Members considered a report setting out the vision for the regeneration of the area around Piccadilly, Coppergate Centre, the Eye of York, Clifford's Tower, St George's Field and the Foss Basin, referred to as the Castle Gateway. The report also set out a draft Area of Opportunity Policy for adoption in the Local Plan.

Officers gave a brief background to the report and talked Members through the draft Area of Opportunity Policy.

In response to Member questions Officers stated:

- Routes for delivery vehicles to access commercial premises would depend on the car parking option chosen. This was currently being investigated.
- Following Coppergate 2 there were clearer parameters about what was achievable for this project.
- During discussions English Heritage had stated that the building suggested for the current car park would not work for them operationally as a visitors centre.

During discussion Members welcomed the report and made the following points:

- There should be a focus on cross party involvement in taking forward this plan.
- In terms of car parking, consideration must be given to those with disabilities. If a multi – story was chosen then provision needed to be made for accessible parking. This could also be a good opportunity to promote the 'Shopmobility' scheme and rethink its current location, which was difficult to access.

Members also requested that Item VI of the Draft Area of Opportunity Policy be amended to:

- I. Consider important sightlines across the Castle Gateway area
- II. Consider tree planting on Piccadilly

Resolved:

- I. That Officers respond to comments made at the meeting and circulate their response to Executive on Thursday 26 January 2017.
- II. That;
  - the renaming of the regeneration area as Castle Gateway be noted
  - the vision for the Castle Gateway be considered
  - the Castle Gateway draft Area of Opportunity Policy for inclusion in the emerging Local Plan be considered
  - the intention to develop a masterplan for the development of the council's assets, infrastructure and public spaces within the Castle Gateway area be noted
  - the intention to create a stakeholder group to guide and develop the masterplan be noted

Reason: To;

- change the name to better reflect the geography and nature of the area
- deliver the regeneration aims of the Castle Gateway project
- ensure the Castle Gateway vision is enshrined in planning policy
- provide a cohesive and informed design approach to the Castle Gateway
- ensure the masterplan is driven by key stakeholders as principal custodians for this area of the city

## **18. City Of York Local Plan - Update Report**

Members then considered a report which provided an update on the emerging Local Plan and in particular on the initial consideration of the newly submitted Ministry of Defence (MOD) sites against the Local Plan Site Selection methodology following the report to Executive on 7 December 2016.

Officers gave a brief background to the report and discussed the site selection methodology which had been applied to the three MOD sites.

In response to Member questions Officers clarified that no recommendations were being made for the use of the sites, or their inclusion in the Local Plan, work to determine their suitability was ongoing.

During discussion Members made the following comments:

- Some Members expressed the view that there was still a hope the MOD may reconsider the closure of the three sites, in order to protect both jobs and the heritage of York's military connection.
- Members requested the inclusion of site maps in future reports. Officers confirmed that they were seeking further clarity on the boundary of the three MOD sites.
- There were concerns over the impact that delaying the Local Plan any further may have, particularly if it were to heighten the risk of government intervention.

Officers confirmed that a letter had been sent to the Department for Communities and Local Government (DCLG) seeking reassurances, but that a response had yet to come back. Informal discussions had taken place and Officers still felt that it was important to consider these sites in detail to ensure delivery of a compliant Local Plan.

Members requested sight of the letter which had been sent to the DCLG, to which Officers agreed.

Resolved: That, in accordance with Option One, the LPWG request that the Executive:

- i. Note progress on the consideration of the identified MOD sites for housing land within the context of the Local Plan
- ii. Instruct Officers to produce a report highlighting detailed implications to the Local Development Scheme, including any budget implications.
- iii. Note the impact of the additional costs that will arise and the requirement to consider as part of the future years budget process.



Reason: To produce an NPPF compliant Local Plan.

Cllr Ayre, Chair

[The meeting started at 5.30 pm and finished at 6.25 pm].

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**Local Plan Working Group****27 June 2017**

Report of the Director of Economy and Place

Portfolio of the Executive Member for Transport and Planning

**Minerals and Waste Joint Plan – Proposed Changes****Purpose of the Report**

1. To update Members on the outcomes of the consultation on the Publication draft Minerals and Waste Joint Plan and asks Members to recommend that Executive approve the Proposed Changes to the Joint Plan for the purposes of public consultation.

**Summary**

2. Following approval by Executive on 13th October 2016, and equivalent approval by North Yorkshire County Council and the North York Moors National Park Authority, the Minerals and Waste Joint Plan (Joint Plan) was published for representations under Regulation 19 of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 on 9 November 2016.
3. A six week period for representations was provided, closing at 5pm on 21 December 2016. Within that period a total of 1,470 specific comments were received from 200 respondents. The majority of responses relate to the policy approach for hydrocarbons (oil and gas) development. A summary of the representations is attached at Annex A.
4. In accordance with the Regulations, the purpose of publishing the Joint Plan was to provide an opportunity for those interested in the Plan to make representations on matters of soundness (i.e. whether the Joint Plan meets the tests of soundness for local plans as established in national planning policy and whether it complies with relevant legislation including the statutory Duty to Cooperate on strategic cross-boundary issues).

5. Representations received on the published Joint Plan need to be provided to the Planning Inspectorate alongside the Plan, when it is submitted for independent Examination in Public (EiP). These representations, together with any changes proposed by the Joint Plan authorities, will need to be considered by the Inspector appointed to conduct the EiP.
6. In the light of representations received and other relevant matters such as updates in national policy, a draft schedule of proposed changes to the published Joint Plan, has been prepared in discussion with officers of North Yorkshire County Council and the North York Moors National Park Authority. This is contained in Annex A. Following legal advice, it was agreed that this Schedule of Proposed Changes should be subject to public consultation before any changes are submitted for Examination.
7. The Schedule of Proposed Changes attached at Annex B has been approved for consultation by Members at North Yorkshire County Council on 7<sup>th</sup> March 2017 and North York Moors National Park Authority on 20<sup>th</sup> April 2017.
8. Officers have made some further minor changes to reflect the importance of York's draft Green Belt. The Schedule of Proposed Changes attached at Annex A will be reported to City of York Council Local Plan Working Group on 27<sup>th</sup> June with a recommendation that they are recommended for approval for consultation by Executive on 29<sup>th</sup> June 2017. The consultation would take place during summer 2017.
9. Following consultation, the full Minerals and Waste Joint Plan (MWJP) and representations received will be reported again to Local Plan Working Group and Executive for consideration. Subject to the outcome of that consultation, the Executive may be invited to recommend to Full Council (and the equivalents at the joint authorities) that the MWJP be submitted for examination in Public by an independent planning inspector.

## **Background**

10. The City of York Council as a unitary authority is also a waste and minerals planning authority and to satisfy the provisions in Planning Policy Statement 10 and the National Planning Policy Framework, it must develop the necessary policies for minerals and waste. This statutory responsibility effectively involves identifying all waste arising in

the area from all sources, such as, household, commercial, hazardous and agricultural, and demonstrating how this is dealt with spatially. With regard to minerals it is necessary to identify the requirement for minerals including aggregates and how these will be sourced. Both these tasks have to be addressed for the lifetime of any development plan.

11. City of York is currently preparing a Local Plan with strategic policies on minerals and waste and a separate joint minerals and waste development plan document with North Yorkshire County Council and the North York Moors National Park Authority. This is known as the Minerals and Waste Joint Plan.
12. The Joint Plan addresses a range of issues relating to the future supply of minerals and needs for waste infrastructure over the period to 31 December 2030. Key issues include:
  - Planning for the future supply of aggregates minerals such as sand and gravel and crushed rock, as well as other minerals currently worked in the area;
  - Developing policy to respond to newer forms of development such as shale gas;
  - Identifying requirements for additional waste management capacity needed to fill any capacity 'gaps' in the existing network of facilities;
  - Addressing requirements for safeguarding minerals resources and important infrastructure;
  - Developing a range of new development management policies to help determine planning applications for minerals and waste development;
  - Identifying a range of site allocations for minerals and waste development where development would be regarded as acceptable in principle (see Appendix 1 to the Preferred Options consultation document).
13. The Minerals and Waste Joint Plan has involved a number of key public consultation stages to ensure there is every opportunity for community involvement. The key stages include:
  - First Consultation (completed May/June 2013)
  - Issues and Options Consultation (Completed March/April 2014)

- Additional or Revised Sites Consultation (Completed January/February 2015)
- Preferred Options Consultation (Completed November 2015 - January 2016)
- Publication stage (Completed November - December 2016)
- **Post-Publication Proposed Changes Consultation** (Scheduled for July 2017)
- Submission stage (Anticipated early 2018)
- Examination in Public (Anticipated Spring 2018)
- Adoption (Anticipated Summer 2018)

14. The dates above show some departure from the City of York Council's Local Development Scheme (LDS) published in July 2016. The LDS currently states submission in April 2017, examination in June/July 2017, adoption in October/November 2017. The slippage reflects the additional stage of consultation on the Proposed Changes ahead of submission as proposed in this report. A revised LDS will be reported to Members alongside the final documents ahead of Submission in due course. Officers are currently reviewing the timetable with colleagues at NYCC and NYM to see if it is possible to move forward more quickly.

15. Annex A provides an overview of the main points raised in representations to the Publication draft Plan. Whilst a wide range of matters have been raised in representations, key matters include:

- hydrocarbons - concerns about impacts from shale gas development and related fracking in the area and whether the policies go far enough in providing robust protection to the environment and local communities;
- whether the policies place unreasonably onerous restrictions on oil and gas development and are not sufficiently consistent with national policy and legislation in this respect;
- whether further consultation should have taken place on the proposed approach for hydrocarbons prior to finalisation of the Plan for publication;
- whether the proposed approach to planning for specific types of minerals, particularly aggregates, silica sand and potash is appropriate;
- whether the proposed approach to policy relating to protection of National Parks/AONBS and the Green Belt are appropriate;
- the approach to safeguarding of minerals resources, waste sites and minerals and waste transport infrastructure;

- concerns about particular sites proposed for allocation, or discounted from allocation.

### **Legislation and Guidance**

16. In considering the proposed approach to submission of the Joint Plan, it is important to have regard to the following legislation and guidance. Section 20 of the Planning and Compulsory Purchase Act 2004 as amended requires that the plan must not be submitted unless relevant regulations have been complied with and the authority considers that the document is ready for examination.
17. National Planning Practice Guidance indicates that the authority should submit a plan with 'any proposed changes it considers appropriate', the documents made available at publication stage, details of who was consulted and how the main issues are addressed, details of representations following publication and a summary of the main issues raised. It does not give any further detail on the procedure relating to proposed changes.
18. Procedural Practice in the Examination of Local Plans, published by the Planning Inspectorate in 2016, emphasises that the publication plan should be the plan it intends to submit for examination. It indicates that if the authority wishes to make changes to the publication plan those changes should be prepared as an addendum to the plan and should be subject to further consultation/sustainability appraisal before submission. It highlights that changes post submission are to cater for the unexpected – it is not to allow the authority to complete or finalise preparation of the plan. Main modifications will only be considered necessary to make the plan sound or compliant with the Regulations.
19. This guidance also states that where an addendum of focused changes is submitted with the plan the Inspector needs to assess it – whether there is a change to strategy and whether there has been consultation. If satisfied on these points the addendum can be considered as part of the submitted plan. If this is not the case the Inspector may treat these as other main modifications at post submission/pre hearing stage. Authorities can make minor modifications to a plan on adoption and will be accountable for the scope of these.

## Proposed Changes

20. As stated above, the Publication version of the Plan should be the Plan that the Authorities should consider to be sound and ready to submit and any changes post-publication must not be used to complete or finalise the Plan. Therefore, the changes included in the Schedule of Changes are:
  - to clarify policies/supporting text following the submission of representations which highlighted the lack of clarity or understanding
  - to correct typographical errors
  - to provide factual updates i.e. to reflect new guidance or policy or change in name of organisations etc
  - to align our definitions/policies to the national approach.
21. In response to representations received on the Publication draft, and to deal with some other more minor issues, legal advice has been obtained and a draft Schedule of Proposed Changes has been prepared. This Schedule has been agreed following discussions with officers from North Yorkshire County Council and the North York Moors National Park Authority and is provided as Annex B.
22. The Proposed Changes do not change the direction of policy previously agreed by Members as part of the Publication draft Joint Plan. Instead, they provide further clarification of matters addressed in the Plan and put forward a number of other revisions in response to matters raised in representations, some of which affect the wording of policy. The changes also update on any relevant factual changes and correct minor typographical or formatting issues with the text of the Joint Plan.
23. The more significant changes relate to the hydrocarbon policies where a number of clarifications have been made to supporting text, for example, to clarify various aspects of the nature of development and production of conventional and unconventional gas, and to clarify the current regulatory requirements.
24. A Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) has been carried out for the Proposed Changes and it is not considered that any of the proposed changes will have any negative significant effects. The SEA is attached at Annex C.



25. It is considered that the proposed changes, individually and in combination, are generally relatively minor in nature and would not result in any revision to the overall strategy contained in the published Joint Plan. However, taking into account the guidance summarised in paragraphs 15 to 18 above, and the lack of any specific criteria to determine the significance of the proposed changes in the context of the EiP process, further legal advice has been sought jointly on behalf of the three Authorities on the appropriate process for dealing with the proposed changes in the lead up to submission of the Plan, including whether it would be appropriate to consult on them prior to submission.
26. In summary, the legal advice stated that:
- (1) There was no legal requirement to consult on changes made to the “Preferred Options” version of the draft Plan before it was published.
  - (2) However, it is necessary to consult on the changes now proposed to the published draft Plan before it is submitted for examination.
  - (3) After the consultation on the changes to the published draft Plan has been completed, then if no further changes are then considered necessary, it will not be necessary to undertake yet another consultation on a “composite” version of the draft Plan.
  - (4) If there are such further changes to be made at that stage, it is considered that a further consultation on those changes alone is highly likely to be required, before the draft Plan is submitted, if those changes are material. However, it is not possible to be definitive at this stage about what will be required until those further changes, if any, are known.
27. The purpose of consulting on the proposed changes prior to submission is to enable the Council to consider representations as to whether further changes are required. If no further changes are required, consideration of the consultation responses will demonstrate for the Inspector the rationale behind the Submission Draft and Proposed Schedule of Changes. If this consultation stage is not undertaken, it risks delay in the Examination, which would be likely to be stayed pending further consultation.

### **Financial Implications**

28. The estimated costs related to this stage of the production of the Minerals and Waste Joint Plan are outlined in the table below. The

costs will need to be contained within budgets across the directorate that support the Local Plan and Waste Strategy.

<b>Stage/task</b>	<b>Estimated total cost</b>	<b>CYC cost* (55:25:20)</b>	<b>Comment</b>
<b>2017/18</b>			
Consultation on proposed changes (printing/document distribution)	£1,000	£250	Estimate based on equivalent costs at Publication stage
Preparation/printing/press notice for submission documents	£8,000	£2,000	Estimate based on equivalent costs at Publication stage
EiP Programme Officer costs	£5,000	£1,250	Estimate based on maximum requirement for 50 days total time (half before Examination) input at contracted rate
EiP legal costs	£3,000	£750	Assumed at 2 days input (pre examination) at £1,500 per day
<b>Total for 2017/18</b>	<b>£17,000</b>	<b>£4,250</b>	
<b>2018/19</b>			
EiP Programme Officer costs	£5,000	£1,250	Estimate based on maximum requirement for 50 days total time (half during Examination) input at contracted rate
EiP legal costs	£12,000	£3,000	Assumed at 8 days input at £1,500 per day
Other EiP costs (venue etc)	£5,000	£1,250	Assumed need to hire venue for 10 days at £500/day. Use of internal venue would avoid this cost
PINS costs (EiP Inspector) <sup>1</sup>	£40,000	£10,000	Estimate based on assumed total Inspector time requirement of 40

			days at c.£1,000/day (local plans examinations fee regs)
Adoption costs (press notices, printing)	£4,000	£1,000	Estimate based on equivalent costs at Publication stage
<b>Total for 2018/19</b>	<b>£66,000</b>	<b>£16,500</b>	
<b>Total</b>	<b>£83,000</b>	<b>£20,750</b>	

\*CYC has agreed to pay 25% of the total costs of the Joint Plan.

## Council Plan

29. Under the 2015-2019 Council Plan objectives the project will assist in the creation of a Prosperous City for All, and be a Council that listens to residents particularly by ensuring that:

- i. Everyone who lives in the city can enjoy its unique heritage and range of activities.
- ii. Residents can access affordable homes while the greenbelt and unique character of the city is protected.
- iii. Visitors, businesses and residents are impressed with the quality of our city.
- iv. Local businesses can thrive.
- v. Efficient and affordable transport links enable residents and businesses to access key services and opportunities.
- vi. Environmental Sustainability underpins everything we do.
- vii. We are entrepreneurial, by making the most of commercial activities.
- viii. Engage with our communities, listening to their views and taking them into account.

## Implications

30. The following implications have been assessed.

- **Financial** – These are detailed in paragraph 28 above.
- **Human Resources (HR)** – The production of a Minerals and Waste Joint Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within EAP.

- **One Planet Council / Equalities** - Better Decision Making Tool attached at Annex D.
- **Legal** – The statutory process must be followed in preparing and consulting upon the joint plan and decisions must be taken by each of the separate Authorities involved in their own constitutional decision making processes. The statutory duty to co-operate applies (created by S110 Localism Act 2011). If the Minerals and Waste Joint Plan is adopted by all three Councils, it will eventually become part of the statutory development plan for York along with the emerging York Local Plan. The Plans should therefore be in conformity particularly in relation to any site allocations and safeguarded areas proposed within the York area in the Joint Minerals and Waste Plan.
- **Information Technology (IT)** - There are no IT implications
- **Crime and Disorder** – None.
- **Information Technology (IT)** – None
- **Property** – The Plan includes land within Council ownership.
- **Other** – None

## **Risk Management**

31. In compliance with the Council's risk management strategy, the main risks in producing a Minerals and Waste Joint Plan are as follows:
  - The need to steer, promote or restrict minerals and waste development across its administrative area:
  - The potential damage to the Council's image and reputation if a development plan is not adopted in an appropriate timeframe; and
  - Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.
32. Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

## **Next Steps**

33. Should all Members from the three authorities approve this Plan for consultation purposes, it is anticipated that an 8 week consultation will run July to September 2017 to allow people to make representations on the Proposed Changes (this extended period is to take account of the summer holiday period, as required by the Council's SCI). This

consultation will be in compliance with the adopted City of York Statement of Community Involvement as well as the other Joint Authorities' SCIs.

34. The Submission draft Plan, the Proposed Changes and any representation received will then be presented to Local Plan Working Group and Executive for consideration. If no further changes are required it will be recommended to Full Council that the Schedule of Changes and Plan be submitted to the Secretary of State. Approval of the Plan for Submission and for Examination in Public is a function of Full Council which will also be required from North Yorkshire County Council and North York Moors National Park Authority.
35. The Submission documents will include those that were made available at the Publication stage (updated as necessary), including details of who was consulted when preparing the Joint Plan (at Regulation 18 stage) and how the main issues raised have been addressed. Details of the representations made following publication of the Joint Plan and a summary of the main issues raised will also be included. A copy of the proposed changes and any representation received will also be included. A Statement of Representations Procedure will be published alongside the submission version of the Joint Plan.
36. A pre-examination meeting, Examination in Public and Inspector's report will follow in spring 2018, with an anticipated adoption of the Joint Plan in summer 2018.

## Options

37. Officers request that Members recommend to Executive that they consider the following options:
  - Option 1:** That they approve the Minerals and Waste Joint Plan Schedule of Proposed Changes for the purpose of public consultation;
  - Option 2:** That they approve the Minerals and Waste Joint Plan Schedule of Proposed Changes for the purpose of public consultation subject to amendments agreed at this meeting;
  - Option 3:** That they reject the Minerals and Waste Joint Plan Schedule of Proposed Changes and request that further work is undertaken or an alternative approach is taken.

## Analysis

38. It is considered that the best option is to approve the Minerals and Waste Joint Plan Proposed Changes documents for consultation in July-September 2017 as per Option 1. This will ensure that the industry and public are given the opportunity to view the proposed changes to the Plan ahead of Submission.
39. The option outlined above accords with the following priorities from the Council Plan:
- A prosperous city for all.
  - A council that listens to residents.

## Recommendations

40. Members are asked to recommend to the Executive that they:
- i) Note the representations received on the Publication Minerals and Waste Joint Plan for North Yorkshire, York and the North York Moors National Park (Annex A);

Reason:- For information and to provide a context to the proposed changes.

- ii) Approve the draft Minerals and Waste Joint Plan for York, North Yorkshire and North York Moors National Park Schedule of Proposed Changes (Annex B) for the purposes of consultation;

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed.

- iii) Agree that the Director of Economy and Place in consultation with the Executive Member for Transport and Planning be authorised to make non-substantive editorial changes to the Schedule of Proposed Changes (Annex B) and other supporting documents proposed to be published alongside the Plan;

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed.

**Contact Details**

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Mike Slater  
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Protection

Tel: (01904) 551300

**Executive Member Responsible for the Report:**

Cllr Ian Gillies

**Report  
Approved**

✓

**Date** 15/06/2017

**Specialist Implications Officer(s):**

Patrick Looker, Finance Manager  
Alison Hartley, Senior Solicitor, Planning

**Wards Affected:**

All

For further information please contact the author of the report

**Background Papers:** None

**Annexes:**

Annex A: Summary of responses received during Publication  
Consultation (online only)

Annex B: Schedule of Proposed Changes

Annex C: SEA of Proposed Changes

Annex D: Better Decision Making Tool

**Glossary of Abbreviations**

EiP – Examination in Public

MWJP – Minerals and Waste Joint Plan

LDS – Local Development Scheme

AONB – Area of Outstanding Natural Beauty

SA/SEA – Sustainability Appraisal / Strategic Environmental Assessment

CYC – City of York Council

PINS – Planning Inspectorate

SCI – Statement of Community Involvement

NPPF – National Planning Policy Framework



## Addendum of Proposed Changes to Publication Draft of the Minerals and Waste Joint Plan

### Key

**Example:** New Text

**Example:** Deleted Text

**Example:** Text in bold is Policy wording

### Part A - Proposed changes initiated by the LPAs

PC No.	Page Number	Policy Ref/Paragraph Number/Reference point	Change proposed	Reason
PC01	2,3	Sub-heading 'About this Document'	Delete sub-heading About this Document and all subsequent text on pages 2 and 3.	To reflect the closure of the publication phase of the Plan
PC02	25	Para. 2.54 16 <sup>th</sup> line	...were publisjhed by...	To correct a typographical error
PC03	78	Para. 5.108 2 <sup>nd</sup> line	Please note that the references to 'DECC' in Figure 13 should now be read as references to DBEIS as its successor	To correct a typographical error
PC04	84	Policy M16 d) i) 3 <sup>rd</sup> line	... the policies map or <del>is</del> <b>are</b> otherwise considered...	To correct a typographical error
PC05	86	Para. 5.121 5 <sup>th</sup> sentence	... reference to their special qualities can be found in the relevant <del>Management</del> <b>Management</b> Plan for the area.	To correct a typographical error
PC06	87	Para. 5.125 5 <sup>th</sup> Sentence	This includes the need to take account of any Impact Risk Zones identified by Natural England for SACs, SPAs, Ramsar sites and <del>SSSIs</del> , via the requirements ...	To correct a typographical error
PC07	102	Potash, Polyhalite and Salt Section	Replace section heading <del>Potash, Polyhalite and Salt</del> with <b>Potash and Salt</b>	For consistency with proposed modifications to paras. 5.171 and 5.172
PC08	102	Para 5.171	Replace current para. 5.171 <del>" There are various forms of potassium bearing minerals which can be mined for potash including sylvinite, polyhalite and carnalite. Potash is mainly used as a fertiliser. Rock salt may occur in association with</del>	To clarify terminology relevant to potash and salt mineral resources

			<p><del>potash and is commonly used for de-icing roads. Both potash and salt occur at substantial depths below the eastern part of the plan area, where existing extraction takes place. Identified resources lie mainly beneath the North York Moors National Park.”</del></p> <p>with:</p> <p><u>Potash is the generic term for potassium bearing minerals and has an important economic value for fertiliser. Within the Plan area it takes the form of sylvinitite, which can be processed to create ‘muriate of potash’, and polyhalite, which although lower in terms of potassium content, also includes other important plant nutrients, particularly sulphur. Rock salt may occur in association with potash and is commonly used for de-icing roads. Both potash and salt occur at substantial depths below the eastern part of the Plan area, where existing extraction takes place. Identified resources lie mainly beneath the North York Moors National Park.</u></p>	
PC09	102	Policy M22 1 <sup>st</sup> para. 1 <sup>st</sup> line	Revise first line: <b>Proposals for the extraction of potash, and salt or polyhalite from new sites....</b>	To clarify terminology relevant to potash and salt mineral resources
PC10	102	Policy M22 2 <sup>nd</sup> para. 2 <sup>nd</sup> line	Revise second line: <b>Proposals for new surface development and infrastructure associated with the existing permitted potash, polyhalite and salt mine sites in the National Park, .....</b>	To clarify terminology relevant to potash and salt mineral resources
PC11	103	Para 5.172	<p>Replace current para. 5.172</p> <p><del>Potash is identified as a mineral of local and national importance in the NPPF, which requires policies to be included for its extraction. There is however no requirement within national policy to maintain a certain level of potash reserves. Potentially viable and accessible resources of potash are understood to lie mainly beneath the North York Moors National Park. Where proposals for new potash (including polyhalite) mining activities are located within the National Park they will need to be considered in accordance with the requirements of the major development test (Policy D04). This includes extensions to the operating period or renewal applications for the existing mine sites at Boulby and Doves Nest Farm. For these reasons it is not considered appropriate to allocate proposed sites in the Joint Plan but to consider any new proposals against the policy requirements set out above.</del></p>	To clarify terminology relevant to potash and salt mineral resources

			<p>with:</p> <p><u>In planning terms, the differentiation between the two forms of potash is important, in relation to the policy requirements of the major development test relating to need assessment. There is an existing national requirement for the sylvinite form of potash, whereas polyhalite is new to the global fertiliser market and is not yet an established product. Planning permission for Boulby Mine allows for the extraction of 'potash', covering both sylvinite and polyhalite (and also rock salt), whereas the 2015 permission for Sirius Minerals at Doves Nest is restricted to polyhalite only. Another important distinction is the fact that sylvinite requires processing and therefore has significant additional infrastructure requirements, whereas when polyhalite is mined the entire ore is used with only the need for granulation. In Policy M22, the term 'potash' means all forms of the mineral unless where otherwise explicitly stated.</u></p>	
PC12	115	Policy W02 4)	... where they would be in line with the requirements of <del>Policies</del> <u>Policies W10 and W11.</u>	To correct a typographical error
PC13	121	Policy W03 2)	... with the site locational and identification principles in <del>Policies</del> <u>Policies W10 and W11 will be permitted.</u>	To correct a typographical error
PC14	135	Para. 6.94 last sentence	... under Policies W10 and W11 and other relevant <del>policies</del> <u>policies</u> in the Joint Plan as appropriate.	To correct a typographical error
PC15	145	Para. 7.12 3 <sup>rd</sup> Sentence	... constitute permitted development under the Town and Country Planning (General Permitted Development) <u>(England) 2015 Order</u> <del>1995 (as amended).</del>	To update sentence to refer to the current legislation
PC16	146	Policy I02 2)	<u>In addition, within the City of York area, development of ancillary minerals infrastructure will <del>also</del> <u>only</u> be permitted provided the following criteria are met:</u>	To clarify the meaning of the policy.
PC17	149	Policy S01 1 <sup>st</sup> paragraph of Part 2)	<u>Potash <del>and</del> (including polyhalite) resources within the Boulby Mine licensed permitted area ...</u>	To clarify the status of the relevant area
PC18	151	Para. 8.17 6 <sup>th</sup> line	Revise 3 <sup>rd</sup> sentence: ...However, it would be appropriate to safeguard reserves and resources within <del>the area licensed for extraction from that part of the</del> Boulby Mine <u>permission area indicated on the Policies Map (the only active potash</u>	To clarify the status of the relevant area

			<del>mine in the Plan area</del> ), along with those resources forming part of the York Potash project that have been identified with a higher degree of confidence (i.e. the indicated and inferred resources). This will ...	
PC19	155	Para. 8.30 3 <sup>rd</sup> line	... due, for example, to noise, dust, odour or ...	To correct a typographical error
PC20	166	Policy D04 Final sentence of final paragraph of Part 1)	Revise final sentence of final paragraph of Part 1): <b>Appropriate and practicable compensation will be required for any avoidable unavoidable effects which cannot be mitigated.</b>	To correct a typographical error
PC21	175	Para. 9.53 5 <sup>th</sup> line	Revise sentence: ..the development of enhanced ecological networks to improve <del>reliance</del> <u>resilience</u> and help to ...	To correct a typographical error
PC22	178	Para. 9.63	Add a return at end of paragraph to distinguish from para. 9.64	To improve presentation of the document
PC23	188	Key links to other relevant policies and objectives	Strategic <del>Policies</del> <u>Policies</u> in Chapter 5, 6 and 7 and Policies D07, D09, D10, D13	To correct a typographical error
PC24	194	Text following Para. 10.1	Delete: <del>Note: when providing a response relating to a specific site please ensure the site reference number is included with the relevant comments.</del>	To reflect the closure of the publication phase of the Plan
PC25	30, 45, 82, 85 and 89 of Appendix 1	Reasons for allocating site	... supply of aggregates (Policy M01) and the provision of crushed <del>road</del> <u>rock</u> (Policies M05 and M06) and could contribute to ...	To correct a typographical error on these 5 pages
PC26	137 and 144 of Appendix 1	'Submitted by' row	Revise: Stephenson & Son (on behalf of Mr <del>W R Smith</del> <u>E Wilkin</u> )	To correct a factual error on these 2 pages
PC27	159 of Appendix 2	Safeguarded Waste Site Contents list	Insert new safeguarded waste transfer (non-hazardous) site into table: <u>Showfield Lane, Malton</u>  Revise waste facility type description for Knapton Quarry to : Composting, <u>transfer, treatment and recycling</u>	Consequential change arising from response to consultation
PC28	159 of	Waste Site Name column	Revise ...	To correct typographical errors

	Appendix 2	at start of Appendix 2	Unit 8, <del>Marsden</del> <u>Marston</u> Business Park Genta Environmental, <del>Marsden</del> <u>Marston</u> Business Park ... Tofts Road, <del>Kirkby</del> <u>Kirby</u> Misperton ... <del>Dalkia Bio Energy Ltd</del> <u>Stobart Group</u>  <del>Burnistion</del> <u>Burniston</u> ... <del>Cauklands</del> <u>Caulklands</u> /Thornton-le-Dale ...	and an operator name change
PC29	169 of Appendix 2	Site Name on Plan	Unit 8 <del>Marsden Moor</del> <u>Marston</u> Business Park, Tockwith	To correct a typographical error
PC30	170 of Appendix 2	Site Name on Plan	Genta Environmental, <del>Marsden Moor</del> <u>Marston</u> Business Park, Tockwith	To correct a typographical error
PC31	182 of Appendix 2	Page 182	Delete <del>page 182</del> and <u>re-number following pages</u>	To remove a duplicate of the plan already shown on page 181
PC32	198 of Appendix 2	Site Name on Plan	Stonefall, <del>Weatherby</del> <u>Wetherby</u> Road, Harrogate	To correct a typographical error
PC33	201 of Appendix 2	Boundary of safeguarded site for Skipton HWRC	Revise boundary to reflect allocated area WJP17	For consistency
PC34	209 of Appendix 2	In Site Name column	<del>Dalkia waste site</del> <u>Stobart Group</u>	To update an operator name change
PC35	226 of Appendix 2	Site name on Plan	<del>Whirtby</del> <u>Whitby</u> Port	To correct a typographical error
PC36	227 of	Site name on Plan	Queens <del>Stairhes</del> <u>Staithe</u>	To correct a typographical error

	Appendix 2			
PC37	229 of Appendix 2	In Site Name column	Outgang Lane, <del>Oswaldkirk</del> <u>Osaldwick</u> ... <del>Ricall</del> <u>Riccall</u> Airfield ...	To correct typographical errors
PC38	249 of Appendix 2	Site name on Plan	Outgang Lane, <del>Oswaldkirk</del> <u>Osaldwick</u>	To correct a typographical error
PC39	257 of Appendix 2	Site name on Plan	<del>Ricall</del> <u>Riccall</u> Airfield	To correct a typographical error
PC40	264 of Appendix 3	Indicator 5 'Action Required if Trigger Point hit' column :	Review of provision of crushed rock site allocations <del>if</del> <u>if</u> necessary	To correct a typographical error
PC41	Policies Map	Map	Include <u>Areas of Search polygons</u> on the policies map	To correct an omission
PC42	Policies Map	Map Key	Revise references in Key to potash or polyhalite in the supporting justification to <u>potash and salt</u>	For consistency with the text of the Plan

## Part B - Proposed changes in response to representations

PM No.	Page Number	Policy Ref/Paragraph Number/Reference point	Change proposed	Reason
PC43	18	Para. 2.26 2 <sup>rd</sup> line	Revise para: The NPPF also places emphasis upon conserving important landscape and heritage assets by requiring that landbanks of non-energy minerals are, <u>as far as is practical</u> , provided outside National Parks, AONBs ...	To reflect consistence with national policy
PC44	18	Para. 2.26 4 <sup>th</sup> sentence	Revise para: The NPPF advises that <del>in considering planning applications substantial weight should be given to any harm to the Green Belt but</del> <u>inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.</u> It also advises that minerals extraction is not considered to be inappropriate development within the Green Belt, provided <del>the development</del> <u>it preserves openness and</u> would not conflict with the purposes of including land within it. <u>Harm to assets, including landscape and heritage assets, relevant to the purpose of Green Belt designation equate to harm to the purposes of Green Belt designation. Green Belt policy</u> <del>This</del> is addressed further ...	To clarify the national policy context relating to Green Belt.
PC45	25	Para. 2.54 16 <sup>th</sup> line	Revise para: ...Plan period. Marine Plans for the East Inshore and East Offshore areas, covering the area south of Flamborough Head, were published by <del>DEFRA</del> <u>the Marine Management Organisation</u> in April 2014. These recognise ...	To correct a factual error
PC46	25	Para. 2.54	Add new sentence at end of Para. 2.54: <u>For the area north of Flamborough Head, and pending finalisation of a North East Marine Plan, reference should be made to the national Marine Policy Statement, which also highlights the importance of marine aggregates in supplying the construction industry.</u>	To clarify the status of marine planning in the area
PC47	29	Para. 2.68 last sentence	Revise last sentence of para. 2.68: These imports, <u>other than clear glass grade silica sand</u> , are thought to relate ...	To clarify the specific position relating to silica sand
PC48	33	Para. 2.88 2 <sup>nd</sup> bullet point	Revise 2 <sup>nd</sup> bullet point: Cross boundary supply issues relating to silica	To more closely align the text

			sand, which is a mineral of national <del>significance</del> <u>importance</u> .	with national policy
PC49	46	Para. 4.11 3 <sup>rd</sup> bullet point, part c)	Add additional text to end of 3 <sup>rd</sup> bullet point, part c): ... in the Plan area <u>or other significant regulatory changes relevant to the development of local planning policy</u>	To further clarify where review may be required
PC50	55	Policy M06 1 <sup>st</sup> para.	<b>A minimum overall landbank of 10 years will be maintained for crushed rock throughout the plan period. A separate minimum 10 year landbank will be identified and maintained for Magnesian Limestone crushed rock <u>throughout the plan period</u>.</b>	To clarify the proposed approach
PC51	64	Para. 5.55 15 <sup>th</sup> line	... East Coast Inshore and Offshore Marine Plans ( <del>DEFRA</del> <u>MMO</u> 2014) should help ...	To correct a factual error
PC52	68	Para. 5.68 4 <sup>th</sup> sentence	Revise 4 <sup>th</sup> sentence: <del>Neither of</del> <u>Sites within</u> the other two MPAs in England <u>with reserves of silica sand</u> currently <del>has do not have</del> a 10 year landbank <u>as required by the NPPF national policy</u> , although both are ...	To more closely align the text with national policy
PC53	68	Para. 5.72	<p>Replace existing para. 5.72</p> <p><del>A further relevant consideration in respect of Blubberhouses Quarry is that the Local Transport Plan for North Yorkshire has identified the need to realign the A59 road at Kex Gill, near Blubberhouses Quarry, to avoid recurring issues of land instability. A definitive proposed realignment is not yet available and there is no safeguarded route. However, there is potential for this project to overlap with the Blubberhouses quarry site. In this scenario there would be a need to ensure that the potential for conflict between the road alignment and the quarry is reflected in the design of both schemes and the potential for any cumulative impacts taken into account where necessary.</del></p> <p>with:</p> <p><u>A further relevant consideration in respect of Blubberhouses Quarry is that the County Council (within its Local Transport Plan 4: strategy and strategic transport prospectus) and the York and North Yorkshire &amp; East Riding Local Enterprise Partnerships (within its strategic economic plan) have identified the need to realign the A59 road at Kex Gill, near Blubberhouses quarry, as a key strategic priority. The existing alignment</u></p>	To reflect the evolving situation in relation to proposals for realignment of the A59 near Blubberhouses



			<u>of the A59 in the Kex Gill area is subject to poor land stability issues, resulting in several road closures taking place on this regionally important strategic trans Pennine route over the past 15 years. A definitive proposed realignment is not yet available and there is no safeguarded route. Work is currently on going identifying options, however there is potential for this project to overlap with the Blubberhouses quarry site. In this scenario there would be a need to ensure that the potential for conflict between road realignment and the quarry is reflected in design of both schemes and the potential for any cumulative impact taken into account where necessary.</u>	
PC54	75	Para. 5.93 2 <sup>nd</sup> sentence	Revise 2 <sup>nd</sup> sentence: This is a highly relevant issue for the Plan area following the announcement <del>by Government</del> in late 2015 of new oil and gas exploration and development licences ...	To reflect the fact that PEDL licenses are now awarded by the Oil and Gas Authority
PC55	75	Para. 5.94 1 <sup>st</sup> sentence	Revise 1 <sup>st</sup> sentence: The <del>Government</del> <u>Oil and Gas Authority</u> awards PEDLs ...	To reflect the fact that PEDL licenses are now awarded by the Oil and Gas Authority
PC56	78	Para. 5.107 1 <sup>st</sup> bullet	Revise last sentence of 1 <sup>st</sup> bullet point: For unconventional hydrocarbons, exploratory <del>drilling activity</del> may take considerably longer, especially ...	To clarify that it is aspects of unconventional gas development other than drilling which may mean that development activity takes place over longer periods
PC57	78	Para. 5.107 3 <sup>rd</sup> bullet	Revise last sentence of 3 <sup>rd</sup> bullet point: The production stage <u>may involve re-fracturing of existing wells and</u> is likely to require the periodic maintenance of wells, which may require use of drilling equipment.	To clarify the expected nature of development at production stage
PC58	80	Para. 5.111	Add new text at end of para. 5.111: ...appropriately located. <u>Hydrocarbon development typically involves temporary and intermittent activity particularly during the early stages of development. Depending on the nature of the development, it is likely that there will generally be a lesser degree of activity during any production phase.</u>	To provide further clarification of the expected nature of development that could come forward
PC59	81	Para. 5.112	Add new text after end of 5 <sup>th</sup> sentence: ... health and safety. <u>The Environment Agency has an important regulatory role in relation to the management of returned water and</u>	To clarify the important regulatory role of the Environment Agency in this

			<u>Naturally Occurring Radioactive Materials (NORM)</u> . In accordance with ...	matter
PC60	81	Para. 5.116 2 <sup>nd</sup> line	Replace reference to <del>DBEIS</del> in 2 <sup>nd</sup> line with <u>Oil and Gas Authority</u>	To correct a factual inaccuracy
PC61	83	Para. 5.118	Revise para. 5.118: Planning guidance and case law makes clear that Minerals Planning Authorities do not need to <del>carry out their own assessments of potential impacts which are controlled by other regulatory bodies.</del> <u>focus on the control of processes or emissions themselves where these are subject to approval under pollution control regimes.</u> It states that they can determine planning applications having considered the advice of <del>those</del> <u>the relevant regulatory</u> bodies without having to wait for other approval processes to be concluded.	To more closely align the text with national policy and guidance
PC62	83	Para. 5.119	Revise para. 5.119 d): 'Conventional hydrocarbons' include oil and gas found within geological 'reservoirs' with relatively high porosity/permeability, <del>extracted using conventional drilling and production techniques.</del> Revise para. 5.119 e): 'Unconventional hydrocarbons' include hydrocarbons such as coal bed and coal mine methane and shale gas, <del>extracted using unconventional techniques, including hydraulic fracturing in the case of shale gas,</del> as well as the exploitation of in-situ coal seams through underground coal gasification. Revise para. 5.119 g): In planning terms it is <u>considered that relevant distinctions can be drawn between the specific nature and/or scale of activities associated with certain stages of development for conventional hydrocarbons and those used for unconventional hydrocarbons. These differences may include the potential requirement for a larger number of well pads and individual wells, the volume and pressures of fluids used for any hydraulic fracturing processes and the specific requirements for any related plant and equipment and the management of related wastes.</u> <del>important to distinguish between:</del> i) <del>The use of unconventional techniques to extract hydrocarbons such as hydraulic fracturing, underground gasification and coal bed methane extraction; and</del> <del>The use of more conventional, less complex drilling and production techniques to extract hydrocarbons</del>	To clarify the distinctions between development activity associated with conventional and unconventional resources

<p>PC63</p>	<p>86</p>	<p>Para. 5.122</p>	<p>ii) Revise para. 5.122: While the Infrastructure Act 2015 and secondary legislation address hydraulic fracturing which occurs underground, the Government has also <del>consulted on</del> <u>introduced</u> further restrictions, in the form of a prohibition on <del>high-volume</del> hydraulic fracturing operations from <del>taking place</del> <u>being carried out</u> from new or existing wells that are drilled at the surface in specified protected areas, <del>although they are not yet in force</del>. <del>As proposed</del> The restrictions <del>would</del> will principally affect <del>apply to</del> surface development <del>for unconventional hydrocarbons involving</del> <u>high-volume hydraulic fracturing</u> that is used for the carrying out of “associated hydraulic fracturing” the definition of which is <u>contained in section 4B(1) of the Petroleum Act 1998</u>. <u>The Government has stated that, in addition, these restrictions will apply where an operator is required to get consent from the Secretary of State for hydraulic fracturing that is not “associated hydraulic fracturing”, and that the Secretary of State intends to require that such consent be obtained for operations which use more than 1,000 cubic metres of fluid at any single stage, or expected stage, unless an operator can persuasively demonstrate why requiring such consent would not be appropriate in their case.</u> The areas <del>proposed for protection</del> <u>protected</u> through this means are National Parks, AONBs, World Heritage Sites, Groundwater Source Protection Zone 1, SSSIs, Natura 2000 sites (SPAs and SACs) and Ramsar sites. Although these areas all benefit from strong national policy protection in their own right, the <del>proposed</del> restrictions <del>would</del> <u>do</u> not, in themselves, constitute planning policy as they <del>would</del> <u>will</u> be implemented though the oil and gas licensing regime.</p>	<p>To more accurately reflect the current regulatory position relating to the Government’s Surface Protections for hydraulic fracturing</p>
<p>PC64</p>	<p>86</p>	<p>Para. 5.123 3<sup>rd</sup> sentence</p>	<p>Furthermore, whilst the <del>proposed</del> surface restrictions <del>would</del> <u>will</u> provide ...</p>	<p>To more accurately reflect the current regulatory position relating to the Government’s Surface Protections for hydraulic fracturing</p>

PC65	86	Para. 5.124 1 <sup>st</sup> sentence	An additional consideration is that the new Regulations and <del>proposed</del> surface <del>protections</del> <u>restrictions</u> <del>would</del> <u>will</u> only apply to ...	To more accurately reflect the current regulatory position relating to the Government's Surface Protections for hydraulic fracturing
PC66	86	Para. 5.124	Revise last sentence of para. 5.124 and add new text at end: Similarly, it is considered that where hydraulic fracturing is proposed for the purposes of supporting the production of conventional gas resources, <u>there is potential for this to give rise to a generally similar range of issues and potential impacts, although it is acknowledged that fracturing for stimulation of conventional gas production would be likely to involve generally lower volumes and/or pressures. In these circumstances it is therefore appropriate that such development is subject to the same policy approach. However, it is not the intention of the Mineral Planning Authorities to unreasonably restrict activity typically associated with production of conventional resources, which is a well-established industry in the Plan area and they will therefore apply the policy accordingly and reasonably based on the specific circumstances of the proposal under consideration</u> <del>this should be subject to the same policy approach that is applied to hydraulic fracturing for unconventional gas, as the range of issues and potential impacts are likely to be similar.</del>	To clarify the intended approach and ensure appropriate flexibility in the Plan
PC67	87	Para. 5.127 15 <sup>th</sup> line	Revise 7 <sup>th</sup> sentence: Such equipment may only be present on site for relatively short periods, or potentially a number of months, or intermittently <u>over a period of years at established well pads where successive wells are drilled or refracturing of existing wells takes place.</u>	To reflect the potential position
PC68	88	Para. 5.130	Add new text at end of para. 5.130: <u>In some parts of the Plan area affected by PEDLs, areas of locally important landscapes have been identified in District and Borough local plans. Where these continue to form part of the statutory development plan, and are relevant to a proposal which falls to be determined by North Yorkshire County Council as Minerals and Waste Planning Authority, regard will be had to the requirements of any associated local plan policy.</u>	To reflect the presence of other potentially relevant designations in district local plans and to ensure that appropriate links are made
PC69	88	Footnote 16	Revise text of footnote 16: For the purposes of interpreting this and	To further clarify the intended

			other Policies in the <del>P</del> lan, the term 'local communities' includes <u>residential areas as well as</u> residential institutions such as ...	approach
PC70	89	Policy M17 2) ii) a)	Revise text: <b>The proximity of a proposed new well pad site to other existing, <del>planned-permitted</del> or unrestored well pads, ...</b>	To clarify the proposed approach
PC71	91	Para. 5.131 9 <sup>th</sup> line	Insert new sentence after '... movements.': <u>Vehicle movements also have the potential to impact on air quality, particularly in locations where Air Quality Management Areas have been identified and this will also be a relevant consideration in identifying suitable traffic routes, via a Transport Assessment.</u> It is therefore ...	To reflect the potential for vehicle movements to impact on air quality
PC72	92	Para 5.137	Revise 1 <sup>st</sup> sentence and add new sentence between 1 <sup>st</sup> and 2 <sup>nd</sup> sentences: To give an indication at this stage, however, it is considered unlikely that proposals which would lead to a total development density, including operational and restored sites, of more than 10 well pads per 100km <sup>2</sup> PEDL area ( <del>pro-rata for PEDLs of less than 100km<sup>2</sup></del> ) would be compatible with the purpose of this element of the policy. <u>Where an area being developed by an operator comprises a PEDL or licence block area of less, or more, than 100km<sup>2</sup> the density guideline will be applied pro-rata.</u>	To clarify the approach to preventing unacceptable cumulative impact
PC73	92	Para 5.137 7 <sup>th</sup> line	Revise 2 <sup>nd</sup> sentence: For PEDLs located in the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density <u>and/or number</u> may be appropriate.	To clarify the approach to preventing unacceptable cumulative impact
PC74	93	Para. 5.143	Revise 1 <sup>st</sup> sentence: Whilst <del>oil and gas</del> <u>hydrocarbon</u> development has the potential ...	For consistency
PC75	94	Para. 5.147	Revise text to state: In considering appropriate noise limits at sensitive receptors, operators will as a minimum be expected to meet the <del>suggested</del> <u>required</u> limits set out in the <u>NPPF and</u> national Planning Practice Guidance, with the objective of ensuring a high standard of protection for local amenity. Site lighting ...	To improve consistency with national policy and guidance
PC76	94	Para. 5.148 3 <sup>rd</sup> sentence	<del>Although evidence suggests that any earth tremors that could be induced are likely to be of very low magnitude, it</del> <u>It</u> will be important to ensure that development which could give rise to induced seismicity is located in areas of suitable geology.	To more accurately reflect the available evidence

PC77	94	Para. 5.149	Revise 1 <sup>st</sup> sentence: The potential for emissions to water or air is also a key issue, particularly for proposals involving <b>hydraulic fracturing hydrocarbon development</b> .	To clarify that these issues may also be relevant to other forms of hydrocarbon development
PC78	95	Para. 5.151	Replace reference in 2 <sup>nd</sup> sentence to <b>DBEIS</b> with <b>Oil and Gas Authority</b>	To correct a factual inaccuracy
PC79	96	Policy M18 2) i)	Revise text of 2) part i): <b>Following completion of the operational phase of development, or where wells are to be suspended pending further hydrocarbon development, any wells will be decommissioned so as to prevent the risk of any contamination of ground and surface waters and emissions to air; and ...</b>	To more accurately reflect the relevant regulatory requirements relating to decommissioning of wells
PC80	96	Para. 5.153	Revise 1 <sup>st</sup> sentence: A significant issue with hydrocarbon development, particularly development involving hydraulic fracturing, is the need to manage the various forms of <b>waste</b> water that may be returned to the surface via a borehole.  Revise 4 <sup>th</sup> sentence: <b>Water constituting waste and requiring management as waste</b> <del>Such waste</del> can arise in substantial volumes and may contain Naturally Occurring Radioactive Materials (NORM) and other contaminants.	To clarify that water arising on site may not always constitute waste
PC81	97	Para. 5.156 16 <sup>th</sup> line	Revise text: ... potentially leading to <b>very small scale</b> induced seismic activity ( <b>earth tremors</b> ). Proposals for this ...	To clarify the position
PC82	102	Policy M22 2 <sup>nd</sup> para.	Add new sentence at end of 2 <sup>nd</sup> paragraph: ... <b>the development. Proposals for new surface development and infrastructure which are considered to represent major development will be assessed against the criteria for major development set out in Policy D04.</b>	To clarify the proposed policy approach in relation to proposals which are considered to represent major development
PC83	140	Policy W11 parts 1), 2), 3) and 5)	Revise text of part 1) to: <b>1) Siting facilities for the preparation for the re-use, recycling, transfer and treatment of waste (excluding energy recovery or open composting) on previously developed land, industrial and employment land, or at <u>or adjacent to</u> existing waste management sites ...</b>  Make equivalent changes to parts 2), 3) and 5)	To improve consistency of the policy with Policy W10
PC84	154	Policy S03 key links to	Add reference in key links: <b>W10</b>	To clarify this important link

		other policies and objectives		
PC85	155	Para. 8.30	Revise Para. 8.30 by inserting new text at end of paragraph: <u>It is acknowledged that in some cases, including at the former mine sites in the Plan area, there are other extant proposals for redevelopment which are matters for determination by the relevant local planning authority and that such proposals could overlap with land proposed for safeguarding in the Joint Plan. In these circumstances the Minerals and Waste Planning Authority will seek to work constructively with the relevant local planning authority and developers to ensure that a proportionate approach to implementing safeguarding of minerals and waste infrastructure requirements is taken.</u>	To emphasise the need for a pragmatic approach to implementing safeguarding requirements
PC86	156	Para.8.33	Add new text at end of Para. 8.33: <u>It is recognised that rail transport infrastructure at former mine sites in the Plan area are important for their potential to serve other existing or proposed rail-linked uses. It is not the intention in safeguarding them for minerals and waste transport to prevent other such beneficial uses from taking place but to ensure that their potential significance in providing opportunities for modal shift in transport of minerals and waste is taken into account in other development decisions. In these circumstances the Minerals and Waste Planning Authority will seek to work constructively with the relevant local planning authority and developers to ensure that a proportionate approach to implementing safeguarding of minerals and waste infrastructure requirements is taken.</u>	To emphasise the need for a pragmatic approach to implementing safeguarding requirements
PC87	156	Para. 8.34	Add new sentence at end of Para. 8.34: <u>The East Coast marine Plan (Policy PS3) supports the protection and expansion of port and harbour capacity.</u>	To emphasise the linkage between marine and terrestrial planning
PC88	159	Para. 8.47 Safeguarding exemption criteria list	Revise 11 <sup>th</sup> bullet point: Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals, <del>and</del> waste <u>and minerals and waste transport infrastructure</u> safeguarding requirements	To reflect the fact that minerals and waste transport infrastructure is also safeguarded in the plan
PC89	164	Para. 9.16	Revise final sentence: Vehicle movements can have a range of impacts, including cumulative impacts, such as on local amenity and in some cases	To reflect the potential for vehicle movements to impact on

			on the landscape and tranquillity. <u>Air quality can also be adversely affected, particularly in locations where Air Quality Management Areas have been identified</u> and other development management policies in the Joint Plan will therefore be relevant in some circumstances.	air quality
PC90	165	Para. 9.21	Add new text after the end of para. 9.21: <u>The primary purpose of AONB designation is to conserve and enhance natural beauty. In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry and other rural industries and of the economic and social needs of communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.</u>	To further clarify the purposes of AONB designation
PC91	171	Para. 9.42	Add new sentence at end of Para. 9.42: <u>In some parts of the Plan area, areas of locally important landscapes have been identified in other local plans. Where these continue to form part of the statutory development plan, and are relevant to a proposal which falls to be determined by the relevant minerals and waste planning authority, regard will be had to the requirements of any associated local plan policy.</u>	To reflect the presence of other potentially relevant designations in district local plans and to ensure that appropriate links are made.
PC92	167	Policy D05 part 1)	<b>Proposals for minerals and waste development within the York and West Yorkshire Green Belts will be supported where it would <u>be consistent with the purposes of Green Belt identified in national policy including</u> <del>preserve the</del> openness of the Green Belt and, where the development would be located within the York Green Belt, would preserve the historic character and setting of York.</b>	To more closely reflect the requirements of national policy
PC93	168	Policy D05 part 2) 2 <sup>nd</sup> paragraph	<b>Substantial weight will be given to any harm to the Green Belt and <del>inappropriate waste development in the Green Belt will only be permitted in</del> very special circumstances, <del>which must</del> <u>will need to be demonstrated by the applicant in which the harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations.</u> <u>order to outweigh harm caused by inappropriateness, or any other harm.</u></b>	To more closely reflect the requirements of national policy



PC94	179	Policy D09 3) 2 <sup>nd</sup> sentence	Revise 2 <sup>nd</sup> sentence to read: <b>Development which would lead to an unacceptable risk of, or be at an unacceptable risk from, all sources of flooding (i.e. surface and groundwater flooding and <del>groundwater flooding from rivers and coastal waters</del>) will not be permitted.</b>	To correct a typographical error
PC95	183	Policy D10 1) i)	Replace existing text of D10 1) i) with: <u>Applicants are encouraged to discuss proposals at an early stage with local communities and other relevant stakeholders and where practicable reflect the outcome of those discussions in submitted schemes.</u>	To more closely reflect the requirements of national policy
PC96	184	Policy D10 Part 2) viii)	Revise to read: <del>Promoting the delivery of</del> <b>Achieving significant net gains for biodiversity and the establishment of a <u>which help create</u> coherent and resilient ecological networks, <del>based on contributing.</del> <u>Where practicable, towards established objectives including the creation of Biodiversity Action Plan habitats proposals should contribute significantly to the creation of habitats of particular importance in the local landscape and seeking to delivering</u> benefits at a landscape scale. <u>This includes wet grasslands and fen in the Swale and Ure valleys and species-rich grassland on the Magnesian limestone ridge.</u></b>	To clarify the proposed approach and reflect the diminishing significance of biodiversity action plans
PC97	190	Policy D12 2 <sup>nd</sup> paragraph, 2 <sup>nd</sup> sentence	Revise 2 <sup>nd</sup> sentence: <b>Development which would disturb or damage soils of high environmental value, such as <u>intact peat or other soil contributing to ecological connectivity or carbon storage</u>, will not be permitted.</b>	To provide further flexibility in the policy recognising that all soils could make some contribution to ecological connectivity or carbon storage.
PC98	17 of Appendix 1	MJP06 Development requirements criteria	Insert new bullet point: <u>Applications should be supported by a comprehensive archaeological assessment</u>	To adequately reflect the significance of heritage assets at this site
PC99	21 of Appendix 1	MJP07 Development requirements criteria	Insert new bullet point: <u>Applications should be supported by a comprehensive archaeological assessment</u>  Revise final bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and reconnecting the henges to their landscape setting</u> , but which is also appropriate to location within a birdstrike safeguarding zone	To adequately reflect the significance of heritage assets at this site

PC100	25 of Appendix 1	MJP33 Development requirements criteria	Revise 5 <sup>th</sup> bullet point: Appropriate site design to ensure protection of the aquifer <u>and the River Swale which lies immediately adjacent to the site</u>	To reflect the proximity of the site to the River Swale
PC101	34 of Appendix 1	MJP21 Development requirements criteria	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u> , but which is also appropriate to location within a birdstrike safeguarding zone	To recognise the opportunities arising at this site
PC102	35 of Appendix 1	MJP21 Site Plan	Revise site boundary of allocation MJP21 to exclude land nearest to the Killerby Hall Stable Block listed building	To reduce the harm to the setting of the listed building
PC103	37 of Appendix 1	MJP17 Development requirements criteria	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u> , but which is also appropriate to location within a birdstrike safeguarding zone ...	To recognise the opportunities arising at this site
PC104	39 of Appendix 1	MJP17 Site Plan	Revise site boundary of allocation MJP17 to exclude land nearest to Rudd Hall and Ghyll Hall listed buildings	To reduce the harm to elements which contribute to the significance of the listed buildings
PC105	70 of Appendix 1	WJP15 Development requirements criteria	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u>	To recognise the opportunities arising at this site
PC106	78 of Appendix 1	MJP55 Key sensitivities and Development requirements	Revise 1 <sup>st</sup> bullet point of Key Sensitivities to include <u>York and Selby Cycle Track SINC</u> Revise 1 <sup>st</sup> bullet point of Development Requirements to include <u>York and Selby Cycle Track SINC</u>	To reflect that the potential significance of this constraint
PC107	120 of Appendix 1	WJP06 Key sensitivities and Development requirements	Revise 1 <sup>st</sup> bullet point of Key Sensitivities to include <u>York and Selby Cycle Track SINC</u> Revise 1 <sup>st</sup> bullet point of Development Requirements to include <u>York and Selby Cycle Track SINC</u>	To reflect that the potential significance of this constraint
PC108	140 of Appendix 1	1 <sup>st</sup> Column text: Estimated date of commencement	Revise this text to read: <del>Estimated</del> <u>dDate</u> of commencement	To reflect that the planning permission for this development has been implemented
PC109	140 of Appendix	2 <sup>nd</sup> Column text relating to date of commencement	Revise this text to read: <del>By April 2017 (base on requirement for implementation specified in decision notice for planning application</del>	To reflect that the planning permission for this development

Annex B

	1		<del>12/03385/FULM</del> <a href="#">November 2016</a>	has been implemented
PC110	179 of Appendix 2	Southmoor Energy Centre safeguarded site	Revise plan to only show core site and principal access to the highway	To reflect the fact that there are proposals for other development on the former Kellingley Colliery site
PC111	186 of Appendix 2	Knapton Quarry safeguarded site Facility Type	Revise reference to facility type to: Composting, <a href="#">transfer, treatment and recycling</a>	To more accurately reflect the current role of the site
PC112	217 of Appendix 2	Kellingley Colliery safeguarding plan	Revise plan by deleting area of safeguarded site that lies outside the Plan area	To correct a factual error
PC113	Appendix 2	Safeguarded waste sites	Insert new safeguarded waste transfer (non-hazardous) site: <a href="#">Showfield Lane, Malton</a>	To reflect the significant role currently played by this site in the Ryedale area

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## Mineral and Waste Joint Plan

Sustainability Appraisal Report (Publication Draft) –  
Addendum

April 2017

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# 1 Introduction

- 1.1.1 This report forms part of the Sustainability Appraisal (SA) for the North Yorkshire County Council (NYCC), the City of York Council (CYC) and the North York Moors National Park Authority (NYMNP) Mineral and Waste Joint Plan (the ‘Joint Plan’). The Publication Stage Joint Plan and SA are available on the NYCC website<sup>1</sup>.
- 1.1.2 The three planning authorities have come together to produce the Joint Plan. This plan includes policies about where minerals and waste development should take place and how it should be carried out. The plan also identifies a number of specific locations for future development, called site allocations.
- 1.1.3 Following publication in December 2016 a number of proposed changes to the Joint Plan have been identified through representations. It is intended that the proposed changes will be included alongside the Joint Plan when it is submitted for public examination.
- 1.1.4 This report details proposed changes to the Joint Plan and how they have been considered within the SA. To do this a two-step process has been applied to the proposed changes:
- 1) **Screening of changes** – proposed changes have been assessed to consider if they will result in changes to the SA. If a change will not affect the outcome of the SA they are not considered further and are ‘screened out’. Changes that have the potential to affect the SA have been assessed further at Step 2.
  - 2) **Appraisal of changes** – where proposed changes have the potential to affect the SA they have been considered further, and where necessary, re-appraised against the SA objectives.
- 1.1.5 The report also provides updates to the Sustainability Scoping Report (October 2016) in Chapter 3, the Strategic Flood Risk Assessment (SFRA) in Appendix 2 and Historic Impact Assessment (HIA) in Appendix 3.

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<sup>1</sup> North Yorkshire County Council, 2017 [Online]. Available at <http://www.northyorks.gov.uk/article/26218/Minerals-and-waste-joint-plan>. Accessed March 2017.

## 2 Proposed Changes to the Joint Plan – Screening Exercise

- 2.1.1 As stated in Planning Practice Guidance (PPG)<sup>2</sup> a SA environmental report does not necessarily need to be amended following responses to consultation, with changes considered where appropriate and proportionate. In order to make this decision a screening exercise has been undertaken of the changes proposed to the Joint Plan and any updated conclusions drawn.
- 2.1.2 The PPG states that changes that are not significant will not require further SA work. The guidance defines significant changes as those that ‘substantially alters the draft plan and/ or is likely to give rise to significant environmental effects’. However, minor changes have also been screened for significant impacts within this addendum.
- 2.1.3 Proposed changes to the Joint Plan are identified in the following way:
- Deletions: strikethrough
  - Additional text: *italics*
- 2.1.4 The following minor proposed changes have not been subject to the screening process:
- Changes aimed at improving presentation
  - Correction of typographical errors, omissions and duplications
  - Operator name change
  - Correction of a factual error that does not relate to the SA
  - To reflect the closure of the publication phase of the Joint Plan i.e. deleting subheadings, notes.
- 2.1.5 The screening exercise identified a large number of proposed changes which were considered not to affect the SA and were subsequently ‘screened out’. The screened out Joint Plan proposed changes and screening summary are provided in Table A1 and Table A2 in Appendix 1.
- 2.1.6 Proposed changes that have been ‘screened in’ are provided below in Table 2-1 with a summary of implications for the SA. Where this has resulted in a change to the SA score given at the publication stage this is provided in Chapter 3.

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<sup>2</sup> Planning Practice Guidance, 2017 [online]. Available at <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>. Accessed March 2017.

Table 2-1 Screened In Changes

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
<b>Minerals and Waste Joint Plan</b>				
Paragraph 5.124	86	<p>Revise last sentence of paragraph 5.124 and add new text at end:</p> <p>Similarly, it is considered that where hydraulic fracturing is proposed for the purposes of supporting the production of conventional gas resources, <i><u>there is potential for this to give rise to a generally similar range of issues and potential impacts, although it is acknowledged that fracturing for stimulation of conventional gas production would be likely to involve generally lower volumes and/or pressures. In these circumstances it is therefore appropriate that such development is subject to the same policy approach. However, it is not the intention of the Mineral Planning Authorities to unreasonably restrict activity typically associated with production of conventional resources, which is a well-established industry in the Plan area and they will therefore apply the policy accordingly and reasonably based on the specific circumstances of the proposal under</u></i></p>	To clarify the intended approach and ensure appropriate flexibility in the Plan.	<p>The policy justification revision outlines a proportional approach to the application of the policy to hydraulic fracturing for the purposes of conventional gas production. While this may affect the application of the policy to the industry of conventional gas production, it is not considered to change the SA scoring as proposals are still required to apply the policy 'reasonably based on the specific circumstances of the proposal under consideration'. Therefore it is expected that the policy will be applied appropriately to hydraulic fracturing proposals to support conventional gas resources.</p> <p><b>No changes to the SA score.</b></p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<del><i>consideration</i> this should be subject to the same policy approach that is applied to hydraulic fracturing for unconventional gas, as the range of issues and potential impacts are likely to be similar.</del>		
Paragraph 5.131 9th line		Insert new sentence after ‘... movements.’: <u><i>Vehicle movements also have the potential to impact on air quality, particularly in locations where Air Quality Management Areas have been identified and this will also be a relevant consideration in identifying suitable traffic routes, via a Transport Assessment.</i></u> It is therefore ...	To reflect the potential for vehicle movements to impact on air quality.	The requirement within the policy justification section specifically refers to potential air quality impacts from vehicle movements moving to and from hydrocarbon developments. The text strengthens protection to air quality impacts outlining that they will be considered as part of a Transport Assessment.  However the revision is not considered to affect the SA scores applied to the policy, which is assessed as having a Moderate positive effect on SA Objective 4 (Air). Although it strengthens the policy there is still the potential for some negative air quality impacts and therefore cannot be considered a Major positive effect.  <b>No change to the SA score.</b>
Policy M22	102	Add new sentence at end of 2nd paragraph:	To clarify the	The SA scores have been applied with

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
2nd paragraph		... the development. <u>Proposals for new surface development and infrastructure which are considered to represent major development will be assessed against the criteria for major development set out in Policy D04.</u>	proposed policy approach in relation to proposals which are considered to represent major development.	consideration of Policy D04 major development requirements and therefore no change to the SA scores is recorded. However, it is noted the additional text to clarify how Policy D04 is applied is beneficial for interpreting the policy. <b>No further SA required.</b>
Policy W11 parts 1), 2), 3) and 5)	140	Revise text of part 1) to:  1) Siting facilities for the preparation for the re-use, recycling, transfer and treatment of waste (excluding energy recovery or open composting) on previously developed land, industrial and employment land, or at <u>or adjacent to</u> existing waste management sites  ... Make equivalent changes to parts 2), 3) and 5)	To improve consistency of the policy with Policy W10.	The addition of siting facilities on land adjacent to existing waste management facilities is expected to change the scoring of SA Objectives 1 and 5.  <b>See Table 3-2 for updated SA scores and justification for the changes.</b>
Policy D10 Part 2) viii)	184	Revise to read: <del>Promoting the delivery of</del> <u>Achieving</u> significant net gains for biodiversity <del>and the establishment of a</del> <u>which help create</u> coherent and resilient ecological networks, <del>based on contributing.</del> <u>Where practicable,</u>	To clarify the proposed approach and reflect the diminishing	The proposed policy revision is beneficial for biodiversity as it requires proposals for site restoration to achieve net gains for biodiversity and identifies specific habitat types for restoration in the Swale and Ure valleys and

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<p><del>towards established objectives including the creation of Biodiversity Action Plan habitats</del> <i>proposals should contribute significantly to the creation of habitats of particular importance in the local landscape</i> and seeking to delivering benefits at a landscape scale. <i>This includes wet grasslands and fen in the Swale and Ure valleys and species-rich grassland on the Magnesian limestone ridge.</i></p>	significance of biodiversity action plans.	<p>on the Magnesian limestone ridge. Although the policy has been strengthened in relation to biodiversity there is no change to the SA score as it already identifies a Major positive effect in relation to SA Objective 1 (Biodiversity/ Geo-diversity).</p> <p><b>No change to the SA score.</b></p>
Policy D12 2nd paragraph, 2nd sentence	190	<p>Revise 2nd sentence: Development which would disturb or damage soils of high environmental value, such as <i>intact</i> peat or <del>other soil contributing to ecological connectivity or carbon storage</del>, will not be permitted.</p>	To provide further flexibility in the policy recognising that all soils could make some contribution to ecological connectivity or carbon storage.	<p>The text revision provides more flexibility in the application of development proposals in relation to soil. However, it is not considered to affect the score applied to SA Objective 5 (Soil and Land) – Major positive. The policy is still considered to have a Major positive effect on soil and land by requiring reclamation schemes to protect and enhance soils and agricultural land in areas of best and most versatile agricultural land and to consider the long term potential to create areas of best and most versatile land during reclamation of a site.</p> <p><b>No change to SA score.</b></p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
<b>Minerals and Waste Joint Plan, Appendix 1</b>				
MJP06 Development requirements criteria	17	Insert new bullet point: <u>Applications should be supported by a comprehensive archaeological assessment</u>	To adequately reflect the significance of heritage assets at this site.	The additional development requirement strengthens protection of buried archaeology by requiring an archaeological assessment prior to submission of a planning application. However, there is still the potential for a minor negative effect on SA Objective 10 (historic environment) through the disturbance of buried archaeology. Therefore there is no change to the SA score.  <b>No change to the SA score.</b>
MJP07 Development requirements criteria	21	Insert new bullet point: <u>Applications should be supported by a comprehensive archaeological assessment</u> Revise final bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and reconnecting the henges to their landscape setting</u> , but which is also appropriate to location within a birdstrike safeguarding zone	To adequately reflect the significance of heritage assets at this site	The addition of the requirement to undertake an archaeological assessment prior to submitting a planning application strengthens the protection of buried archaeology at the site. The recognition of an appropriate restoration scheme to reconnect the henges to their landscape setting will reduce the expected effect in the long term from Moderate to Minor negative.  <b>Change to SA objective 10 (historic</b>



Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
				environment) score from Moderate to Minor Negative in the long term (see Table 3-3).
MJP33 Development requirements criteria	25	Revise 5th bullet point: Appropriate site design to ensure protection of the aquifer <u>and the River Swale which lies immediately adjacent to the site</u>	To reflect the proximity of the site to the River Swale	The addition of appropriate site design to protect the River Swale strengthens mitigation to the water environment if the site were to be developed.  However, there is still the potential that pollution could enter the water environment if the site is developed, therefore the score is considered to be Minor negative in the short, medium and long term.  <b>No change to the SA score.</b>
MJP21 Development requirements criteria	34	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u> , but which is also appropriate to location within a birdstrike safeguarding zone	To recognise the opportunities arising at this site	The additional development requirement is beneficial for habitat connectivity, however, it is not considered to change the SA scores at the site.  <b>No change to the SA score.</b>
MJP21 Site Plan	35	Revise site boundary of allocation MJP21 to exclude land nearest to the Killerby Hall Stable Block listed building. There would be a reduction in the overall area of the site from 213ha to 207ha, with a	To reduce the harm to the setting of the listed building	There would be a proportionate increase of the site area within flood zones 2 and 3 from approximately 35% to 40% of the site, as a result of the loss of land outside of these

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<p>subsequent sand and gravel reserve reduction of 1 million tonnes.</p>		<p>zones. This would increase in size due to the effects of climate change in the long term.</p> <p>Land removed from the site is ALC Grade 3 and therefore an additional 6ha agricultural land would be preserved from development, benefitting agricultural land lost to climate change in the long term.</p> <p><b>The above changes are not considered to result in a change to the SA score applied to SA Objective 7 (To respond and adapt to the effects of climate change).</b></p> <p>There would be a reduction in 1 million tonnes of virgin sand and gravel removed from the site due to the reduction in area of the site. Therefore preserved sand and gravel would be available for future use.</p> <p><b>This is not considered to result in a change to the SA score applied to SA Objective 8 (To minimise the use of resources and encourage their re-use and safeguarding).</b></p> <p>The revision of the site boundary to exclude land nearest to Killerby Hall Stable Block listed</p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
				<p>building would affect the SA Objective 10 score (historic environment).</p> <p><b>Change to SA Objective 10 score (historic environment). See Table 3-4 below for updated score and justification.</b></p> <p>The amount of sand and gravel extracted from the site would be reduced from 11.37 to 10.37 million tonnes. Reducing the sites contribution to the construction sector.</p> <p><b>Overall the change is considered negligible in relation to achieving SA Objective 12 (Achieve sustainable economic growth and create and support jobs), and therefore no change has been applied.</b></p> <p>There would be a proportionate increase of the site area within flood zones 2 and 3 from approximately 35% to 40% of the site, as a result of the loss of land outside of these zones. This is not considered to affect the SA score applied to SA objective 16 (flood risk). See updated SFRA in Appendix 2.</p> <p><b>No change to SA Objective 16 score.</b></p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
MJP17 Development requirements criteria	37	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u> , but which is also appropriate to location within a birdstrike safeguarding zone ...	To recognise the opportunities arising at this site	The additional development requirement is beneficial for habitat connectivity, however, it is not considered to change the SA scores at the site.  <b>No change to the SA score.</b>
WJP15 Development requirements criteria	70	Revise last bullet point: An appropriate restoration scheme using opportunities for habitat creation <u>and connectivity</u>	To recognise the opportunities arising at this site	The additional development requirement is beneficial for habitat connectivity, however, it is not considered to change the SA scores at the site.  <b>No change to the SA score.</b>
MJP55 Key sensitivities and Development requirements	78	Revise 1st bullet point of Key Sensitivities to include <u>York and Selby Cycle Track SINC</u> Revise 1st bullet point of Development Requirements to include <u>York and Selby Cycle Track SINC</u>	To reflect that the potential significance of this constraint	The additional development requirement is beneficial for the protection of the York and Selby Cycle Track SINC, however, it is not considered to change the SA scores at the site.  <b>No change to the SA score.</b>
WJP06 Key sensitivities and Development	120	Revise 1st bullet point of Key Sensitivities to include <u>York and Selby Cycle Track SINC</u> Revise 1st bullet point of Development Requirements to include <u>York and Selby Cycle Track SINC</u>	To reflect that the potential significance of this constraint	The additional development requirement is beneficial for the protection of the York and Selby Cycle Track SINC, however, it is not considered to change the SA scores at the

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
requirements				site. No change to the SA score.

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## 3 Changes to the Sustainability Appraisal

### 3.1 Sustainability Appraisal Scoring

3.1.1 The scoring used to appraise the Joint Plan policies and sites is shown in Table 3-1.

Table 3-1 SA Scoring

Score	Description
++	The option is predicted to have higher positive effects on the achievement of the SA objective. For example, this may include a highly significant contribution to issues or receptor of regional or wider significance, or to several issues or receptors of local significance.
m+	The option is predicted to have moderate positive effects on the achievement of the SA objective. For example, this may include a positive, but not highly positive contribution to issues or receptor of more than local significance, or to several issues or receptors of local significance.
+	The option is predicted to have minor positive effects on achievement of the SA objective. For example, this may include a significant contribution to an issue or receptor of more local significance.
0	The option will have no effect on the achievement of the SA objective <sup>3</sup> .
-	The option is predicted to have minor negative effects on the achievement of the SA objective. For example, this may include a negative contribution to an issue or receptor of local significance.
m-	The option is predicted to have moderate negative effects on the achievement of the SA objective. For example, this may include a negative, but not highly negative contribution to an issue or receptor of more than local significance.
--	The option is predicted to have higher negative effects on the achievement of the SA objective. For example, this may include a significant negative contribution to an issue or receptor of more than local significance.
?	The impact of the option on the SA objective is uncertain.

<sup>3</sup> This includes where there is no clear link between the site SA objective and the site.

### **3.2 Updated Strategic Flood Risk Assessment (SFRA) and Historic Impact Assessment (HIA)**

3.2.1 Following proposed changes to the site boundary at allocated site MJP21 Land at Killerby the SFRA and HIA have been updated for this site. A summary is provided below with the full updated SFRA provided in Appendix 2 and HIA in Appendix 3.

- MJP21 SFRA – a decrease in area of 6ha has not resulted in a change to the sequential test result or ranking of the site.
- MJP21 HIA – the removal of the area of land south of the Killerby is expected to reduce the overall effect from minor negative to negligible following the proposed restoration measures.

### **3.3 Joint Plan Policies Matrices**

3.3.1 The screening exercise detailed in Chapter 2 identified changes to the SA score of Policy W11: Waste site identification principles following the proposed changes to the Joint Plan.

3.3.2 The appraisal matrices in Table 3-2 contain a summary of the changes made to the SA objective scores 1 and 5.

Table 3-2 Post Publication change to SA Score – Policy W11: Waste site identification principles

SA Objectives	SA Score – Sustainability Appraisal (Publication Draft)			Changes to the SA following consultation on the Joint Plan			
	Short term	Medium term	Long term	Short term	Medium term	Long term	Justification
SA Objective 1. Protect and enhance biodiversity and geodiversity and improve habitat connectivity.	-	-	-	m-	m-	m-	Changes to the policy allow additional siting of waste management facilities at sites adjacent to existing to existing waste management facilities. This may result in waste management facilities being located on undeveloped land potentially affecting habitats and land of biodiversity value.  Therefore the SA score for this objective has been changed from a Minor negative to a Moderate negative.
	0	0	0	0	0	0	
	+	+	+	+	+	+	
SA Objective 5. Use soil and land efficiently and safeguard or enhance their quality.	++	++	++	m+	m+	m+	Changes to the policy allow additional siting of waste management facilities at sites adjacent to existing waste management facilities. This increases the overall land available to site facilities and may result in waste management facilities being located on undeveloped land with subsequent loss of soil resources and agricultural land.  Whilst it is considered the policy is beneficial for soils and land as it largely directs development towards previously developed land and agricultural land of lower quality, overall the SA score has been reduced from a Major positive to a Moderate positive as a result of the change.



### **3.4 Allocated Site Matrices**

- 3.4.1 The screening exercise detailed in Chapter 2 identified changes to the SA score at allocated sites MJP21 Land at Killerby and MJP07 Oaklands, near Well, following proposed changes to the Joint Plan.
- 3.4.2 The appraisal matrices in Table 3-3 and Table 3-4 contain a summary of the changes made to the SA objective scores at these sites post publication of the Joint Plan.

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Table 3-3 Post Publication change to SA Score – MJP07 Oaklands, near Well

SA Objectives	SA Score – Sustainability Appraisal (Publication Draft)			Changes to the SA following consultation on the Joint Plan			
	Short term	Medium term	Long term	Short term	Medium term	Long term	Justification
10. To conserve or enhance the historic environment and its setting, cultural heritage and character	m-	m-	m-	m-	m-	-	The development requirement to provide a restoration scheme that reconnects the henges to their landscape setting would help to mitigate the impact of the development in the long term. The long term score has therefore been changed from Moderate to Minor negative.

Table 3-4 Post Publication change to SA Score – MJP21 Land at Killerby

SA Objectives	Sustainability Appraisal (Publication Draft)			Changes to the SA following consultation on the Joint Plan			
	Short term	Medium term	Long term	Short term	Medium term	Long term	Justification
10. To conserve or enhance the historic environment and its setting, cultural heritage and character	-	-	-	-	-	0	The removal of an area of the MJP21 site south of the Listed Building at Killerby would not affect the SA score in the short, to medium term which remains a Minor negative effect due to removal of agricultural landscape context and increased industrialisation in the general area potentially detracting from the designation.  In the long term, the SA score is likely to reduce to negligible following restoration, with an element of uncertainty depending on the final restoration scheme implemented.
			?			?	

### **3.5 Updated Sustainability Appraisal Scoping Report (October 2016)**

- 3.5.1 Following the publication stage of the Joint Plan, a policy statement and report have been included within the Sustainability Appraisal Scoping Report (October 2016), Appendix II: Plans, Policies, Programmes, Strategies and Initiative's (PPPSI).
- 3.5.2 PPPSI's have informed the key sustainability issues of relevance to the Joint Plan. A summary of the additional PPPSI's is provided in Table 3-5.

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Table 3-5 Update to Sustainability Appraisal Scoping Report (October 2016) - PPPSI's

Key Objectives, targets and indicators relevant to the Joint Plan and SA	Implications for the Joint Plan	Implications for SA
<b>National Context</b>		
<b>Shale gas and oil policy statement by Department for Energy and Climate Change (DECC) and Department for Communities and Local Government (DCLG 2015)</b>		
Sets out the Government's view that there is a national need to explore and develop our shale gas and oil resources in a safe, sustainable and timely way, and the steps it is taking to support this. The policy statement sets out the safety and environmental protection framework for the shale gas and oil developments in planning decisions and plan-making.	The plan should take into the Government's view that there is a national need to explore and develop shale gas and oil.	The SA will need to recognise the Government's view on shale gas and oil exploration being undertaken in a safe and sustainable way.
<b>Committee on Climate Change (CCC 2016) – Onshore Petroleum, the compatibility of UK onshore petroleum with meeting the UK's carbon budgets.</b>		
The Committee for Climate Changes' report finds that the implications of UK shale gas exploitation for greenhouse gas emissions are subject to considerable uncertainty. It also finds that exploitation of shale gas on a significant scale is not compatible with UK carbon budgets, or the 2050 emissions reduction target under the Climate Change Act (2008).	The joint plan and SA should seek to reduce carbon emissions to ensure that consideration for climate change is factored into the assessment process.	The SA should recognise the uncertainties surrounding greenhouse gas emissions of shale gas exploitation and that the tests outlined in the report would need to be met to achieve carbon budgets.

## 4 Cumulative Effects

- 4.1.1 Cumulative effects are where effects, that may not in themselves be significant, are, when taken together with other effects, significant.
- 4.1.2 Following the change in SA score to Policy W11 and site allocations MJP07 and MJP21 it is considered that the cumulative assessment undertaken for the Sustainability Appraisal (Publication Draft) has not significantly changed in response to the proposed changes. This is due to the proposed changes themselves not leading to significant changes to the overall results of the SA.

## Appendix 1 – Proposed Changes to the Joint Plan - Screened Out

Table A1 – Local Planning Authority Representations Screened Out

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
<b>Minerals and Waste Joint Plan</b>				
Potash, Polyhalite and Salt Section	102	Replace section heading: <del>Potash, Polyhalite and Salt</del> with <u>Potash and Salt</u>	For consistency with proposed changes to paragraphs 5.171 and 5.172.	There is no change to the SA appraisal. Potash is a generic term for potassium bearing minerals that includes polyhalite (see clarification in paragraphs 5.171 and 5.172). SA score for Policy M22: Potash, polyhalite and salt supply, remains the same. <b>Screened out – no further SA required.</b>
Paragraph 5.171	102	Replace current paragraph 5.171 with: <u>Potash is the generic term for potassium bearing minerals and has an important economic value for fertiliser. Within the Plan area it takes the form of sylvinitite, which can be processed to create 'muriate of potash', and polyhalite, which although lower in terms of</u>	To clarify terminology relevant to potash and salt mineral resources.	This is a change to clarify terminology relating to potash and does not affect the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<u>potassium content, also includes other important plant nutrients, particularly sulphur. Rock salt may occur in association with potash and is commonly used for de-icing roads. Both potash and salt occur at substantial depths below the eastern part of the Plan area, where existing extraction takes place. Identified resources lie mainly beneath the North York Moors National Park.</u>		
Policy M22 1st paragraph, 1st line.	102	Revise first line: <u>Proposals for the extraction of potash, and salt from new sites...</u>	To clarify terminology relevant to potash and salt mineral resources.	This is a change to clarify terminology relating to potash and does not have implications for the SA.  <b>Screened out – no further SA required.</b>
Policy M22 2nd paragraph, 2nd line.	102	Revise second line: <u>Proposals for new surface development and infrastructure associated with the existing permitted potash and salt mine sites in the National Park, ...</u>	To clarify terminology relevant to potash and salt mineral resources.	This is a change to clarify terminology relating to potash and does not have implications for the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.172	103	Replace current paragraph 5.172 with: <u>In planning terms, the differentiation between the two forms of potash is important, in relation to the policy requirements of the</u>	To clarify terminology relevant to potash	This is a change to clarify terminology relating to potash and does not have implications

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<i>major development test relating to need assessment. There is an existing national requirement for the sylvinite form of potash, whereas polyhalite is new to the global fertiliser market and is not yet an established product. Planning permission for Boulby Mine allows for the extraction of ‘potash’, covering both sylvinite and polyhalite (and also rock salt), whereas the 2015 permission for Sirius Minerals at Doves Nest is restricted to polyhalite only. Another important distinction is the fact that sylvinite requires processing and therefore has significant additional infrastructure requirements, whereas when polyhalite is mined the entire ore is used with only the need for granulation. In Policy M22, the term ‘potash’ means all forms of the mineral unless where otherwise explicitly stated.</i>	and salt mineral resources.	for the SA. <b>Screened out – no further SA required.</b>
Paragraph 7.12 3rd Sentence	145	... constitute permitted development under the Town and Country Planning (General Permitted Development) <u>(England) 2015 Order 1995 (as amended)</u> .	To update sentence to refer to the current legislation.	An update to refer to the latest legislation does not have any implications for the SA. <b>Screened out – no further SA required.</b>
Policy S01 1st paragraph of Part 2)	149	Potash <del>and</del> <i>(including polyhalite)</i> resources within the Boulby Mine <del>licensed</del> <u>permitted</u> area ...	To clarify the status of the relevant area.	Clarification of the relevant area, no changes to the SA. <b>Screened out – no further SA required.</b>



Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
				required.
Paragraph 8.17  6th line	151	However, it would be appropriate to safeguard reserves and resources within the area licensed for extraction from <i>that part of the Boulby Mine permission area indicated on the Policies Map</i> (the only active potash mine in the Plan area), along with those resources forming part of the York Potash project that have been identified with a higher degree of confidence (i.e. the indicated and inferred resources). This will ...	To clarify the status of the relevant area.	Clarification of the relevant area, no changes to the SA. <b>Screened out – no further SA required.</b>
Text following Paragraph 10.1	194	<del>Note: when providing a response relating to a specific site please ensure the site reference number is included with the relevant comments.</del>	To reflect the closure of the publication phase of the Plan.	Closure of the publication phase of the Plan, no changes to the SA. <b>Screened out – no further SA required.</b>
<b>Minerals and Waste Joint Plan, Appendix 2</b>				
Appendix 2	159	Insert new safeguarded waste transfer (non-hazardous) site into table: <u>Showfield Lane, Malton</u>	Consequential change arising from response to consultation.	Policy S03 seeks to safeguard waste management facilities on the Policies Map, under certain conditions. The addition of the Showfield Lane site, Malton does not affect the SA scores applied to Policy S03.

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		Revise waste facility type description for Knapton Quarry to : Composting, <u>transfer, treatment and recycling</u>		<p>Screened out – no further SA required.</p> <p>Policy S03 seeks to safeguard waste management facilities on the Policies Map, under certain conditions. The revision of the Knapton Quarry site does not affect the SA scores applied to Policy S03.</p> <p>Screened out – no further SA required.</p>
Appendix 2	201	Revise boundary to reflect allocated area WJP17	For consistency.	<p>Amendment of safeguarded waste management facility site – Skipton Home Waste Recycling Centre site map, to show the correct location of the HWRC.</p> <p>The amendment to the site map has no implications to the SA of Policy S03 or allocated Site WJP17, which has</p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
				appraised the correct location of the HWRC. <b>Screened out – no further SA required.</b>
<b>Policies Map</b>				
Policies Map Map Key		Revise references in Key to potash or polyhalite in the supporting justification to potash and salt	For consistency with the text of the Plan.	This is a change to clarify terminology relating to potash and does not have implications for the SA. <b>Screened out – no further SA required.</b>

Table A2 – Other Representations Screened Out

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
<b>Minerals and Waste Joint Plan</b>				
Paragraph 2.26 2nd line	18	The NPPF also places emphasis upon conserving important landscape and heritage assets by requiring that landbanks of non-energy minerals are, <i>as far as is practical</i> , provided outside National Parks, AONBs ...	To be consistent with national policy.	Clarifies national policy within the Plan. The requirements of the NPPF are recognised within the SA.  <b>Screened out – no further SA required.</b>
Paragraph 2.26 4th sentence	18	The NPPF advises that <del>in considering planning applications substantial weight should be given to any harm to the Green Belt but</del> <i>inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.</i> It also advises that minerals extraction is not considered to be inappropriate development within the Green Belt, provided the development <i>it preserves openness and</i> would not conflict with the purposes of including land within it. <i>Harm to assets, including landscape and heritage assets, relevant to the purpose of Green Belt designation equate to harm to the purposes of Green Belt designation. Green Belt policy</i> This is addressed further ...	To clarify the national policy context relating to Green Belt.	SA Objective 11 – Protect and enhance the quality and character, seeks to, ‘Protect the purposes and ‘positive use’ of the Green Belt’.  This is in line with national policy and therefore no changes to the SA are required.  <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
Paragraph 2.54	25	Add new sentence at end of Paragraph 2.54: <u>For the area north of Flamborough Head, and pending finalisation of a North East Marine Plan, reference should be made to the national Marine Policy Statement, which also highlights the importance of marine aggregates in supplying the construction industry.</u>	To clarify the status of marine planning in the area.	This is a clarification of marine planning in the Joint Plan area and does not affect the SA. The Marine Policy Statement has been considered during the development of objectives at the SA scoping stage. <b>Screened out – no further SA required.</b>
Paragraph 2.68 Final sentence	29	Revise last sentence of paragraph 2.68: These imports, other <u>than clear glass grade silica sand</u> , are thought to relate ...	To clarify the specific position relating to silica sand.	Clarification within the Joint Plan that does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 2.88 2nd bullet point	33	Revise 2nd bullet point: Cross boundary supply issues relating to silica sand, which is a mineral of national significance <u>importance</u> .	To more closely align the text with national policy.	Amendment does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 4.11	46	Add additional text to end of 3rd bullet point, part c): ... in the Plan area <u>or other significant regulatory changes relevant to the</u>	To further clarify where review may	Additional text does not affect the SA.

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
3rd bullet point, part c)		<u>development of local planning policy</u>	be required.	Screened out – no further SA required.
Policy M06 1st paragraph	55	A minimum overall landbank of 10 years will be maintained for crushed rock throughout the plan period. A separate minimum 10 year landbank will be identified and maintained for Magnesian Limestone crushed rock <u>throughout the plan period.</u>	To clarify the proposed approach.	Additional text does not affect the SA. Screened out – no further SA required.
Paragraph 5.68 4th sentence	68	Revise 4th sentence: <del>Neither of Sites within</del> the other two MPAs in England <u>with reserves of silica sand</u> currently <del>has</del> <u>do not have</u> a 10 year landbank as required by the NPPF <u>national policy</u> , although both are ...	To more closely align the text with national policy.	Text revision does not affect the SA. Screened out – no further SA required.
Paragraph 5.72	68	Replace existing paragraph 5.72 with: <u>A further relevant consideration in respect of Blubberhouses Quarry is that the County Council (within its Local Transport Plan 4: strategy and strategic transport prospectus) and the York and North Yorkshire &amp; East Riding Local Enterprise Partnerships (within its strategic economic plan) have identified the need to realign the A59 road at Kex Gill, near Blubberhouses quarry, as a key strategic priority. The existing alignment of the A59 in the Kex Gill area is subject to poor land stability issues, resulting in several road closures taking place on this regionally important strategic trans Pennine route over the past 15 years.</u>	To reflect the evolving situation in relation to proposals for realignment of the A59 near Blubberhouses.	Text revision does not affect the SA. Screened out – no further SA required.

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<i><u>A definitive proposed realignment is not yet available and there is no safeguarded route. Work is currently on going identifying options, however there is potential for this project to overlap with the Blubberhouses quarry site. In this scenario there would be a need to ensure that the potential for conflict between road realignment and the quarry is reflected in design of both schemes and the potential for any cumulative impact taken into account where necessary.</u></i>		
Paragraph 5.93 2nd sentence	75	Revise 2nd sentence: This is a highly relevant issue for the Plan area following the announcement by <del>Government</del> in late 2015 of new oil and gas exploration and development licences ...	To reflect the fact that a Petroleum Exploration and Development Licence (PEDL) is now awarded by the Oil and Gas Authority.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 5.94 1st sentence	75	Revise 1st sentence: The <del>Government</del> <u>Oil and Gas Authority</u> awards PEDLs ...	To reflect the fact that PEDL licenses are now awarded by the Oil and Gas Authority.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
Paragraph 5.107  1st bullet		Revise last sentence of 1st bullet point: For unconventional hydrocarbons, exploratory <del>drilling</del> <u>activity</u> make take considerably longer, especially ...	To clarify that it is aspects of unconventional gas development other than drilling which may mean that development activity takes place over longer periods.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.107  3rd bullet	78	Revise last sentence of 3rd bullet point: The production stage <u>may involve re-fracturing of existing wells and</u> is likely to require the periodic maintenance of wells, which may require use of drilling equipment.	To clarify the expected nature of development at production stage.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.111	80	Add new text at end of paragraph 5.111: ...appropriately located. <u>Hydrocarbon development typically involves temporary and intermittent activity particularly during the early stages of development. Depending on the nature of the development, it is likely that there will generally be a lesser degree of activity during any production phase.</u>	To provide further clarification of the expected nature of development that could come forward.  To clarify the important	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>



Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
			regulatory role of the Environment Agency in this matter.	
Paragraph 5.112	81	Add new text after end of 5th sentence: ... health and safety. <i>The Environment Agency has an important regulatory role in relation to the management of returned water and Naturally Occurring Radioactive Materials (NORM).</i> In accordance with ...	To clarify the important regulatory role of the Environment Agency in this matter.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 5.118	83	Revise paragraph 5.118: Planning guidance and case law makes clear that Minerals Planning Authorities do not need to <del>carry out their own assessments of potential impacts which are controlled by other regulatory bodies.</del> <i>focus on the control of processes or emissions themselves where these are subject to approval under pollution control regimes.</i> It states that they can determine planning applications having considered the advice of <del>these</del> <i>the relevant regulatory</i> bodies without having to wait for other approval processes to be concluded.	To more closely align the text with national policy and guidance.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph	83	Revise paragraph 5.119 d):	To clarify the	Text revision does not affect

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
5.119		<p>'Conventional hydrocarbons' include oil and gas found within geological 'reservoirs' with relatively high porosity/permeability, <del>extracted using conventional drilling and production techniques.</del></p> <p>Revise paragraph 5.119 e):</p> <p>'Unconventional hydrocarbons' include hydrocarbons such as coal bed and coal mine methane and shale gas, <del>extracted using unconventional techniques, including hydraulic fracturing in the case of shale gas,</del> as well as the exploitation of in-situ coal seams through underground coal gasification.</p> <p>Revise para. 5.119 g):</p> <p>In planning terms it is <u>considered that relevant distinctions can be drawn between the specific nature and/or scale of activities associated with certain stages of development for conventional hydrocarbons and those used for unconventional hydrocarbons. These differences may include the potential requirement for a larger number of well pads and individual wells, the volume and pressures of fluids used for any hydraulic fracturing processes and the specific requirements for any related plant and equipment and the management of related wastes.</u> important to distinguish between:</p> <p>i) <del>The use of unconventional techniques to extract hydrocarbons such as hydraulic fracturing, underground</del></p>	<p>distinctions between development activity associated with conventional and unconventional resources.</p>	<p>the SA.</p> <p><b>Screened out – no further SA required.</b></p>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<p><del>gasification and coal bed methane extraction; and</del>  <del>The use of more conventional, less complex drilling and production techniques to extract hydrocarbons.</del></p>		
Paragraph 5.122	86	<p>Revise paragraph 5.122:            While the Infrastructure Act 2015 and secondary legislation address hydraulic fracturing which occurs underground, the Government has also <del>consulted on</del> <u>introduced</u> further restrictions, in the form of a prohibition on <del>high-volume</del> hydraulic fracturing operations from <u>taking place</u> <del>being carried out</del> from new or existing wells that are drilled at the surface in specified protected areas, although they are not yet in force. <del>As proposed</del> The restrictions <del>would</del> <u>will principally affect</u> <del>apply to</del> surface development for <del>unconventional hydrocarbons involving high volume hydraulic fracturing</del> <u>that is used for the carrying out of “associated hydraulic fracturing”</u> the definition of which is contained in section 4B(1) of the Petroleum Act 1998. The Government has stated that, in <u>addition, these restrictions will apply where an operator is required to get consent from the Secretary of State for hydraulic fracturing that is not “associated hydraulic fracturing”, and that the Secretary of State intends to require that such consent be obtained for operations which use more than 1,000 cubic metres of fluid at any single stage, or expected stage, unless an operator can</u></p>	To more accurately reflect the current regulatory position relating to the Government’s Surface Protections for hydraulic fracturing.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<u>persuasively demonstrate why requiring such consent would not be appropriate in their case. The areas <del>proposed for protection</del> <u>protected</u> through this means are National Parks, AONBs, World Heritage Sites, Groundwater Source Protection Zone 1, SSSIs, Natura 2000 sites (SPAs and SACs) and Ramsar sites. Although these areas all benefit from strong national policy protection in their own right, the <del>proposed</del> restrictions <u>would do</u> not, in themselves, constitute planning policy as they <del>would</del> <u>will</u> be implemented though</u>		
Paragraph 5.123 3rd sentence	86	Furthermore, whilst the <del>proposed</del> surface restrictions <u>would will</u> provide ...	To more accurately reflect the current regulatory position relating to the Government's Surface Protections for hydraulic fracturing.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 5.124 1st sentence	86	An additional consideration is that the new Regulations and <del>proposed surface protections</del> <u>restrictions</u> <u>would will</u> only apply to ...		Text revision does not affect the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
Paragraph 5.127  15th line	87	Revise 7th sentence:  Such equipment may only be present on site for relatively short periods, or potentially a number of months, or intermittently <u>over a period of years at established well pads where successive wells are drilled or refracturing of existing wells takes place.</u>	To reflect the potential position.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.130	88	Add new text at end of paragraph 5.130:  <u>In some parts of the Plan area affected by PEDLs, areas of locally important landscapes have been identified in District and Borough local plans. Where these continue to form part of the statutory development plan, and are relevant to a proposal which falls to be determined by North Yorkshire County Council as Minerals and Waste Planning Authority, regard will be had to the requirements of any associated local plan policy.</u>	To reflect the presence of other potentially relevant designations in district local plans and to ensure that appropriate links are made.	Local level landscape plans have been considered within the SA.  <b>Screened out – no further SA required.</b>
Policy M17 2) ii) a)	89	Revise text:  The proximity of a proposed new well pad site to other existing, <del>planned</del> <u>permitted</u> or unrestored well pads, ...	To clarify the proposed approach.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.137	92	Revise 1st sentence and add new sentence between 1st and 2nd sentences:  To give an indication at this stage, however, it is considered	To clarify the approach to preventing unacceptable	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		unlikely that proposals which would lead to a total development density, including operational and restored sites, of more than 10 well pads per 100km <sup>2</sup> PEDL area ( <del>pro-rata for PEDLs of less than 100km<sup>2</sup></del> ) would be compatible with the purpose of this element of the policy. <i>Where an area being developed by an operator comprises a PEDL or licence block area of less, or more, than 100km<sup>2</sup> the density guideline will be applied pro-rata.</i>	cumulative impact.	required.
Paragraph 5.137 7th line	92	Revise 2nd sentence: For PEDLs located in the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density <u>and/or number</u> may be appropriate.	To clarify the approach to preventing unacceptable cumulative impact.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 5.143	93	Revise 1st sentence: Whilst <del>oil and gas</del> <u>hydrocarbon</u> development has the potential ...	For consistency.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 5.147	94	Revise text to state: In considering appropriate noise limits at sensitive receptors, operators will as a minimum be expected to meet the <del>suggested</del> <u>required</u> limits set out in the <u>NPPF and</u> national Planning Practice Guidance, with the objective of ensuring a high standard of	To improve consistency with national policy and guidance.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		protection for local amenity. Site lighting ...		
Paragraph 5.148  3rd sentence	94	<del>Although evidence suggests that any earth tremors that could be induced are likely to be of very low magnitude, it</del> <i>It</i> will be important to ensure that development which could give rise to induced seismicity is located in areas of suitable geology.	To more accurately reflect the available evidence.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.149	94	Revise 1st sentence:  The potential for emissions to water or air is also a key issue, particularly for proposals involving <del>hydraulic fracturing</del> <u>hydrocarbon development</u> .	To clarify that these issues may also be relevant to other forms of hydrocarbon development.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.151	95	Replace reference in 2nd sentence to <del>DBEIS</del> with <u>Oil and Gas Authority</u>	To correct a factual inaccuracy.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Policy M18 2) i)	96	Revise text of 2) part i):  <del>Following completion of the operational phase of development, or where wells are to be suspended pending further hydrocarbon development,</del> any wells will be decommissioned so as to prevent the risk of any contamination of ground and surface waters and	To more accurately reflect the relevant regulatory requirements relating to decommissioning of	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		emissions to air; and ...	wells.	
Paragraph 5.153	96	Revise 1st sentence: A significant issue with hydrocarbon development, particularly development involving hydraulic fracturing, is the need to manage the various forms of <del>waste</del> water that may be returned to the surface via a borehole.  Revise 4th sentence: <u>Water constituting waste and requiring management as waste</u> <del>Such</del> <del>waste</del> can arise in substantial volumes and may contain Naturally Occurring Radioactive Materials (NORM) and other contaminants.	To clarify that water arising on site may not always constitute waste.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Paragraph 5.156 16th line	97	Revise text: ... potentially leading to <del>very small scale</del> induced seismic activity ( <u>earth tremors</u> ). Proposals for this ...	To clarify the position.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Policy I02 Part 2)	146	<u>In addition</u> , within the City of York area, development of ancillary minerals infrastructure will <del>also</del> <u>only</u> be permitted provided the following criteria are met:	To clarify the position.	Text revision does not affect the SA.  <b>Screened out – no further SA required.</b>
Policy S03 key links to	154	Add reference in key links: <u>W10</u>	To clarify this important link.	Text revision does not affect the SA.



Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
other policies and objectives				Screened out – no further SA required.
Paragraph 8.30	155	Revise Paragraph 8.30 by inserting new text at end of paragraph: <u><i>It is acknowledged that in some cases, including at the former mine sites in the Plan area, there are other extant proposals for redevelopment which are matters for determination by the relevant local planning authority and that such proposals could overlap with land proposed for safeguarding in the Joint Plan. In these circumstances the Minerals and Waste Planning Authority will seek to work constructively with the relevant local planning authority and developers to ensure that a proportionate approach to implementing safeguarding of minerals and waste infrastructure requirements is taken.</i></u>	To emphasise the need for a pragmatic approach to implementing safeguarding requirements.	Text addition does not affect the SA. Screened out – no further SA required.
Paragraph 8.33	156	Add new text at end of Paragraph 8.33: <u><i>It is recognised that rail transport infrastructure at former mine sites in the Plan area are important for their potential to serve other existing or proposed rail-linked uses. It is not the intention in safeguarding them for minerals and waste transport to prevent other such beneficial uses from taking place but to ensure that their potential significance in providing opportunities for modal shift in</i></u>	To emphasise the need for a pragmatic approach to implementing safeguarding requirements.	Text addition does not affect the SA. Screened out – no further SA required.

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<i>transport of minerals and waste is taken into account in other development decisions. In these circumstances the Minerals and Waste Planning Authority will seek to work constructively with the relevant local planning authority and developers to ensure that a proportionate approach to implementing safeguarding of minerals and waste infrastructure requirements is taken.</i>		
Paragraph 8.34	156	Add new sentence at end of Paragraph 8.34: <i>The East Coast marine Plan (Policy PS3) supports the protection and expansion of port and harbour capacity.</i>	To emphasise the linkage between marine and terrestrial planning.	Text addition does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 8.47 Safeguarding exemption criteria list	159	Revise 11th bullet point: Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals, <del>and</del> waste <i>and minerals and waste transport infrastructure</i> safeguarding requirements	To reflect the fact that minerals and waste transport infrastructure is also safeguarded in the plan.	Text addition does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 9.16	164	Revise final sentence: Vehicle movements can have a range of impacts, including cumulative impacts, such as on local amenity and in some cases on the landscape and tranquillity. <i>Air quality can also be adversely affected, particularly in locations where Air Quality Management</i>	To reflect the potential for vehicle movements to impact on air quality.	Identification of Air Quality Management Areas has been undertaken within the SA. Vehicle movements have been considered in relation to air

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<i>Areas have been identified</i> and other development management policies in the Joint Plan will therefore be relevant in some circumstances.		quality impacts. <b>Screened out – no further SA required.</b>
Paragraph 9.21	165	Add new text after the end of paragraph 9.21: <i><u>The primary purpose of AONB designation is to conserve and enhance natural beauty. In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry and other rural industries and of the economic and social needs of communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.</u></i>	To further clarify the purposes of AONB designation.	Text addition does not affect the SA. <b>Screened out – no further SA required.</b>
Paragraph 9.42	171	Add new sentence at end of paragraph 9.42: <i><u>In some parts of the Plan area, areas of locally important landscapes have been identified in other local plans. Where these continue to form part of the statutory development plan, and are relevant to a proposal which falls to be determined by the relevant minerals and waste planning authority, regard will be had to the</u></i>	To reflect the presence of other potentially relevant designations in district local plans and to ensure that	Local landscape designations have been considered within the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
		<u>requirements of any associated local plan policy.</u>	appropriate links are made.	
Policy D05 part 1)	167	Proposals for minerals and waste development within the York and West Yorkshire Green Belts will be supported where it would <u>be consistent with the purposes of Green Belt identified in national policy including</u> <del>preserve the openness of the Green Belt and, where the development would be located within the York Green Belt, would preserve the historic character and setting of York.</del>	To more closely reflect the requirements of national policy.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Policy D05 part 2) 2nd paragraph	168	Substantial weight will be given to any harm to the Green Belt and <del>inappropriate waste development in the Green Belt will only be permitted in very special circumstances, which must</del> <u>will need to be demonstrated by the applicant in which the harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations. order to outweigh harm caused by inappropriateness, or any other harm.</u>	To more closely reflect the requirements of national policy.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>
Policy D10 1) i)	183	Replace existing text of D10 1) i) with: <u>Applicants are encouraged to discuss proposals at an early stage with local communities and other relevant stakeholders and where practicable reflect the outcome of those discussions in submitted schemes.</u>	To more closely reflect the requirements of national policy.	Text revision does not affect the SA. <b>Screened out – no further SA required.</b>

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
<b>Minerals and Waste Joint Plan, Appendix 1</b>				
1st Column text: Estimated date of commencem ent	140	Revise this text to read: <del>Estimated d</del> <u>Date</u> of commencement	To reflect that the planning permission for this development has been implemented.	Clarification does not affect the SA score. <b>Screened out – no further SA required.</b>
2nd Column text relating to date of commencem ent	140	Revise this text to read: <del>By April 2017 (base on requirement for implementation specified in decision notice for planning application 12/03385/FULM)</del> <u>November 2016</u>	To reflect that the planning permission for this development has been implemented.	Clarification does not affect the SA score. <b>Screened out – no further SA required.</b>
<b>Minerals and Waste Joint Plan, Appendix 2</b>				
Southmoor Energy Centre safeguarded site	179	Revise plan to only show core site and principal access to the highway	To reflect the fact that there are proposals for other development on the former Kellingley Colliery site.	Clarification does not affect the SA. <b>Screened out – no further SA required.</b>
Knapton	186	Revise reference to facility type to: Composting, <i>transfer, treatment</i>	To more accurately	Clarification does not affect the

Policy Ref/ Paragraph Number/ Reference point	Page Number	Change Proposed	Reason	Sustainability Appraisal Screening
Quarry safeguarded site Facility Type		<u>and recycling</u>	reflect the current role of the site.	SA. <b>Screened out – no further SA required.</b>
Safeguarded waste sites		Insert new safeguarded waste transfer (non-hazardous) site: <u>Showfield Lane, Malton.</u>	To reflect the significant role currently played by this site in the Ryedale area.	Clarification does not affect the SA. <b>Screened out – no further SA required.</b>

## Appendix 2 – Updated SFRA

MJP21 Land at Killerby

DRAFT

## Appendix 3 – Updated Historic Impact Assessment

MJP21 Land at Killerby

DRAFT





'Better Decision Making' Tool  
Informing our approach to sustainability, resilience and fairness

The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

**Part 1** of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

**Part 2** of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

**Introduction**

Service submitting the proposal:	Strategic Planning
Name of person completing the assessment:	Rebecca Harrison
Job title:	Development Officer
Directorate:	Economy and Place
Date Completed:	13/06/2017
Date Approved: form to be checked by service manager	

**Part 1**

**Section 1: What is the proposal?**

1.1	<b>Name of the service, project, programme, policy or strategy being assessed?</b> Minerals and Waste Joint Plan - Proposed Changes
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1.2	<b>What are the main aims of the proposal?</b> The Minerals and Waste Joint Plan includes a series of policies and sites which will provide the framework for future minerals and waste development in the joint plan area (City of York Council, North Yorkshire County Council and North York Moors National Park). The main purpose of the report is to request that Members approve the Schedule of Proposed Changes for consultation purposes.
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1.3	<b>What are the key outcomes?</b> To ensure that the Minerals and Waste Joint Plan can be progressed.
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**Section 2: Evidence**

	<b>What data / evidence is available to understand the likely impacts of the proposal?</b> (e.g. hate crime figures, obesity levels, recycling statistics)
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2.1	The Minerals and Waste Joint Plan uses an extensive evidence base to support its policies. This includes Demographic and Economic Evidence, an Equalities Impact Assessment, Community Impact Assessment. A full list is available on the Joint Plan website: <a href="http://www.northyorks.gov.uk/mwjjointplan">www.northyorks.gov.uk/mwjjointplan</a>
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2.2	<p><b>What public / stakeholder consultation has been used to support this proposal?</b></p>
	<p>Extensive public consultation has been undertaken throughout the development of the Joint Plan.</p> <ul style="list-style-type: none"> <li>• First Consultation (completed May/June 2013)</li> <li>• Issues and Options Consultation (Completed March/April 2014)</li> <li>• Additional or Revised Sites Consultation (Completed January/February 2015)</li> <li>• Preferred Options Consultation (Completed November 2015 -January 2016)             <ul style="list-style-type: none"> <li>• Publication stage (Completed November - December 2016)</li> </ul> </li> <li>• Post-Publication Proposed Changes Consultation (Scheduled for July 2017)</li> </ul>

2.3	<p><b>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</b></p>
	<p>The Joint Plan has been developed alongside an emerging City of York Local Plan. The consultees in the York local authority area will also be consulted on as part of the Local Plan process.</p>

**Part 1**

**Section 3: Impact on One Planet principles**

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu. If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

**Equity and Local Economy**

	Does your proposal?	Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	Businesses in York will be affected by proposals for minerals and waste development. Especially those directly related to these industries.
3.2	Provide additional employment or training opportunities in the city?	Positive	The policies of the neighbourhood plan support new business development on established businesses where they provide car parking.
3.3	Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Neutral	There are no specific policies relating to individuals from disadvantaged backgrounds.

**Health & Happiness**

	Does your proposal?	Impact	What are the impacts and how do you know?
3.4	Improve the physical health or emotional wellbeing of staff or residents?	Neutral	The Joint Plan includes policies to reduce impact of M&W development on the communities nearby. However, the perceived negative impact on people's health can not be reduced by planning policies.
3.5	Help reduce health inequalities?	Neutral	The Joint Plan includes policies to reduce impact of M&W development on the communities nearby. However, the perceived negative impact on people's health can not be reduced by planning policies.
3.6	Encourage residents to be more responsible for their own health?	Neutral	There are no policies which specifically relate to this issue.
3.7	Reduce crime or fear of crime?	Neutral	There are no policies which specifically relate to crime.
3.8	Help to give children and young people a good start in life?	Neutral	There are no policies which specifically relate to this issue.

**Culture & Community**

	Does your proposal?	Impact	What are the impacts and how do you know?
3.9	Help improve community cohesion?	Neutral	There are no policies which specifically relate to this issue.
3.10	Improve access to services for residents, especially those most in need?	Neutral	There are no policies which specifically relate to this issue.
3.11	Improve the cultural offerings of York?	Neutral	There are no policies which specifically relate to this issue.
3.12	Encourage residents to be more socially responsible?	Neutral	There are no policies which specifically relate to this issue.

**Zero Carbon and Sustainable Water**

	Does your proposal?	Impact	What are the impacts and how do you know?
3.13	Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Positive	A specific policy which is to be applied to all types of M&W development covers sustainable design, construction and operation of development. This includes reducing energy consumption.

3.14	<b>Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?</b>	Positive	A specific policy which is to be applied to all types of M&W development covers sustainable design, construction and operation of development. This includes reducing water consumption.
3.15	<b>Provide opportunities to generate energy from renewable/low carbon technologies?</b>	Positive	A specific policy which is to be applied to all types of M&W development covers sustainable design, construction and operation of development. This includes the generation of renewable energy.

**Zero Waste**

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	<b>Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?</b>	Positive	One of the main objectives of the Joint Plan is to promote the management of waste further up the hierarchy i.e. Reducing the amount going to landfill and encouraging the re-use, recycling, composting and recovery of waste as well as supporting an overall reduction in the generation of waste.

**Sustainable Transport**

Does your proposal?		Impact	What are the impacts and how do you know?
3.17	<b>Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?</b>	Positive	The Joint Plan has a whole chapter which considers issues relating to M&W transport infrastructure which encourages the development of rail, water, pipeline or conveyor transport infrastructure.
3.18	<b>Help improve the quality of the air we breathe?</b>	Positive	Several policy make reference to the need to mitigate against air pollution.

**Sustainable Materials**

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	<b>Minimise the environmental impact of the goods and services used?</b>	Positive	Several policies include criteria to minimise the environmental impact of M&W development.

**Local and Sustainable Food**

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	<b>Maximise opportunities to support local and sustainable food initiatives?</b>	Neutral	There are no policies which specifically relate to this issue.

**Land Use and Wildlife**

Does your proposal?		Impact	What are the impacts and how do you know?
3.21	<b>Maximise opportunities to conserve or enhance the natural environment?</b>	Positive	There is a specific policy which seeks to protect and enhance the biodiversity and geodiversity in the plan area.
3.22	<b>Improve the quality of the built environment?</b>	Positive	There is a specific policy which seeks to protect and enhance the historic environment in the plan area.
3.23	<b>Preserve the character and setting of the historic city of York?</b>	Positive	There is a specific policy which covers Green Belt and specifically refers to the historic character and setting of York.
3.24	<b>Enable residents to enjoy public spaces?</b>	Positive	There is a policy which covers local amenity and cumulative impact related to M&W development. It states that there must be no unacceptable impact of public open space.

3.25	<b>Additional space to comment on the impacts</b>		

Part 1

Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.  
If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

Equalities

Will the proposal **adversely impact** upon 'communities of identity'?  
Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

	Impact	What are the impacts and how do you know?	Relevant quality of life indicators	
4.1	Age	Neutral	None deemed likely	N/A
4.2	Disability	Neutral	None deemed likely	N/A
4.3	Gender	Neutral	None deemed likely	N/A
4.4	Gender Reassignment	Neutral	None deemed likely	N/A
4.5	Marriage and civil partnership	Neutral	None deemed likely	N/A
4.6	Pregnancy and maternity	Neutral	None deemed likely	N/A
4.7	Race	Neutral	None deemed likely	N/A
4.8	Religion or belief	Neutral	None deemed likely	N/A
4.9	Sexual orientation	Neutral	None deemed likely	N/A
4.10	Carer	Neutral	None deemed likely	N/A
4.11	Lowest income groups	Neutral	None deemed likely	N/A
4.12	Veterans, Armed forces community	Neutral	None deemed likely	N/A

Human Rights

Consider how a human rights approach is evident in the proposal

	neutral	What are the impacts and how do you know?	
4.13	Right to education	neutral	None deemed likely
4.14	Right not to be subjected to torture, degrading treatment or punishment	neutral	None deemed likely
4.15	Right to a fair and public hearing	neutral	None deemed likely
4.16	Right to respect for private and family life, home and correspondence	neutral	None deemed likely
4.17	Freedom of expression	neutral	None deemed likely
4.18	Right not to be subject to discrimination	neutral	None deemed likely

4.19	Other Rights	neutral	None deemed likely
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4.20	Additional space to comment on the impacts		



**Part 1**

**Section 5: Developing Understanding**

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

**Taking into consideration your responses about all of the impacts of the project in its current form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?**

5.1 Given the wide range of policy areas covered by the Minerals and Waste Joint Plan and its over all vision which responds to the issues, opportunities and challenges facing the area it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient city.

**What could be changed to improve the impact of the proposal on the One Planet principles?** (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

5.2 None.

**What could be changed to improve the impact of the proposal on equalities and human rights?** (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

5.3 No mixed or negative impacts on equality and human rights are considered likely.

**Section 6: Planning for Improvement**

**What further evidence or consultation is needed to fully understand its impact?** (e.g. consultation with specific communities of identity, additional data)

6.1 The Joint Plan has been subject to extensive public consultation. This particular report requests that Members approve the latest document for public consultation purposes.

**What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?**  
Please include the action, the person(s) responsible and the date it will be completed (expand / insert more rows if needed)

Action	Person(s)	Due date

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6.3	<b>Additional space to comment on the impacts</b>



**Part 2**

**Section 1: Improvements**

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

**Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.**

**For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?**

1.1  
Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.

**What changes have you made to your proposal to increase positive impacts?**

1.2  
No changes considered necessary.

**What changes have you made to your proposal to reduce negative impacts?**

1.3  
No negative impacts anticipated.

**Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?**

Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.

1.4  
Given the wide range of policy areas covered by the Joint Plan and its over all vision which responds to the issues, opportunities and challenges facing the Joint Plan area it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient city.

**Any further comments?**

1.5



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**Local Plan Working Group****27 June 2017**

Report of the Director for Economy and Place

Portfolio of the Executive Member for Transport and Planning

**Upper and Nether Poppleton Neighbourhood Plan – Examiners Report****Purpose of the Report**

1. The Upper and Nether Poppleton Neighbourhood Plan Examiner's Report is attached at Annex A to this report. Annex B sets out a Decision Statement which includes the Council's proposed response to the Examiner's recommended modifications. This report requests that the Executive agree the Examiner's recommendations to enable the Neighbourhood Plan to proceed to a referendum.

**Background**

2. The Localism Act 2011 introduced new powers for community groups to prepare neighbourhood plans for their local areas. The Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and to take plans through a process of Examination and Referendum. The local authority is required to take decisions at key stages in the process within time limits that apply, as set out in the Neighbourhood Planning (General) Regulations 2012 as amended in 2015 and 2016 ("the Regulations").
3. The Upper and Nether Poppleton Neighbourhood Plan has been prepared jointly by both Upper Poppleton Parish Council and Nether Poppleton Parish Council with on-going engagement with the local community and City of York Council. Prior to Examination it has been through the following stages of preparation:
  - Designation as a Neighbourhood Area (October 2014)
  - Consultation on a Pre-Submission version (March 2015)
  - Consultation on a 2nd Pre-submission version (May 2016)

- Submission to City of York Council (November 2016)
  - Submission consultation (December 2016)
4. Following the close of Submission consultation and with the consent of the two Parish Councils, Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed via the Neighbourhood Planning Independent Examiner Referral Scheme to undertake an Independent Examination of the Neighbourhood Plan. The purpose of the Examination is to consider whether the Plan complies with various legislative requirements and meets a set of “Basic Conditions” set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. The Basic Conditions are:
- i) To have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - ii) To contribute to the achievement of sustainable development;
  - iii) To be in general conformity with the strategic policies contained in the development plan for the area; and
  - iv) To not breach, and be otherwise compatible with, EU and European convention on Human Rights obligations.
5. The Examiner can make one of three overall recommendations on the Neighbourhood Plan namely that it can proceed to referendum (i) with modifications; (ii) without modification; or (iii) that the Plan cannot be modified in a way that allows it to meet the Basic Conditions or legal requirements and should not proceed to referendum.
6. Modifications can only be those that the Examiner considers are needed to:
- a) make the plan conform to the Basic Conditions
  - b) make the plan compatible with the Convention rights
  - c) make the plan comply with definition of a neighbourhood plan and the provisions that can be made by a neighbourhood plan or
  - d) to correct errors.
7. If a recommendation to go to a referendum is made, the Examiner must also recommend whether the area for the referendum should go beyond the Neighbourhood Area, and if so what the extended area should be.

8. The Regulations presume that Neighbourhood Plans will be examined by way of written evidence only, with a requirement for a hearing only in cases where the Examiner feels the only way to properly assess a particular issue is via a discussion with all parties. The Examiner decided that examination by written representations and an unaccompanied visit to the Neighbourhood Area was appropriate in this case and provided his final report on 16th May 2017.
9. Overall, the Report concluded “On the basis of the findings in this report I recommend to the City of York Council that subject to the incorporation of the modifications set out in this report that the Poppleton Neighbourhood Plan should proceed to referendum”

### **Examiner’s Recommendations**

10. Table 1 of Annex A sets out all of the Examiner’s detailed modifications to the Neighbourhood Plan as identified in his Report. In summary, the key modifications relate to:
  - Policy PNP1 Green Belt
11. A series of modifications are suggested in relation to PNP1 (Green Belt policy) to reflect the policy context to York’s Green Belt. In particular, the modifications take account of national advice on the principle of the identification of detailed Green belt boundaries whilst safeguarding the general application of this important and nationally-recognised planning tool.
12. The Examiner recommends that the Neighbourhood Plan continues to apply the approach to the identification of the Green Belt as set out currently in the RSS and the Fourth Set of Changes to the City of York Draft Local Plan (approved for development management purposes in 2005) on an interim basis until such times as the emerging City of York Local Plan is adopted. He states that this will ensure that the preparation of the emerging City of York Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy. He also recognises that this will also provide full and proper opportunity for developers and land owners to contribute to this debate both in general terms and to provide the agreed levels of development for the City.
  - Policy PNP6A Housing (Housing Allocations)
13. For the same reasons as set out within the context of Policy PNP 1, the Examiner states that it is not within the remit of the Neighbourhood Plan

to allocate land within the general extent of the Green Belt for residential purposes. He makes it clear that this is properly a role for the emerging City of York Local Plan.

14. The Examiner highlights that this position is further reinforced given the current lack of certainty over the allocation of housing sites in the emerging City York Local Plan. He acknowledges that the Preferred Sites Consultation was approved by the Council for public consultation only and at this point the document does not represent the Council's position in relation either to levels of housing and employment growth or to the draft portfolio of sites identified to meet that need. He recognises that within this context several other sites within the Neighbourhood Plan area are also being promoted for residential development and have been highlighted as part of the representation process.
15. On this basis, the Examiner recommends that a modification is made to this part of the policy to delete reference to site H4 (Civil Service Sports Ground). He states, for clarity to all parties, it is emphasised that this recommendation has been made simply on the basis of national policy and the processes that follow. In doing the Examiner makes no comments on the appropriateness or otherwise of this site coming forward as a housing allocation in the emerging City of York Local Plan. He clarifies that this will properly be a judgement for City of York Council which will also come to its own judgement on the other sites currently within the general extent of the Green Belt that are being promoted for residential development. Ultimately the City of York Local Plan will be subject to its own examination based on the tests of soundness.
  - Policy PNP 7B: Business and Employment (allocation of Wyevale Garden Centre for employment uses)
16. The Examiner states that the consideration of this policy overlaps significantly with policies PNP 1 (Green Belt) and PNP 6 (Housing). He recognises that the submitted Plan has proactively sought to bring forward sustainable development and has used common evidence with the City of York Council to do so. Nevertheless, he states that national policy is clear that it is the role of the City of York Local Plan to identify the spatial extent of the Green Belt. In this case, Wyevale Garden Centre site is within the general extent of the Green Belt as identified in the 2005 draft Local Plan. On this basis, the Examiner recommends the deletion of the policy.

## Next Steps

17. The next stage of the relevant legislation requires the Council to:
  - Consider each of the recommendations made by the Examiner's Report (and the reasons for them), and
  - Decide what action to take in response to each recommendation.
18. If the LPA is satisfied that the Neighbourhood Plan meets the Basic Conditions, is compatible with the Convention rights, and complies with the definition of an NP and the provisions that can be made by a NP or can do so if modified (whether or not recommended by the Examiner), then a referendum must be held.
19. The Council must publish its decision and its reasons for it in a 'Decision Statement'. The Decision Statement must be published within 5 weeks beginning with the day following receipt of the Examiner's Report unless an alternative timescale is agreed with the Parish Councils. The Parish Councils have agreed to extend the of the decision to 30 June 2017.
20. The Examiner's recommendations on the Neighbourhood Plan are not binding on the Council, who may choose to make a decision which differs from the Examiner's. However, any significant changes from the Examiner's recommendations would require a further period of public consultation, along with a statement from the Council setting out why it has taken this decision.
21. A decision to refuse the Neighbourhood Plan proposal could only be made on the following grounds:
  - the LPA is not satisfied that the Neighbourhood Plan meets the Basic Conditions;
  - the LPA does not believe that with modification Neighbourhood Plan can meet the Basic Conditions;
  - the LPA considers that the Neighbourhood Plan constitutes a repeat proposal; or
  - the LPA does not believe the qualifying body is authorised or
  - that the proposal does not comply with that authorisation.

22. The Examiner's Report concludes that the Neighbourhood Plan meets the Basic Conditions required by legislation, and that subject to the modifications proposed in his report, the Neighbourhood Plan should proceed to a referendum to be held within the Neighbourhood Area. Officers have considered all of the recommendations and the Examiner's reasons for them and have set out the Councils response as part of the Decision Statement in Annex B.
23. Table 2 of the Decision Statement (Annex B) sets out a list of some further minor modifications to the general text agreed by the Council and Upper and Nether Poppleton Parish Councils for the purpose of achieving consistency with the modified policies or to correct typographical errors. As this is not a different view to the Examiner's, it is not necessary for the Council to re-consult on those minor modifications.
24. It is recommended that all of the Examiner's recommended modifications and all of the additional minor modifications be made as set out in Table 1 and Table 2 at Annex B. The Officer recommendation is that subject to those modifications the Plan meets the Basic Conditions, is compatible with the Convention Rights and complies with the provisions that can be made by a neighbourhood plan. Subject to the Executive's agreement of the Decision Statement, the Neighbourhood Plan will be amended accordingly and the Neighbourhood Plan will proceed to local referendum.

### **Referendum**

25. The Council must organise a referendum on any Neighbourhood Plan that meets the legislative requirements. This ensures that the community has the final say on whether a Neighbourhood Plan comes into force.
26. The Examiner's Report confirms that the referendum area should be the same as the Neighbourhood Area designated by the Council, which are the parishes of Nether and Upper Poppleton. The Neighbourhood Planning (Referendum) Regulations 2012 as amended require the Local Planning Authority to hold the referendum within 56 days of the date that a decision to hold one has been made. Assuming the Executive endorse the recommendations in this report, it is anticipated that the referendum will be held on or before 24th August 2017, within the 56 day period set out in the amended Regulations. The date for the referendum and further details will be publicised once a date is set by



the Council. This is currently being discussed with colleagues in Electoral Services.

27. If over 50% of those voting in the referendum vote in favour of the Neighbourhood Plan, then under the legislation the Council must bring it into force within 8 weeks of the result of referendum (unless there are unresolved legal challenges). If the referendum results in a “yes” vote a further report will be brought to Executive with regard to the formal adoption of the Neighbourhood Plan as part of the statutory Development Plan.

### **Decision making**

28. As the Neighbourhood Plan is now at an advanced stage, its policies where relevant have legal weight in decision making with regard to any planning applications to be determined within Upper and Nether Poppleton Parishes. This is reflected in a provision in The Neighbourhood Planning Act 2017 which, once brought into effect provides that, when determining an application, a LPA must have regard to “a post examination draft neighbourhood development plan as far as material to the application”. If a LPA make a decision to allow a draft neighbourhood plan with modifications to proceed to a referendum, then the modifications recommended must also be taken into account.

### **Consultation**

29. As mentioned earlier in the report, the Upper and Nether Poppleton Neighbourhood Plan has been through several stages of consultation. These are: consultation on the Neighbourhood Area boundary (October 2014), consultation on a Pre-Submission version of the Plan (March 2015 and May 2016), consultation on a Submission version (November 2016) and a consultation on a revised SEA (April 2017).
30. A Consultation Statement accompanied the submission version of the Neighbourhood Plan and sets out all the consultation undertaken. All the consultation undertaken by City of York Council has been carried out in accordance with the Council’s Statement of Community Involvement.

### **Options**

31. Officers request that Members recommend to Executive that they:

- i) endorse the recommendations in paragraph 41 of this report and agree with the Examiner's Recommendations and approve the Decision Statement attached at Annex B to enable the Upper and Nether Poppleton Neighbourhood Plan to proceed to Referendum.

## **Analysis**

32. As both Parish Councils have accepted all of the recommended modifications of the Examiner, and the Examiner has concluded that this will then satisfy the Basic Conditions, the Council has an obligation, under Schedule 4B of the 1990 Town and Country Planning Act, to arrange a local referendum, unless the Examiner's recommended modifications and/or conclusions are to be challenged. The Officer recommendation to Members is that the modifications made by the Examiner are well justified and that, with these modifications, the Neighbourhood Plan proposals will meet the legislative requirements. The Council must organise a referendum on any Neighbourhood Plan that meets the legislative requirements. This will give the local community the opportunity to vote on whether they deem the Neighbourhood Plan to meet the needs and aspirations for the future of their neighbourhood.

## **Alternative Options and Reasons for Rejection**

33. The following alternative options have been identified and rejected for the reasons as set out below
  - ii) That Members recommend to Executive that they provide modified recommendations to those made by the Examiner and, if considered to be significant, agree that these will be subject to further consultation along with a statement explain why the decision differs from the Examiner's;

This option is not considered appropriate as the proposed modifications make the Neighbourhood Plan more robust and enable it to meet the Basic Conditions.

- iii) That Members recommend to Executive that they reject the Examiner's recommendations and refuse the Neighbourhood Plan proposal. This decision can only be justified on the grounds listed under paragraph 21 .

This option can only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not satisfied

that the plan has met the procedural and legal requirements. This option is not considered appropriate.

### Financial Implications

34. The responsibility and therefore the costs of the Examination and Referendum stages of the Neighbourhood Plan production lie with the City of York Council. Table 1 below sets out a breakdown of the non-staffing costs of producing the Poppleton neighbourhood Plan to date and also sets out the costs associated with the Examination and Referendum.

Table 1

<b>Stage</b>	<b>Cost</b>
Designation consultation	£500
Submission consultation	£500
NP grant to Parish Councils	£3000
Examination	£8,600
SEA consultation	£500
Referendum	£5,460
<b>Total</b>	<b>£18,560</b>

35. There is also a significant level of officer costs required throughout the process to provide the required support to each of the Neighbourhood Planning Bodies. A significant level of officer input at an appropriate level is needed throughout the process to ensure legal conformity, appropriate plan content, technical advice, including provision of mapping and assistance with Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
36. Financial support from Central Government is available for Local Planning Authorities (LPAs) involved with Neighbourhood Plans. Some LPAs can claim £5,000 for the designation of neighbourhood areas. Whilst this was claimed for the designation of the Upper and Nether Poppleton Neighbourhood Plan in 2014, it is no longer available for neighbourhood areas in York as more than 5 neighbourhood areas are designated. LPAs can also claim £20,000 once they have set a date for a referendum following a successful examination. This will be available for the Upper and Nether Poppleton Neighbourhood Plan.
37. The City of York Council Budget 2016/17 included a recurring budget item of £33,000 for Neighbourhood Planning which is to be distributed as

£3,000 per Parish Council or Neighbourhood Forum to be used to develop a Neighbourhood Plan. This is for the neighbourhood planning body to spend independent to the Council.

38. Communities with Neighbourhood Plans in place can also benefit financially should York adopt a Community Infrastructure Levy (CIL). They can benefit from 25% of the revenues from the CIL arising from the development that takes place in their area.

### **Implications**

39. The following implications have been assessed:

- **Financial**– The examination and referendum will be funded by City of York Council. Once a date for the referendum is set the Council can apply for a government grant of £20,000 towards the costs of the Councils involvement in preparing the Plan (including the costs of the Examination and referendum). Any shortfall will need to be accommodated within existing resource.
- **Human Resources (HR)** - none
- **One Planet Council / Equalities** - Better Decision Making Tool attached at Annex D.
- **Legal** - The Legal implications are set out within the body of this report. The decision to proceed to referendum is, like all decisions of a public authority, open to challenge by Judicial Review. The risk of any legal challenge to the Neighbourhood Plan being successful has been minimised by the thorough and robust way in which it has been prepared and tested.
- **Crime and Disorder** - None
- **Information Technology (IT)** None
- **Property** - None
- **Other** – None

### **Risk Management**

40. In compliance with the Council's risk management strategy, the main risks associated with the Poppleton Neighbourhood Plan are as follows:

- Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.

## Recommendations

41. Members are asked to recommend that Executive:

- i) Agree the Examiner's modifications and the further minor modifications set out at Annex B to the Upper and Nether Poppleton Neighbourhood Plan and that subject to those modifications the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

- ii) Agree that the Upper and Nether Poppleton Neighbourhood Plan as modified by recommendation i) proceeds to a local referendum based on the geographic boundary of the parishes of Upper and Nether Poppleton as recommend by the Examiner.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

- (iii) To approve the Decision Statement attached at Annex B to be published on the City of York Council's website.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

## Contact Details

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	<b>Report Approved</b>	<input checked="" type="checkbox"/>	<b>Date</b> 16-06-17
<b>Specialist Implications Officer(s)</b> List information for all			
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<b>Wards Affected:</b>			<b>Rural West</b>
<b>For further information please contact the author of the report</b>			

### Background Papers:

Upper and Nether Poppleton Neighbourhood Plan documents

[https://www.york.gov.uk/info/20051/planning\\_policy/706/upper\\_and\\_nether\\_poppleton\\_neighbourhood\\_plan](https://www.york.gov.uk/info/20051/planning_policy/706/upper_and_nether_poppleton_neighbourhood_plan)

### Annexes

- Annex A Upper and Nether Poppleton Neighbourhood Plan Examiner's Report
- Annex B Decision Statement
- Annex C Upper and Nether Poppleton Neighbourhood Plan (Examination version)
- Annex D Better Decision Making Tool

### List of Abbreviations Used in this Report

BA (Hons) MA, DMS, MRTPI – Bachelor of Arts, Masters, Diploma in Management Studies, Member of the Royal Town Planning Institute.

EU – European Union

PNP (as in Policy PNP1 etc) – Poppleton Neighbourhood Plan

LPA – Local Planning Authority

NP – Neighbourhood Plan

SEA – Strategic Environmental Assessment

HRA – Habitats Regulation Assessment

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# **Upper and Nether Poppleton Neighbourhood Plan 2016-2036**

**A report to York City Council on the Upper and  
Nether Poppleton Neighbourhood Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) MA, DMS, MRTPI**

**Director – Andrew Ashcroft Planning Limited**

**Executive Summary**

- 1 I was appointed by the City of York Council in January 2017 to carry out the independent examination of the Upper and Nether Poppleton Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 3 February 2017.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the plan area. Its focus is on facilitating strategic housing growth whilst retaining the status and role of the York green belt. It also includes positive policies for the protection of its conservation areas and securing good design.
- 4 The Plan has been significantly underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

**Andrew Ashcroft**  
**Independent Examiner**  
**16 May 2017**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Upper and Nether Poppleton Neighbourhood Plan 2016-2036 ('the Plan').
- 1.2 The Plan has been submitted to City of York Council (CYC) by both Upper Poppleton Parish Council and Nether Poppleton Parish Councils in their joint capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the Plan is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to assist in the determination of planning applications within the plan area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by CYC, with the consent of the Parish Councils, to conduct the examination of the Plan and to prepare this report. I am independent of both CYC and the Parish Councils. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area; and
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I make specific comments on the fourth bullet point above in paragraphs 2.6 to 2.10 of this report.

- 2.6 Since February 2015 the Neighbourhood Plan regulations require one of two reports to be an integral part of a neighbourhood plan proposal. Either an environmental report should be submitted or a determination from the responsible body (in this case CYC) that the Plan is not likely to have significant environmental effects. In order to comply with the Basic Condition relating to European obligations a Strategic

Environmental Assessment was prepared for the Plan. In its representations on the Plan CYC commented that there were administrative errors in the submitted SEA. I came to the same conclusion. To remedy the administrative errors the SEA was corrected and was made available for consultation for the prescribed period. This process generated additional or new representations that were received during the original Regulation 15 consultation exercise. They are listed in paragraph 4.9 of this report.

- 2.7 I am satisfied that the correct processes have been followed in this regard. The SEA strikes the correct balance between having the correct level of detail whilst at the same time as being proportionate to the task in hand. In particular, the SEA work and the preparation of the Plan itself have been produced in tandem. The SEA also assesses reasonable alternatives to the submitted Plan insofar as they exist.
- 2.8 As part of the preparation of the Plan CYC has published a Habitat Regulations Screening Report. It assesses whether there are likely to be any significant effects on the qualifying features of European sites as a result of the policies in the submitted Plan that would necessitate the production of a full Habitat Regulations Assessment. In doing so the screening report considered the effects on all European sites within 15 km of the CYC boundary together with any downstream sites that may be linked to the plan's zone of influence. As part of this process the screening report considered the likely effects of the submitted Plan on the following European sites: Strensall Common SAC, Kirk Deighton SAC, the River Derwent SAC, the Lower Derwent Valley SAC/SPA/Ramsar site and the Humber Estuary SAC/SPA/Ramsar site. All the proposed policies and site allocations in the submitted Plan were appraised against the features and vulnerabilities of the identified sites. Cumulative effects are also considered to understand whether the Plan would be likely to have significant effects in combination with other plans or programmes. The report concludes that none of the policies in the Plan are likely to have any significant effects on the identified European sites. In addition, no cumulative effects are identified. These conclusions are supported by Natural England and other local planning authorities.
- 2.9 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The two reports set out a robust and compelling assessment of the relevant information. They have been prepared and presented in a very professional fashion. The Habitat Regulations Screening Report is particularly impressive. None of the statutory consultees have raised any concerns with regard to either the neighbourhood plan or to European obligations. In the absence of any evidence to the contrary I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Other examination matters*

2.11 In examining the Plan I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Strategic Environmental Assessment and the Habitats Regulations Screening Report.
- the representations made to the Plan.
- the saved elements of the Regional Strategy for Yorkshire and Humber
- the City of York Draft Local Plan incorporating the Fourth Set of Changes Development Control Local Plan (April 2005).
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- recent Ministerial Statements (March, May and June 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 2 February 2017. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 As part of my visit I attended a clarification meeting with CYC and the two parish councils. That meeting was organised at my request and allowed a discussion on factual matters surrounding the submitted Plan. It also provided an opportunity for CYC to provide me with a variety of documents relating to the development plan. Notes from that meeting are reproduced at Appendix 1 of this report.

3.4 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised CYC of this decision early in the examination process.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This statement is both detailed and proportionate to the Plan area and its range of policies. It also provides specific details on the consultation process that took place on the two pre-submission versions of the Plan. The Statement helpfully sets out how the emerging plan took account of the various comments and representations.
- 4.3 The Introduction of the Statement sets out details of the wider consultation events that has been carried out as part the evolution of the Plan. Details are provided about:
- The engagement with statutory consultees
  - The engagement of interested parties, groups and businesses
  - The use of social media and the development of a website
  - The production of leaflets, newsletters and placing articles in the church and community centre magazine
  - The holding of public meetings
  - Organising special meetings with key landowners, businesses, developers and schools
- 4.4 The Consultation Statement provides very useful information on the purpose and need for two separate pre-submission consultation exercises. The first was held in January to March 2015 and the second in May to July 2016. The first consultation process sought to:
- Involve as much of the community as possible
  - To organise events at key points
  - To engage with as many people as possible

The second consultation process sought refine the consultation process and to address the comments of Historic England and CYC on the need for Strategic Environmental Assessment. In detail, it sought to ensure that:

- Scoping was undertaken
- A SEA was produced
- The comments from the first consultation were addressed

It is on this basis that the community has been fully and exhaustively engaged for over two years.



- 4.5 It is clear to me that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. Consultation and feedback has been at the heart of the Plan throughout the various stages of its production.
- 4.6 Consultation and engagement has been maintained into the submission phase of the Plan. This is reflected in the number of representations received to the submitted plan (see 4.8 below). Several of the representations were from local people offering support to the Plan in general, and Policy PNP 1 in particular. There were also representations from landowners and proposed developers to this and other policies.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. There is a very clear and transparent relationship between the consultation process and the Plan itself. CYC has carried out its own assessment to the extent that the consultation process has complied with the requirements of the Regulations.

#### *Representations Received*

- 4.8 Consultation on the submitted plan was undertaken by the City Council for a six-week period and which ended on 23 January 2017. This exercise generated 25 comments from various persons and organisations. The following statutory bodies or businesses made comments:
- Barry Otley
  - John Crabb
  - Vivian Crabb
  - Prudence Bebb
  - Dan Sellers
  - Nigel Thompson
  - Dianne Davies
  - Barry Clarke
  - Jane Gwyer
  - Stephen Otley
  - Natural England
  - Martin and Kae Walker
  - North Yorkshire County Council
  - York City Council
  - Historic England
  - A J Suckling
  - British Sugar
  - Janet Hopton
  - Cobalt plc

- Environment Agency
- Miller Homes
- Wyevale Garden Centres
- Roger Blackhouse
- Avant Homes
- Luigi's Restaurant
- Andrew Frazer

4.9 As identified in paragraph 2.6 of this report additional consultation was carried out to correct administrative errors to the submitted SEA. This process generated the following new or additional comments from the following persons and organisations:

- B&SC Latts
- Barry Otley
- Coal Authority
- Environment Agency
- Peter Hindle
- Indigo Planning (Wyevale Garden Centre)
- Natural England
- North Yorkshire County Council
- Dr and Mrs S Robson
- Miss L M Bleasdale
- Stephen Otley
- Stephen Winston

## 5 The Plan Area and the Development Plan Context

### *The Plan Area*

- 5.1 The Plan area covers the parishes of Upper Poppleton and Nether Poppleton. It was designated as a neighbourhood area on 13 October 2014. The Plan area is located to the immediate north west of York. It is a very interesting and challenging area within which to prepare a neighbourhood plan. A significant proportion of its area (mainly to the west) is rural in character and is largely in agricultural use. The main east coast railway line sits in the extreme eastern part of the Plan area and the Northern rail line from York to Leeds runs through the southern part of the area and serves Poppleton station. The eastern and northern boundaries of the Plan area are defined by the River Ouse.
- 5.2 The general accessibility of the Plan area is further emphasised by the York Ring Road (A1237) in its south-eastern part and by the A59 (York to Harrogate and beyond) in its southern part. The recently-opened Poppleton Bar park and ride site is located to the immediate south of the A59. It has added further to the capacity of the City's impressive park and ride network. There are significant amounts of relatively recent new commercial and residential developments in the quadrant of land within the Plan area to the south and east of the York Ring Road. The principal elements of built development sit within the villages of Upper and Nether Poppleton.
- 5.3 The two separate and yet related settlements of Upper Poppleton and Nether Poppleton sit in the heart of the Plan area. They have their separate and distinctive conservation areas. In practical terms the two historic settlements have now become combined as more recent development has occupied the space that previous sat between them. Nevertheless, the built-up form of the settlement has retained its separate character areas. The newer development sits comfortably within this context.

### *Development Plan Context*

- 5.4 The development plan context is both complex and unusual. The development plan consists of two saved policies from the Regional Spatial Strategy for Yorkshire and Humber as follows:
- Policy YH9: Green Belts – the definition of the inner boundaries of the Green Belt around York
- Policy Y1: York sub area – the definition of detailed boundaries of the outstanding sections of the green belt and the inner boundary and the protection and enhancement of the historical and environment character of York
- These saved policies will apply in the Plan area until they replaced by the emerging City of York Local Plan.
- 5.5 The CYC does not have a formally adopted Local Plan. The City of York Draft Local Plan incorporating the Fourth Set of Changes Local Plan (April 2005) was approved

for development management purposes. Its policies are capable of being material planning considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF. This has proved to be particularly useful in the application of Green Belt policy.

- 5.6 The Basic Conditions Statement highlights the policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It also explains the complicated context within which the neighbourhood plan has been prepared
- 5.7 Whilst the emerging Local Plan is making good progress it remains some way from adoption. Following its approval for consultation purposes in June 2016 consultation took place on the Preferred Sites Consultation version of the Plan between July and September 2016. Since that time CYC has been assessing the impact of the release of the Sub National Household Projections on the levels of development within the City's administrative area. In addition, it has been addressing the potential impact of the Ministry of Defence announcement on the disposal of a number of military sites in the country. This has the ability to impact on its own assessment of reasonable alternative development sites.
- 5.8 The submitted Plan has been designed to run concurrently with the emerging York Local Plan. This follows important national advice in Planning Practice Guidance.

#### *Site Visit*

- 5.9 I carried out an unaccompanied visit to the Plan area on 3 February 2017.
- 5.10 I initially looked at the residential and commercial areas to the south and east of the York Ring Road. I saw the variety of commercial uses and car showrooms. I took the opportunity to look at the two proposed housing allocations (H1 and H4) in this part of the Plan area. I looked in particular at the relationship between H1 and the remainder of the larger emerging housing proposal to the south that sits outside the Plan area. In looking at site H4 I saw its relationship to the school to its north and understood better the purpose of Policy PNP 8A in the submitted Plan.
- 5.11 I then drove into Poppleton village. On the way, I looked at the park and ride site and the adjacent parcel of land proposed for employment use.
- 5.12 In the village I attended a clarification meeting that I had organised with CYC and the Parish Council. Information about that meeting is described in paragraph 3.3 of this report.
- 5.13 Thereafter I drove to the Green in Upper Poppleton. Due to the pleasantness of the day I was able to complete the tour of the village on foot. At various points during my visit I looked at the various identified elements of green infrastructure (PNP 2).

- 5.14 I was able to see the pleasant and vibrant heart of Upper Poppleton with its various shops, pubs and community buildings. They were being extensively used and contributed significantly to the sense of community as described in the Plan. I then walked to the Blairgowrie housing site (H3) in Main Street. I saw its overgrown condition and how it contrasted with the otherwise well-maintained nature of the public and private realms in the Plan area. I then carried on along Main Street to the school, the Community Centre and to the proposed play area (R2/PNP 9B). I then carried on round to the open spaces at the northern end of the village overlooking the River Ouse. I appreciated the view into the surrounding agricultural hinterland.
- 5.15 I then walked round the eastern side of the village and looked at the Millennium Green in Church Lane, the land reserved for recreational open space off Millfield Lane and then the proposed housing site to the south of Long Ridge Lane (H2).
- 5.16 In order to get a full impression of the Plan area I drove around some of the surrounding main and minor roads and walked along several footpaths.

## 6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has been helpful in the preparation of this section of the report. It is an informative document and addresses the relevant details in a very professional way.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Poppleton Neighbourhood Plan:
- Being genuinely plan-led to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
  - Promoting the vitality of main urban areas
  - Protecting the Green Belt around the main urban areas (in this case York)
  - proactively driving and supporting economic development to deliver homes, businesses and industrial units and infrastructure.
  - Conserving heritage assets in a manner appropriate to their significance
  - Seeking to secure high quality design and good standards of amenity for all existing and future occupants of land and buildings

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the ministerial statements of March, May and June 2015.

- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out clear ambitions for new development whilst at the same time maintaining the distinctiveness of the village in its agricultural setting and its proximity to the York urban area. Within the context available it safeguards the general extent of the Green Belt. It proposes detailed policies both to celebrate and to safeguard rich built heritage of the village.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Several of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the Plan area. In the economic dimension the Plan includes policies to promote new residential development. In doing so it recognises the contribution that it will make to meeting the objectively assessed housing needs of the City. It also provides a positive context for employment related development. In the social role, it safeguards land for future educational use and proposes a buffer strip between the school and proposed new housing. It also includes policies for a new play area and for new recreational open space. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. In particular, it proposes a policy to protect the Green Belt. It also promotes a range of green infrastructure. It includes positively worded policies for its conservation areas and seeks to protect the wider character of the village by a continued application of its Village Design Statement

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider York City Council area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the development plan. I am satisfied

that the submitted Plan is in general conformity with the strategic policies in the development plan subject to the modifications recommended in this report.

## **7 The Neighbourhood Plan policies**

- 7.1 This section of the report comments on the range of policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is thorough and distinctive to the Plan area. The wider community and the Parish Councils have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases, there are overlaps between the different policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (sections 1-3)*

- 7.8 These introductory elements of the Plan set the scene for its range of policies. They do so in a concise and proportionate way. The Plan is well- presented and arranged and it is supported by maps and diagrams.
- 7.9 Its Introduction and background sets out some detail on the production of the Plan and its complicated planning policy context. It helpfully describes its Vision Statement. In doing so it articulates how the Plan seeks to deliver sustainable development that is relevant to its context and setting. Section 2 describes the strategic context within which the Plan has been prepared. It usefully ties the submitted Plan into the wider development plan. Section 3 then summarises the detailed policies that sit in the remainder of the Plan. They flow naturally from the vision and objectives.



7.10 Thereafter individual chapters of the Plan provide detail on specific topic areas. Where appropriate they include detailed policies. The remainder of this section of the report addresses each policy in turn in the context set in paragraphs 7.5 to 7.7 in this report.

Policy PNP1: Green Belt

7.11 This policy reflects the importance of the Green Belt both to the design and the preparation of the Plan and to the wider community.

7.12 As I set out in Section 5 of this report the planning policy position in York City Council is complex. The general extent of the Green Belt is particularly complex. This has generated a challenging context within which the Plan has been prepared.

7.13 Sections 4.1.1 to 4.1.5 of the submitted Plan set out its strategic approach on the Green Belt. In summary, the Plan proposes:

- It is appropriate for the Plan to define the ‘inner’ Green Belt boundary within the neighbourhood area;
- A specific policy to guide development within its defined green belt area;
- Green belt should be retained between York and the villages of Nether and Upper Poppleton;
- It is appropriate for the Plan to allocate land for development where it is consistent with the emerging Local Plan; and
- The proposed modifications to the extent of the green belt do not undermine its purpose or character.

7.14 CYC has provided counsel’s advice on the ability or otherwise of a neighbourhood plan to define Green Belt boundaries. It is entirely consistent with national planning policy. Paragraphs 83-85 of the NPPF are clear that the identification and modification of green belt boundaries are matters for the local planning authority to determine. In this case that authority is the City of York Council. Furthermore, these paragraphs identify that these processes should be undertaken as part of the preparation or review of a local plan. In this case, this would be through the vehicle of the preparation of the emerging City of York Local Plan.

7.15 In the meantime however it is necessary for the Plan to be in general conformity with the strategic policies of the development plan. These are two saved policies from the Regional Spatial Strategy for Yorkshire and Humber as follows:

Policy YH9: Green Belts – the definition of the inner boundaries of the Green Belt around York

Policy Y1: York sub area – the definition of detailed boundaries of the outstanding sections of the green belt and the inner boundary and the protection and enhancement of the historical and environment character of York

7.16 The two saved policies from the RSS are instructive policies and set out how the Green Belt boundaries are to be defined in the development plan. This has not yet been done. The environmental assessment process for the RSS abolition highlighted that York did not have a local plan in place at that time. It also indicated that revocation of York Green belt policies before an adopted local plan was in place

could lead to a significant negative effect upon the special character and setting of York. As such the government concluded that the York Green Belt policies that were part of the RSS should be retained

- 7.17 As identified in Section 5 the CYC does not have a formally adopted Local Plan. The City of York Draft Local Plan incorporating the Fourth Set of Changes Development Control Local Plan (April 2005) was approved for development control purposes. Amongst other things this draft local plan provides a spatial context for the green belt. What is now the draft Local Plan was placed on deposit in May 1998. A very tight Green Belt was put forward on the basis that there would be a need for an early review in the light of new information at that time on development requirements after 2006. The Council subsequently published two sets of proposed changes, one in March 1998 and one in August 1999. Neither set of changes had any significance for the general extent of the Green Belt. The Council published its third set of changes in February 2003 after receiving the Planning Inspector's provisional findings. It then approved a fourth set of changes for development control purposes.
- 7.18 Whilst the Council decided not to proceed with the fourth set of changes it continues to use them for development management decisions. The effect of this process is that decisions on planning applications falling within the general extent of the Green Belt (as defined in the RSS) are taken on the basis that land is treated as Green Belt.
- 7.19 Within this context, the importance of retaining York's Green Belt is evident both in day to day development management decisions and in appeal decisions. Plainly these circumstances will be clarified once the emerging Local Plan is adopted. Whilst significant progress has now been made on this matter it is not at a sufficiently-advanced stage to provide any clarity or certainty for this examination. The different timescale for the production of the local plan is likely to have implications on the review of any made neighbourhood plan.
- 7.20 I recommend a series of modifications to this policy to reflect this somewhat complicated background. In particular, the modifications take account of national advice on the principle of the identification of detailed Green belt boundaries whilst safeguarding the general application of this important and nationally-recognised planning tool. I recommend that the neighbourhood plan continues to apply the approach to the identification of the Green Belt as set out currently in the RSS and the Fourth Set of Changes Development Control Local Plan (2005) on an interim basis until such times as the emerging Local Plan is adopted. This will ensure that the preparation of the emerging Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy. It will also provide full and proper opportunity for developers and land owners to contribute to this debate both in general terms and to provide the agreed levels of development for the City. I recommend modifications to the existing text and additional wording to clarify this matter.
- 7.21 I also recommend a modification to the details of the policy wording so that it properly has regard to the NPPF.

**Replace the policy with the following:**

**The general extent of the York Green Belt within the Plan area is shown on the Policies Map**

**Within the general extent of the Green Belt inappropriate development will not be supported except in very special circumstances. New buildings are regarded as inappropriate development and will not be supported other than in the circumstances identified in paragraph 89 of the National Planning Policy Framework.**

**Proposed developments for the following uses will be supported provided that they preserve the openness of the general extent of the Green Belt and do not conflict with the purposes of including land in the Green Belt:**

- **Minerals extraction;**
- **Engineering operations;**
- **Local transport infrastructure that can demonstrate a requirement for a Green Belt location;**
- **The re-use of buildings provided that the buildings are of permanent and substantial construction; and**
- **Development brought forward under a Community Right to Build Order**

*Identify the general extent of the Green Belt on the Policies Map in an identical format to that displayed on the Proposals Map associated with the Fourth Set of Changes Development Control Local Plan (2005)*

*In 4.1.1 delete 'and it is.... land allocations plan*

*Delete 4.1.2*

*In 4.1.3 insert 'general extent of' between 'The' and 'Green'. At the end of the paragraph add 'There is an important area of open land between the City of York and the villages of Nether and Upper Poppleton. At its narrowest point this is in the order of 600metres in extent.*

*Delete 4.1.5*

*In 4.1.8 delete all the text after the first sentence*

*Insert new paragraphs to read:*

*Paragraphs 83-85 of the NPPF are clear that the identification and modification of green belt boundaries are matters for the local planning authority to determine. In this case that authority is York City Council. Furthermore, these paragraphs identify that these processes should be undertaken as part of the preparation or review of a local plan. In this case, this would be through the vehicle of the preparation of the emerging City of York Local Plan. At the same time the neighbourhood plan needs to be in general conformity with the strategic policies of the development plan. In this case, these are policies YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy. These identify the general extent of the York Green Belt and set out its national significance. Whilst not forming part of the development plan the City of York Draft Local Plan incorporating the Fourth Set of Changes Development Control Local Plan (April 2005) was approved for development control purposes. The effect of this*

*process is that decisions on planning applications falling within the general extent of the Green Belt (as defined in the RSS) are taken on the basis that land is treated as Green Belt.*

*In these circumstances the submitted plan continues to apply the approach to the identification of the Green Belt as set out currently in the RSS and the Fourth Set of Changes Development Control Local Plan (2005) on an interim basis until such times as the emerging Local Plan is adopted. This will ensure that the preparation of the emerging Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy. It will also provide the proper opportunity for developers and land owners to contribute to this debate both in general terms and to provide the agreed levels of development for the City. Once the emerging Local Plan has been adopted the neighbourhood plan will be reviewed in order to ensure that the two elements of the development plan are consistent on this important matter.*

Policy PNP 2A: Green Infrastructure

- 7.22 This policy recognises the importance of green corridors and green wedges both in the wider City and within the Plan area. In the case of Upper Poppleton and Nether Poppleton they help to retain the distinctive characteristics of the two individual settlements. The supporting text highlights a significant area of green infrastructure along the river banks in Nether Poppleton. I looked at this area and the area off Church Lane as part of my visit to the Plan area.
- 7.23 This policy is both appropriate and distinctive to the Plan area. It is accompanied by Policy PNP 2B. The former policy protects the green infrastructure. The latter policy resists development that would harm these areas. For clarity for the decision-maker I recommend that the policies are combined and that elements of supporting text are repositioned from the Plan into the supporting text

**Replace policies PNP 2A and 2B as follows:**

**The green infrastructure within and surrounding Upper Poppleton and Nether Poppleton as shown on the Policies Map will be safeguarded. Proposals for their enhancement will be supported.**

**Development that would harm the integrity or appearance of the green infrastructure will not be supported**

*Reposition 'Green infrastructure...equestrian routes' to the end of paragraph 4.3.6*

Policy PNP 2B: Green Infrastructure

- 7.24 I have recommended in Policy PNP 2A that the two green infrastructure policies are combined.

**Delete Policy**

Policy PNP 3: Conservation Areas

- 7.25 This policy sets out a policy context for the control of development within the two conservation areas in the Plan area. I saw both of these areas as part of my visit. The policy makes appropriate references to paragraphs 126-141 of the NPPF. The

policy is usefully underpinned by the existing conservation area character assessments for the two areas produced by CYC.

- 7.26 I recommend two related modifications to the policy. The first more fully connects it to primary legislation on this matter (the Town and Country Planning Conservation Areas and Listed Buildings Act 1990). The second makes a sharper reference to the two character assessments reproduced in Appendix C of the Plan. The combined effect of these modifications will be to give the necessary clarity to the decision maker.

**Insert new first paragraph to read:**

**All proposals for development in the Upper Poppleton and Nether Poppleton Conservation Areas should preserve or enhance their special character or appearance.**

**In the existing part of the policy remove the underlining of ‘within’, replace ‘must’ with ‘should’ and replace ‘in the ... references)’ with ‘in the conservation area character assessments for the relevant conservation area as included at Appendix C of this Plan.’**

Policy PNP 4: Village Design Statement

- 7.27 This policy continues the context set out by the previous policy. In this case, it seeks to roll out the principles set out in the existing Village Design Statement (VDS) throughout the Plan period.
- 7.28 The VDS was adopted as supplementary planning guidance by CYC in August 2003. The VDS is a well-prepared and thorough document that properly takes account of the character of the two villages. A series of 45 design principles sit at the heart of the document. They have served the villages well since 2003.
- 7.29 The VDS was adopted well before the publication of the NPPF in 2012. The latter identifies that the government attaches great importance to the design of the built environment. Paragraph 56 indicates that ‘good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’.
- 7.30 Paragraphs 59 and 60 of the NPPF identify that design policies should avoid unnecessary prescription or detail and should not stifle innovation, originality or initiative. The Framework comments however that it is proper to seek to promote or reinforce local distinctiveness.
- 7.31 Having looked at the details of the VDS I am satisfied that they meet these tests in current national planning policy. Nevertheless, the principles in the VDS only apply to the built-up area of the two villages as shown on its pages 10 and 12/13. In the absence of any separate update of this document it would only be appropriate for the VDS to apply within the same geographic area and not throughout the more

extensive neighbourhood area. This is addressed both in the policy in the submitted Plan and in some representations.

- 7.32 I recommend a series of modifications both to the policy and the text in order to bring clarity to this matter. In particular, I recommend that a context to good design is established within the policy and that the wording of the policy refers to outcomes rather than the process of considering guidelines in the VDS. I also recommend the deletion of some paragraphs of text that are either unnecessary or which refer to Green Belt issues.

**Include the following as a new paragraph at the start of the policy:**

**Proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance.**

**In the policy in the submitted Plan replace ‘will be considered...guidelines’ with ‘should respect the Design Guidelines’**

*In 5.11 replace the first sentence with ‘Policy PNP 4 sets out that proposals should respect the Design Guidelines in the Village Design Statement. Proposals that do not follow this approach will not be supported’.*

*Delete 5.13 and 5.14*

Policy PNP 5: Traffic Policy

- 7.33 This policy provides a context within which improved and extended cycle and pedestrian access to and from the Plan area can be developed. The policy is supported by well-written supporting text in Section 6.
- 7.34 The policy meets the basic conditions. Nevertheless, I recommend some modifications to the supporting text both to bring clarity to its connection with the policy and to delete commentary which addresses issues that are for the emerging Local Plan rather than the neighbourhood plan. I also recommend a modification to the policy title so that it has the necessary clarity

*Delete paragraph 6.9 as a free-standing paragraph. Include the following at the end of paragraph 6.8: ‘This approach accords with paragraph 35 of the NPPF. Safe and secure layouts will be required which minimise conflicts between traffic and cyclists and pedestrians’*

*Replace the policy title with ‘Cycle and Pedestrian Access’*

Policy PNP 6A Housing

- 7.35 With Policy PNP 1 this policy sits at the heart of the Plan. It sets out its approach to new housing development. It has three separate components. The first proposes four allocated sites of different sizes. The second provides a policy context for the sub

division of existing dwellings or for single infill dwellings. The third identifies a policy approach to the conversion of existing buildings. I address these issues in turn.

7.36 The first part of the policy identifies four housing sites as follows:

H1: Former British Sugar Site (300 dwellings)

H2: Long Ridge Lane (2 dwellings)

H3: Blairgowrie (replacement dwelling)

H4: Former Civil Service Site (261 dwellings)

I looked at all of the sites on my visit to the Plan area

7.37 Site H1 is located in the extreme south-east of the Plan area and to the east of Millfield Lane. The site is unaffected by the general extent of the York Green Belt. Whilst within the Plan area it is effectively a part of the built-up area of York. The site allocated in the Plan is part of a more substantial housing proposal on the former British Sugar site. It is a brownfield site and its redevelopment for housing purposes will have regard to national policy. I am satisfied that the allocation of that part of the site within the neighbourhood area meets the basic conditions.

7.38 Site H2 is located to the south of Long Ridge Lane in Upper Poppleton. The site is unaffected by the general extent of the York Green Belt. It sits within the established residential context of Long Ridge Lane. I am satisfied that the allocation of the site for residential purposes meets the basic conditions.

7.39 Site H3 is located off Main Street, Upper Poppleton. It contains a derelict dwelling and outbuildings. The site is unaffected by the general extent of the York Green Belt. It sits within the established residential context of Main Street. I am satisfied that the allocation of the site for residential purposes meets the basic conditions. I make specific comments on the site within the context of Policy PNP 6B that addresses this site.

7.40 Site H4 is located in the extreme south-east of the Plan area and to the west of Millfield Lane. The site is within the general extent of the York Green Belt. The submitted Plan identifies that this site has been included in the Preferred Sites Consultation version (2016) of the emerging Local Plan. In this context, it is clear that the submitted plan has attempted to use the same evidence base as the emerging local plan and that there is a close working relationship with CYC. The submitted Plan has adopted a commendable approach towards boosting the supply of housing in the CYC area in general, and the Plan area in particular.

7.41 Nevertheless for the same reasons as I have set out within the context of Policy PNP 1 it is not within the remit of the neighbourhood plan to allocate land within the general extent of the Green Belt for residential purposes. This is properly a role for the emerging Local Plan. This position is further reinforced given the current lack of certainty over the allocation of housing sites in that Plan. The Preferred Sites Consultation was approved by the Council for public consultation. At this point the document does not represent the Council's position in relation either to levels of housing and employment growth or to the draft portfolio of sites identified to meet

that need. Within this context several other sites within the Plan area are also being promoted for residential development and have been highlighted as part of the representation process.

- 7.42 On this basis I recommend a modification to this part of the policy to delete reference to site H4. For clarity to all parties I emphasise that I have made this recommendation simply on the basis of national policy and the processes that follow. In doing so I make no comments on the appropriateness or otherwise of this site coming forward as a housing allocation in the emerging Local Plan. That will properly be a judgement for the City Council. The City Council will also come to its own judgement on the other sites currently within the general extent of the Green Belt that are being promoted for residential development. Ultimately the Local Plan will be subject to its own examination based on the tests of soundness.
- 7.43 The second element of the policy provides support for the subdivision of existing dwellings or for the construction of a single infill dwelling within a domestic curtilage. I am satisfied that the general approach adopted by the policy is appropriate. Nevertheless, its detailed wording lacks the clarity to confirm to the principles set out in the NPPF. It also overlaps with the final element of the policy which refers to the settlement limit as applied in the VDS (see PNP 4). I recommend a modification that combines these elements and provides clarity on policy wording. I also recommend that the components of Policy PNP 6 C are incorporated into this policy. In effect that policy in the submitted Plan provides the criteria that will allow this wider policy to be applied.
- 7.44 The third element of the policy is in relation to the conversion of existing buildings with heritage value and worthy of retention. This element of the policy will apply throughout the plan area. I recommend modifications to the policy so that it complies with national policy in general, and corresponds with my recommended modifications to Policy PNP 1 in particular. My recommendations also take account of changes to the General Permitted Development Order in 2015 that provides a degree of flexibility for such works to proceed without the need for planning permission.
- 7.45 As submitted the policy addresses a series of unrelated issues in one policy. Whilst they will contribute towards the delivery of housing in the Plan area they will do so in different ways. On this basis, I recommend that the component parts of the policy are separated into separate policies. This will bring both clarity and certainty to decision makers and investors alike.

**Replace the policy with three separate policies as follows:**

**Policy PNP 6A – Development within Upper Poppleton and Nether Poppleton**

**Within the settlement limit of the two villages as shown on the Policies Map proposals for the subdivision of an existing dwelling or for the construction of a single dwelling within the curtilage of a domestic property will be supported where the proposals are:**

- **In character with the surrounding development;**
- **Designed to safeguard the amenities of existing residential properties;**



- Designed to provide appropriate elements of garden and amenity space; and
- Designed to provide appropriate levels of parking and vehicular access to City of York Council standards at the time of the application.

#### **Policy PNP 6B – Conversion of Existing buildings to residential use**

Insofar as planning permission is required the conversion of buildings of permanent and substantial construction to residential use will be supported provided that it can be demonstrated that the conversion of the building will not generate a demand for a replacement building in the future and is in accordance with Green Belt policy in the National Planning Policy Framework.

#### **Policy PNP 6C**

The following sites as shown on the Policies Map are allocated for residential use:

**H1: Former British Sugar Site Millfield Lane**

**H2: Land at Long Ridge Lane Upper Poppleton**

**H3: Land at Blairgowrie, Main Street Upper Poppleton**

*Delete paragraphs 7.10 to 7.13*

#### **Policy PNP 6B Housing**

- 7.46 This policy addresses the Blairgowrie site. It is a particularly sensitive site off Main Street in the heart of the village. Paragraphs 7.1.2 to 7.1.5 provide particular commentary on its position within the conservation area and its wooded nature.
- 7.47 I recommend a series of modifications to ensure that the policy meets the basic conditions. In particular, it needs to reflect the need for proposals to preserve or enhance the character or appearance of the conservation area.

**Replace the policy as follows:**

#### **Policy PNP 6D**

**Proposals for the redevelopment of the existing buildings on the Blairgowrie site will be supported subject to the following criteria:**

- They preserve or enhance the character or appearance of the Upper Poppleton conservation area;
- The replacement buildings are of a similar scale, location and mass to the existing buildings; and
- The existing mature trees and landscaping elements of the site are protected and used as an integral part of the layout and design.

#### **Policy PNP 6C Housing**

7.48 This policy addresses proposals for the subdivision of existing properties and for new properties within domestic curtilages.

7.49 As mentioned in paragraph 7.43 I have recommended that the policy is combined with Policy PNP 6A.

### **Delete Policy**

Policy PNP 6D

7.50 This policy addresses the former British Sugar site. It is partly within the Plan area. The majority of the wider site lies within the built-up area of York to the immediate south and east. The site is already the subject of an on-going planning application. This is reflected in the supporting text in the submitted Plan (paragraphs 7.5-7.9). It is clear that the community has had the opportunity to understand the relationship between these separate and yet related proposals

7.51 I recommend a modification to ensure that the policy meets the basic conditions. The modification provides clarity for the decision-maker in the determination of planning applications on the site. I also recommend a series of modifications to the supporting text both to reflect accurate figures on the likely yield of the wider site and to retain appropriate flexibility for CYC in its role as the local planning authority in determining the current planning application and any subsequent proposals.

### **Replace the policy as follows:**

#### **Policy PNP 6E**

**Proposals for the residential development of the former British Sugar Site will be supported subject to the following criteria:**

- **They include a mix of housing types;**
- **They provide amenities, outdoor sport and recreational facilities; and**
- **They provide a principal access point off the Boroughbridge Road**

*In the second sentence of paragraph 7.6 replace '1100' with 'approximately 1140' Replace the third sentence of this paragraph with 'The exact number of dwellings on the wider site will be determined through the planning application process and its associated masterplan'.*

*Replace the final sentence of paragraph 7.8 with 'Millfield Lane will provide a secondary access into the site'.*

Policy PNP 7A: Business and Employment

7.52 This policy provides a context for on-going business development on the various business parks in the Plan area. It continues the Plan's positive approach towards the promotion of sustainable development.

7.53 The policy has a particular focus on car parking provision. It contrasts the parking facilities at Northminster Business Park with those at the York Business Park. I saw the contrasts myself when I visited the Plan area.

- 7.54 The approach in the policy is appropriate given the existing circumstances and the strategic importance of the Business Park in particular. I recommend a modification to the policy so that it specifies the scale and nature of the parking standards. This will bring clarity all round.

**Replace the policy with:**

**Proposals for new business development on established business parks in the Plan area will be supported where they provide car parking for staff and customers to City of York Council standards at the time of the determination of the application.**

Policy PNP 7B: Business and Employment

- 7.55 This policy proposes the allocation of the Poppleton Wyevale Garden Centre for employment uses. The site sits within the general extent of the Green Belt as identified in the 2005 Plan.
- 7.56 The policy has attracted an objection from the land owners who wish to promote its development for residential purposes. CYC also advises that the approach adopted in the submitted Plan has now been overtaken. The Local Plan Preferred Sites Consultation (July 2016) now includes this site as a housing site.
- 7.57 The consideration of this policy overlaps significantly with policies PNP 1 (Green Belt) and PNP 6 (Housing). The submitted Plan has proactively sought to bring forward sustainable development and has used common evidence with the City of York Council to do so. Nevertheless, national policy is clear that it is the role of the Local Plan to identify the spatial extent of the green belt. In this case, the Garden Centre site is within the general extent of the Green Belt as identified in the 2005 Plan. In any event the 2016 Preferred Sites Consultation version of the Plan was for consultation purposes. As such it does not represent City of York Council policy. On this basis, I recommend the deletion of the policy.

**Delete Policy**

Policy PNP 8A: Education

- 7.58 This policy sets out to safeguard land for a future school playing field expansion together with other ancillary uses. It is supported by helpful evidence in Section 9 of the Plan. In particular, it will play an important role in the life of the community given the levels of housing development proposed in the submitted Plan (as recommended to be modified earlier in this report). It will also be an important element of the Plan in the event that additional housing comes forward within the Plan area as a result of the adoption of the emerging Local Plan. It will represent a key component of the delivery of the social dimension of sustainable development in the Plan area.
- 7.59 The policy approach meets the basic conditions. I recommend a factual change to reflect wider changes in the Plan with regards to the identification of a Policies Map. I also recommend that the policy title is modified to identify its purpose.

**Replace 'land allocations map' with 'policies map'**

*Modify policy title to read 'Safeguarding of land at Manor Academy'*

## Policy PNP 8B: Education

- 7.60 This policy continues on from Policy PNP 8A. In this case, it safeguards a strip of land to the immediate south of the school to act as a buffer between it and the housing site (H4) proposed in the submitted Plan. The approach reflects the ongoing proposals to develop the housing site. It would have clear and obvious benefits.
- 7.61 I have recommended the deletion of housing site H4 in paragraph 7.42 of this report. The promotion or otherwise of that site for housing purposes will be a matter for the local plan. Within this context, I am content that policy PNP 8B can continue to remain within the neighbourhood plan. In the event that development comes forward on the site within the Plan period it will have a clear land use purpose. In the event that development is not proposed on the site shown as H4 in the submitted neighbourhood plan the policy could then be deleted on the first review of the Plan. Plainly in that scenario the buffer concept would be irrelevant.
- 7.62 Within the context of my recommended modifications to policy PNP 6 (H4) I recommend corresponding modifications to this policy and its supporting text.

**Replace ‘and any.... might occur’ with ‘and development to the south which may arise following the adoption of the City of York Local Plan.’**

*Modify title to read ‘Safeguarding of land for buffer strip to south of Manor Academy’*

*Replace paragraph 9.4 with the following:*

*There has been a dialogue between the Academy and the owners of the land to the south. In the event that this land comes forward for development as part of the adoption of the City of York Local Plan general agreement has been reached to safeguard a strip of land along the boundary as a buffer zone. This will be in the common interest of both parties. Policy PNP 8B safeguards the land concerned for this purpose. The need or otherwise for the policy can be reviewed once the Local Plan has been adopted.*

*Delete the map and italic text at the top of page 45*

## Policy PNP 9A: Community Facilities

- 7.63 This policy proposes the development of land adjacent to the Poppleton Tigers Junior Football pitch as recreational open space. The supporting text (paragraph 10.1) indicates that it is likely to be developed as a cricket pitch and outdoor playing area.
- 7.64 The site falls within the general extent of the York Green Belt. Nevertheless, the use proposed is consistent with the Green Belt.
- 7.65 I recommend a modification to the policy so that its location is clear in the policy itself. In line with other modifications I recommend that the title of the policy is modified so that it is site-specific rather than general. This will bring clarity to all concerned.

**Replace the policy with the following:**

**Land to the north of the Poppleton Tigers Junior Football Ground, Millfield Lane, as shown as R1 on the Policies Map, will be reserved for development as a recreational open space.**

*Replace the title of the policy with ‘Land to the north of the Poppleton Tigers Junior Football Ground, Millfield Lane’*

Policy PNP 9B: Community Facilities

- 7.66 This policy proposes the development of land adjacent to the Community Centre as a play area for children of all ages. I saw the site on my visit to the Plan area. I saw that the site concerned was part of a wider playing field. I also understood the reference to the ages of children. The existing equipped play area was very well used by children on their way home from school. The policy will contribute towards the achievement of the social dimension of sustainable development in the Plan area.
- 7.67 I recommend that the policy is modified so that it reserves the land for this purpose. I also recommend that the age comment is removed from the policy itself. The matter is adequately addressed in the supporting text. In line with other modifications I recommend that the title of the policy is modified so that it is specific rather than general. This will bring clarity to all concerned.

**Insert ‘as shown as R2 on the Policies Map’ after ‘Centre’.**

**Replace ‘should...developed’ with ‘is reserved for development’ and delete ‘for children...ages’.**

*Replace the title of the policy with ‘Land adjacent to the Community Centre’*

Policy PNP 10A: Environmental Policy

- 7.68 This policy sets out to protect and manage woodlands both to maintain habitat and to sustain biodiversity. It overlaps with policy PNP 10 B which takes a similar approach to hedgerows. Specific areas for protection are shown on the Policies Map. These are mainly located to the east of the various properties in Station Road. They sit within the general extent of the Green Belt. The policies are a combination of policy and procedural guidance as operated by CYC.
- 7.69 I recommend that the two policies are combined to bring the clarity to the decision-maker required by the decision-maker. In doing so I recommend that the policy title fully reflects its purpose. I also recommend that the procedural elements are repositioned into supporting text

**Replace policies PNP 10 A and 10 B with:**

**Woodland areas and hedgerows within the Plan area will be safeguarded. Development proposal should take account of existing wooded areas and hedgerows. The hedges within the areas shown on the Policies Map are particularly important and their removal will not be supported**

*Change policy title to ‘Protection of Wooded areas and hedgerows’*

*Reposition policies PNP 10A and 10B into the supporting text as paragraph 11.15. Add at the end of this new paragraph ‘Policy PNP 10 provides a context for the*

*delivery of these important objectives. The Policies Map identifies key areas to the east of the residential properties in Station Road.'*

Policy PNP 10B: Environmental Policy

- 7.70 I have recommended in the previous paragraph that this policy is combined with PNP 10A.

**Delete**

Policy PNP 11: Climate Change and Renewable Energy

- 7.71 This policy addresses a series of building efficiency and environmental matters. In particular, it requires that all new development should comply with or exceed the Building Regulations with regards to energy conservation and the use of renewable energy technology. Agents acting for British Sugar draw my attention to the legislative requirement only to comply with the Building Regulations. In addition, the policy provides no information on the extent to which proposals should exceed those Regulations.
- 7.72 It is now government policy that building sustainability and energy efficiency matters are controlled by the Building Regulations. In this context, it would be contrary to national policy to require higher standards (however defined) than those set out in the Building Regulations.
- 7.73 I can see however that the local community values these matters highly and has taken the time and trouble to capture them in its submitted Plan. On this basis, I recommend that the policy is transposed into a non-land use policy and which would not form part of the development plan. As recommended for modification it would provide a supporting context within which innovative schemes could come forward as and when promoted by a developer

*Identify the policy as a non-land use proposal by use of a different colour or other identification*

*Replace 'Any new.... with or' with 'New developments that'*

*Insert 'will be particularly supported' after 'energy technology'*

*Replace 'and should...following: - 'with 'Developers may also wish to consider'*

Policy PNP 12: Minerals Extraction and Waste

- 7.74 This policy addresses the need for the restoration and reinstatement of a site to the north east of Dutton Farm to the west of the villages. Its principal focus is on the need for tree planting and landscaping given its location in the Green Belt
- 7.75 Minerals issues are excluded development and are not within the remit of a neighbourhood plan. Nevertheless, I am satisfied that these circumstances do not apply to this policy given its focus on tree planting and the re-establishment of wild life habitats. Neither CYC nor North Yorkshire County Council have made any representations to the policy to the extent that it addresses excluded development.
- 7.76 I recommend modifications to the policy so that its purpose and geographic coverage is clear and to ensure that it avoids any reference to excluded development

**Replace the policy with the following:**

**Proposals for the restoration and reinstatement of land at Dutton Farm as shown on the Policies Map should respect its location within the general extent of the York Green Belt. Proposals should include details of indigenous tree planting and landscaping and details of initiatives to re-establish wildlife habitats**

*Modify title to read 'Tree planting and landscaping at land to the north-east of Dutton Farm'*

General Comments

- 7.77 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for CYC and the parish councils to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Poppleton Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, its structure and format remains largely unaffected.

### *Conclusion*

- 8.4 On the basis of the findings in this report I recommend to the City of York Council that subject to the incorporation of the modifications set out in this report that the Poppleton Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is entirely appropriate for the purpose of the referendum. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the City Council on 13 October 2014.



- 8.6 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. It has been a complicated examination given the range of issues that are addressed in the Plan in general, the context provided by the development plan and the need to address the identification of the Green Belt within the Plan area.

**Andrew Ashcroft**  
**Independent Examiner**  
**16 May 2017**

## **Appendix 1**

### **Notes of Clarification Meeting**

#### **Tithe Barn, Poppleton 3 February 2017**

##### Attendees:

Edie Jones	Upper Poppleton Parish Council
Robert Langford	Upper Poppleton Parish Council
Don Simpson	Nether Poppleton Parish Council
Peter Powell	Nether Poppleton Parish Council

Martin Grainger	City of York Council
Rebecca Harrison	City of York Council
Alison Cooke	City of York Council
Rachel Macefield	City of York Council

Andrew Ashcroft	Independent Examiner
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##### *Purpose of the Meeting*

AA advised that the purpose of the meeting was to address a series of factual matters that had been sent to all parties in advance of the meeting. The meeting was not an opportunity to debate any elements of the Plan or to consider any of the representations received.

##### *Process Information*

AA advised the meeting on the examination process and its likely duration. He also advised on the particular aspects of the Plan that he had already looked at earlier in the morning and was intending to look at in the remainder of the unaccompanied visit.

*Strategic Matters and the Development Plan*

The CYC team submitted a comprehensive report on:

- The Regional Spatial Strategy for Yorkshire and Humber
- The City of York Draft Local Plan incorporating the fourth set of changes Development Control Local Plan (2005)
- The emerging City of York Local Plan
- The role and status of green belt policies as applied on a day to day basis
- The relationship between the submitted neighbourhood plan and the emerging Local Plan

CYC also provided AA with a package of policy documents to assist with the examination process.

*The submitted SEA*

CYC advised AA on its concerns about the submitted SEA. Whilst the SEA was addressing the critical components of such a study it contained a series of administrative errors.

AA agreed that in the circumstances it would be appropriate for the SEA to be amended. Once this had taken place it was also agreed that separate consultation should take place on this amended document.

AC agreed to liaise with EJ and AECOM to ensure that this took place. AA would be advised when the revised consultation process was to take place.

*Policy 12 Land to the north east of Dutton Farm*

CYC provided its comments on the extent or otherwise to which this policy was 'excluded development'.

Andrew Ashcroft

Independent Examiner

Poppleton Neighbourhood Plan

9 February 2017



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**City of York Council****UPPER AND NETHER POPPLETON NEIGHBOURHOOD PLAN:  
POST- EXAMINATION DECISION STATEMENT****Regulation 18 of the Neighbourhood Planning  
(General) Regulations 2012 (as amended)**

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to City of York Council of the independent examination of the Upper and Nether Poppleton Neighbourhood Plan ("the Plan") by independent Examiner Mr Andrew Ashcroft, which was submitted to the Council on 16<sup>th</sup> May 2017.

This decision statement, the independent Examiner's Report and the submission version of Upper and Nether Poppleton Neighbourhood Plan and supporting documents can be viewed on the Council's website:

[www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning)

Paper copies of this decision statement and the independent Examiner's Report can be viewed during normal opening times at the following locations:

- City of York Council's West Offices,
- Poppleton Library
- York Explore Library

**1.0 BACKGROUND**

1.1 Under the Town and Country Planning Act 1990 (as amended), City of York Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.

1.2 This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.

1.3 The Upper and Nether Poppleton Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 13<sup>th</sup> October 2014. This area is coterminous with the Upper and Nether Poppleton Parish boundaries and is entirely within the Local Planning Authority's area.

1.4 Upper and Nether Poppleton Parish Councils undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 between 22<sup>nd</sup> January and 15<sup>th</sup> March 2015 and again between 11<sup>th</sup> May and 1<sup>st</sup> July 2016.

1.5 Following the submission of the Upper and Nether Poppleton Neighbourhood Plan to the Council on 22<sup>nd</sup> November 2016, the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16. The publicity period ended at 5pm on 23<sup>rd</sup> January 2016.

## **2.0 INDEPENDENT EXAMINATION**

2.1 The Council appointed Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, with the consent of Upper and Nether Parish Councils, to undertake the independent examination of the Upper and Nether Poppleton Neighbourhood Plan and to prepare a report of the independent examination.

2.2 The Examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area.

2.3 The Examiner's Report was formally submitted on 16<sup>th</sup> May 2017. The Report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum. The Examiner also recommends that the referendum area should be the same as the designated Neighbourhood Area, which is the same as the administrative boundaries for Upper and Nether Poppleton parishes.

2.4 Following receipt of the Examiner's Report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

## **3.0 DECISION AND REASONS**

3.1 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council, with the agreement of Upper and Nether Poppleton Parish Councils, has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.

3.2 The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Upper and Nether Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights

and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

3.3 Table 2 sets out a list of some further minor modifications to the general text agreed by the Council and Upper and Nether Poppleton Parish Councils for the purpose of achieving consistency with the modified policies or to correct typographical errors. As this is not a different view to the Examiner's, it is not necessary for the Council to re-consult on those minor modifications.

3.4 As a consequence of the required modifications, the Council will modify the Upper and Nether Poppleton Neighbourhood Plan accordingly, for it then to proceed to referendum.

3.5 The Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the designated Neighbourhood Area. The Council has considered this recommendation and the reasons for it, and has decided to accept it. The referendum area for the final Upper and Nether Poppleton Neighbourhood Plan will therefore be based on the designated Upper and Nether Poppleton Parish Neighbourhood Area.

3.6 This decision was made at a meeting of the Council's Executive on 29<sup>th</sup> June 2017.

3.7 This decision statement is dated 29<sup>th</sup> June 2017.

**Other information:**

The Neighbourhood Plan document will be updated to incorporate all the modifications required and re-titled Referendum Version. The date for the referendum and further details will be publicised shortly once a date is set by the Council.

Table 1: Examiner's Recommended Modifications

PNP Policy/Para	Examiner's Report Reference	Recommended Modification	CYC Consideration/Justification
PNP1 Green Belt	Para. 7.11-7.21	<p><b>Replace the policy with the following:</b></p> <p><b>The general extent of the York Green Belt within the Plan area is shown on the Policies Map</b></p> <p><b>Within the general extent of the Green Belt inappropriate development will not be supported except in very special circumstances. New buildings are regarded as inappropriate development and will not be supported other than in the circumstances identified in paragraph 89 of the National Planning Policy Framework.</b></p> <p><b>Proposed developments for the following uses will be supported provided that they preserve the openness of the general extent of the Green Belt and do not conflict with the purposes of including land in the Green Belt:</b></p> <ul style="list-style-type: none"> <li>• <b>Minerals extraction;</b></li> <li>• <b>Engineering operations;</b></li> <li>• <b>Local transport infrastructure that can demonstrate a requirement for a Green Belt location;</b></li> <li>• <b>the re-use of buildings provided that the buildings are of permanent and substantial construction; and</b></li> <li>• <b>Development brought forward under a Community Right to Build Order</b></li> </ul> <p><i>Identify the general extent of the Green Belt on the Policies Map in an identical format to that displayed on the Proposals Map associated with the Fourth Set of</i></p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p> <p>Map showing revised GB boundary to be included in the next version of the Plan.</p>



		<p><i>Changes Development Control Local Plan (2005)</i></p> <p><i>In 4.1.1 delete 'and it is.... land allocations plan'</i></p> <p><i>Delete 4.1.2</i></p> <p><i>In 4.1.3 insert 'general extent of' between 'The' and 'Green'. At the end of the paragraph add 'There is an important area of open land between the City of York and the villages of Nether and Upper Poppleton. At its narrowest point this is in the order of 600metres in extent.'</i></p> <p><i>Delete 4.1.5</i></p> <p><i>In 4.1.8 delete all the text after the first sentence</i></p> <p><i>Insert new paragraphs to read:</i></p> <p><i>Paragraphs 83-85 of the NPPF are clear that the identification and modification of green belt boundaries are matters for the local planning authority to determine. In this case that authority is York City Council. Furthermore, these paragraphs identify that these processes should be undertaken as part of the preparation or review of a local plan. In this case, this would be through the vehicle of the preparation of the emerging City of York Local Plan. At the same time the neighbourhood plan needs to be in general conformity with the strategic policies of the development plan. In this case, these are policies YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy. These identify the general extent of the York Green Belt and set out its national significance. Whilst not forming part of the development plan the City of York Draft Local Plan incorporating the Fourth Set of Changes Development Control Local Plan (April 2005) was approved for development control purposes. The effect of this process is that decisions on planning applications falling within the general extent of the Green Belt (as defined in the RSS) are taken on the basis that land is treated as Green Belt.</i></p>	
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		<p><i>In these circumstances the submitted plan continues to apply the approach to the identification of the Green Belt as set out currently in the RSS and the Fourth Set of Changes Development Control Local Plan (2005) on an interim basis until such times as the emerging Local Plan is adopted. This will ensure that the preparation of the emerging Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy. It will also provide the proper opportunity for developers and land owners to contribute to this debate both in general terms and to provide the agreed levels of development for the City. Once the emerging Local Plan has been adopted the neighbourhood plan will be reviewed in order to ensure that the two elements of the development plan are consistent on this important matter.</i></p>	
PNP 2A and PNP 2B: Green Infrastructure	Para. 7.22 – 7.26	<p><b>Replace policies PNP 2A and 2B as follows:</b></p> <p><b>The green infrastructure within and surrounding Upper Poppleton and Nether Poppleton as shown on the Policies Map will be safeguarded. Proposals for their enhancement will be supported.</b></p> <p><b>Development that would harm the integrity or appearance of the green infrastructure will not be supported</b></p> <p><i>Reposition ‘Green infrastructure...equestrian routes’ to the end of paragraph 4.3.6</i></p> <p>Policy PNP 2B: Green Infrastructure</p> <p>7.24 I have recommended in Policy PNP 2A that the two green infrastructure policies are combined.</p> <p><b>Delete Policy</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 3: Conservation	Para. 7.25 – 7.26	<p><b>Insert new first paragraph to read:</b></p> <p><b>All proposals for development in the Upper Poppleton and Nether Poppleton</b></p>	Agree with the modifications for the reasons set out

Areas		<p><b>Conservation Areas should preserve or enhance their special character or appearance.</b></p> <p><b>In the existing part of the policy remove the underlining of ‘within’, replace ‘must’ with ‘should’ and replace ‘in the ... references)’ with ‘in the conservation area character assessments for the relevant conservation area as included at Appendix C of this Plan.’</b></p>	in the Examiners Report.
PNP 4: Village Design Statement	Para. 7.27 – 7.32	<p><b>Include the following as a new paragraph at the start of the policy:</b></p> <p><b>Proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance.</b></p> <p><b>In the policy in the submitted Plan replace ‘will be considered...guidelines’ with ‘should respect the Design Guidelines’</b></p> <p><i>In 5.11 replace the first sentence with ‘Policy PNP 4 sets out that proposals should respect the Design Guidelines in the Village Design Statement. Proposals that do not follow this approach will not be supported’.</i></p> <p><i>Delete 5.13 and 5.14</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 5: Traffic Policy	Para 7.33-7.34	<p><i>Delete paragraph 6.9 as a free-standing paragraph. Include the following at the end of paragraph 6.8: ‘This approach accords with paragraph 35 of the NPPF. Safe and secure layouts will be required which minimise conflicts between traffic and cyclists and pedestrians’</i></p> <p><i>Replace the policy title with ‘Cycle and Pedestrian Access’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.



		<p><b>H2: Land at Long Ridge Lane Upper Poppleton</b></p> <p><b>H3: Land at Blairgowrie, Main Street Upper Poppleton</b></p> <p><i>Delete paragraphs 7.10 to 7.13</i></p>	
PNP 6B Housing	Para 7.46 – 7.47	<p><b>Replace the policy as follows:</b></p> <p><b>Policy PNP 6D</b></p> <p><b>Proposals for the redevelopment of the existing buildings on the Blairgowrie site will be supported subject to the following criteria:</b></p> <ul style="list-style-type: none"> <li>• They preserve or enhance the character or appearance of the Upper Poppleton conservation area;</li> <li>• The replacement buildings are of a similar scale, location and mass to the existing buildings; and</li> <li>• The existing mature trees and landscaping elements of the site are protected and used as an integral part of the layout and design.</li> </ul>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 6C Housing	Para 7.48 – 7.49	<b>Delete Policy</b>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy PNP 6D	Para 7.50 – 7.51	<p><b>Replace the policy as follows:</b></p> <p><b>Policy PNP 6E</b></p> <p><b>Proposals for the residential development of the former British Sugar Site will be supported subject to the following criteria:</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<ul style="list-style-type: none"> <li>• They include a mix of housing types;</li> <li>• They provide amenities, outdoor sport and recreational facilities; and</li> <li>• They provide a principal access point off the Boroughbridge Road</li> </ul> <p><i>In the second sentence of paragraph 7.6 replace ‘1100’ with ‘approximately 1140’ Replace the third sentence of this paragraph with ‘The exact number of dwellings on the wider site will be determined through the planning application process and its associated masterplan’.</i></p> <p><i>Replace the final sentence of paragraph 7.8 with ‘Millfield Lane will provide a secondary access into the site’.</i></p>	
PNP 7A: Business and Employment	Para 7.52 – 7.54	<p><b>Replace the policy with:</b></p> <p><b>Proposals for new business development on established business parks in the Plan area will be supported where they provide car parking for staff and customers to City of York Council standards at the time of the determination of the application.</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 7B: Business and Employment	Para 7.55 – 7.57	<b>Delete Policy</b>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p> <p>Amend Policies map to reflect the removal of Site E2.</p>
PNP 8A: Education	Para 7.58 – 7.59	<p><b>Replace ‘land allocations map’ with ‘policies map’</b></p> <p><i>Modify policy title to read ‘Safeguarding of land at Manor Academy’</i></p>	Agree with the modifications for the reasons set out

			in the Examiners Report.
PNP 8B: Education	Para 7.60 – 7.62	<p><b>Replace ‘and any.... might occur’ with ‘and development to the south which may arise following the adoption of the City of York Local Plan.</b></p> <p><i>Modify title to read ‘Safeguarding of land for buffer strip to south of Manor Academy’</i></p> <p><i>Replace paragraph 9.4 with the following:</i></p> <p><i>There has been a dialogue between the Academy and the owners of the land to the south. In the event that this land comes forward for development as part of the adoption of the City of York Local Plan general agreement has been reached to safeguard a strip of land along the boundary as a buffer zone. This will be in the common interest of both parties. Policy PNP 8B safeguards the land concerned for this purpose. The need or otherwise for the policy can be reviewed once the Local Plan has been adopted.</i></p> <p><i>Delete the map and italic text at the top of page 45</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 9A: Community Facilities	Para 7.63 – 7.65	<p><b>Replace the policy with the following:</b></p> <p><b>Land to the north of the Poppleton Tigers Junior Football Ground, Millfield Lane, as shown as R2 on the Policies Map, will be reserved for development as a recreational open space.</b></p> <p><i>Replace the title of the policy with ‘Land to the north of the Poppleton Tigers Junior Football Ground, Millfield Lane’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 9B: Community Facilities	Para 7.66 – 7.67	<p><b>Insert ‘as shown as R1 on the Policies Map’ after ‘Centre’.</b></p> <p><b>Replace ‘should...developed’ with ‘is reserved for development’ and delete ‘for children...ages’.</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<i>Replace the title of the policy with 'Land adjacent to the Community Centre'</i>	
PNP 10A: Environmental Policy	Para 7.68 – 7.69	<p><b>Replace policies PNP 10 A and 10 B with:</b></p> <p><b>Woodland areas and hedgerows within the Plan area will be safeguarded. Development proposal should take account of existing wooded areas and hedgerows. The hedges within the areas shown on the Policies Map are particular important and their removal will not be supported</b></p> <p><i>Change policy title to 'Protection of Wooded areas and hedgerows'</i></p> <p><i>Reposition policies PNP 10A and 10B into the supporting text as paragraph 11.15. Add at the end of this new paragraph 'Policy PNP 10 provides a context for the delivery of these important objectives. The Policies Map identifies key areas to the east of the residential properties in Station Road.'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 10B: Environmental Policy	Para 7.70	<b>Delete</b>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 11: Climate Change and Renewable Energy	Para 7.71 – 7.73	<p><i>Identify the policy as a non-land use proposal by use of a different colour or other identification</i></p> <p><i>Replace 'Any new.... with or' with 'New developments that'</i></p> <p><i>Insert 'will be particularly supported' after 'energy technology'</i></p> <p><i>Replace 'and should...following: - 'with 'Developers may also wish to consider'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
PNP 12: Minerals Extraction and	Para 7.74 – 7.76	<p><b>Replace the policy with the following:</b></p> <p><b>Proposals for the restoration and reinstatement of land at Dutton Farm as</b></p>	Agree with the modifications for the reasons set out



Waste		<p><b>shown on the Policies Map should respect its location within the general extent of the York Green Belt. Proposals should include details of indigenous tree planting and landscaping and details of initiatives to re-establish wildlife habitats</b></p> <p><i>Modify title to read 'Tree planting and landscaping at land to the north-east of Dutton Farm'</i></p>	in the Examiners Report.
General Comments	Para 7.77	<i>Modification of general text (where necessary) to achieve consistency with the modified policies</i>	Agree with the modifications for the reasons set out in the Examiners Report.

**Table 2: Further minor modifications arising from the Examiner's modifications or to correct typographical errors**

<b>Page/Para.</b>	<b>Change</b>	<b>Reason</b>
Front cover	Amend to read 'Referendum Version'	To reflect current stage of Plan
All	Add/amend paragraph numbers	For clarity
Page 2 / Contents	Add 'Appendix B' for Terms of Reference for Neighbourhood Plan Committee and Change 'Appendix B' to Appendix C' for Detail descriptions of Conservation Areas and listed buildings	Correction
Page 3	Amend title to read 'Upper and Nether Poppleton Neighbourhood Plan'	For consistency
Page 3/para. 5	Delete first sentence	For clarity.
Page 4/para 3	Change 'Nether' and 'Upper' around	For consistency
Page 4 / para 3	First sentence. Add 'together' after 'worked'	Omitted word.
Page 5 / 4 <sup>th</sup> bullet	Remove word 'be'	Typo
Page 6 / 2 <sup>nd</sup> bullet/3 <sup>rd</sup> bullet	Add 'ing' to 'retain'. Add 'ing' to 'stratify'. Add 'ing' to 'build'.	Correct tense
Page 7 / para 1.3	Move comma from after 'based' to before.	Typo

Page 8 / para after 2.1	Change 'managed' to 'manage'	Typo
Page 8 / 3 <sup>rd</sup> para	Change 'purposes' to 'purpose'	Typo
Page 8 / 7 <sup>th</sup> para	Change 'identify' to 'identifying'	Typo
Page 8/ last para	Change 'COYC' to 'CYC'	For consistency
Page 11	Remove 'to be brought....later in 2016'	To reflect latest position.
Pages 12-15	Amend policy wording to reflect the modifications to policies in main chapters as recommended by Examiner.	For consistency
Page 16	Amend title to 'Policies Map'. Amend Policies Map and key to reflect the modifications to policies as recommended by Examiner i.e. delete H4 and E2 and draw green belt to reflect City of York Local Plan 4 <sup>th</sup> Set of Changes boundary.	For consistency
Page 17 / para 4.1.3	Remove sentence which refers to H4: 'Limited green field...agricultural land)	For consistency
Page 22 / para 4.2.3	1 <sup>st</sup> bullet – Change 'Medieval' to 'Saxon' 5 <sup>th</sup> bullet – Delete apostrophe from 'Sports'	Factual change Typo
Page 23 / para 4.3	Add 's' to 'Corridor'	Typo
Page 23 / para 4.3.3	Remove 'the' in reference to Upper and Nether Poppleton	Typo

Page 27 / para 5.8	Change position of word 'eventually'	For clarity
Page 30 / title	Amend 'Historic' to 'Heritage'	For consistency
Page 30 / History of Nether Poppleton	Amend 'Osbern de arches' to 'Osbern d'Arches'	Typo
Page 35 / para 6.8	Add punctuation to final sentence beginning 'Safe and secure...'	Typo
Page 35 / para 6.12	Add 'way' after 'cycle' on first line.	For clarity
Page 37 / para 7.1.1	Remove 'Other' from start of second sentence.	Typo
Page 37 / para 7.1.5	Add 6E to list of policies	For consistency
Page 39 / para 7.5	Amend to read 'The Former British Sugar Site (H1)'	For consistency
Page 40 / para 7.9	Amend 'have' to 'has' in second sentence	Typo
Page 41 / para 7.13	Add sentences at the end of paragraph: 'It is not within the remit of the Neighbourhood Plan to allocate land within the general extent of the Green Belt for residential purposes. This is a role for the emerging Local Plan. Policy PNP8b does however address the requirement for a buffer zone adjacent to Manor Academy should housing be allocated in the future through the emerging Local Plan'.	For consistency

Page 42 / para 7.14	Add 's' to 'represent'	Typo
Page 42 / para 7.15	Amend 'Proposals' to 'Proposed' and add 's' to dwellings.	Typo
Page 43 / para 7.16	Add 's' to development	Typo
Page 43 / after para 7.16	Add line space after 'considered' to separate text related to aerial photo. Add 'of these are' after 'To the right'	Typo
Page 46 / para 8.12 – 8.16	Remove references to E2 and replace with 'Poppleton Garden Centre'. Remove references to the site allocation of E2.	For consistency
Page 49 / para 9.1	Amend 'Land Allocations Plan' to 'Policies Map'	For consistency
Page 49 / para 9.3	Amend 'ST1' to 'H1'	For consistency
Page 49 / para 9.3	Add 'in' before 'proximity' in 2 <sup>nd</sup> sentence	Typo
Page 49 / para 9.5	Delete text 'as illustrated in Appendix B'	For consistency
Page 50 / para 10.1	Amend 'Land Allocations Plan' to 'Policies Map'	For consistency

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## Poppleton Neighbourhood Plan

Plan

2016-2036

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## NETHER WITH UPPER POPPLETON PARISHES NEIGHBOURHOOD PLAN 2016-2036

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- 12 Climate Change and Renewable Energy
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Appendix A Letter to City of York Requesting to be a designated area for development of a Neighbourhood Plan, Roadmap of the development of the Neighbourhood Plan. Terms of reference for the Neighbourhood Plan Committee.

Appendix B Detail descriptions of the Conservation Areas and listed buildings from CYC.



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## Nether with Upper Poppleton Neighbourhood Plan.

### Introduction and background

The preparation of the Neighbourhood Plan for Nether with Upper Poppleton started with the approval of both Parish Councils in May 2014 to assess the desire of the residents to look at potential housing, employment and green spaces within the parish areas.

The designated area was formally approved by the City of York Council and the Planning department of the City of York in October 2014. A department for Neighbourhood Planning was developed within the Council so that direct access to information, resources and staff was available. At the time of the commencement of Poppleton Neighbourhood Plan there were three other parishes, Dunnington, Copmanthorpe and Murton also working with the City of York Council to develop Neighbourhood Plans for their areas. Information was exchanged between these parishes and Poppleton. Locality also provided a 'Road map' methodology, advice and guidance through their website and this has been used extensively by the Neighbourhood Plan Committee to ensure compliance with the law and legal status of the Plan.

The Neighbourhood Plan has been developed against a background of change within the political framework of the City of York Council, the lack of a definitive green belt, and the emergence of a Local Plan. The First Emerging Local Plan was dismissed by the City Council in 2014 as the housing numbers were not considered to be an accurate reflection of need. Since then the City Planners have worked to develop a new Local Plan based on research, demographic trends and employment opportunities in line with current government policy. A new Emerging Local Plan is currently due for consultation in July 2016 with the preferred site allocations being released on the City website in June 2016 during the pre-submission consultation period of this Neighbourhood Plan.

The housing numbers required within the city have changed dramatically and the policy of the present City of York Council is to develop 841 houses per year with a preference for the development of brownfield sites over greenfield sites. There is a proposal for development over 15 years with an extension of 5 years beyond the life of the Local Plan when approved. This has helped to set the parameters for the Poppleton Neighbourhood Plan.

Simultaneously a definitive Green Belt is being developed as the present situation is that the City of York along with 5 other cities in Britain has special status within the Regional Spatial Strategy. The general extent of the Green Belt is already determined in the Yorkshire and Humber Regional Spatial Strategy to 2026 (May 2008) Partial revocation order 2013/(S12013/117). It is for the City Planners, and Councillors of the City of York to agree the definitive Green Belt around the City and surrounding villages.

The Parish Councils of Nether and Upper Poppleton delegated the role of development of the Neighbourhood Plan in compliance with the 2011 Localism Act to a committee comprising initially 2 parish councillors from each parish. This number was later increased to a total of 6 parish councillors. The Neighbourhood Plan Committee is therefore a committee of the parish councils with clear terms of reference. The councillors have worked with professional town planning experts, with assistance from the City of York Council Planning Department on site selection, policy

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development and all legal obligations. The formal adoption of this delegation is noted in the minutes of the separate parish councils available on the parish council websites.

The work has been funded through a series of grants from Locality. Locality is a quasi-government organisation responsible for overseeing the allocation of funding specifically to assist with the development of Neighbourhood Plans in compliance with legal obligations.

The Parish Councils of Nether and Upper Poppleton are separate but have worked through the Neighbourhood Plan committee to develop the Neighbourhood Plan. The Neighbourhood Plan was developed in consultation with land owners, residents of both villages, village organisations, local schools, service providers and businesses. All meetings, seminars, consultation, questionnaires, documents and progress reports are set out in the consultation documentation that accompanies the Neighbourhood Plan to examination.

During the wide consultation with the local community comprising organisations, land owners, business owners, residents and interested parties, updates on the progress of the work were reported to each parish council at their monthly meetings and were recorded in the minutes which are publicly available on the parish council websites. A dedicated website for the Neighbourhood Plan was available and updated regularly at [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk).

Various public meetings were held for consultation, dissemination of information, displays of aerial photos and maps indicating areas under consideration in the plan. Newsletters and leaflets with feedback forms were also widely distributed. Examples of these, with formal approval by the respective chairman of the parish councils and notice of the formal application to become a designated area are all included in Appendix A at the end of this document.

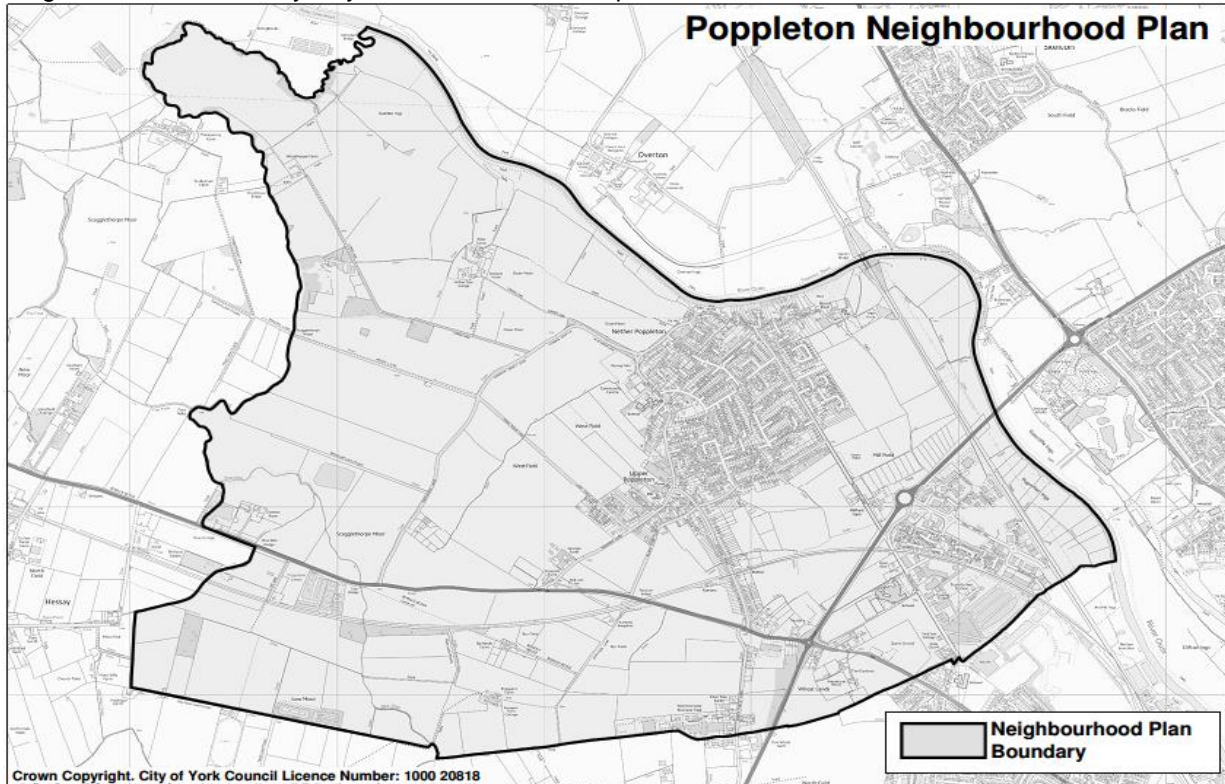
July 2016

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POPPLETON NEIGHBOURHOOD PLAN DESIGNATED AREA AGREED BY THE CITY OF YORK COUNCIL 13 OCTOBER 2014

Map Figure 1 Poppleton Neighbourhood Plan Boundary

Neighbourhood Boundary City of York reference map licence 100020818



All maps produced within this plan are the property of the city of York Council and used under a licence agreement with the City of York Planning Department.

### Aim of the Neighbourhood Plan

The aim of the Plan is to manage change in the village and designated area, not to prevent it. Future development should be sympathetic, unobtrusive and in keeping with its rural environment and surroundings. It should:

- Maintain the historic character, setting and identity of Nether and Upper Poppleton village core.
- Manage the growth of new developments of housing and employment within the parished areas.
- Ensure that new development is built to be sustainable and commensurate with the rural setting.
- Ensure that any brown field sites are be developed with the amenities<sup>1</sup>, facilities<sup>2</sup> and road structures that will allow, maintain and enhance the identity of the community.
- Promote development of brownfield sites as a priority over any Greenfield site or grade 1 or grade 2 grade 3a agricultural land classification (ACL).<sup>3</sup>

<sup>1</sup> Amenities definition pleasantness , pleasant surroundings, open spaces, recreational spaces

<sup>2</sup> Facilities : doctors, schools, shops recreational areas

<sup>3</sup> Natural England recommendation <http://publications.naturalengland.org.uk/publication /35012>

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### Vision statement

Nether and Upper Poppleton are two villages that have coalesced to form a distinctly quintessential English Village, with the right array of facilities, amenities and transport links. It is a desirable place to live, work, raise a family and retire to. This is because first and foremost it is a community, with a place identity, shared green spaces, good schools, shops, churches, clubs and most importantly a history of friendliness and caring. These are just some of the key words given by the residents when a questionnaire was analysed by experts in connection with the Neighbourhood Plan for Poppleton.

The Settlement of Poppleton must retain its character as a village on the outskirts of the historic City of York.

This is reflected in the sustainability of the settlements of the villages and it is what the Parishes of Nether and Upper Poppleton would wish to see developed on the brownfield area at the Former British Sugar Site (FBSS) reflecting a mix of housing that supports young and elderly.

Within Nether and Upper Poppleton designated parish area sustainability means the development of proposals that this Neighbourhood Plan seeks to promote by:

- Building a mix of housing on allocated sites, particularly ST1(CYC unadopted Local Plan reference), with the correct amenities to allow communities to develop.
- Protecting agricultural land and green belt land from inappropriate development and retain its growing potential and open character.
- Ensuring that houses are not built as schemes that see one size fits all, stratify the housing types to match the needs of people at different stages of their housing life cycle and hence build communities and cohesion.
- Ensuring that any housing developments **within** the historic villages of Nether and Upper Poppleton are commensurate with the setting in terms of building materials, layout and garden space as set out the in the Poppleton Village Design Statement ( 2003)(PVDS).
- Making sure that further business park developments are maintained within the current locations.
- Ensuring that historic views of York and the Minster in particular are retained.
- Ensuring that appropriate transport links are in place so that the village is not a continual rat-run used to avoid congestion on the A 1237 Outer Ring Road.
- Ensuring that there are safe cycle/pedestrian shared spaces within the village and connecting to the City of York to promote healthy living for all.

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## 1 PREFACE

1.1 The Poppleton Neighbourhood Plan 2016 – 2036 has been produced by Nether with Upper Poppleton Parish Councils under powers granted in the Localism Act 2011. It has been prepared by a Neighbourhood Planning Group comprising Kathie Brydson, Peter Powell, Vivien Crabb, Edie Jones, Roper Langford and Don Simpson, following extensive consultation with residents, businesses and representative groups. The Neighbourhood Plan Area which covers the entire parishes, was formally designated by the City of York on Monday 13<sup>th</sup> October 2014 at a meeting in West Offices, Station Rise, York.

1.2 The Neighbourhood Plan has been prepared against a background of an emerging draft Local Plan being prepared by the City of York Council for the years 2012- 2032 with a five year extension to 2037. The Local Plan and the process of its preparation have been subject to uncertainty following a resolution by the City Council Members to ask that the Draft Publication Local Plan version be rejected while further work is undertaken on the figures for housing needs across the City which includes Poppleton Parishes. Further information from the City on this is not now expected until after the Preferred Sites Local Plan consultation period due to end in Mid-September 2016. In the meantime, a number of planning applications which have the potential to affect the development of Poppleton have been either submitted or are subject to public consultation. It is therefore vital that this Neighbourhood Plan proceeds without delay if the aims of the Localism Act are to be realised within the Poppleton Parishes.

1.3 During the 2<sup>nd</sup> pre-submission consultation of the Neighbourhood Plan the City of York Council Local Plan Working Group presented housing numbers to the Council indicating that based, on current intelligence, 841 houses per annum over the 20 year period of the Local Plan would be required to meet and satisfy demand. The Local Plan period will now be from 2012 -2037.

1.4 The Local Plan Preferred Sites consultation document by the City of York Council was made available for member discussion at the Local Plan Working Group on 27<sup>th</sup> June 2016 and the Executive on 30<sup>th</sup> June 2016 wherein it was approved for city wide public consultation from 18 July 2016<sup>4</sup> for an eight week period. This document also indicated that there was likely to be a change in the designation of certain areas within the parishes of Nether and Upper Poppleton. This has been considered in the consultation documentation which accompanies this Neighbourhood Plan.

1.5 A consultant from H & H Land Planning Consultants was engaged to ensure that policies were developed to reflect the residents' concerns, aspirations and thoughts on housing developments and to ensure that these were translated into the appropriate language to fulfil the requirement for Submission, Examination and Referendum procedures.

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1.6 A consultant from AECOM was engaged by the Committee to complete the Environmental Report based on the Scoping Opinion and Site Assessment which took place in 2015-2016 prior to the 2<sup>nd</sup> pre-submission consultation.

## 2 STRATEGIC CONTEXT

National Planning Policy Framework (NPPF) (2012) paragraph 7. There are three dimensions to sustainable development:

**Economic Role:** contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation and by identifying and coordinating development requirements including the provision of infrastructure.

**Social Role:** supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

**Environmental role:** contributing to the protection and enhancement of our natural, built and historic environment; and, as part of this, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change which includes moving to a low carbon economy.

2.1 The Strategic Context in planning terms for this Neighbourhood Plan is one where there is no adopted Local Plan for the City of York. While work has been ongoing for many years on a Local Plan, the latest draft, in September 2014, was rejected by the City of York Council (CYC) largely due to concerns over the number and distribution of housing to be provided over the plan period. New work is currently being undertaken by CYC officers and the Councillors of the Local Plan Working Group to provide a strategic direction for the City. However, this is no reason to delay further the preparation of a Neighbourhood Plan for Poppleton.

### City of York Background Statement from the Preferred Options consultation.<sup>5</sup>

City of York Council is preparing a Local Plan for York which sets out the spatial vision for the city for the next 15 years and the green belt boundaries beyond this time period. This process requires us to understand what the key drivers of change for the city are and how we would like to see York in the future. Its main function is to help direct and managed different development across the city whilst simultaneously supporting economic prosperity, promoting a sustainable environment and creating an inclusive place to live.

The City of York Council commissioned GL Hearn to undertake a Strategic Housing Market Assessment ( SHMA) which has only been in the public domain during the preferred sites consultation period from 18 July for eight weeks. This report has indicated that 841 houses per annum would be sufficient to meet the projected housing needs up to 2037 which is co-temperaneous with the Poppleton Neighbourhood Plan timescale.

<sup>5</sup> This is information lifted directly from the Preferred Options consultation on the Local Plan released on 18 July 2016 for public consultation.

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### **Green Belt (extract from the Local Plan 2016 consultation p 14)**

The emerging Local Plan will set York's detailed green belt boundaries for the first time guided by the National Planning Policy Framework (NPPF).

NPPF states that Local Authorities with green belts in their areas should establish green belt boundaries in their local plan which should only be altered in exceptional circumstances. Importantly, the Plan should accommodate development needs stretching well beyond the plan period and the LPAs should "satisfy themselves that green belt boundaries will not need to be altered at the end of the development plan period" ( NPPF Para 85)

Policies relating to the general extend of a green belt around York were expressly secluded from the revocation of RSS. These policies set out the main purposes of a green belt surrounding York which is to "...protect and enhance the nationally significant historic and environmental character of York, including its historic setting, views of the Minster and important open areas" (RSS Policy Y1 York Sub area).

Counsel's latest advice on the issue of green belt permanence (John Hobson QC Jan 2015) refers to NPPF guidance. In particular the need for consideration to be given to the development needs of the area, both within the plan period and the longer term. If land is left within the green belt that would be contrary to the overriding requirement of the permanence, because it is known that further development land will be needed to meet future development needs.

In respect of the duration of the green belt, a minimum of 20 years reflects longstanding advice and best practice. In January 2000 COYC received an interim view from its Local Plan Inspector on the Plan's proposed Green Belt boundary. The inspector advised that the Council's position – to establish a 'non-permanent' or 'interim' green belt and undertake a formal green belt review immediately after the plan's adoption- ran contrary to government guidance which states that Green Belts should be ' permanent', importantly advocating that they remain unchanged for at least 20 years.

#### **LOCAL PLAN PREFERRED OPTIONS POSITION.**

The preferred options consultation draft of the Local Plan and the (subsequently abandoned) publication draft that was considered by Cabinet on 25<sup>th</sup> September 2014 included a policy and allocations of safeguarded land. This land is intended as a reserve for considerations for development at the time of a subsequent plan review. Its purpose is to help ensure that the Green Belt as defined in the Local Plan endures beyond the Plan period.

There has been considerable debate about both the need for such land to be designated and the duration of a 'permanent' green belt. The preferred options draft Local Plan and the subsequent publication draft sought to apply the national and saved regional policies in setting out the extent of the Green Belt and identify a reserve of safeguarded land to ensure that Green Belt boundary was capable of enduring beyond the period for 10 years. This was to ensure that the Plan was fully NPPF compliant and to reduce the risk of challenge.

In the latest consultation Local Plan preferred sites consultation (2016) the safeguarded land is no longer designated. This ensures that COYC can meet long term development needs stretching well beyond the plan period and that green belt boundaries will not need to be altered at the end of the plan period.

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The Poppleton Neighbourhood Plan welcomes this clear position on Green Belt but needs to see how this will impact on the historic setting and character of the villages of Nether and Upper Poppleton and the parish area. There are significant areas of Poppleton lying currently within what is considered as Green Belt.

2.3 Despite the problems in adopting a Local Plan in York, there is some strategic policy available for CYC in the form of Green Belt Policy. This says:

*'Despite the fact that the York Green Belt is still technically a draft Green Belt, it has 'de facto' been in existence for several decades and has been reaffirmed on numerous occasions in planning refusals and dismissal of planning appeals. It was specifically recognised within the Yorkshire and Humberside Regional Spatial Strategy (RSS) to 2026 adopted in 2007 and although the RSS was substantially revoked by an order (SI No 2013/117) made in early 2013 under the Localism Act 2011, policies which related to the York Green Belt were specifically excluded from the revocation.'*

*Quote from report by City of York Council  
(July 2015)*

*RSS York Green Belt policies*

*POLICY YH9: Green belts*

*C The detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.*

*POLICY Y1: York sub area policy*

*Plans, strategies, investment decisions and programmes for the York sub area should:*

*C Environment*

*1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.*

*2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.*

***This is also cross referenced in section 4.2 with specific reference to Green Infrastructure.***

2.4 This makes clear that the boundaries of the Green Belt around York have not been formally adopted and it remains for the emerging Local Plan to do this on a strategic basis.

2.5 The general extent of the Green Belt is already determined in the Yorkshire and Humber RSS to 2026 (May 2008) Partial Revocation order 2013(S12013/117)



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## Overall Housing need in York<sup>6</sup>

Taking account of more recent migration ( Mid Year Population Estimates 2013 and 2014 ONS- office of National Statistics) and improvements to household formation rates for younger households ( 25- 34 yrs. age group), the SHMA (Strategic Housing Market Assessment) draws the conclusion on the overall full objectively assessed need for housing over the 2012- 2032 period to be 841 dwellings per annum. The breakdown of this figure includes the provision of affordable homes as part of the overall housing delivery. The timescale for the commencement of the plan is redundant to so the plan will now run till 2037. During the period 2012 -2016 when no Local Plan was adopted a large number of houses have been completed in the York area. A further development of housing in the surrounding areas of Hambleton, Selby and the East Riding has contributed significantly to the housing stock in the travel to work area surrounding York. The Local Plan provides further development land to 2037 (including some flexibility in delivery) and establishes a green belt boundary enduring 20 years. (P 15)

Policies for what proportion of homes should be affordable need to take account of evidence both of housing need and the viability of residential development. This work on viability and deliverability against the policies in the emerging Local Plan will be undertaken to inform the revised Publication Draft Local Plan to be brought to members of the Local Plan Working Group later in 2016.

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<sup>6</sup> This statement is taken directly from the Local Plan Preferred Sites consultation published 18 July 2016

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### 3 POLICIES

#### 3.1 Plan period 2016 – 2036

It is proposed that a twenty-year period is appropriate both in economic, business, housing planning and sustainability terms. This is in line with the emerging Local Plan 2012-2037 consulted upon during the summer of 2016.

#### 3.2 Summary of the Policies

<b>Green Belt Policy PNP1</b>
Any development, within the general extent of the Green Belt, which harms the open character and setting of either York or the villages of Nether and Upper Poppleton, other than that covered by permitted development rights as defined by paragraph 87-89 of the NPPF, will not be permitted
<b>Green Infrastructure PNP 2A</b>
The Green Infrastructure within and surrounding the Poppletons ( G1) will be protected and enhanced and will be expanded as the opportunity arises
<b>Green Infrastructure PNP 2B</b>
No development which harms, directly or indirectly, the integrity of this infrastructure should be permitted. Green Infrastructure in Poppleton particularly refers to: green corridors and green wedges, villages greens, riverbank, wild life areas, roadside swathes, paddocks, allotments, sports field areas, walking and equestrian routes
<b>Conservation Areas Policy PNP 3</b>
Any development and land use within the conservation areas must respect the open character and heritage assets of the villages as set out in the Conservation Areas CYC 16 and 17.
<b>Village Design Statement PNP 4</b>
All new developments <b>within</b> the settlement limits of the villages will be considered in relation to the guidelines in the Village Design Statement (VDS) as far as they are material to the proposal.
<b>Traffic Policy PNP 5</b>
Improved and extended cycle and pedestrian access to and from the village in relation to Manor Academy, local villages and the City will be supported.

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<b>Housing Policy PNP 6A</b>
<p>Housing proposals will be supported where they meet any of the following criteria:</p> <ol style="list-style-type: none"> <li>1. The site is allocated on the land allocations plan for residential use as follows: <ul style="list-style-type: none"> <li>H1 The former British Sugar Site (ST1) (City of York reference)( 1100 houses of which 300 approx. are in Poppleton)</li> <li>H2 Long Ridge Lane plots(2 dwellings)</li> <li>H3 Blairgowrie Site ( replacement dwellings and outbuildings)</li> <li>H4 Former Civil Service area including the adjoining agricultural land(261 houses)</li> </ul> </li> <li>2 The proposal is the subdivision of an existing dwelling and in compliance with other planning policies including all parking to be on site.</li> <li>3 The proposal is for the conversion of an existing building that is of some heritage value worthy of retention and is in sound structural condition. The building should be genuinely redundant and it can be demonstrated its loss will not generate demand for a replacement building in the future</li> <li>4 Any development <b>within</b> the village must be within the village settlement limit as shown within the PVDS</li> </ol>
<b>Housing Policy PNP 6B</b>
<p>The redevelopment of the buildings on the Blairgowrie site will only be permitted where it replaces the existing building on the same scale and to the same extent. It should maintain and enhance the character of the mature planting, landscaping and the conservation area generally.</p>
<b>Housing Policy PNP 6 C</b>
<p>Any proposal for subdivision of an existing site creating back-land over-development will only be permitted when it does not contravene the Neighbourhood Plan para 7.4 definition of over-development.</p>
<b>Housing Policy PNP 6 D</b>
<p>Housing on the Former British Sugar Site (H1)( ST1) is supported with mixed housing types, amenities and facilities for the community and the main entrance is off the Boroughbridge Road.</p>
<b>Business and Employment Policy PNP 7A</b>
<p>Where new business development takes place on Business Parks there must be sufficient parking for employees and customers within the site boundaries.</p>
<b>Business and Employment Policy PNP 7B</b>
<p>Employment uses at E2 will be permitted but limited to redevelopment on the footprint and height of the current building in order to preserve the open character of the Green Belt.( proposed change of land use received 18 July 2016)</p>
<b>Education Policy PNP 8A</b>
<p>Site Ed 1 on the land allocations plan will be safeguarded for future school playing field, allotments and woodland expansion.</p>
<b>Education Policy PNP 8B</b>
<p>A buffer zone on the grade 2 agricultural land to the east of the school will be safeguarded, landscaped and planted to ensure that adequate separation and privacy is maintained between the school, the agricultural field, and any future housing development that might occur.</p>

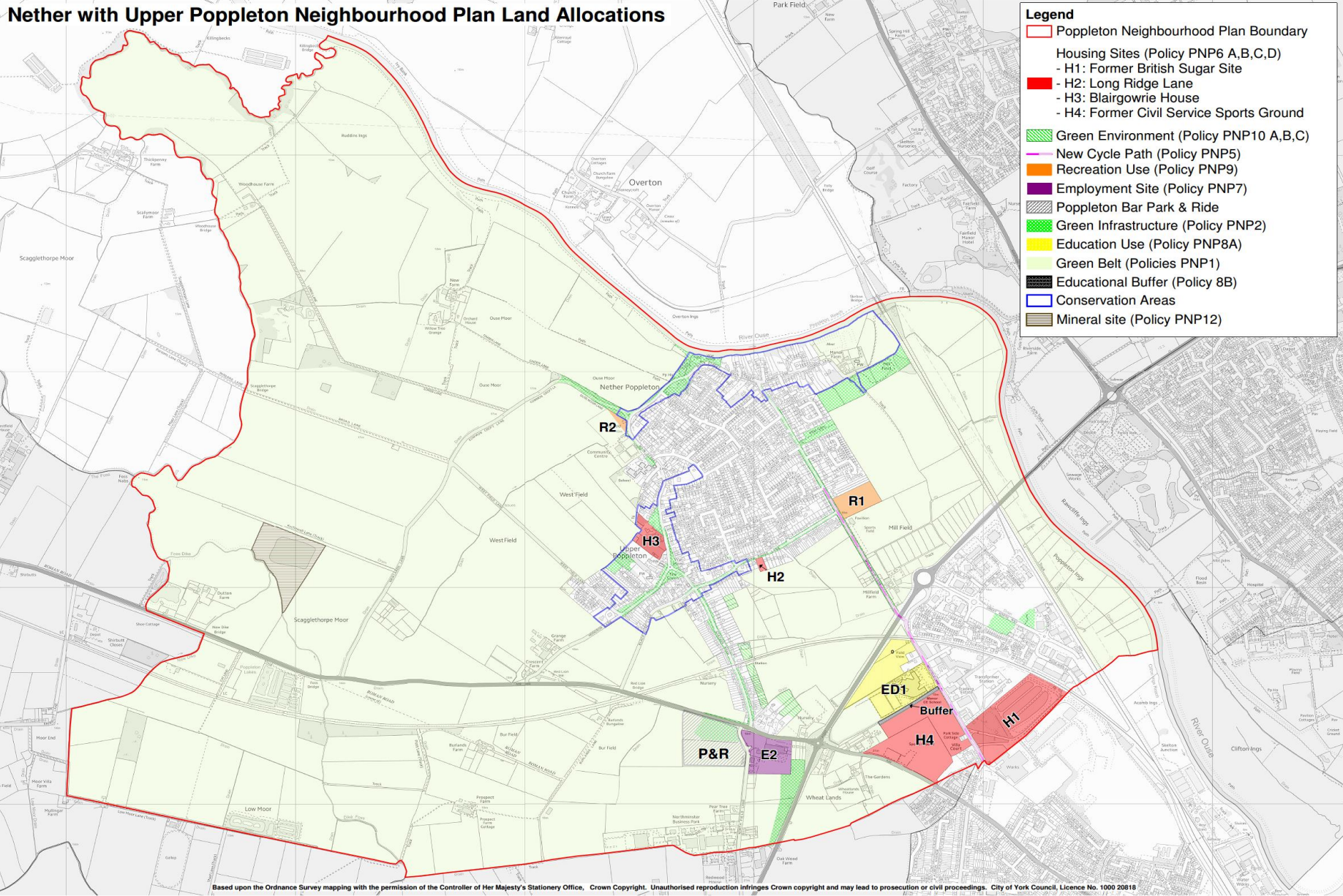
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<b>Community Facilities PNP 9A</b>
The land adjacent to the Poppleton Tigers Junior Soccer Pitches shown as R1 on the land allocation plan will be reserved for recreational space to provide a sports venue for the village.
<b>Community Facilities PNP 9 B</b>
Land adjacent to the Community Centre should be developed as a play area for children of all ages ( R2)
<b>Environmental Policy PNP 10 A</b>
Woodland areas will be protected and managed to maintain the habitat for wild life to sustain biodiversity in conformity with NPPF 109-125. Forestry work on trees covered by TPOs in Poppleton shall only be carried out following planning applications and approval by CYC Ecology Department. Where a tree or trees are removed due to disease or for safety reason a replacement should be planted on or near the original position.
<b>Environmental Policy PNP 10 B</b>
All the hedgerows within the villages and Neighbourhood Plan boundary play a vital part in assisting breeding areas for wildlife and will be protected. "Countryside Hedges" as defined under Hedgerow Regulations <sup>7</sup> 1997 and any deemed to be "important hedgerows" will require planning consent for their removal as approved by CYC Ecology Department. In Poppleton this includes former field boundary hedgerows.
<b>PNP 11 Climate Change and Renewable Energy</b>
Any development or new build, ( with particular reference to large scale housing developments such as former British Sugar Site) should comply with or exceed the Building Regulations with regard to energy conservation and use of renewable energy technology and should consider the following :- harvesting of rain water and storm run-off, grey water recycling, porous surface provision wherever appropriate, solar photovoltaics for energy capture and high standard insulation of floors, walls, and roofs to reduce energy consumption.
<b>PNP 12 Mineral Extraction and Waste</b>
The Neighbourhood Plan would seek to ensure that any exploration or excavation carried out would be followed by permanent re-instatement and restoration of the Green Belt. Indigenous tree planting and landscaping to the area should help to re-establish wild life habitats.

[Site allocations map on page 15](#)

<sup>7</sup> Hedgerow regulations ( 1997) no 116

### Nether with Upper Poppleton Neighbourhood Plan Land Allocations



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## 4 Green Belt

As Green Belt in York refers to the RSS greenbelt, within this document green belt will concur with the City of York definition.

The Green Belt serves five purposes:<sup>8</sup>

- To check unrestricted sprawl of large built-up areas.
- To prevent neighbouring towns merging.
- 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.

### 4.1 Inner Boundary of the Green Belt

4.1.1 The Inner Green Belt Boundary for the City of York lies in part within Nether and Upper Poppleton and it is appropriate that the Neighbourhood Plan sets out in detail where it lies within the neighbourhood area. It is shown on the land allocations plan. The draft 'original' Green Belt inner boundary for the City of York followed the old City of York boundary prior to 1996.

4.1.2 The villages of Poppleton by the nature of the development that has taken place straddle the outer and inner green belt boundaries but the policy PNP1 is to support a green swathe to be maintained between the City of York and the villages of Nether and Upper Poppleton. This is the section of land on either sides of the A 59 when exiting York to the west and on south side of the A 1237. Being less than 600m wide at its narrowest point this area of Green Belt provides an important function.

4.1.3 The Green Belt land surrounding the villages of Nether and Upper Poppleton forms an important part of the special open and agricultural character of the setting of the nationally significant historic city of York. Together with the other Green Wedges and Green Infrastructure land surrounding the villages they play an important role in maintaining the identity, character and setting of the Poppleton Villages.

4.1.4 It is accepted that if new housing and business development envisaged in the Draft Local Plan preferred sites consultation (July 2016) is to be accommodated, then this should be on **Brownfield sites**. Limited green field agricultural land should be used in this twenty year period H 4 (Civil Service and agricultural land). All Brownfield and windfall sites acknowledged by the City of York planning department should be brought back into use in the first instance.

4.1.5 The Green Belt Policies of the Neighbourhood Plan are in conformity with the NPPF para 79-92 and NPPF para 17 in relation to protecting high quality agricultural land.

The Green Belt around the City of York is now established only within the 2013 Order (SI 2013 No 117) which specifies it only in a general way, but goes on to say that 'the inner boundaries would be defined in order to establish long term development limits that safeguard the special character and setting of the 'historic city' and that plans should define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from the York City Centre. The

<sup>8</sup> Ref NPPF para 80

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NDP allocates land for development which is consistent with the emerging CYC Green Belt ideas with small modifications. It is considered that these modifications are appropriate and do not undermined the purpose or character of the York Green Belt.

Basic Conditions Statement p 8

4.1.6 The Green Belt plays an important role in determining the setting, character and identity of the villages of Poppleton. Areas of the City of York Green Belt lie within the parishes of Nether and Upper Poppleton. The setting offers access to the countryside and riverside walks into York to the east and to the neighbouring village of Moor Monkton to the west. The countryside is grade 1 agricultural land and extensively cultivated by local farmers some of whom live in the villages of Nether Poppleton and Upper Poppleton. (City of York Map illustrates the agricultural land DEFRA 2002 commissioned and updated by Natural England 2010) page 38

4.1.7 The Green Belt surrounding the Poppleton villages has a high landscape and heritage value, characterised by the network of fields, ancient hedgerows, fences, copses and country lanes with individual farmsteads and associated outbuildings. The Landscape Appraisal carried out for the City of York Council by the University of Sheffield Environmental Consultancy in December 1996 stated that the grade 1 agricultural land surrounding Poppleton is the best agricultural land in the area as indicated on the York City Council land use map. ( page 38)

4.1.8 The Green Belt to the west and south of Poppleton is prime food-producing arable farmland and is in the top land by quality in the Yorkshire and Humberside Region. With a rapidly growing world population and the increasing demand for meat and more 'Western' diet caused by growing prosperity in developing countries, the pressure on food-producing land is increasing dramatically. Food sourcing and food security are becoming significant political, if not existential, issues and it is therefore becoming crucial to retain the country's good quality farmland for food production. This is clearly stated in NPPF para 17.

*Appendix B Village Design Statement in full on the website [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk)*

#### Green Belt Policy PNP1

**Any development, within the general extent of the Green Belt, which harms the open character and setting of either York or the villages of Nether and Upper Poppleton, other than that covered by permitted development rights as defined by paragraph 87-89 of the NPPF, will not be permitted**

#### National Planning Policy Framework p21

Para 87 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 88 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances,' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

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Para 89 A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use( excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

#### 4.2 Green Infrastructure

***City of York Local Plan draft publication 2014***

***Green Infrastructure is the term used for the overarching framework related to all green assets. Traditionally, environmental planning has looked at the functions of these assets in isolation, such as biodiversity, Open Space provision or public realm design. Whilst we should not devalue the benefits of looking at these issues individually, a Green Infrastructure approach considers how together these assets form an overall" system" that is greater than the sum of its individual parts.***

***Definition of Green Infrastructure Assets 2009***

***Green Infrastructure is the term used for the overarching framework related to all green assets. In broad terms Green Infrastructure includes semi-natural habitats such as grasslands, woodlands, moorlands and river corridors: nature reserves and other outdoor destinations; cultural and historic landscapes such as parks and gardens. York's Ings and Strays, historic buildings and ancient monuments; as well as features of wider rural landscape such as footpaths, hedgerows, paddocks and game coverts. The historic landscape provides the City and its outlying villages with a rural setting contributing much to its character.***





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- The Tithe Barn Sensory Garden to mirror the planting evident in early Elizabethan Times; managed by a charitable trust.
- Pond and Wildlife area, managed by a committee reporting to and funded by Nether Poppleton Parish Council.
- The Village Green where the Children's Sport's day, and the Act of Remembrance Service takes place and which is the site of the Upper Poppleton War Memorial; managed and maintained by Upper Poppleton Parish Council.
- Chantry Green which adds a welcome swathe of green to the Main Street area of Upper Poppleton; managed and maintained by Upper Poppleton Parish Council.
- The Poppleton Lido and the riverside, which affords beautiful views of the river and open countryside and the expanse of green fields that surround the settlement. It is the site of the Nether Poppleton war memorial recently restored in preparation for the centenary of the First World War; managed and maintained by Nether Poppleton Parish Council.
- The swathes of green around the village particularly on the entrance to Upper Poppleton along Hodgson Lane, green verges and common land used by children and adults alike.
- Many of the areas shown in G1 as green infrastructure are used for recreational purposes such as allotment gardening, woodland walks with special interest, and walks on the river banks where Tansy Beetles are being monitored. It is the purpose of the Green Belt Infrastructure Policies as a whole to preserve and protect the open aspect of the village to promote a healthy environment for all.
- NPPF 76-78 indicates that it has to be shown that the green area is special to the local community and the indications from the Environmental Report, the initial survey amongst the residents of the village and the many consultations that have taken place over the period of development of this plan have indicated that the green spaces and the provision where possible to expand them are of high importance to the residents of the villages.

#### 4.3 Green Wedges and Green Corridor

***City of York Council Technical Paper Green Corridors adopted 2009,***

***Establishment of a hierarchy of Green Corridors***

***\_ Officers identified a hierarchy using Natural England's function matrix which set out all functions of Green Infrastructure identified in the regional evidence base. The corridors were named and graded – the more core functions they have, the higher up the hierarchy they are placed. Based on this approach, the regionally significant corridors in York are the Ouse, Foss and Derwent corridors (this includes the flood plains and the footpaths/ cycle ways alongside them)***

4.3.1 The Green Corridors and Green Wedges are a characteristic feature of York. They form large tracts of undeveloped land which largely extend from the countryside into the city. They prevent the lateral coalescence of different parts of the urban area and still retain the distinctive characteristic of earlier periods of individual settlements. The green wedges bring the countryside to within close proximity of the centre of the city. Their open nature allows views of the city to be enjoyed including important vistas towards the Minster. The Poppletons provide many of these green corridors and wedges to the York

25 October 2016

4.3.2 The green wedges comprise the historic "strays" and the Ouse "ings" and additional areas of undeveloped land which separate the existing urban form. The river banks in Nether Poppleton have an important part to play in the protection of the rural aspect as well as providing additional floodplain for the Ouse. The River Ouse skirts the northern border of Nether Poppleton.

4.3.3 The villages surrounding York (including the Poppletons) contribute, both individually and in conjunction with each other, to the setting and the special character of the city through their intrinsic form and character, distribution, and relationship with the surrounding agricultural landscape. This has helped engender their separate sense of community distinct from the urban area of York. The Village Design Statement highlights the relationship that the Poppletons have with other villages Para 4(vii) (VDS).

4.3.4 This Neighbourhood Plan when adopted will ensure that the Green aspects that surround the villages and clearly identify their rural setting will be retained. This is particularly important to identify the boundary between the city and the rural countryside.. It will help to fulfil the function of a green belt which is to prevent coalescence between the urban and rural areas.

4.3.5 The area along the riverbank in Nether Poppleton needs to be protected because of the biodiversity of wild life. Kingfishers, otters, deer and other wild life are frequently seen in the area. It is also prone to flooding and is a valuable asset in protecting York centre from flooding. Upstream at Moor Monkton there is a large water extraction point, which is monitored during times of flood. Without this much of the centre of York would be under water more frequently.

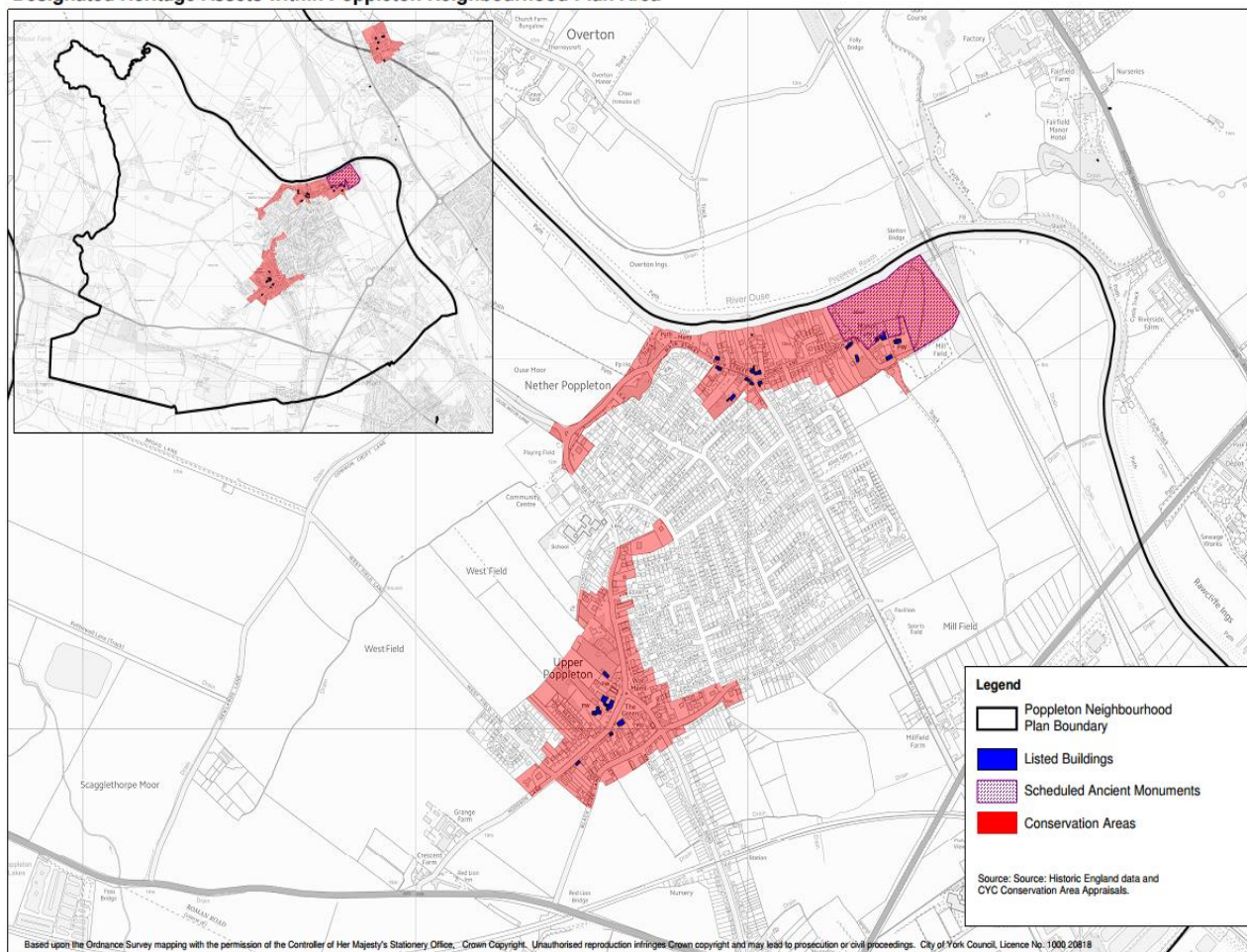
4.3.6 The open access to the green spaces and countryside walks is much prized as noted by 88% of local residents in a recent survey (2014 report) on the plan4poppleton website

<b>Green Infrastructure Policy PNP 2 A</b>
<b>The green infrastructure within and surrounding the Poppletons (G 1) will be protected and enhanced and will be expanded as the opportunity arises.</b>
<b>Green Infrastructure Policy PNP 2 B</b>
<b>No development which harms, directly or indirectly, the integrity of this infrastructure should be permitted. Green infrastructure in Poppleton particularly refers to green corridors , green wedges, village greens, common land, river bank, wild life areas, roadside swathes, paddocks, sports field area, allotment sites, walking and equestrian routes.</b>

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## 5 Conservation Areas

### Designated Heritage Assets within Poppleton Neighbourhood Plan Area



5.1 Two protected Conservation Areas within the villages with listed buildings marked in blue on the site location map. These are the original hearts of Nether and Upper Poppleton, with listed buildings and strong protection against inappropriate building development. At present there are areas that have a potential to be developed but the aim of this policy is to preserve the woodland and green nature of the villages.<sup>9</sup>

5.2 Parts of the western edge of the village are designated as conservation areas, the character of which has a close relationship with the surrounding agricultural landscape and is clearly visible from the A59 and minor roads to the west of the village.

5.3 These retained policies make it clear that development plans should define the detailed boundaries of the Green Belt around York. The outer boundary is to be about 6 miles from York city centre and the inner one is to be defined to establish the long-term development limits that safeguard the special character and setting of the historic city.

<sup>9</sup> See Appendix C the full declaration of the conservation areas, history, and noted features and buildings.

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5.4 The villages have a number of historic buildings which contribute positively to the character of the villages. In order to protect the historic character and open nature of the village and green belt it is important that their heritage value is conserved appropriately and in accordance with the Village Design Statement. Policy PNP 3 is worded to protect the open character of the village and green belt in relation to housing development within the village building boundary.

5.5 Some of these agricultural buildings are located within the conservation areas of Nether and Upper Poppleton which affords them special protection.

5.6 The villages have over the last 20 years experienced a significant amount of infilling on brown field sites at Poppleton Park, the King and Ellis garage and Challis nursery gardens. Some developments have increased pressure on the built up areas and could be considered as over-development and of poor design with increased parking issues. There is always a need to be aware of development which has the potential to increase pressure on land, resources, infrastructure and roads. An awareness of this increase in pressure should form part of development planning.

5.7 NPPF 126-141 refers to conservation and enhancement of the historic environment. All development must also take due account of national and international designation for landscape. While the landscape is generally protected by virtue of having Green Belt designation which gives special protection and enhancement of the historic setting of York, the detail of the boundary is not set by any higher tier policy

### Conservation Area Policy PNP 3

**All development and land use within the conservation areas must protect the open character and heritage assets of the villages as set out in the conservation areas 16 and 17( CYC references).**

## Heritage Assets

5.8 There are no particular additional policies for protecting the heritage assets of the parishes proposed in this plan. The existing National and Local policies are considered to provide sufficient protection. A statement from Historic England and the Local List which will be enshrined in the Local Plan eventually will cover important structure, spaces, buildings and features which are not listed nationally or internationally, but are important to the local communities for their local historical significance and association with well -known local people.

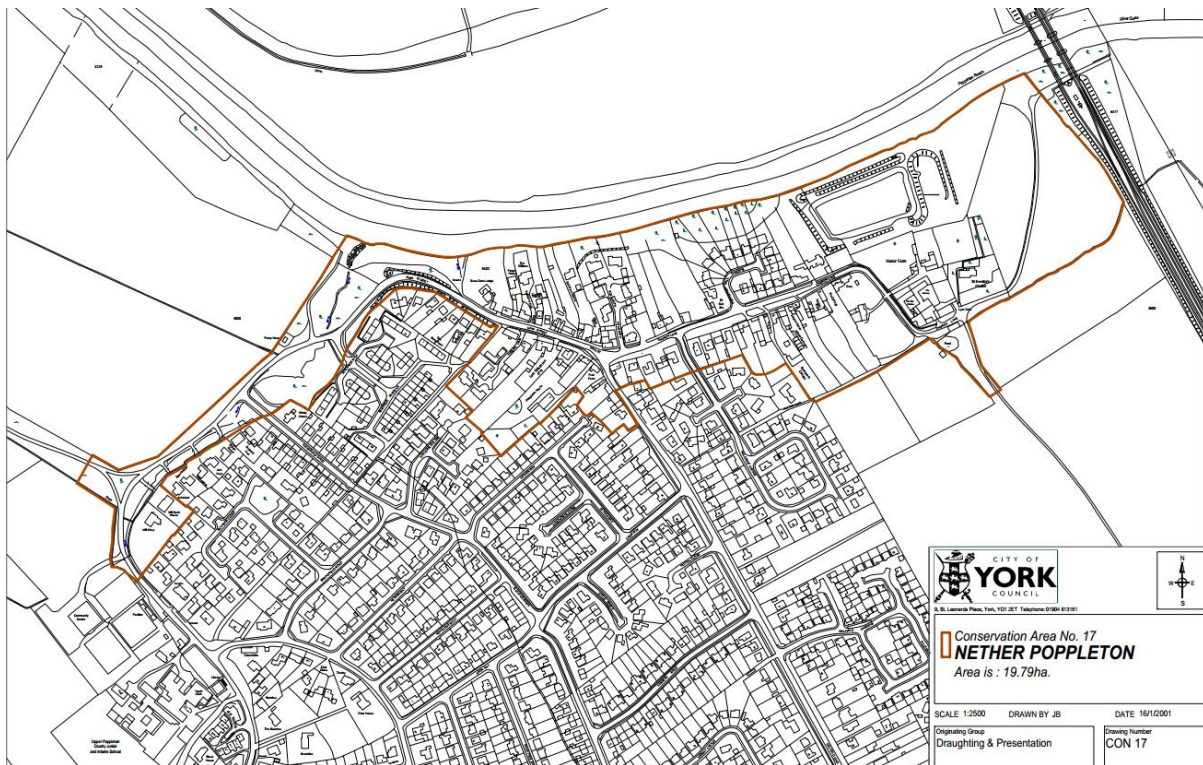
5.9 There is a list of Historic Assets within the villages of Upper and Nether Poppleton on the Historic England website (<http://www.historcengland.org.uk/listings/what-is-designation/local/local-designations/>.) Photographs of the following can be viewed at the above site.<sup>10</sup>

<i>Nether Poppleton</i>	<i>Upper Poppleton</i>
Kilburn House	Manor Farmhouse gate and railings
Barn at Manor Farm	Model Farm, Barn and Railings
Church of St Everilda's	Greenview
Tithe Barn ( Prince Rupert's Barn)	Beechwood House
Dovecote at Manor Farm	Russett House
Gazebo North of Fox Garth	Priory House
Monument 1198194/11988389	Orchard House (1700-1732)
36 Church Lane circa c17	Boundary posts SE 5303 and SE 5336
Dodsworth Free school building	All hand water pumps in both villages
Old School House	

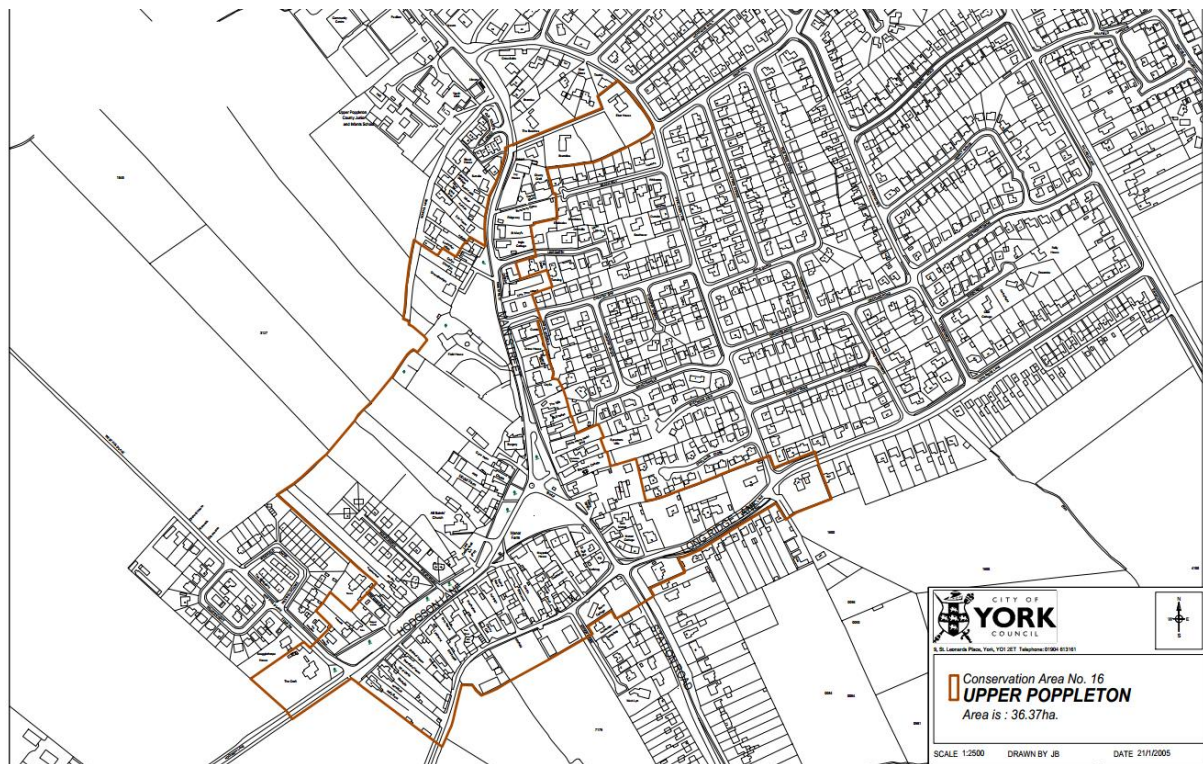
<sup>10</sup> Local list adopted and held by York City Council through Alex Acomb

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Map reference figure 5 Site location map for Nether Poppleton Conservation area established in 2001



Map reference figure 6 Upper Poppleton Conservation area established and expanded in 2005



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18c FARM BUILDINGS WITHIN THE CONSERVATION AREA UPPER POPPLETON



NEW HOUSES WITHIN THE CONSERVATION AREA BLENDING INTO THE SURROUNDINGS



APPROPRIATE BARN CONVERSION IN NETHER POPPLETON

25 October 2016

## Historic assets cont:

Over the past 20 years the History Society of Poppleton have researched and published a series of books outlining the history and assets of the village. The titles show the wide range of expertise and interest within the village community.<sup>11</sup>

**River Roads and Railways** : The Story of Transport in Poppleton(1991) Michael Fife, Ian Routledge and John Perkins

**Scholars, Schools and Staff of Poppleton** (1993) by 10 authors , edited by Michael Fife

**Georgian Poppleton** ( 1994) by Prudence Bebb

**Exploring the Poppletons** -Nether and Upper (1998) Mark Jones and Michael Fife

**The Public Houses of Poppleton** (1999) Barrie Davies

**One Hundred Years of Poppleton Children's Sports Day** (2000) by Helen Mackman

**Poppleton War Memorial soldiers of 1914-1918 war** ( 2017) due

## Village historic character and setting

### History of Poppleton<sup>12</sup>

The Old English name "popel" probably means "pebble" and "tun" implies a non-forested landscape or hamlet farm. Thus Poppleton may have originated as "a farmstead on pebbly soil" (a reference to local glacial sands and gravels) or "by a pebbly bank"( higher land on the edge of the river).

"Nether" suggest this settlement as the one closer to the river. Which of the two Poppletons came first is open to debate, but Nether Poppleton is most likely to be the older.

### History of Nether Poppleton

The earliest reference to Nether Poppleton is in a charter of Archbishop Oswald of 972. St Everilda's Church (only one other dedicated to this obscure 7C Saxon Saint is known) is mentioned in the Domesday Book. In 1088 St Everilda's and the manor of Nether Poppleton were given by Osbern de arches to St Mary's Abbey in York, an association which continued until the Dissolution. The moated site between the river and the present 18 C Manor House may well be the site of its medieval predecessor. Over 350 years ago, it is reputed that Prince Rupert quartered his troops in the Tithe Barn, before being defeated at Marston Moor. From its origins around the Church, the village developed westwards along Church Land and Main Street, where there was a ferry crossing. The village remained virtually unaltered until 20 C expansion as a commuter settlement. The present population is about 1530.

### History of Upper Poppleton<sup>13</sup>

. The earliest reference to Upper Poppleton is in the Domesday Book recorded as a subsidiary land holder. The original manor house was probably sited close to the present house of that name. All Saints' Church was originally a "minster" church, thought to be of Norman beginnings, but was

<sup>11</sup> Series of books available from the History Society all priced at £3.00

<sup>12</sup> Taken from the City of York Conservation Sites Document

<sup>13</sup> Taken from the City of York Conservation Sties Document



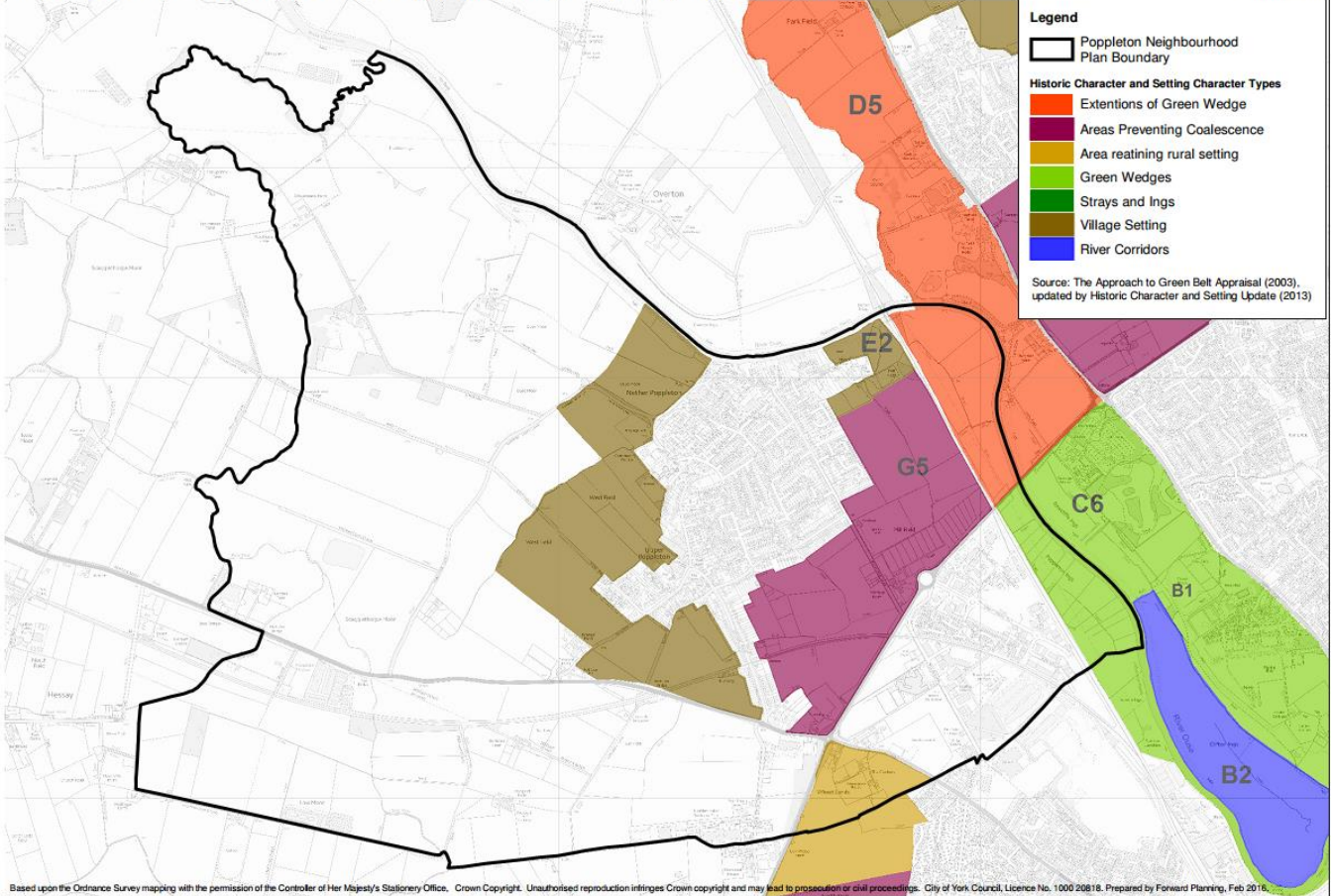
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rebuild in 1891. The railway came to Poppleton in 1848, later facilitating extensive 20C developments as a commuter settlement, the present population being about 1900 people.

The map provided by the City of York Council Planning Department (2016) shows how the historic character and setting of the villages is valued by Historic England. The area to prevent coalescence has been agreed with the City of York in the emerging Local Plan.

**Historic Character and Setting Character Types within Poppleton Neighbourhood Plan Area**

February 2016



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## Village Design Statement

*The Poppleton Village Design Statement was approved and adopted by the City of York Council in 2003. It has, since that time, informed all building within the villages' building limits line to ensure that the character, open aspect and style of housing development is consistent with the street scene, the material consideration of planning law and in keeping with the historic character of the villages. A full copy of the PVDS is attached as part of Appendix to the plan document. Before building takes place, all building contractors should be familiar with the PVDS document contents and planning restrictions.*

5.10 The purpose of this policy is to secure high quality design and development without restraining economic development. Good quality design is a relatively low cost part of the development process, and the design phase of proposals in Poppleton must not be curtailed. Design quality and its subsequent execution are the most important parts of development within Poppleton villages designated area

5.11 Non-compliance with the Village Design Statement in these circumstances will be a reason for refusal. The design process should be explained within the Design and Access Statement to show how the resulting design has been produced taking into account the relevant sections of the PVDS. *Appendix B*

5.12 The Village Design Statement ( PVDS) has clear guidelines on development of buildings within the Poppletons. Any dwelling must be well related in design, scale and siting to other buildings and landscape features and not be detrimental to existing living conditions.

5.13 The Settlement Limit of Poppleton villages was agreed in 1971 with the West Riding County Council, the District Council and the Parish Councils of Nether and Upper Poppleton. In 2003 the Poppleton Village Design Statements indicating that the Settlement Limit and the Green Belts limit were the same line, was accepted by the City of York Council. The Settlement Limit Line/Green Belt Line was confirmed in the Draft Local Plan ( 4<sup>th</sup> set of changes 2005) which is the current set of planning regulations for the City of York for all current development until a new Local Plan is inspected and adopted. The Neighbourhood Plan supports the guidelines as set out in the above document.( Map page 29)

5.14 The Map 2005 set the green belt around York till 2026 unless a new Local Plan was adopted

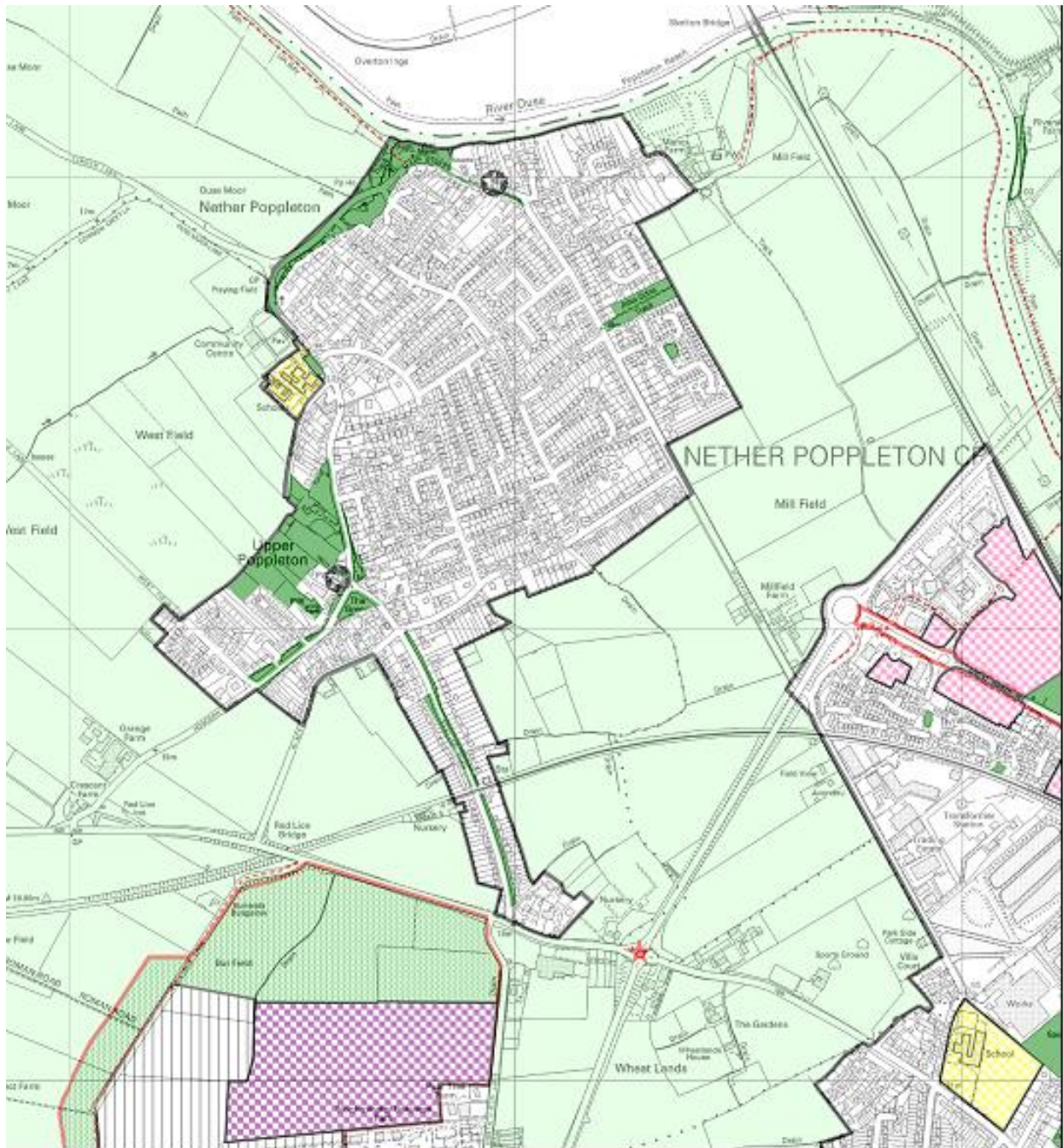
### Village Design Statement PNP 4

**All new developments within the settlement limits of the villages will be considered in relation to the guidelines in the Poppleton Village Design Statement (PVDS) as far as they are material to the proposal.**

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Draft Local Plan Map Incorporating 4<sup>th</sup> set of changes. Development Control Local Plan ( April 2005)

Used for all planning decisions up to and including July 2016



**Draft Local Plan Incorporating the Fourth Set of Changes  
Development Control Local Plan (April 2005)  
PROPOSALS MAP**



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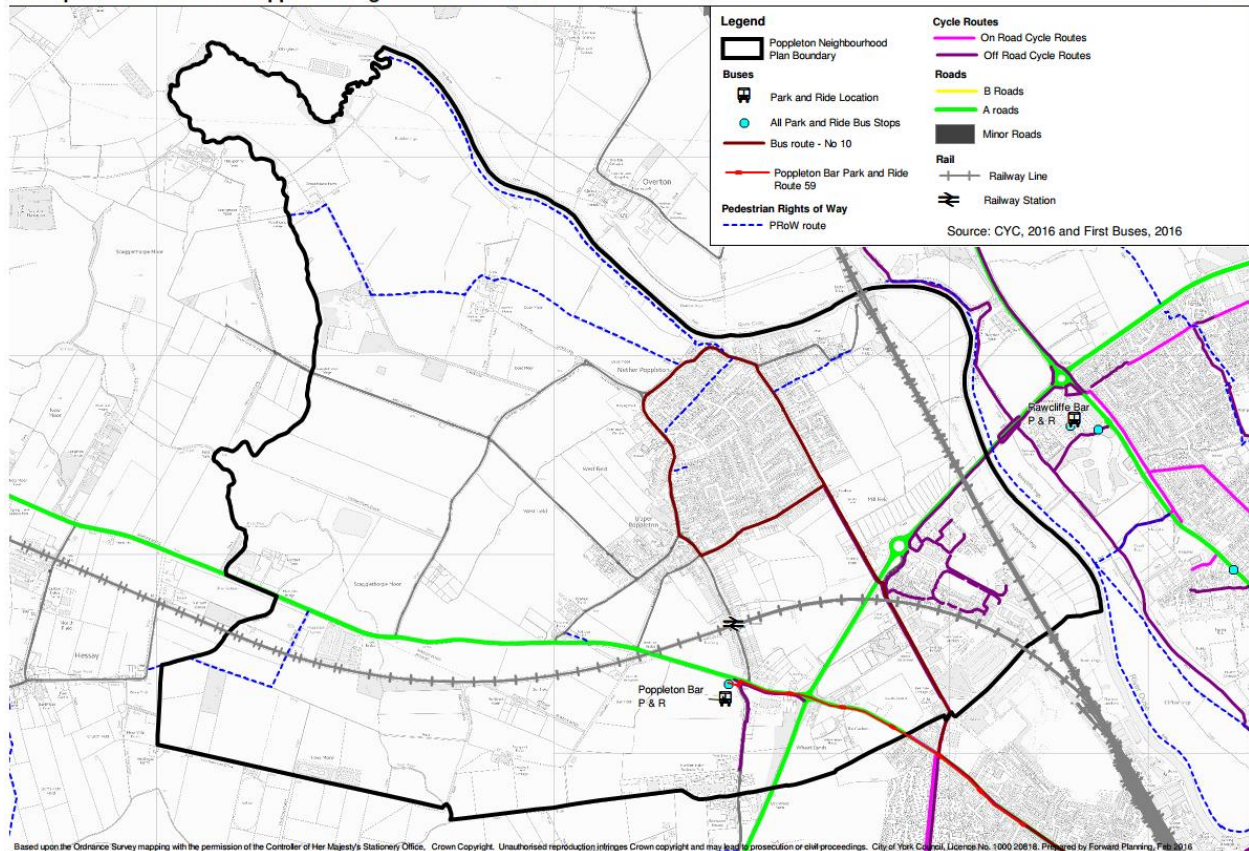
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## 6 Transport Corridors

### Transport Connections in Poppleton Neighbourhood Plan Area

February 2016



Map showing current major roads, trains, cycle tracks, bus routes and general connectivity of the Neighbourhood Plan area in 2016. Cycle and pedestrian routes outside the parish boundaries are not shown.

6.1 The area between Poppleton and York is also used heavily for transport purposes which is strategically necessary but in conflict with other purposes of the green belt such as settlement, separation, wildlife corridors and openness. Significant rail lines and roads cross this part of the parishes.

6.2 Currently Nether and Upper Poppleton are well connected to the city by rail links on the Harrogate to York line which may be upgraded to an electric line. Regular bus services are currently provided to the city and other suburbs via the number 10 route.

6.3 A park and ride facility has been built on green belt land within the designated area in the past. Improvements to the roundabout provision on the A 1237 have been completed in the last year (2015). At present the City of York Council have indicated that they have no plans to dual carriage the A1237 outer ring road.

6.4 A cycle track to the city from the village is incomplete at present. It is a shared pedestrian and cycle path for all travelling to Manor Academy from west and east. It is narrow and congested at key periods and needs to be reconstructed to meet with the traffic use involved. It encourages all in the village to use the cycle path into York. Millfield Business Park has an entrance for heavy haulage vehicles directly opposite to the pedestrian exit from Manor Academy. This heavy traffic use is a further reason for limiting access to the British Sugar Site on to Millfield Lane.

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6.5 Within the village there is a difficult three direction junction to be negotiated.( The T junction between Longridge Lane and Millfield Lane). It is hazardous particularly in the dark mornings of winter. Approximately 60% of students from the village and 30% of students coming from the east to the Academy currently use this shared narrow path. This Policy would seek to improve the present situation for cyclists by extending and widening the current provision to ensure safety for all within the village and approaches to Manor Academy.

6.6 Regular speed checks are carried out along this road. Vehicles are frequently monitored travelling in excess of the speed limit, as a result making it dangerous for cyclists.

6.7 NPPF 17 states that a set of core land-use planning principles should underpin both plan-making and decision taking. This can be achieved by actively managed patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be made, sustainable.

6.8 The policy PNP 5 is intended to provide instruction for cycle path improvement and reduce the incidence of cycle and vehicle traffic conflict. The cycle and pedestrian improvements on Millfield Lane must be provided in advance of, or coincidentally with, other transport infrastructure improvements within the Green Belt between Upper and Nether Poppleton and the built up area of the City of York.

6.9 NPPF 35: Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

6.10 Any further cycle path development which linked Poppleton to neighbouring villages, e.g. Hessay or Rufforth would be supported. The focus for cycling in the Neighbourhood Plan is to promote better health and well-being and sustainable transport for all residents.

6.11 Manor Academy staff and governors and the residents of the villages hope that developers at the Former British Sugar Site see the importance of linking cycle and pedestrian traffic to a sustainable network that provides for the secure transport connections for pupils and promotes public health by so doing.

6.12 Other potential building sites were noted in the Draft Local Plan. Some are on valuable agricultural green belt land and at present it is unclear if such developments will proceed. If in the future such developments were to take place then cycle path connections should be considered a major part of any planned development

6.13 In order that appropriate pedestrian and cycle construction becomes part of any development, it will be a requirement that within the Neighbourhood Plan area paths are wide enough to accommodate people and cycles. These shared spaces will be the responsibility of the developers.

**Traffic Policy PNP 5**

**Improved and extended cycle and pedestrian access to and from the village in relation to Manor Academy, local villages and the City will be supported.**

25 October 2016



**THE CURRENT CYCLE PATH SHARE SPACED BETWEEN POPPLETON AND MANOR ACADEMY**

25 October 2016

## 7 Housing development

### Sites and circumstances

7.1.1 There are limited opportunities for significant housing development within the Poppleton Villages' robust heritage and conservation boundaries. Other sites include Former British Sugar Site, Longridge Lane Site and since 2016 emerging Local Plan, former Civil Service Site and Wyevale Garden Centre. Total housing number over the Neighbourhood Plan timescale will be in the region of 600 houses **within** the parish boundary with a further 900 immediately at the former British Sugar site. The indications from the emerging Local Plan (2016) suggests a target of 841 houses per annum in the York Unitary Authority area over a twenty year period.

#### Areas within the Poppleton Parish boundary of potential housing.

The area known as Blairgowrie is within the conservation area and the site is of special concern to English Heritage.

Response 238/14083 by English Heritage

*"This site lies in the Upper Poppleton Conservation Area. When originally designated it is presumed that this open area was considered to make an important contribution to the character or appearance of the Conservation Area. Therefore one might assume that its' loss and subsequent development would result in harm to that part of the designated area. In view of the duty on the Council to preserve or enhance the character or appearance of its' Conservation areas, there will need to be some assessment of what contribution this plot makes to the character of the Conservation Area. If this area does make an important contribution, then the Plan would need to explain why its' loss and subsequent development is considered to be acceptable. If after undertaking this assessment, it is considered appropriate to allocate this area, development proposals would need to ensure that those elements which contributed to the significance of this area are not harmed."*

*(English Heritage objections to housing on Blairgowrie in Upper Poppleton sent to the City of York Council during the preferred options consultation 2013, 2014)*

7.1.2 The Blairgowrie site is centrally situated in the conservation area, located within Upper Poppleton.

7.1.3 The Neighbourhood Planning Committee is mindful of the impact on the road infrastructure within the village that housing on the Blairgowrie site would have. The present location of the local doctors' surgery, shops, public houses and the Methodist Church make this a particular bottleneck for traffic. On occasions the public bus service is disrupted due to car parking on the roadside. Further development of housing in this area would exacerbate the situation.

7.1.4 The area provides a wildlife sanctuary and forms part of the green corridor within the village linking the agricultural fields to one of the village greens. The aerial photographs show an extensive array of mature deciduous trees that give a rural woodland atmosphere to the area.

7.1.5 This area should be developed appropriately in limited fashion bearing in mind the caveats and policies 6A,6b,6C,and 6D in the Neighbourhood Plan.

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### Housing Policy PNP 6 A

Housing proposals will be supported where they meet any of the following criteria:

- 1 The site is allocated on the land allocations plan for residential use as follows :
  - H1 Former British Sugar Site (ST1) (City of York reference)  
(300 dwellings) within Poppleton
  - H2 Long Ridge Lane (2 dwellings)
  - H3 The Blairgowrie Site (replacement dwelling and outbuildings)
  - H4 Former Civil Service including the agricultural land (ST 2)(261)<sup>14</sup>  
(Information received 18 July in preferred site options consultation).
- 2 The proposal is the subdivision of an existing dwelling or is a single infill dwelling within a domestic curtilage and in compliance with other planning policies.
- 3 The proposal is for the conversion of an existing building that is of some heritage value worthy of retention and is in sound structural condition. The building should be genuinely redundant and it can be demonstrated its loss will not generate demand for a replacement building in the future.
- 4 Any development within the village must be within the village settlement limit as shown within the VDS

### Housing Policy PNP 6 B

The redevelopment of the buildings on the Blairgowrie site will only be permitted where it replaces the existing buildings of the same scale and to the same extent. It should maintain and enhance the character of the mature planting, landscaping, and the conservation area generally



Blairgowrie site with adjacent agricultural fields. Conservation area with all trees TPO

<sup>14</sup> Numbers of houses to be agreed when outline planning is received



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7.2 Within the designated area of Nether and Upper Poppleton there are sites which vary in size and opportunity for development. The total number of houses built within the village designated area in the last twenty years area is 423. These have mainly been built on brownfield sites or as infill into extended garden areas.

7.3 Back-land development within the village is increasing the pressure on former green belt land, creating traffic issues as visitors to the property frequently park on the village verges and block exits. Back-land development also is increasingly creating over-shadowing, which affects the amount of natural light presently enjoyed by a neighbouring property resulting in a shadow being cast over that property.

7.4 Over-development as a definition in this Neighbourhood Plan refers to increased housing density which is out of character with the surrounding housing types, increases the density of housing on a plot in such a way as to have significant impact on amenities, space for gardening, car parking on site where access may be compromised and which could impact on neighbours, open recreational space, schools or rural ambience.<sup>15</sup>

#### Housing Policy PNP 6 C

**Any proposal for subdivision of an existing site creating back-land development will only be permitted when it does not contravene the Neighbourhood Plan para 7.4 definition of over-development and does not over-shadow neighbouring properties.**

7.5 The Former Sugar Beet brownfield site (ST1) is partially within Nether Poppleton. This plan supports the development of this site with a wide variety of housing types to meet the needs of York population expansion and which is in compliance with NPPF 56-68. The City of York describe this as a prime site for re-development to meet a significant housing need in this area.

7.6 The access to and from the site requires a great deal of attention. The whole site when completed will have 1100 houses which will generate significant extra traffic. The number of houses should not exceed this proposal. The main access to the site should be off the A59 Boroughbridge Road.

7.7 The developers of the former British Sugar Site and the City of York Planners are considering methods of controlling and slowing the traffic through the site. It is important to provide public transport to serve the residents.

*NPPF 30 states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.*

7.8 The developers of the Former British Sugar Site have already carried out an Environmental Impact Assessment (EIA) in relation to the proposed redevelopment of the site, and the Environmental Statement (ES) has been submitted to the Council in support of the planning application for their consideration. This includes an assessment of traffic impact and consideration given to the main entrance being from the A59 Boroughbridge Road. It is considered therefore that only minor egress should be onto Millfield Lane. (Cross reference to 10.4).

<sup>15</sup> [www.planningportal.gov.uk](http://www.planningportal.gov.uk): Overdevelopment – an amount of development (e.g quantity of building or intensity of use) that is excessive in terms of demand on infrastructure and services or impact on local amenity and character.

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7.9 The developers of the Former British Sugar Site have been in constant dialogue with the Neighbourhood Plan Committee since the first pre-submission consultation. Agreement on landscaping, preservation of mature trees whenever possible and screening on Millfield Lane have been agreed in relation to the Parameter and Design principles. The Neighbourhood Plan also supports the development of brown field sites ahead of any other sites.

**Housing Policy PNP 6 D**

**Housing on the former British Sugar Site (ST1 CYC H1 PNP) is supported with mixed housing types, amenities, outdoor sport and recreation facilities for the community and the main entrance is off the Boroughbridge Road.**

7.10 The former Civil Services Sports field has been indicated on the latest Local Plan as one unit area and it is subject to a current planning application, but is actually two distinct parcels of land with two different functions and owners. While acknowledging that there is a need for housing within York, the latest numbers produced by the City of York Council in the consultation paper published July 2016 indicates that 841 houses per annum will meet the present trends in demographic data. It is proposed that the total number of houses on this site including the agricultural land will be 261<sup>16</sup>. When this figure is added to the British Sugar Site Development the total number of houses within this small area will be in the region of 1400 houses. This will significantly increase the impact on the road systems, school, doctors and other amenities and provisions within this section of the City of York and Poppleton boundary.

7.11 The only part of the site that may truly be considered as brownfield is the section where the original club house and tennis courts were built. The remainder of the sports field was always cultivated grassland. The second parcel of land has always been Grade 2 and Grade 3a agricultural land. Natural England has indicated that most versatile and valuable land should be protected.<sup>17</sup>

7.12 Discussions with Miller Homes, a prospective developer, indicate that the agricultural land which has been in production for over 100 years and is adjacent to Manor Academy, is planned for housing. During consultations there continues to be concern that more appropriate brown field sites and windfall sites are available. Miller Homes have agreed that the present hedgerow, trees and boundary hedges will be retained on the site to act as means of reducing noise pollution from the adjacent A59. The Building for Life 12<sup>18</sup> principles should be applied to all planning on the former Civil Service Site.

7.13 Miller Homes are aware of the impact that any future development would have, if in close proximity to Manor Academy classrooms. Miller Homes have therefore agreed to a buffer zone including the access road through the site with landscaped screening to ensure that privacy is maintained. This is indicated on P 45. Millers have had discussions with the Academy leaders on how to ensure privacy and security for the pupils at the school.

*Aerial photo illustrates two distinct land uses on the land to the left of the school buildings.*

<sup>16</sup> After consultation with Miller Homes the indication is that this number will be reduced to 261

<sup>17</sup> Natural England <http://publications.naturalengland.org.uk/publication/35012>

<sup>18</sup> See page 40 for details.

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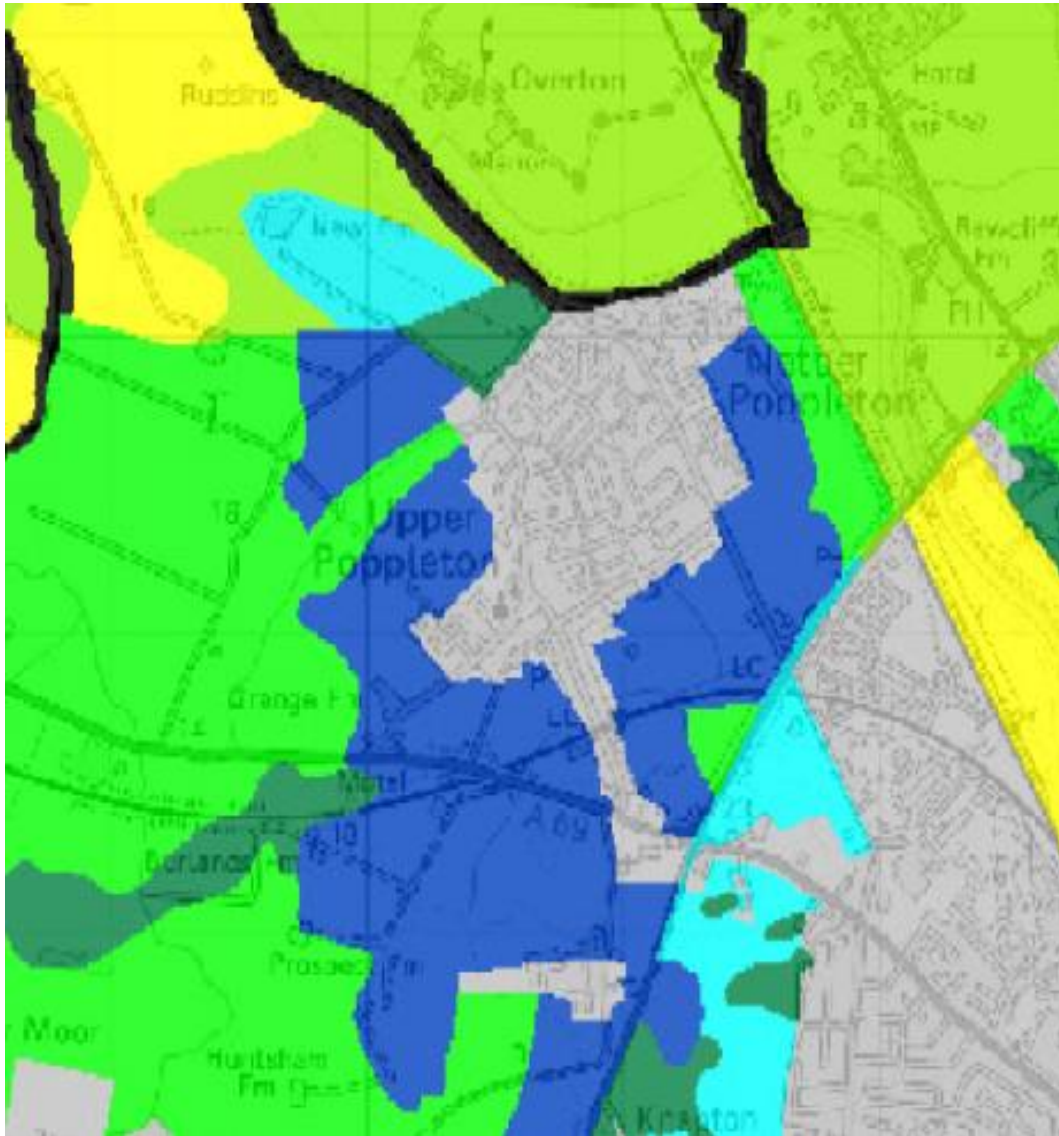


Aerial photo of the relationship of Manor Academy to the former Civil Service sports ground and agricultural field. Mature trees and hedgerows clearly visible. 261 houses proposed in the span of the Neighbourhood Plan.

Foreground shows the electricity sub-station adjacent to the former British Sugar site where 1100 houses are proposed over the 20 year span of the Neighbourhood Plan

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7.14 A further site known as Wheatland has been removed from the latest site allocations July 2016. The Neighbourhood Plan welcomes this removal as the area represent a significant break between the urban area of the City of York and the rural , historic character and setting of the villages of Nether and Upper Poppleton



Map Agricultural land use map provided by CYC under licence

**Key** Grey is Poppleton Village, Blue is grade 1 agricultural land, turquoise is grade 2 agricultural land.

#### Types and mix of housing

7.15 Proposals new dwelling should comply with relevant national and local policies for the delivery of a mix of housing types including affordable housing, older persons housing and appropriate dwelling size. Compliance with NPPF para 50 shows that mixed communities will be developed to reflect local demand.

7.16 Housing need identified in the City of York SHMA June 2016 draws the conclusions on the overall full objectively assessed need for housing over the 2012 -2032 period to be 841 dwellings per annum. However since 2012, 8000 houses have been built in the York area and considerable

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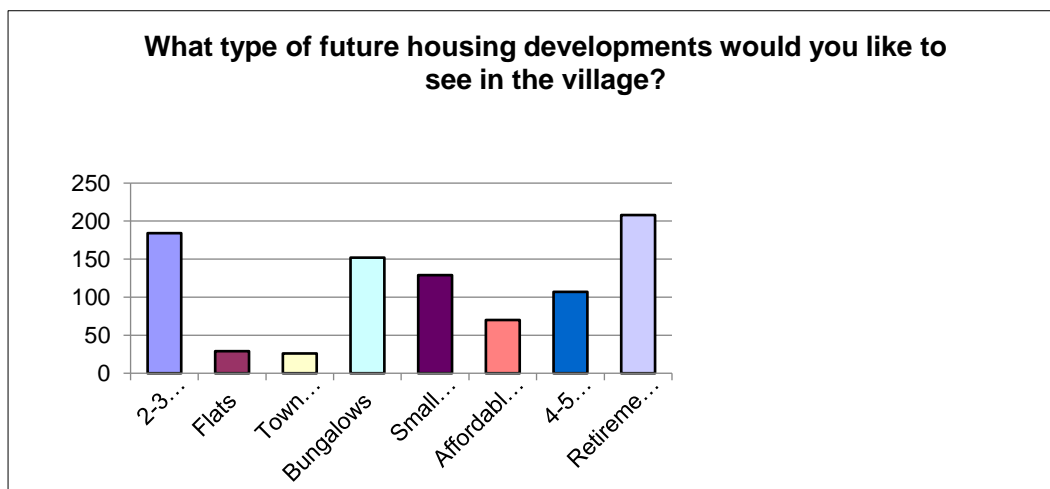
development have occurred in the Neighbouring District of Hambleton, Selby and the East Riding in North Yorkshire. These are all within the travel to work analysis provided in the Preferred Options Consultation document released on 18 July 2016. This further suggests that brownfield sites should be brought into use significantly before greenfield sites area considered.

New Infill housing orange roofs built in 1998. To the right infill houses built in 1990. Note the mixture of family homes and bungalows built in this area.

Extended gardens in evidence at the lower right corner. The land of the extended gardens was original green belt and the ancient hedgerows are clearly identified.



Response from 500 questionnaires regarding new housing to be built **within** the village.



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7.17 The Neighbourhood Plan requires developers to use Building for Life 12<sup>19</sup> and to demonstrate the quality of their schemes through full and thorough assessment. Development in Poppleton Parishes should be exemplary and should ideally secure 12 out of 12 Greens as indicated below.

- **Connections** – Does the scheme integrate into the surroundings?
- **Facilities and Services** – Does the scheme provide (or is close to) community facilities?
- **Public Transport** – Does the scheme have good accessibility to public transport?
- **Meeting local housing need** – Does the development have a mix of housing types and tenures that suit local requirements?
- **Character** – Does the scheme create a place with locally inspired distinctive character?
- **Working with the site and its context** - Does the scheme take advantage of site characteristics e.g. Topography, Habitats etc?
- **Create well defined streets and spaces** – Do buildings enclose streets and spaces and turn corners well
- **Easy to find your way around** – Is the scheme designed to make it easy to find your way around?
- **Streets for all** – Are streets designed to encourage low vehicle speeds?
- **Car Parking** – Is resident and visitor parking sufficient and well integrated?
- **Public and private spaces** – Will public and private areas be clearly defined?
- **External storage and amenity** – Is there adequate external storage for bins, recycling and cycles?

## 8 Employment developments

### Sites and circumstances

8.1 Currently there are three business parks within the designated area of Nether with Upper Poppleton and one small farm diversification business unit. They provide employment locally and have varying degrees of success in attracting business and clients. Much of the success has to do with ease of access to the sites, security of tenure and sufficient parking for employees and clients.

8.2 A good example is cited as Northminster Business Park where the site is screened by trees and blends with the rural environment. Clear notice boards indicate names and locations of businesses and there is a high level of satisfaction by all using these premises. The site is compact and has limited road access down a narrow lane. Expansion within the curtilage of this site would be acceptable. Further expansion would compromise the green belt.

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<sup>19</sup> Building for Life 12 The sign of a good place to live by David Birkbeck and Stefan Kruczkowski ISBN978-0-95760009 6-6

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8.3 Millfield Lane is a linear business park with small units employing 10 or less. It is located opposite to Manor Academy and the area is congested at peak hours with school traffic. It is considered by employers to be a convenient site. It has capacity for additional businesses in the current premises.

8.4 The experience of York Business Park trading estate, has shown that business and houses may not always be a good mix. It creates traffic congestion, road side parking and difficult egress onto the A1237 Ring Road at peak times. It is considered that only a minor access to the Former British Sugar site should be from Millfield Lane to prevent vehicular traffic from the Former Sugar Site using the Millfield junction as a means of avoiding the main arterial road.

8.5 In order to preserve the rural aspect of any development on Millfield Lane, it is considered important to preserve the hedgerows, trees, shrubs and daffodils that have been part of the roadside environment. Currently this green vista provides a screen around the former British Sugar site from adjacent housing. It would be the wish of the neighbourhood plan that existing planting of trees shrubs and hedgerows is preserved to continue the rural setting and habitat for wildlife.

8.6 York Business Park is a site that was opened for development in 2000 and currently advertises over 14 acres of unoccupied brownfield site for business.

8.7 Some of the undeveloped area was noted by CYC as a Site of Interest for Nature Conservation (SINC). This designation was altered in 2015 to allow further business development to take place as shown on the map.

8.8 York Business Park is adjacent to a housing development Poppleton Park which has 200 houses. There is the potential to expand sections of this site either for further business premises or housing. There is onsite shop/petrol station, recreational facilities, a good cycle network and a recently completed care facility for the elderly. Currently the City of York has not designated the York Business Park brownfield for anything other than employment. The change of use to C2 residential land would be supported by the Parish Council if a suitable proposal came forward and was supported by the City of York Planning.

8.9 A care home for the elderly was built in York Business Park in 2014 and there are vacant sites adjacent to this area. Housing would be supported as it would give the residents of the care home a more integrated community feel. At present the care home site is surrounded by car retail outlets.

8.10 At the time of developing the Neighbourhood Plan there is also a proposal for two further developments on brownfield sites that were previously SINCS. One is opposite to the care home and will be a car retail outlet and work shop and the second is a car sales area and workshop to be built adjacent to Bannatyne's Health Centre and Spa.

8.11 Whilst both are supported, as employment was the key function of this area, it should be noted that there exists at the present time a critical shortage of parking facilities for cars. There is no bus route round the Business Park so most employees of the 70 businesses arrive by car. Currently on a daily basis parking occurs on cycle paths, pavements and fire roads and makes it difficult for traffic to enter and exit the site. Evidence would suggest that at the present time there is a shortage of around 100 car parking spaces.

**Business and Employment Policy PNP 7A**

**Where new business development takes place on Business Parks there must be sufficient parking for employees and customers on site.**

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Typical situation on York Business Park. The cars are parked on the cycle path and block the recess for the post box



8.12 The site shown on the land allocations map as E2 (The Poppleton Wyevale Garden Centre) is from the draft local plan (2014) and allocated for employment use for research and development, light industrial, storage and distribution. The site was evaluated through the Site Selection Process and was submitted by the landowner through due process.

8.13 The current E2 site is a garden centre/nursery and is extremely well supported by local people and visitors to York. The premises have been a garden centre for over 30 years and although ownership has changed, only sympathetic expansion has taken place. It still has the original open and green format. It would be the wish of local residents that it is retained in its present format and situation. It has been sympathetically landscaped and adds to the rural setting.

8.14 E2 is adjacent to the new Park and Ride provision known as Poppleton Bar which provides a regular bus service to the centre of the City. The Poppleton Bar Park and Ride Site was built on green belt land and village common land. The Village has accepted this development as a means of reducing congestion from cars to the city. For the most part the buses are electrically powered thus reducing emissions in the rural environment.

8.15 The landscaping around the Park and Ride Scheme as currently provided is insufficient to screen the area adequately. It is hoped that the birdlife and other wild life will return in the future when the habitat is suitable.

8.16 The Garden Centre site failed the criteria for housing as it is considered to be in the Green Belt, has poor access to schools, shops and amenities, and would create an isolated community with access to the village over a busy main road thus making it dangerous for children to access to secondary and primary schooling.



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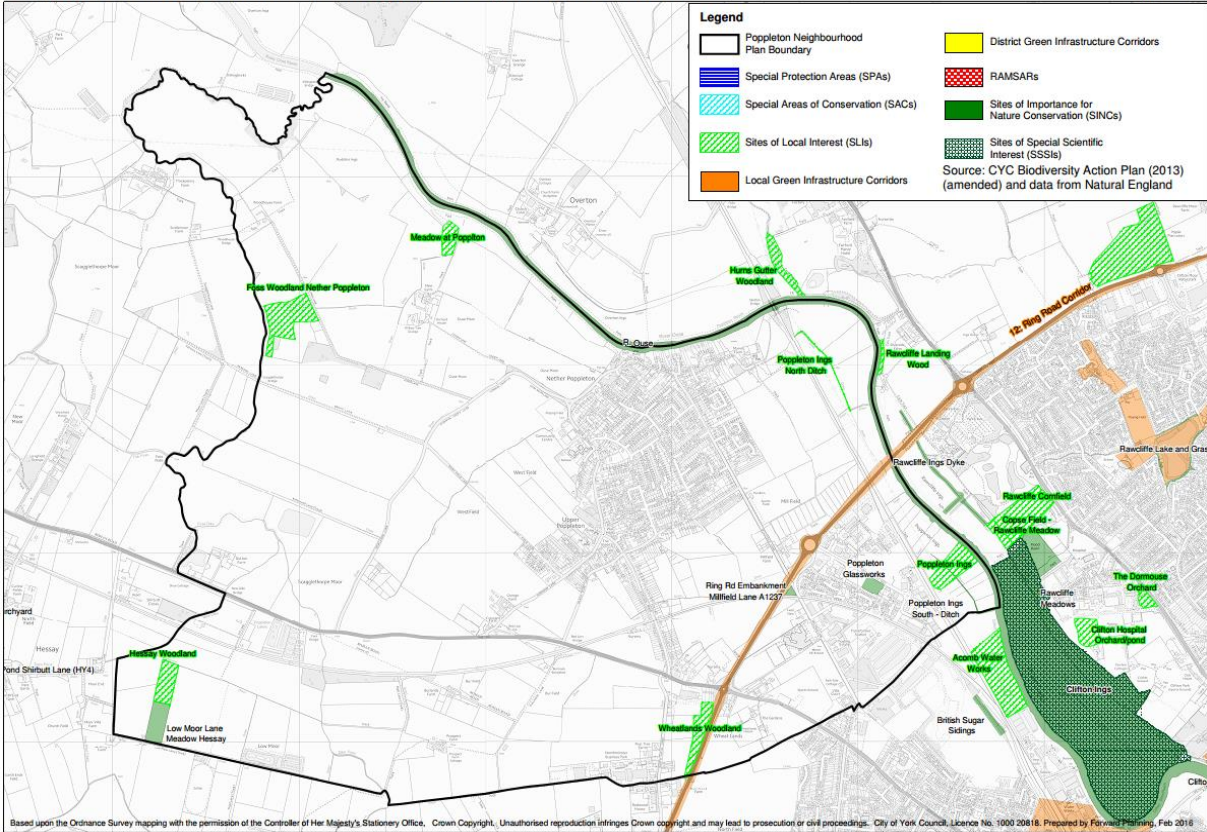
**Business and Employment Policy PNP 7 B**

**Employment uses at E2 will be permitted but limited to redevelopment on the footprint and height of the current building in order to preserve the open character of the Green Belt.**

Map indicating glassworks area that was never developed and associated conservation sites

**Designated Nature Conservation Sites in Poppleton Neighbourhood Plan Area**

August 2016



Map provided by City of York Council with names as per designation.

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## 9 Education sites

9.1 Land allocated for education expansion shown as ED 1 on the Land Allocations Plan will be safeguarded for this use for the duration of the plan. The current Manor Academy student roll number is 1023 although only planned for 1000. It is envisaged over the life of this Neighbourhood Plan that there will be a requirement for more places, and expansion of the current school buildings.

9.2 At the present time there is no 16-18 provision on the North West side of the City of York. The nearest provision is either at Tadcaster Grammar 10 miles to the west, Easingwold 10 miles to the north or York College 5 miles through the centre of the city. Given that sustainability suggests that there should be a reduction in impact of pollution through transport it is envisaged that provision of 16-18 education would be most suitable close to the present provision.

9.3 Since there is a proposal for 1100 houses on the Former British Sugar Site (ST1), there is also a requirement for a Primary School. If this could be developed in close partnership with and proximity to the Academy, it would be a sustainable model of educational development for a prolonged period. This is supported by the City of York Planning as the land was identified for educational open space under policy G15 New Open Space Provision.(Draft Local Plan 2014)

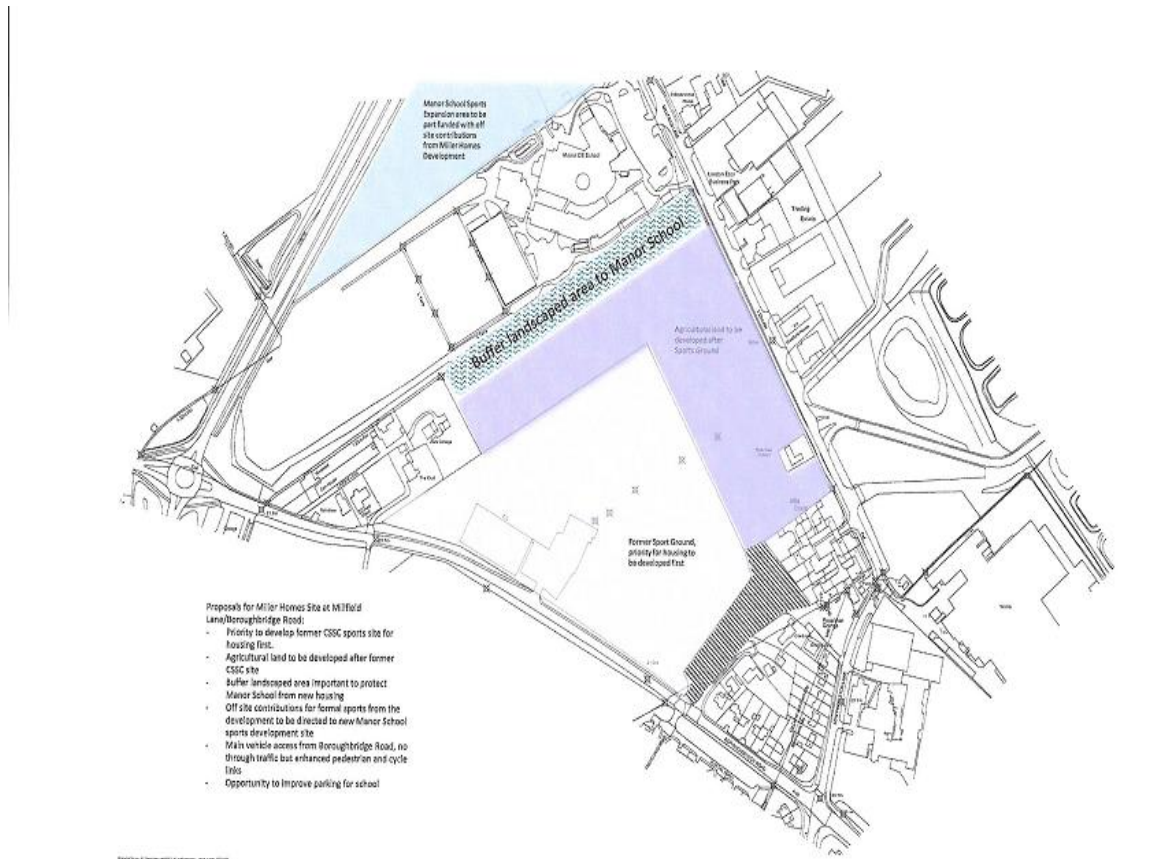
9.4 There has been extensive dialogue with the Principal of the Academy, the Governors and Miller Homes the developer. Agreement between the developer and the Governors has been reached to allow the school to have privacy, by means of a buffer zone (indicated on the sites location map in yellow), from intrusion by any buildings that might be developed close to the school.

9.5 The Academy has purchased from the City of York an area of land immediately adjacent to the ring road, A1237. This will allow the Academy to expand the playing fields and community activity as illustrated in Appendix B. This will also allow expansion of school buildings within the curtilage of the current building line. There will be no further development in the greenbelt area and privacy and separation between the school and the neighbouring development is assured for the duration of this plan.

Land for future playing field development between the school and the ring road.



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Buffer zone to protect privacy indicated on the photo above as land to the left of the school at present agricultural grade 2 land.

Figure Miller Homes land allocation adjacent to the school buffer zone agree ( see consultation documentation) 8B illustrative map

<b>Education Policy PNP 8 A</b>
<b>Site Ed1 on the land allocation plan will be safeguarded for future school playing field, allotments and woodland expansion.</b>
<b>Education Policy PNP 8 B</b>
<b>A buffer zone on the grade 2 agricultural land to the east of the school will be safeguarded, landscaped and planted to ensure that adequate separation and privacy is maintained between the school, the agricultural field, and any future housing development that might occur.</b>

9.6 Preschool education facilities exist within the village limits in a building on the heritage list, the Dodsworth Hall. This provides good facilities for preschool children, There is also a preschool facility at the York Business Park which is convenient for many employees on the park. At the time of development of the Neighbourhood Plan Muddy Boots, a preschool for children is being relocated from the former Manor School which was within York City Boundary to new premises which are situated within Upper Poppleton in a former farmhouse. Muddy Boots has recently received planning permission to transfer to the new facilities with capacity increasing to 90 children.

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9.7 Concerns have been raised about the access onto the busy A 59. The Neighbourhood Plan Committee has been assured by the CYC planners that all traffic movements have been considered. The junction is to be splayed to allow good vision onto the road and passing places on the access road to Muddy Boots will ensure that there is no traffic build up backing onto the main road.

9.8 It is also noted that a new McDonald facility which applied for retrospective planning to accommodate a greater height will now overlook the playing area of the new Muddy Boots facility. There are again concerns by the Neighbourhood Plan Committee that intrusive visual access is now an unforeseen issue onto the children's play area.

## 10 Community Facilities

10.1 Land allocated for recreational use shown on the Land Allocations Plan as R1 shall be reserved for use as a recreational area, probably a cricket pitch and outfield playing area. Small scale development for a pavilion will be acceptable without undermining the open character of the Green Belt.

10.2 The villages are fortunate to have a good selection of clubs and amenities for many activities. There are two village halls, a community centre, and a Tithe Barn. There are vibrant bowls, football and tennis clubs. There is no cricket club or facility and villagers have indicated that this would be a good use of site R1 adjacent to the junior football field.

10.3 A steering group has been formed and discussion taken place with York City Council which currently owns the land about acquiring site R1 for the purposes of developing a cricket field or additional sports fields. The lack of cricket facilities in many schools means that the nearest cricket clubs to Poppleton are unable to cater for the number of juniors wanting to play. If cricket is not the major sport on the field it will be used as a further recreational space to provide a sports venue for the village.

10.4 During the pre-submission consultation a committee was formed to investigate the development of a new playing area for children adjacent to the Community Centre. This has been supported by both Parish Councils and has been highlighted during the pre-consultation period of this plan. There is currently a small area suitable for young children up to the age of 10 and it is extensively used at the end of the school day. It is felt that it is inadequate for children of all ages.

10.5 The land falls within the Community Centre grounds which were leased from the City of York Council in 1996 on a 99 year lease. The grounds are well maintained and secure and add to the open green aspect of the villages. The policy PNP 9B seeks to secure the land for future generations to enjoy, and promote healthy living and environmental sustainability.

<b>Community Facilities Policy PNP 9 A</b>
<b>The land adjacent to the Poppleton Tigers Junior Soccer Pitch shown as R1 on the Land Allocations Plan will be reserved for recreational open space to provide a sports venue for the village.</b>
<b>Community Facilities Policy PNP 9 B</b>
<b>Land adjacent to the Community Centre should be developed as a play area for children of all ages. (R2)</b>

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## 11 Environment

*NPPF 109 The planning system should contribute to and enhance the natural and local environment by:*

- *Protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *Recognising the wider benefits of ecosystems services;*
- *Minimising impact on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures;*
- *Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability and*
- *Remediating and mitigating despoiled, degraded, derelict and contaminated and unstable land where appropriate.*

11.1 Protecting and enhancing the rural landscape and natural environment is important. There is strong support in the community to work with other agencies in the preservation of woodland, hedgerows, and the promotion of biodiversity, including wetlands and wildlife corridors. Currently there is a wooded area known as Wheatland's Woodland with permitted access through privately owned farmland for public use situated parallel to the A 1237 and Northfield Lane which is well used by the local community.

11.2 There are several footpaths along the river bank, one of which allows villagers to walk 5 miles to the next village of Moor Monkton.

11.3 The Millennium Green is managed by a Trust and financially supported by the Nether and Upper Poppleton Parish Council. It is protected for the future and provides a wild life sanctuary to many migrant birds, as well as local wild fowl. The Wildlife Area surrounding the ancient farm pond is particularly attractive to many young villagers and families.

11.4 Adjacent to the above two areas are paddocks within the Green Belt which are designated agricultural land. These paddocks are adjacent to the conservation area and it would be hoped to keep them as rural areas for the duration of this plan.

11.5 The Diamond Jubilee walk along the "Ings" to the York Business Park was developed in conjunction with the City of York and has provided a good walking opportunity for many villagers.

11.6 The policies PNP10A 10B, seek protection for those areas and paddocks not covered by the conservation areas. The surrounding agricultural land with ancient hedgerows provides a breeding ground for a wide variety of native bird species.

11.7 In the Conservation areas all trees are protected. There are a number of individual TPOs on specific trees within the villages. It would be essential to replace trees removed due to disease or for safety issues with indigenous trees. The policy 10A reflects this need for continuous replacement of valuable trees to the rural landscape.

11.8 A woodland area known as Warren Lea close to the riverbank has been extensively replanted with low level bushes and shrubs to encourage an even wider range of native bird life to the area.

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11.9 The key issue here is that distinctive rural landscape, settlement pattern, historical assets, natural environment and biodiversity of the Parish are protected and enhanced by the Neighbourhood Plan, whilst meeting the need for sustainable development. In promoting Healthy Lifestyles the Community considers that these green spaces, woodlands, footpaths, bridle paths and safe cycling areas are important to the Core Strategy of the National Planning Policy Framework.

11.10 There are currently a number of woodland recreational areas that may be reached by cycle, on foot or by horseback which provide an experience to travel between villages in the outer York area. It is hoped to maintain these paths for the future and restrict development that might reduce this amenity. The woodland areas include Wheatland's Woodland, Warren Lea and the riverbank leading to Moor Monkton.

11.11 During the consultation period for the draft Local Plan in 2013-2014 the village settlement boundary line was changed. There is also a Green Belt line that is proposed by COYC in the draft Local Plan which would indicate a lack of congruity between the settlement limit and green belt boundary lines. In 1992 an enquiry in front of a Planning Inspector ( Mr J R Sheppherd. BSc, M.Phil.,FRICS.,FRTPI.) upheld the view that the settlement limit and the green belt should coincide.

11.12 The residents who have the extended gardens recognise that it is green belt land and may be used for meadow, pasture, orchard and grassland to maintain the biodiversity of the area. No permanent buildings are permitted within greenbelt land.

11.13 NPPF 114 indicates that Local Plans should plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

11.14 Hedgerows have an important role in providing a natural habitat for native and rare birds as well as sustaining biodiversity. They also provide a valuable windbreak to prevent soil erosion of the valuable grade 1 Agricultural Land that surround the villages. When soil erosion takes place it incurs an additional expense for the farming community as the area has to be reseeded if a mature crop is to be harvested.

#### Environmental Policy PNP 10 A

**Woodland areas will be protected and managed to maintain the habitat for wild life to sustain biodiversity in conformity with NPPF 109-125. Forestry work on trees covered by TPOs in Poppleton shall only be carried out following planning applications and approval by CYC Ecology Department. Where a tree or trees are removed due to disease or for safety reason a replacement should be planted on or near the original position.**

#### Environmental Policy PNP 10 B

**All the hedgerows within the villages and Neighbourhood Plan boundary play a vital part in assisting breeding areas for wildlife and will be protected. "Countryside Hedges" as defined under Hedgerow Regulations<sup>20</sup> 1997 and any deemed to be "important hedgerows" will require planning consent for their removal as approved by CYC Ecology Department. In Poppleton this includes former field boundary hedges.**

<sup>20</sup> Hedgerow regulations ( 1997) no 116

25 October 2016



Woodland walks that provide environmental protection for birds, and other wild life.



River Bank walks from the villages to Nun Monkton and back through agricultural landscape



Millennium Green providing a space to breathe in the countryside within the village.

25 October 2016

## 12. Climate Change and Renewable Energy

12.1 It is evident from the proposed number of houses to be developed on the British Sugar Site that management of run-off from precipitation is a key issue.

12.2 When the recent Park and Ride Scheme was being developed an underground water holding tank was installed underground to collect flood waters and release them at a moderate rate into the River Ouse.

12.3 The River Ouse has the largest drainage basin system of any river in England. The precipitation rate on the Dales is high and in the event of heavy prolonged rainfall or sudden snow melt in winter the result in York is high levels of flooding which are frequently televised.

12.4 The need to ensure that building does not take place that will endanger the historic City of York is of high priority in this Neighbourhood Plan. A full environmental impact survey should be a requirement of any residential, business, or commercial development taking account of groundwater levels.

12.5 Given the need for sustainable renewable energy it would be proposed in this development plan that, with the exception of the Conservation Areas, all new building should be required to consider having solar photovoltaics to capture energy. Economic sense dictates that any development already connected to the National Grid could generate sufficient power to run appliances and lighting.

12.6 Flooding is not an issue for the present houses in the village as most were built above the 100 year flood line. However large scale housing development with non-porous surfaces present an immediate danger to the infrastructure within the City of York. Millers have indicated in their latest plan that a subterranean water holding area will be part of the new design for the development of the Former Civil Service Site.

12.7 In 2000 when the development of Rawcliffe and Clifton Moor was at its peak the highest level of flooding was recorded in York. The 'ings' provide a vital flood defence allowing water to spill out over the agricultural landscape and act as natural storage areas.

12.8 The Plan supports new housing that complies with or exceeds the requirements of Building Regulations in respect of the conservation of energy and use of renewable technology.

### PNP 11 Climate Change and Renewable Energy

Any development or new build, ( with particular reference to large scale housing developments such as former British Sugar Site) should comply with or exceed the Building Regulations with regard to energy conservation and use of renewable energy technology and should consider the following :- harvesting of rain water and storm run-off, grey water recycling, porous surface provision wherever appropriate, solar photovoltaics for energy capture and high standard insulation of floors, walls, and roofs to reduce energy consumption.<sup>21</sup>

<sup>21</sup> The Council Renewable Energy Study ( 2014) undertaken by AMEC.



25 October 2016

## 13 Mineral Extraction and Waste Management

13.1 The Nether and Upper Poppleton Neighbourhood Plan acknowledges that the City of York Council as a unitary authority is also a waste and minerals planning authority.

This responsibility involves identifying all waste arising from all sources in the area and requirements for minerals, including aggregates and how these will be sourced.

The Municipal Waste Management Strategy for the City of York and North Yorkshire 2006 – 2026 and subsequent strategies highlight the need to develop planning policies relating to waste.

13.2 Minerals resource mapping undertaken by the British Geological Survey for North Yorkshire identifies broad areas of potential reserves in York for several types of minerals resources.

13.3 The area immediately upstream from the proposed Dutton Farm extraction as the allocation was included in the Preferred Options Draft of the Mineral and Waste Joint Plan and has not yet been adopted. The area is subject to flooding as the map below indicates.

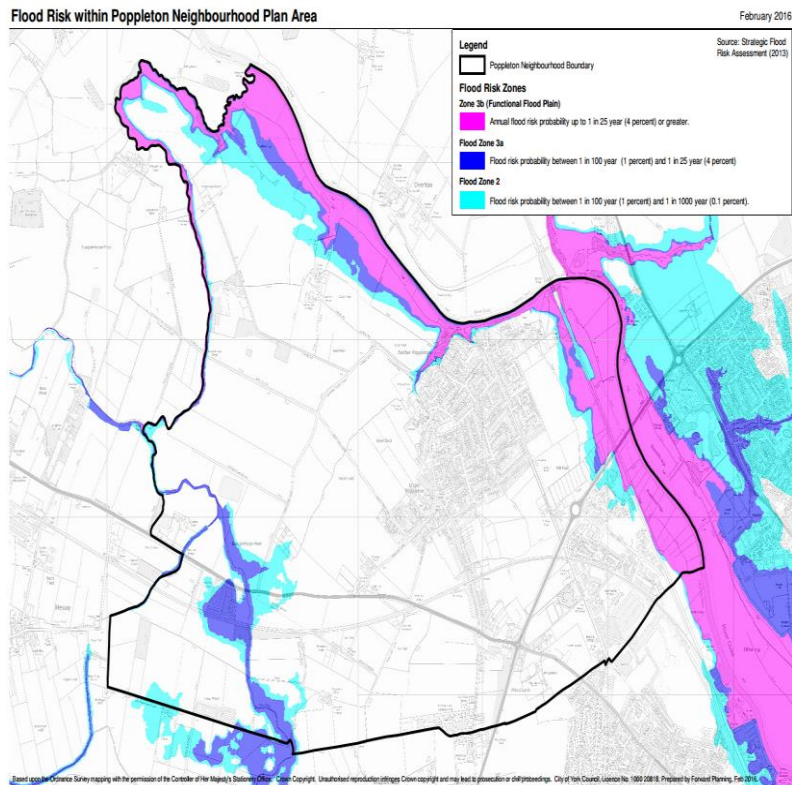
13.4 There are a number of commercial fishing ponds that lie upstream from the potential site of Mineral extraction. The Neighbourhood Plan Committee are anxious that this natural area is not impacted in anyway either by extraction or subsequent infill when the extraction period, should extraction recommence or be permitted by the City Council.

13.5 Flood waters are an issues for the City of York. The Foss Dyke which form the Parish Boundary, is adjacent to the proposed extraction pit at Dutton Farm. It would be hoped that the City Planners take all this into consideration before allowing further extraction.

### PNP 12 Mineral Extraction and Waste

The Neighbourhood Plan would seek to ensure that any exploration or excavation carried out would be followed by permanent re-instatement and restoration of the Green Belt. Indigenous tree planting and landscaping to the area should help to re-establish wild life habitats.

25 October 2016



Electronic copies of all documents relating to this Neighbourhood Plan are available at [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk)

## 14 Site Allocation and selection

Site Allocation and selection is included in the Environmental Report and as an Appendix 1 to this document. It is available as a download on the [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk) website

### Acknowledgements

The Neighbourhood Plan Committee is grateful to the consultants Tom Woof BEM MRTPI and Alex White BSc, MSc AIEMA for their assistance in producing this Plan.

The Neighbourhood Plan Committee would also like to acknowledge the help and support they received from Robert Bryan BA Hons DipTP MRTPI during the Health Check.

The funding for this work has in the main has been received from Locality and MY Community both government sponsored bodies that have been granted funding.

Deb Appleby and Emma Crickley, at Locality an organisation which assists communities to achieve Neighbourhood Plans to ensure that the right houses are built in the right areas with the correct level of amenities and transport links.

Hutton Peach who designed and assisted and supported the website development for the Neighbourhood Plan including the email address system.

Support has also been most welcome from Julian Sturdy MP, Cllrs Chris Steward and Ian Gillies.

25 October 2016

Finally the group have received advice and assistance from the City of York Council Neighbourhood Planning team (Alison Cooke, Caroline Strudwick, Rebecca Harrison, Martin Grainger and Rachel Masefield.)

25 October 2016

## Appendix A

### Formal letters and notification of designated area

#### FOREWORD

Letter from Parish Chairmen, regarding the Neighbourhood Plan at the pre-submission consultation period 11 May -1 July 2016

7 May 2016

Dear Resident of Poppleton

We are pleased to present the Poppleton Neighbourhood Plan. This has been promoted by Nether Poppleton Parish with Upper Poppleton Parish and has been prepared by a group of parish Councillors with the assistance of planning consultants Tom Woof BEM MRTPI., and Alex White BSc. MSc. AIEMA.

This is the second time the plan is out for pre-submission consultation as the lack of a Local Plan and Strategic Environmental Assessment meant that the Neighbourhood Plan has had to go through a scoping process and the attached environmental report has been produced from the evidence collected at that time.

This is very much **YOUR 2016-2036** Neighbourhood Plan. It is an expression of your wishes and is based on what you have told us over recent months through the events we have been running. It reflects the needs and aspirations of our community and gives effect to the views, opinions and information you have provided on how you wish to see the parishes and village of Poppleton develop over the next 20 years.

Please read the plan at [www.plan4poppleton](http://www.plan4poppleton) and pass any comment back to the plan committee at: [info@plan4poppleton.co.uk](mailto:info@plan4poppleton.co.uk).

or visit the exhibition in the library and leave your comments in the box provided there.

It is imperative that we have all your opinion and responses by **1 July 2016** so that we can present the final submission to the City of York Council for Examination by an external auditor.

We appreciate that your time is valuable and we know that for us your opinion on this plan really does matter to all the residents of Nether and Upper Poppleton.

You will all have the final say on whether the plan is adopted or not in a referendum vote in Autumn or Winter 2016. At that time 50% of all eligible voters who vote must give a positive approval for it to become adopted as the plan for Poppleton for the next 20 years.

Yours sincerely

Peter Powell Chairman of Nether Poppleton Parish Council

Stuart Robson Chairman of Upper Poppleton Parish Council

25 October 2016

The Neighbourhood Plan Group comprises Edie Jones, Vivien Crabb, Kathie Brydson, Roper Langford, Peter Powell and Don Simpson.

The following notice was distributed on 10 notice boards around the village and emailed to 540 villagers who left email address, as well as to all the statutory bodies, and business in the area

**POPPLETON NEIGHBOURHOOD PLAN                      2016**

**Town and Country Planning, Neighbourhood Planning (General) Regulations 14 (2012)**

**NOTICE OF NEIGHBOURHOOD DEVELOPMENT PLAN  
PROPOSALS**

You may remember being contacted in November 2014 by the Neighbourhood Plan Committee asking for your views on the village and the things that you felt made it special. We then had a pre-submission consultation in 2015 and you told us your thoughts on the plan. The plan was also featured at a public display/discussion at the Village Sports Day on 25 May 2015. The Neighbourhood Plan has since been revised taking into account

- Your views and comments
- Requirements and suggestions from City of York Planning Department Officers, including a Strategic Environmental Assessment, following a prolonged series of meetings.

As a result of these revisions we would like to hear your views on the amended proposals as part of the **2<sup>nd</sup> pre-submission consultation 2016**.

**Consultation Period :**    8 May 2016- 1 July 2016

**WHERE :** The latest version of the Neighbourhood Plan, Environmental Report and Comment forms can be viewed :-        Electronically [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk) website.

Paper copies at Poppleton Library, Lemon Tree Café, Community Centre Café,  
Doctor and Dentist Surgeries

On request an electronic copy pdf file can be sent to your email.

**How to make representation:    Copies of the response form:**

**Down load from our website [www.plan4poppleton.co.uk](http://www.plan4poppleton.co.uk)**

**Paper copies at the above location**

Please send completed forms via email to                      [info@plan4poppleton.co.uk](mailto:info@plan4poppleton.co.uk)

or by sending the completed form to the Clerk to the Parish Councils:

[Mr James Mackman, 39 Calder Avenue, Nether Poppleton, York YO26 6RG](mailto:Mr James Mackman, 39 Calder Avenue, Nether Poppleton, York YO26 6RG)

[or Neighbourhood Plan Committee, 32 Midway Avenue Nether Poppleton YO26 6NT](mailto:or Neighbourhood Plan Committee, 32 Midway Avenue Nether Poppleton YO26 6NT)

25 October 2016

The date by which any representations must be received is not less than 6 weeks from the date of this notice (the date of first publicity of the Proposal)

#### ROADMAP TO THE DEVELOPMENT OF THE NEIGHBOURHOOD PLAN

The process and timescale of developing this Neighbourhood Plan so far.

<b>2014</b> JUNE	Initial Questionnaire asking the people of Poppleton if they wanted a Neighbourhood Plan to be developed. Formal representation to the City of York requesting to be a Designated Area for both parishes to work together
SEPTEMBER	Questionnaires delivered throughout the village to gauge response to land allocations for housing development and other land issues related to the designed area.
OCTOBER	City agrees that the area can be designated for Neighbourhood Planning Purposes.
OCTOBER	<b>Local Plan</b> rejected by City of York Council as the housing numbers were neither appropriate nor accurate.
OCTOBER -JANURARY 2015	Meetings and discussion to develop a pre-submission consultation on the plan based on response to the questionnaires.
<b>2015</b> JANUARY – MARCH	PRESUBMISSION CONSULTATION
MARCH APRIL	Consultation report written together with Basic Conditions Statement and environmental Assessment
AUGUST	Preliminary Inspection undertaken – Health Check
SEPTEMBER	Historic England and City of York Planners - a full Strategic Environmental Assessment
OCTOBER	Newsletters informing residents of potential changes due to SEA
NOVEMBER	Locality assist Neighbourhood Plan Group with preparation of a scoping Report and its circulation for consultation with statutory bodies
DECEMBER	Scoping completed SEA consultant employed
<b>2016</b> JANUARY	Site Assessment report repeated using scoring method advised by City of York Planners in order to correspond with CYC SEA.
FEBRUARY/ APRIL	Strategic Environmental Assessment completed based on Scooping, and Site Assessment methodology
MAY	2 <sup>ND</sup> PRE-SUBMISSION CONSULTATION FOR 8 WEEK PERIOD
JUNE/JULY	2 <sup>ND</sup> Consultation report written.
JULY	Submission of plan, SEA, Environmental report, Consultation report and Basic Conditions Statement to City of York with request to appoint an examiner
AUGUST/SEPTEMBER	CYC APPOINT EXAMINER
SEPTEMBER/ NOVEMBER	EXAMINERS REPORT AND REFERENDUM TO VILLAGERS

25 October 2016

25 October 2016

REQUEST TO THE CITY OF YORK COUNCIL PLANNING DEPARTMENT AND CITY COUNCILLORS TO BE A DESIGNATED AREA FOR A NEIGHBOURHOOD PLAN AREA.

Request submitted in June 2014 and confirmed by the City in October 2014.

The two parishes of Nether and Upper Poppleton are situated approximately four miles north west from the centre of the historic city of York. The River Ouse bounds the village to the north and east and the A 59 York to Harrogate road to the south and west. Poppleton, Nether and Upper, consists of two old village cores, which have coalesced to form one community. Recent expansion in the Parish of new housing and commercial areas are now included within the parish boundaries and it is the whole parished area that is the subject of the Neighbourhood Plan.

The Parish Councils have jointly worked on a number of projects. Whilst meeting independently the Parish Councils represent the interest of all the residents of the area designated on the attached map. Nether and Upper Poppleton are statutory consultees on planning applications within the parishes. Consultation to date shows that there is a desire for a Neighbourhood Plan, particularly given the recent government legislation with regard to localism. The villages jointly produced a Village Design Statement in 2003 and this will give the initial platform for the development of a Neighbourhood Plan. The Parishes already manage and financially support many areas, including the village greens, the Millennium Green, the Moat Field and other significant green spaces. The Parish Councils give financial support to numerous village groups and organisations and actively keep parishioners informed through their websites, Twitter account, notice boards and regular newsletters.

The two parish councils are the official statutory first tier of government in this parished area and enjoy strong support of the local community. For the purposes of this submission it has been agreed that the Chairman of Nether Poppleton Parish Council, will act as the lead to the executive committee comprising initially 2 councillors from each Parish and other interested parties. The Councils have considerable collective knowledge of their areas and a deep understanding of the area's planning opportunities and constraints and how these interact with the aspirations and concerns of the residents of the parishes. Other parish residents have worked with the committee, and consultations have been extensive with local business on the three adjacent business parks, landowners and the City of York Planning Department.

15 June 2014



25 October 2016

NETHER WITH UPPER POPPLETON  
NEIGHBOURHOOD PLAN COMMITTEE  
TERMS OF REFERENCE

**Objective**

The objective of the Neighbourhood Plan Committee is to prepare a Neighbourhood Plan for the designated area, that defines the planning policy priorities identified by the community, taking into account all representations made during the plan-making process and having regard to all relevant existing plans and evidence.

The Neighbourhood Plan Committee will communicate with residents, land owners, village organisations, local schools, service providers and businesses to ensure that the Plan is totally representative of the local community and provide a progress report at each monthly meeting of both Parish Councils detailing progress and financial position.

**Roles and responsibilities**

- Promote the process of preparing the Neighbourhood Plan, determining the overall scope and objectives
- Manage the process of preparing the Neighbourhood Plan, producing and updating a timetable
- Communicate with statutory bodies and seek their input
- Make contact with and maintain links to City of York Council Planning and Environmental Management
- Liaise with relevant authorities and organisations to make the Neighbourhood Plan as effective as possible
- Gather data from as wide a range of sources to ensure that conclusions reached are fully evidenced
- Identify sources of funding, complete application forms and establish an audit trail with the lead Parish Council (Nether Poppleton) through its own financial responsibilities
- Report monthly to both Parish Councils and receive endorsements of decisions taken
- Ensure that the final draft of the Neighbourhood Plan is fully representative of the views of residents and other consultees
- Progress to independent examination
- Carry out a successful community referendum
- Arrange for adoption into the City of York Council as Planning Policy

**Membership**

25 October 2016

- The Neighbourhood Plan Committee will initially comprise two parish councillors from each Parish Council
- The membership will be reviewed from time to time to change or increase the membership as circumstances develop
- The Chairman will be elected from within the Committee

#### **Meetings**

- Committee meetings will take place regularly as least once per week initially and then latterly as progress determines at least monthly
- Decisions made by the Committee should normally be by consensus at Committee meetings

#### **Funding**

- All grants and funding will be applied for and held by Nether Poppleton Parish Council who will ring fence all monies for the Neighbourhood Plan work
- The Committee will notify both Parish Councils of expenditure and a separate account kept detailing expenditure of funding from Locality

#### **Conduct and interests**

- The Committee will follow the code of conduct agreed by the Parish Council code of conduct including declarations of interest
- Whilst members as individuals will be accountable to their parent organisations, the Committee as a whole is accountable to the wider community for ensuring that the Neighbourhood Plan reflects their collective expectations.

June 2014

25 October 2016

## Appendix C

### Upper Poppleton

#### Conservation Area No 16 ( 18.2 ha)

##### Introduction

Upper Poppleton Conservation Area was designated in 1993. Originally it embraced the village green and its approaches along Hodgson Lane and Main Street. On 16 December 2004 the Conservation Area was extended to include the following: Beechway Close and the adjoining part of Main Street; part of Long Ridge Lane: land and buildings south of Black Dike Lane; the remainder of Beech Grove and adjoining paddocks and gardens; paddocks to the rear of Model Farm, the Green and a small extension along School Lane. Also at the same time No 1-5 (consecutive) Grove Gardens were deleted from the Conservation Area.

##### History

The Old English name "popel" probably means "pebble" and "tun" implies a non-forested landscape or hamlet farm. Thus Poppleton may have originated as "a farmstead on pebbly soil" (a reference to local glacial sands and gravels) or "by a pebbly bank" (higher land on the edge of the river). "Upper" implies that the settlement is further from the river. The earliest reference to Upper Poppleton is in the Domesday Book recorded as a subsidiary land holder. The original manor house was probably sited close to the present house of that name. All Saints' Church was originally a "minster" church, thought to be of Norman beginnings, but was rebuilt in 1891. The railway came to Poppleton in 1848, later facilitating extensive 20C developments as a commuter settlement, the present population being about 1900 people.

##### Important Buildings

Several of the houses and farmhouses around the village green are listed buildings including Model Farmhouse and Barn, and Manor Farmhouse, together with their gates and railings. The listed buildings all date from 18C. Although not listed, All Saint's Church is also important to the character of the green.

##### Character

The triangular village green overlooked by houses on all sides creates Upper Poppleton's particular character. Roads approach each corner of the green and along two of these – Main Street and Hodgson Lane – subsidiary greens extend. Overall there is an interesting spatial quality, to which the several mature trees contribute. The pump and maypole epitomise the role of the green as the focal point of village life.

Attractive groups of 18C and 19C two-storey houses front onto the green, interspersed by some more recent development. The houses tend to be detached or in pairs. They are sited close together, often having small front gardens defined by boundary walls with several examples of fine wrought iron railings and gates. All Saints' Church is set back from the frontage and has mature pine trees in the churchyard.

On the south-east side of the green and along part of the north-west side, the medieval patterns of long narrow plots extending to the open fields remains, being important to the setting of the village. However the 20C housing development, which effectively links Nether Poppleton and Upper Poppleton, extends up to the rear of the frontage buildings on the north-east side of the village core.

Grin is the predominant building materials, and there are examples of different bonding such as English Garden Wall and Flemish Bond. Some properties are rendered brick. Roofing is generally of pantiles or Welsh slate.

The main elements of the character and appearance of the area are:-

25 October 2016

- 1 The essentially rural village quality of the green, with its individual triangular shape and the subsidiary greens leading from it.
- 2 The attractive groups of vernacular buildings, sufficient to create a cohesive overall character, and is valuable focal point in an area that has undergone extensive suburban expansion.
- 3 The rural setting that remains to the south-east and north-west of the village core.

## **Nether Poppleton**

### **Conservation Area No 17 ( 19.7 ha)**

#### **Introduction**

Nether Poppleton Conservation Area was designated in 1993. It includes the historic village core around St Everilda's Church Manor Farm, Church Lane and Main Street.

#### **History**

The Old English name "popel" probably means "pebble" and "tun" implies a non-forested landscape or hamlet farm. Thus Poppleton may have originated as "a farmstead on pebbly soil" (a reference to local glacial sands and gravels) or "by a pebbly bank" (higher land on the edge of the river). "Nether" suggest this settlement as the one closer to the river. Which of the two Poppletons came first is open to debate, but Nether Poppleton is most likely due to be the older. The earliest reference to Nether Poppleton is in a charter of Archbishop Oswald of 972. St Everilda's Church (only one other dedicated to this obscure 7C Saxon Saint is known) is mentioned in the Domesday Book. In 1088 St Everilda's and the manor of Nether Poppleton were given by Osbern de arches to St Mary's Abbey in York, an association which continued until the Dissolution. The moated site between the river and the present 18 C Manor House may well be the site of its medieval predecessor. Over 350 years ago, it is reputed that Prince Rupert quartered his troops in the Tithe Barn, before being defeated at Marston Moor. From its origins around the Church, the village developed westwards along Church Land and Main Street, where there was a ferry crossing. The village remained virtually unaltered until 20 C expansion as a commuter settlement. The present population is about 1530.

#### **Important Buildings**

The Church of St Everilda's (listed Grade 11) is 12C in origin with late medieval and subsequent rebuilding and restoration. It is built in limestone rubble and ashlar, with sandstone and brick in English Garden wall Bond, and a Welsh slate roof. The Church includes some 14C window glass. Manor Farm is a group of important listed buildings: the farmhouse (mid 18C with a 19C additions), the garage ( probably 18C with walls approximately 1 metre thick) and the Barn of 15C or 16C origins, encased in brick in the 18C with a rebuilt east end and repairs in 1928. Main Street and its junction with Church Land contains several 18C listed houses, including the former schoolhouse of 1797. The gazebo north of the Fox in is also listed and dates from 1795.

#### **Character**

Sited discretely around a sharp bend in Church Lane, the original village nucleus of St Everilda's Church and Manor Farm retains a deeply rural and historic quality, with its important listed buildings, walls, trees and the moated site leading to the riverside. Church Lane "peters out" into a narrow lane and the setting of open fields remains.

This traditional open setting of the village continues for part of the way along the south side of Church Lane. From there onwards it is replace by the more recent and extensive suburban style of development which in places has broken through onto Church Land and Main Street. However, to the North the relationship between the village and the river remains largely undisturbed, with long narrow fronted plots extending between the two.

25 October 2016

The main stretch of Church Lane is relatively wide. Groups of vernacular buildings are intermingled with more recent development. Overall, Church Lane is pleasant, its frontage given unity by the grass verges and trees, and the view ahead to the attractive groups of 18C houses at the junction with Main Street.

At the western end of Main Street, mostly 18C and 19C houses and cottages cluster around the road junction and down the hill, creating another focus of traditional village character. The interesting changes in ground level, with the sloping grass verges, add to the attractive compositions. The elevations of each of the traditional houses vary subtly, yet all share the same good proportions and period character. Main Street continues in a series of curves, tree-lined with beck running alongside and development set well back; a country land character, important as a rural edge for the settlement. Traditional building materials in the village are brick walling with pantile and some Welsh slate roofing. Amongst the listed buildings, English Garden wall or Flemish Bond brickwork is found. Properties have usually retained their original multi-paned vertical sliding sash windows.

The main elements of the character of and appearance of the area are:-

- 1 The genuinely rural character of Manor Farm and St Everilda's Church and the historic association with the origins of the village.
- 2 The continuity of Church Lane and Main Street, linking areas of historic and rural character through a series of curves and changes in level, revealing a pleasant sequence of views.
- 3 The landscape elements – trees and grass verges – and the way they unify areas of different character ( It should be noted that earlier cobble verges exist under some grassed areas).
- 4 The traditional relationship between Nether Poppleton and the river which, with the cluster of historic buildings, keeps a sense of identity for the village, bearing in mind the extensive "hinterland" of suburban development has taken place.

List of books written about Poppleton from the History Society

**River Roads and Railways** : The Story of Transport in Poppleton(1991) Michael Fife, Ian Routledge and John Perkins

**Scholars, Schools and Staff of Poppleton** (1993) by 10 authors , edited by Michael Fife

**Georgian Poppleton** ( 1994) by Prudence Bebb

**Exploring the Poppletons** -Nether and Upper (1998) Mark Jones and Michael Fife

**The Public Houses of Poppleton** (1999) Barrie Davies

**One Hundred Years of Poppleton Children's Sports Day** (2000) by Helen Mackman

**Poppleton War Memorial soldiers of 1914-1918 war** ( 2017) due

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'Better Decision Making' Tool  
 Informing our approach to sustainability, resilience and fairness

The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

**Part 1** of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

**Part 2** of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

**Introduction**

<b>Service submitting the proposal:</b>	Strategic Planning
<b>Name of person completing the assessment:</b>	Rebecca Harrison
<b>Job title:</b>	Development Officer
<b>Directorate:</b>	Economy and Place
<b>Date Completed:</b>	05/06/2017
<b>Date Approved:</b> form to be checked by service manager	

**Part 1**

**Section 1: What is the proposal?**

1.1	<b>Name of the service, project, programme, policy or strategy being assessed?</b>
	Upper and Nether Poppleton Neighbourhood Plan - Examiner's Report

1.2	<b>What are the main aims of the proposal?</b>
	The Upper and Nether Poppleton Neighbourhood Plan aims to manage change in the village and wider designated area, ensuring that future development should be sympathetic, unobtrusive and in keeping with its rural environment and surroundings. The main purpose of the report is to request that Members agree the recommendations of the Examiner and allow the Upper and Nether Poppleton Neighbourhood Plan to proceed to referendum.

1.3	<b>What are the key outcomes?</b>
	To ensure that the Upper and Nether Poppleton Neighbourhood Plan can be progressed.

**Section 2: Evidence**

	<b>What data / evidence is available to understand the likely impacts of the proposal?</b> (e.g. hate crime figures, obesity levels, recycling statistics)
--	--

2.1	The Neighbourhood Plan uses the Local Plan evidence base to support its policies.
2.2	<p data-bbox="331 379 1791 468"><b>What public / stakeholder consultation has been used to support this proposal?</b></p> <p data-bbox="331 468 1791 617">Previous consultation responses received as part of the Pre-Submission Consultation (2015 and 2016) and the Submission consultation (2017) have shaped policy formation.</p>
2.3	<p data-bbox="331 655 1791 744"><b>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</b></p> <p data-bbox="331 744 1791 979">The Neighbourhood Plan has been developed alongside an emerging City of York Local Plan. The residents, businesses and people with a land interest in the Poppleton area will also be consulted on as part of the Local Plan process.</p>



## Part 1

## Section 3: Impact on One Planet principles

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents.  
This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu.  
If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

## Equity and Local Economy

Does your proposal?	Impact	What are the impacts and how do you know?
3.1 Impact positively on the business community in York?	Positive	The policies of the neighbourhood plan support new business development on established businesses where they provide car parking.
3.2 Provide additional employment or training opportunities in the city?	Neutral	The policies of the neighbourhood plan support new business development on established businesses where they provide car parking.
3.3 Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Neutral	There are no specific policies relating to individuals from disadvantaged backgrounds.

## Health &amp; Happiness

Does your proposal?	Impact	What are the impacts and how do you know?
3.4 Improve the physical health or emotional wellbeing of staff or residents?	Positive	The Neighbourhood Plan includes policies to protect and enhance green infrastructure and to improve and extend cycle and pedestrian access. There is a policy which safeguards land at Manor Academy for future school playing pitches. There are policies which identifies land for a football ground and a play area.
3.5 Help reduce health inequalities?	Positive	The Neighbourhood Plan includes policies to protect and enhance green infrastructure and to improve and extend cycle and pedestrian access. There is a policy which safeguards land at Manor Academy for future school playing pitches. There are policies which identifies land for a football ground and a play area.
3.6 Encourage residents to be more responsible for their own health?	Positive	The Neighbourhood Plan includes policies to protect and enhance green infrastructure and to improve and extend cycle and pedestrian access. There is a policy which safeguards land at Manor Academy for future school playing pitches. There are policies which identifies land for a football ground and a play area.
3.7 Reduce crime or fear of crime?	Neutral	There are no policies which specifically relate to crime.
3.8 Help to give children and young people a good start in life?	Positive	The Neighbourhood Plan includes a policy which safeguards land at Manor Academy for future school playing pitches. There are policies which identifies land for a junior football ground and a play area.

## Culture &amp; Community

Does your proposal?	Impact	What are the impacts and how do you know?
3.9 Help improve community cohesion?	Positive	The production of a Neighbourhood Plan should help improve community cohesion by bringing people together with a shared goal of improving their neighbourhood.
3.10 Improve access to services for residents, especially those most in need?	Positive	There is a policy which supports cycle and pedestrian access. The policy which supports development on the Former British Sugar sites requires the development to provide 'amenities'.
3.11 Improve the cultural offerings of York?	Neutral	There is a policy which seeks to protect the conservation areas in the plan; this shows an understanding of the importance of cultural heritage found in the historic environment.
3.12 Encourage residents to be more socially responsible?	Neutral	No specific reference.

## Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
3.13 Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Positive	A non-land use proposal in the plan encourages developers to consider Building Regulations with regard to energy conservation and use of renewable energy technology. This refers to a range of methods. The Plan does not require developers to go beyond building regulations as this would be difficult to enforce.

3.14	<b>Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?</b>	Neutral	A non-land use proposal in the plan encourages developers to consider Building Regulations with regard to energy conservation and use of renewable energy technology. This refers to a range of methods.
3.15	<b>Provide opportunities to generate energy from renewable/low carbon technologies?</b>	Positive	A non-land use proposal in the plan encourages developers to consider Building Regulations with regard to energy conservation and use of renewable energy technology. This refers to a range of methods. The Plan does not require developers to go beyond building regulations as this would be difficult to enforce.

**Zero Waste**

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	<b>Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?</b>	Neutral	No specific reference to waste.

**Sustainable Transport**

Does your proposal?		Impact	What are the impacts and how do you know?
3.17	<b>Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?</b>	Mixed	There is a policy which supports cycle and pedestrian access. However, the plan only supports business development where car parking is provided.
3.18	<b>Help improve the quality of the air we breathe?</b>	Mixed	There is a policy which supports cycle and pedestrian access. However, the plan only supports business development where car parking is provided.

**Sustainable Materials**

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	<b>Minimise the environmental impact of the goods and services used?</b>	Positive	A non-land use proposal in the plan encourages developers to consider Building Regulations with regard to energy conservation and use of renewable energy technology. This refers to a range of methods. The Plan does not require developers to go beyond building regulations as this would be difficult to enforce.

**Local and Sustainable Food**

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	<b>Maximise opportunities to support local and sustainable food initiatives?</b>	Positive	The supporting text refers to the value of the surrounding agricultural land for food production. The Green Infrastructure policy supporting text recognises the importance of allotments.

**Land Use and Wildlife**

Does your proposal?		Impact	What are the impacts and how do you know?
3.21	<b>Maximise opportunities to conserve or enhance the natural environment?</b>	Positive	There are policies which seek to protect and enhance Green Infrastructure. There is a policy which seeks to safeguard woodland areas and hedgerows in the plan area.
3.22	<b>Improve the quality of the built environment?</b>	Positive	There are policies which seek to protect and enhance the conservation areas in the plan area and support new development where they bring forward high quality design appropriate to their character and appearance. The housing policies require that the designs are in character with surrounding development.
3.23	<b>Preserve the character and setting of the historic city of York?</b>	Positive	The supporting text in the Green Belt section refers to the historic character and setting.
3.24	<b>Enable residents to enjoy public spaces?</b>	Positive	There are policies which seek to safeguard green infrastructure and woodland and hedgerows.

3.25	<b>Additional space to comment on the impacts</b>		

## Part 1

## Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.  
If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

## Equalities

Will the proposal **adversely impact** upon 'communities of identity'?  
Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

	Impact	What are the impacts and how do you know?	Relevant quality of life indicators
4.1	Age	The plan seeks to identify land to provide a junior football ground and a play area.	Individual, family and social life.
4.2	Disability	None deemed likely	N/A
4.3	Gender	None deemed likely	N/A
4.4	Gender Reassignment	None deemed likely	N/A
4.5	Marriage and civil partnership	None deemed likely	N/A
4.6	Pregnancy and maternity	None deemed likely	N/A
4.7	Race	None deemed likely	N/A
4.8	Religion or belief	None deemed likely	N/A
4.9	Sexual orientation	None deemed likely	N/A
4.10	Carer	None deemed likely	N/A
4.11	Lowest income groups	None deemed likely	N/A
4.12	Veterans, Armed forces community	None deemed likely	N/A

## Human Rights

Consider how a human rights approach is evident in the proposal

	neutral	What are the impacts and how do you know?
4.13	Right to education	None deemed likely
4.14	Right not to be subjected to torture, degrading treatment or punishment	None deemed likely
4.15	Right to a fair and public hearing	None deemed likely
4.16	Right to respect for private and family life, home and correspondence	None deemed likely
4.17	Freedom of expression	None deemed likely
4.18	Right not to be subject to discrimination	None deemed likely
4.19	Other Rights	None deemed likely

4.20

Additional space to comment on the impacts

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**Part 1**

**Section 5: Developing Understanding**

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

<b>Taking into consideration your responses about all of the impacts of the project in its current form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</b>	
5.1	Given the wide range of policy areas covered by the Neighbourhood Plan and its over all vision which responds to the issues, opportunities and challenges facing the area it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient neighbourhood.

<b>What could be changed to improve the impact of the proposal on the One Planet principles?</b> (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)	
5.2	The requirement for car parking places which is included in the policies for busienss and housing development could be deemed as negative for the environemnt, however, they will have a positive impact on residents and workers amenity as it will mean less on street parking. The Plan also supports cycling and pedestrian provision so it balances out.

<b>What could be changed to improve the impact of the proposal on equalities and human rights?</b> (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)	
5.3	No mixed or negative impacts on equality and human rights are considered likely.

**Section 6: Planning for Improvement**

<b>What further evidence or consultation is needed to fully understand its impact?</b> (e.g. consultation with specific communities of identity, additional data)	
6.1	The community has been widely consulted on the content of the Plan. Members are being asked to agree the Examiner's recommednations which include progressing the Plan to referendum. Therefore, the community will have the final say when they vote in teh referendum whether or not to agree with the final Plan.

6.2	<b>What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?</b> Please include the action, the person(s) responsible and the date it will be completed (expand / insert more rows if needed)
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Action	Person(s)	Due date

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6.3	<b>Additional space to comment on the impacts</b>		

**Part 2**

**Section 1: Improvements**

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

**Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.**

1.1	<p><b>For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?</b></p> <p>Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.</p>
1.2	<p><b>What changes have you made to your proposal to increase positive impacts?</b></p> <p>No changes considered necessary.</p>
1.3	<p><b>What changes have you made to your proposal to reduce negative impacts?</b></p> <p>No negative impacts anticipated.</p>
1.4	<p><b>Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</b></p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p> <p>Given the wide range of policy areas covered by the Neighbourhood Plan and its over all vision which responds to the issues, opportunities and challenges facing the neighbourhood it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient neighbourhood.</p>
1.5	<p><b>Any further comments?</b></p>

