

COMMITTEE REPORT

Date: 4 November 2021 **Ward:** Huntington/New Earswick
Team: East Area **Parish:** Huntington Parish Council

Reference: 18/00017/OUTM

Application at: Site to the west of the A1237 and south of North Lane
Huntington York

For: Outline planning application with full details of means of access for residential development of circa 970 dwellings with associated demolition, infrastructure works, open space, primary school, community facilities and convenience store on land west of Monks Cross Link Road and a country park with drainage infrastructure east of Monks Cross Link Road

By: Redrow Homes

Application Type: Major Outline Application

Recommendation: 1. That Committee endorse the conclusions of the report and that subject to the satisfactory resolution of the issues identified in 6.2 they will be presented to the Planning Inspectorate as part of the Council's Statement of Case at the forthcoming appeal.

2. That delegated authority is given to the Chief Planner, having regard to the heads of terms set out in this report, addendums and/or Planning Committee minutes, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to meet the requirement of the Planning Inspector.

1.0 PROPOSAL

1.1 This matter is reported to Planning Committee following the recent submission of an appeal against non-determination to the Secretary of State by the applicant. Members are requested to consider this report and to endorse the approach that will be presented to the Planning Inspectorate as the Council's case at the public inquiry.

1.2 The application is for outline consent with full details of means of access. It proposes residential development of circa 970 dwellings with associated demolition,
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infrastructure works, open space, primary school, community facilities and convenience store (use class A1) on land west of Monks Cross Link Road and a country park with drainage infrastructure east of Monks Cross Link Road. It was submitted with the intention to align the determination of the Outline application with the adoption of the Local Plan.

Application Site

1.3 The application site relates to two parcels of land on either side of the Monks Cross Link road. The western parcel of land is proposed for the built development with the eastern parcel proposed for the creation of a country park and drainage infrastructure.

1.4 The overall site extends to 59ha (approx.) of agricultural land comprising of fields separated by tracks, hedgerows, and trees. There are two dwellings and farm/commercial premises to the north. A former railway line crosses the site to the south of the site. The site is generally flat.

1.5 The current emerging Local Plan allocates the western parcel of land as a strategic housing site (ST8) with the parcel of land to the east allocated as open space (OS8). The site is within the general extent of the Green Belt as per the saved policies from the Regional Spatial Strategy.

Proposal

1.6 The application seeks outline consent with all matters reserved except means of access for residential development of circa 970 dwellings on land west of the Monks Cross Link road. A country park with drainage infrastructure is proposed to land to the east of the Monks Cross Link road.

1.7 To serve the development, a number of community facilities are proposed including a local shop (not exceeding 200sqm floorspace), a primary school which will also form a community hub, public open space, playing fields as well as a number of playing areas. The illustrative masterplan has been revised, and now includes two areas for self and custom build in the south western corner.

1.8 The development is proposed to be delivered in phases, although any phasing strategy has not been developed to date. The construction period for the development is anticipated to be between five and fifteen years.

1.9 The development will adopt the principles of a 'Garden Village'. Predominantly dwellings across the development will be 2 storeys, although there is an intention for 2.5-3 storey dwellings along the tree lined boulevard (spine road) to the south of the site, with a small pocket in the north eastern corner of the site. The site area is 59ha with an expected housing yield of 970 resulting in a density of 16dph.

1.10 Vehicular access to the development will be via two new junctions to Monks Cross Link road with a minor junction to North Lane. There will be a 3m wide shared pedestrian and cycleway between the two new junctions on Monks Cross Link road. On North Lane, the existing access will be closed with a new access moved further west. A new 2m wide footpath would be positioned along the site frontage, tying into the footpath at the edge of the existing urban development in Huntington.

1.11 A 3m wide surfaced footway and cycleway is proposed to tie into Woodland Way to the south of the site.

1.12 It is noted that the red line boundary excludes an area positioned in a central location in the western part of the site along with existing access to Garth Road and the land associated with Top Show and Catterton House, located to the north of the site, off North Lane.

1.13 The proposal constitutes schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as updated). The information in the associated environmental statement is sufficient for the Local Planning Authority to understand the likely effects of the proposals and any required mitigation.

2.0 LEGISLATIVE & POLICY CONTEXT

2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.2 The National Planning Policy Framework 2021 (“NPPF”) is a material consideration in planning decisions.

2.3 The statutory Development Plan for the City of York comprises of the saved policies and key diagram of the (otherwise revoked) Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan.

The Regional Spatial Strategy for Yorkshire and the Humber (May 2008)

2.4 The Regional Spatial Strategy for Yorkshire and the Humber (May 2008) policies which relate to the York Green Belt have been saved together with the Key Diagram insofar as it illustrates the general extent of the Green Belt around York. The environmental assessment process for the RSS abolition highlighted that York does not currently have a local plan in place and indicated that revocation of the

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 are part of the regional strategy be retained.

2.5 Saved policies are as follows -

POLICY YH9C: Green Belts

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 Y1C: York sub area policy

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

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

Huntington Neighbourhood Plan adopted July 2021

2.6 The Neighbourhood Plan was adopted in July 2021 and it therefore forms part of the development plan. The site is within the boundaries of the Neighbourhood Plan area. Policies relevant to this application are –

- H1 Meeting housing need
- H2 Housing mix in new housing development proposals
- H3 Affordable housing provision and mix
- H4 Design Principles
- H14 Green Belt

National Planning Policy Framework (NPPF)

2.8 The revised NPPF (2021) sets out the government's planning policies for England and how these are expected to be applied. Its planning policies are material to the determination of planning applications. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 7). To achieve sustainable development, the planning system has three overarching objectives; economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways (paragraph 8).

2.9 The relevant sections of the NPPF include sections 5 'Delivering a sufficient supply of homes', 8 'Promoting healthy and safe communities', 9 'Promoting sustainable transport', 12 'Achieving well-designed places', 13 'Protecting Green Belt land', 14 'Meeting the challenge of climate change, flooding and coastal change', and 15 'Conserving and enhancing the natural environment'.

2.10 Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development which means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies; or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.11 The presumption does not apply if the proposal conflicts with restrictive Green Belt policies as set out in the NPPF.

Draft Local Plans

2.12 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for development management purposes in April 2005 (2005 DCLP). Whilst the 2005 DCLP does not form part of the statutory development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF, although the weight that can be afforded to them is very limited.

2.13 The southern half of the application site was allocated as a Schedule 1 'Premier Employment Allocation' (Ref E1a.2/North of Monks Cross) and specifically identified as an out of centre premier employment site which were identified for companies in the Science City York sector of the economy.

2.14 The Publication Draft City of York Local Plan 2018 (2018 Draft Plan) was submitted for examination on 25 May 2018. Phase 1 of the hearings into the examination of the 2018 Draft Plan took place in December 2019. Following the Phase 1 hearings the Council has completed a scheduled of further work set by the Inspectors during the hearings and as part of subsequent requests for further

information. Due to new evidence being fundamental to the overall approach to the Green Belt and the assessed Objectively Assessed Housing Need (OAHN) the Council consulted on a series of modifications and new evidence to the emerging 2018 Draft Plan, the consultation period expiring July 2021. The Inspectors are currently considering the responses to the consultation. The 2018 Draft Plan is at an advanced stage and is a material consideration in the determination of planning applications.

2.15 The application site is allocated for housing in the emerging 2018 Draft Plan, identified as a strategic housing site ST8 (Land North of Monks Cross) with the area to the east of the Monk Cross Link Road allocated as open space OS8.

2.16 In accordance with paragraph 48 of the NPPF the 2018 Draft Plan policies can be afforded weight according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging 2018 Draft Plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

2.17 The following policies within the 2018 Draft Plan which are directly and most relevant within the consideration of this proposal are:

DP2	Sustainable Development
DP3	Sustainable Communities
SS1	Delivering Sustainable Growth for York
SS2	The Role of York's Green Belt
SS10	Land North of Monks Cross
H1	Housing Allocations
H2	Density of Residential Development
H3	Balancing the Housing Market
H4	Promoting Self and Custom House Building
H5	Gypsies and Travellers
H10	Affordable Housing
HW2	New Community Facilities
HW4	Childcare Provision
HW6	Emergency Services
HW7	Healthy Places
ED6	Preschool, Primary and Secondary Education
D1	Placemaking
D2	Landscape and Setting
D6	Archaeology

GI2a	Strensall Common Special Area of Conservation (SAC)
GI6	New Open Space Provision
CC1	Renewable and Low Carbon Energy Generation and Storage
CC2	Sustainable Design and Construction of New Development
CC3	District Heating and Combined Heat and Power Networks
ENV1	Air Quality
ENV2	Managing Environmental Quality
ENV3	Land Contamination
ENV5	Sustainable Drainage
T1	Sustainable Access
T7	Minimising and Accommodating Generated Trips
DM1	Infrastructure and Developer Contributions

3.0 CONSULTATIONS

INTERNAL

Forward Planning

3.1 The site is a proposed housing allocation in the emerging 2018 Draft Plan known as ST8 'Land North of Monks Cross'. Policy SS10 states that the proposed allocation will deliver approximately 968 dwellings at this urban extension development site. Policy SS10 also sets out a series of planning principles detailing issues that must be addressed as part of the development. Policy SS2 'The Role of York's Green Belt' of the emerging plan proposes to take the site out of the Green Belt. Having consideration to the advanced stage of the 2018 Draft Plan's preparation, the extent and significance of unresolved objections to emerging Policies SS2, and the consistency with the National Planning Policy Framework (NPPF), we would advise that Policy SS2 can only be applied with limited weight. It is against the NPPF (as revised) and the saved RSS policies relating to the general extent of the York Green Belt that this proposal would principally be assessed. As such, the site falls within the general extent of the green belt and should be treated as such.

3.2 Given the advanced stage of the emerging Plan's preparation, the level of significant unresolved objection to the emerging policies relevant to the principal of development in this location and the consistency with the NPPF, we would advise that the policy requirements of emerging plan Policy SS2 (the Green Belt boundary) can only be applied with limited weight. It is against the NPPF (as revised) and the saved RSS policies relating to the general extent of the York Green Belt that this proposal should principally be assessed. It is necessary for the applicant to demonstrate that very special circumstance exist to justify development in this Green Belt location.

3.3 Given the advanced stage of the emerging 2018 Draft Plan's preparation, the lack of significant objection to the emerging policies relevant to this application and the stated consistency with the Framework, we would advise that the policy requirements of emerging plan policies DP2, DP3, SS10, R1, H2, H3, H4, H9, H10, HW2, HW3, HW4, HW6, HW7, D1, D2, D3, GI6, CC1, CC2, CC3, ENV1, ENV2, ENV4, ENV5, T1, T7 and DM1 should be applied with moderate weight. Moderate weight can also be applied to policy H1 for site allocation ST8 insofar as considering the criteria of approving an allocated site in advance of the plan, the associated monetary contributions required and assessment of open space required.

3.4 Policy H5: Gypsies and Travellers can be afforded limited weight. Although consistent with national policy, this policy has outstanding objections, which will be resolved through the Local Plan Examination. Policy GI2a complies with the outcomes and recommendations of the Habitat Regulations Assessment 2020 (EX/CYC/45) and was subject to consultation as part of the proposed modifications 2021. The Inspectors have not considered this policy and accordingly can be afforded only limited weight at this time.

3.5 The site is supported through the emerging 2018 Draft Plan process through proposed allocation ST8. As such, there is no policy objection to the principle of development in this location. On matters of detail it is important that relevant colleagues are consulted to establish within the planning balance whether the proposals are policy compliant with Policy SS10. It is currently unclear whether provisions of policies HW2, HW3, HW4, HW7 and D3 have been met without the submission of the required information. It may be that these matters can be satisfactorily conditioned to ensure the provisions of these policies are met.

Education

3.6 A summary of the costs and land associated with the requirement of a new primary school on site (Plan A) as well as the costs associated with expansion at an existing primary school (Plan B), should new provision be deemed in future years, by the Local Planning Authority or changes in legislation, to be unviable and undesirable, are provided below:

Plan A

- New standalone nursesey – off site	£957,413
- New primary school on site – full cost of to be provided (estimate provided for guidance)	£7,223,840
- New nursery adjoining the primary on site	£1,268,440
- Temporary primary accommodation projected to be required before completion of new school	£540,420
- Secondary – expansion at catchment Huntington School and/or Joseph Rowntree School	£5,120,696

- Special Educational Needs and Disabilities (SEND) – off site (formula-based contribution based on likely yield)	£823,944
SEND Transport (formula- based contribution based on full likely yield, non-refundable)	£180,000
Total	£16,114,753
Land for new primary and adjoining nursery	19352sqm

Plan B

- New standalone nursery – on or off site	£957,413
- Expanded or new nursery off site	£957,413
- Expanded primary school off site	£5,711,776
Total	£7,626,602

Housing

3.7 Policy H10 of the 2018 Draft Plan specifies 30% on site provision for greenfield schemes, which would comprise 291 of 970 total proposed. Any approved scheme should incorporate the following to be secured through a Section 106 agreement to comply with policies H3 (Housing Mix) and H10 (Affordable Housing):

- affordable housing should be provided in line with the viability policy position which currently requires a minimum of 30% of home to be affordable
- the requirements will apply to each phase of a phased development
- 80% of the affordable housing will be social rented and 20% discounted sale tenure

Design, Conservation and Sustainable Development

Archaeology

3.8 A desk-based assessment and a geophysical survey highlighted the possibility of prehistoric and Romano-British archaeology to survive on the site beneath the former medieval ridge and furrow, which lies across the site. No other features of interest were recorded. In line with other large scale development applications for substantial green field sites, further intrusive investigation in the form of trial trenching needs to take place. This must happen prior to any other ground disturbing works taking place. Given that the geotechnical test pits were monitored with largely negative results, the evaluation can be conditioned in this instance. A WSI was produced by Prospect Archaeology for the evaluation in 2018 although the fieldwork hasn't yet taken place.

Ecology

3.9 The ecological surveys provided are up-to-date, well considered and provide an appropriate level of detail. It is considered that the recommendations provided within these reports should be adhered to through reserved matters. It should be noted that ecology surveys may need repeating to support phase development or where delays to project commencement are incurred. Updated survey information will also likely be required in support of European Protected Species Mitigation Licences (including great crested newts) and should be addressed as a reserved matter.

3.10 Although the majority of the mitigation and compensation will be provided within the land to the east of the Monks Cross Link road, as shown on the Landscape Strategy Plan, strong 'green links' will be retained and enhanced throughout the proposed development area, a clear programme of safeguarding these retained 'green' areas will need to be put in place throughout the lifespan of the development to ensure that these links remain viable throughout the project.

3.11 Biodiversity Net Gain (BNG) has been made in support of this application; each reserved matters application will need to demonstrate how it will achieve biodiversity net gain in accordance with the site wide BMP.

3.12 The applicant has provided an appropriate level of assessment regarding potential impacts on Strensall Common as detailed in the updated Habitats Regulations Assessment (HRA). Any changes to design, which reduces public open space within the proposed development will need to be re-assessed within the HRA.

Landscape

3.13 It is important to maintain a significant degree of separation between the commercial environment of Monks Cross retail/business park and the site so that Huntington retains its identity as a separate entity. The previous masterplan provided good perceived separation, in the south east corner but this is not reflected in the latest masterplan or parameters.

3.14 Landscape Strategy Plan – relates to the land to the east of Monks Cross Link Road; the nature of the proposals is appropriate and there is time for the detail to evolve. There is scope to create greater variety in the shapes of the ponds to increase visual interest and bio-diversity value. The scheme also has the capacity to include some large stand-alone trees and a few more small groups.

3.15 Development Drainage Strategy – concerns about the provision of pumping stations that will compromise views and the quality of open space.

3.16 Proposed access off North Lane - the additional extension to the new pavement further eastwards will increase the harmful impact on North Lane by further eroding its rural character.

3.17 Other considerations should be given too;

- the north-south green infrastructure/ecological corridors need to comfortably accommodate the existing mature trees and hedgerows
- the full length of the historic railway line should be included in the open space infrastructure
- a central open space to the northern half of the site should be included, to relieve the density but to also retain the existing Oak (T17) tree
- play areas should be included within the parameters plans; to greater understand their distribution
- substantial set back of the built extent from the junction with the northern ring road; to protect the perceived setting of the city from the outer ring road
- connectivity between new and existing open spaces.

Design

3.18 The layout appears logical, with the potential to retain a number of hedgerows and trees in a planned green corridors. Density around which the built form have been arranged; this approach is welcomed. The concept of a garden village with vibrant village centre around the school and local facilities is also supported.

3.19 Density/Height – a lower density rural village character is suggested for the northern part of the site. While a mix of densities is welcomed, the built form should still define hierarchies of streets and spaces to aid legibility and opportunities for natural surveillance. Design and integration of parking is important across the whole site, but especially in higher density areas such as the village centre. The entrance to the development will need careful design consideration, it is unlikely 3 storey development will be deemed appropriate at the very edge of the settlement.

3.20 Heritage- Views to the Minster have been considered and should continue to inform the detailed layouts, so that the rural context of the Minster can still be appreciated.

3.21 The old railway line bisects the site, and continues across the proposed country park, could be used to provide a link to the history of this site, particularly if there was some interpretation of this on the site, perhaps manifested within some art provision within the site.

3.22 The northern section appears quite dense, with little open space. One way to relieve this could be to retain an area of the ridge and furrow pasture which would also help connect the site to its agricultural past.

Public Realm

3.23 It is positive to see the developer has looked at providing outdoor sport on site. The City of York 2018 Draft Plan Evidence Base: Open Space and Green Infrastructure Update 2017 shows that although the Ward has an overprovision of outdoor sports, this development is on the Ward boundary and connecting wards have a shortfall of outdoor sports provision which this development will help to reduce.

3.24 The sports provision would need to consider the makeup of the c.970 dwelling and the population that would live on site and then support the appropriate provision. We are awaiting the completion of the Playing Pitch Strategy for the city that would support the need for outdoor sport (playing pitches) within the area and would identify what these should be.

Highway Network Management

3.25 The original proposal and Transport Assessment (“TA”) submitted in 2018 aimed to meet the objectives of sections xi, xii and xiii of Policy SS10 but the direct walk and cycle links to the west and to Monks Cross have now disappeared (apart from the proposed link through Woodland Way). This means that the Highway Authority is not in a position to support this planning application on two grounds:

- Non-compliance with policy (local and national), specifically SS10 for the emerging Local Plan and Para 112 for NPPF
- Inadequate information (NPPF para 113) supplied to enable the Highway Authority and Local Planning Authority to assess the impact of the proposed development on road safety and on the wider road network (resulting in our inability to assess under NPPF para 111). This is specifically an issue for the trip rates used in the TA.

Public Protection

3.26 Noise- Noise levels in this area have increased since the noise report was done and there are new noise sources that have not yet been adequately considered. Therefore recommend that the noise report is updated prior to a decision being made on any planning approval to ensure that the areas proposed for residential are suitable. If however approval is due to be granted then conditions should be applied

3.27 Land Contamination – the site predominately comprises arable and pastoral farmland, with two residential dwellings, a farmyard and commercial area on the northern part of the site. Conditions are required to secure further site investigations.

3.28 Air Quality – The development is not within an Air Quality Management Area (AQMA) or an area of existing air quality concern. An Air Quality Assessment has been carried out to consider the air quality impacts associated with the development during construction and operational phases.

3.29 A wider Construction Environmental Management Plan (CEMP) is required for the site incorporating an Air Quality and Dust Management Plan (AQDMP) which takes into account the site phasing/construction programme.

3.30 In line with paragraph 112(e) of the NPPF, developments should be designed to incorporate facilities for charging plug-in and other ultra low emission vehicles. The Council's Low Emission Strategy (adopted 2021) seeks facilities for charging electric vehicles on all new developments that include off-street parking facilities. A strategy for the provision of electric vehicle charging facilities is recommended.

Flood Risk Management Team

3.31 There are outstanding matters and insufficient work undertaken to agree a drainage scheme in principle. Site specific infiltration testing has not been witnessed by us nor has a sufficient number of trial excavations been carried out for a development of this size. No evidence has been provided of existing connects impermeable and permeable areas to establish an existing run-off or where the site currently drains to nor has sufficient evidence been provided to identify a suitable watercourse, which the proposed appears to be remote from the site.

Public Rights of Way

3.32 No comments to make; the areas outlined on the planning documents is not crossed or abutted by any public rights of way.

Waste Services

3.33 We need to be assured that there area will be easily accessible to 8 wheeled refuse and recycling collection vehicles; assurance that there are adequate turning circles for the vehicles.

3.34 Adequate bin storage should be allocated for both houses and flats, and the costs of supplying the bins will be paid by the developer (current cost estimate £110K).

3.35 The addition of this development is likely to require the Council to purchase additional waste collection vehicles (at a cost circa £300K per staffed vehicle).

EXTERNAL

Huntington Parish Council (note comments date from 2018)

3.36 We do not object but wish to make comments or safeguards:

- concerns in respect to traffic congestion the new development may cause on Monks Cross Link Road and the wider Monks Cross/Hopgrove area
- we do not believe the development should be accessed from North Lane; this is a very narrow road and will cause problems for traffic already using the road
- drainage - we do not believe that the two existing sewers (Southdown Road and Woodland Way) was designed to take this extra volume of waste and a new separate system should be installed
- two pumping stations to draw water across the Monks Cross Link Road into the Country Park; the ponds could become overwhelmed and enter the drainage system and result in localised flooding on A1237
- we would like to see two new footpaths installed to tie the development to the wider community, one from Garth Road and the other from Woodland Way, with a drop off/turning point at the end of Woodland Way
- would like drop-off/one-way system for the new school
- A small car park for the Country Park and bus stop to allow users to access this area
- the pedestrian access to the country park via pedestrian crossing appears dangerous due to the speed and volume of the vehicles on Monks Cross Link Road; we would like to see footbridges installed
- the mix of housing must reflect need within the community
- affordable housing must be 30% of total
- play areas need to be viewable from dwellings
- it's not clear whether rear access is available to terrace house
- do not agree with the statement that there will be negligible impact on health care facilities, or that the GP/Patient ratio assessment , the total numbers of patients and doctors is for the whole group and does not reflect Huntington numbers
- the green area to the east of the larger playing area is not part of planning submission. This area belongs to another developer, and as such should not be shown green on the application, as it implies open space with public access
- concerns over local wildlife in particular the resident Barn Owl population, which should be protected.

Highways England

3.38 Conditional approval-conditions include compliance with the Travel Plan as well as a Construction Traffic Management Plan (CTMP).

Environment Agency

3.39 No objection. The risks to groundwater resources from this development are not significant and based on the site investigation, contamination at the site is small and localised. Therefore we would not require a remediation strategy for this site.

Natural England

3.40 An agricultural land classification (ALC) and soil survey of the development site should be undertaken. The development could have the potential significant effects on 60 hectares of Best and Most Versatile Agricultural land.

Police Architectural Liaison Officer

3.41 The illustrative masterplan drawing contains a number of positive features in terms of Designing out Crime, which should be retained in any future design. It is recommended that a condition requiring full details of any crime prevention measures to be incorporated into the site are detailed in any reserved matters application.

Fire and Rescue

3.42 No objections or observations to make at this stage.

Yorkshire Water

3.43 We are currently investigating the impact of the allocations on its water and waste water infrastructure and given the quantum of likely new development in York over the next 15 years, it is essential that the company adopts a sustainable, holistic approach. Waste Water – The Flood Risk Assessment (prepared by Fortem 2017) is acceptable. With regard to surface water, sub-soil conditions do not support the use of soakaways so it will drain to nearby watercourse.

Foss Internal Drainage Board

3.44 The application site sites within the Drainage Board's district; and has assets adjacent to the development to the east in the form of Shaws Dyke and Pigeon Cote Dyke. These are known to be subject to high flows during storm events.

4.0 REPRESENTATIONS

Ward Councillors (Cllr Orrell, Cllr Runciman and Cllr Cullwick)

4.1 Application is premature. We believe that until the Local Plan is agreed by the Secretary of State, the land is Green Belt and any application to develop it should be dealt with on this basis.

4.2 Infrastructure – concerns about the impact on the already heavily congested Outer Ring Road. Local Huntington roads have become increasingly congested since the opening of the Vanguard, the stadium and retail park, it is critical that all access to the site is from Monks Cross.

4.3 Flooding – measures detailed in the application need to be in place before the site is developed.

4.4 North Lane Access – we are opposed access to the development from North Lane; this is in conflict with the promise when the site was included in the LP that all access would be from Monks Cross Link Road. It is narrow and dangerous for access and egressing the site. It is also unsuitable for cyclists.

4.5 Green Wedge Keith Avenue – it is reassuring that the green wedge councillors argued for is retained, but this is limited to the rear of Keith Avenue and Leafield Close; it is not appropriate to have play areas at the western edge of the development.

4.6 Self-Build – it is disappointing that Redrow are opting out of the Local Plan policy for 5% allocation of self-build homes, which gives an opportunity for local people to design and build their homes to their own specification.

Neighbour Notification and Publicity

4.7 A total of 13 no letters of objection and general comment have been received from local residents and local business (Portakabin, Helmsley Group) as well as the Shepherd Group Brass Band (some have sent more than one letter of representation). The objections and comments received can be summarised as follows:

- local road infrastructure should be improved to cope with the increased traffic, particularly the A1237
- the access/footpath along North Lane should be extended up to the roundabout and link to the footpath of the Monks Cross Link Road and reduction to 30mph along North Lane
- vehicular, pedestrian and cycle access requires more thought as it will impact greatly on traffic flows. Should be some pedestrian and cycle links to the retail/pubs/community facilities at Monks Cross via access points at McDonalds and Taco Bell
- insufficient land drainage leading to high water table; seeks assurances that the water course development to the east will not negatively affect the water table
- increase in congested parking via the eastern Garth Road if this access becomes closed to traffic and limit access to some properties by emergency vehicles
- impact upon wildlife including deer, foxes, rabbits and herons and the development will result in a loss of their habitat
- secondary school will be oversubscribed and families forced to go elsewhere out of the catchment area

- design- these properties will have little architectural merit and have an overall look and appearance of non-location specific 'noddy' housing that is built all over England
- contrary to policy D1 Placemaking
- contemporary house design can be a real success for occupants and surrounding residents and overall area (Derwenthorpe is cited)
- lack of self- build plots; developer should provide a further site and these to be made available before first occupation
- electric vehicle charging facilities should be provided
- could have an adverse impact on future operations of business by virtue of noise and disturbance leading to noise complaints; affecting day –to –day operation and flexibility for future rationalisation or expansion plans
- adequate noise mitigation measures must be included within the application to minimise the potential for future noise complaints; existing operations are not predictable or confined to any particular shift pattern
- acoustic barriers (3m high) can still lead to noise complaints (from Brecks Lane development)
- a building on the portakabin site is used for rehearsal space and located on the corner boundary; 5 bands play at different musical standards on Monday, Tuesday, Wednesday and Friday evenings with occasional weekend use; there may be an impact upon new residents and potential complaints would have an adverse impact on rehearsals in the building. Sound attenuation measures are therefore necessary and proximity of houses in the SW corner of the proposed site is revisited along with acoustic fencing and/or landscape bund to mitigate
- further noise assessment should be undertaken prior to the determination of the application to understand the noise climate in the area and likely noise mitigation and further surveys when a detailed scheme is produced

4.9 A joint letter from Barratt and David Wilson Homes has also been received who have land under option located within the centre of the site, which is excluded from the application boundary. They state that this represents piecemeal development and fails to address the principles set out in the proposed allocation, most notably that the whole allocation should be master planned to maximise the full potential of the site. The two sites will result in being built out independently and will form two separate communities with little or no connectivity. Concerns that mitigation measures put forward on third party land where the applicants have no control.

4.110 Two letters of support have been received and the points raised are summarised below:

- the development will provide much needed housing for York
- it is a designated site in many recent iterations of the Local Plan

5.0 APPRAISAL

5.1 Key Issues:

- Principle of development
- Assessment of the scheme against policy SS10 of the 2018 Draft Plan (which relates to the allocation ST8)
- Drainage and flood risk
- Ecology
- Design and layout of the site
- Residential amenity
- Archaeology
- Sustainable design and construction
- Consideration of very special circumstances
- Prematurity

Principle of development

Whether the site is within the Green Belt

5.2 For the purposes of s.38(6) of the Planning and Compulsory Purchase Act, the proposal should be assessed against the saved RSS Green Belt policies and the Huntington Neighbourhood Plan. The policies in the NPPF are also material considerations.

5.3 The Neighbourhood Plan does not alter the Green Belt boundaries; and continues to apply the approach to the identification of the Green Belt as set out in the RSS and the DCLP 2005 on an interim basis until the emerging 2018 Draft Plan is adopted.

5.4 The application site is shown to fall within the Green Belt under Policy SP2 in the DCLP 2005, although the weight that can be attached to this is very limited. The proposed residential areas within the application site are proposed to be outside of the proposed Green Belt under Policy SS2 in the emerging 2018 Draft Plan, although due to unresolved objections the policy requirements of policy SS2 can only be applied with limited weight. A thorough and detailed methodology has been followed in the setting of inner and outer Green Belt boundaries and is set out in the Addendum to Topic Paper 1: Approach to defining York's Green Belt (2021) Annex 3 Inner Boundaries Part 2: Section 5; this is part of the evidence base and is capable of being a material consideration in the determination of planning applications. The Local Plan strategy sets out that the open land to the north and east in this location has potential for development as a strategic housing site to help meet the overall needs of the city and the inner boundary of the green belt will therefore be defined by boundaries 27a-27c.

5.5 The site should be regarded as within the general extent of the Green Belt, until the Local Plan is adopted. Green belt policies are set out in the NPPF apply to the determination of the application. NPPF paragraph 137 states that the essential characteristics of Green Belts are their openness and their permanence. Development of the site would conflict with such characteristics.

5.6 Having regard to NPPF paragraph 149, the development proposed does not fall within any of the exceptions to inappropriate development in the Green Belt. The proposed development therefore represents inappropriate development in the Green Belt.

5.7 NPPF paragraph 147 explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 says 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 resulting from the proposal, is clearly outweighed by other considerations. Whether there are such circumstances will be assessed at the end of this report, following consideration of other material planning considerations. This approach is consistent with policy H14 of the Neighbourhood Plan.

Assessment of the scheme against policy SS10 of the Local Plan (which relates to the allocation ST8)

5.8 The policy relating to the site in the emerging 2018 Draft Plan (SS10) identifies the number of house to be provided on site (which the application is consistent with) and advises the principles the site should be delivered in adherence with (in addition to complying with the policies within the plan).

i. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.

5.9 The application is at outline stage, with all matters other than means of access reserved. The application seeks circa 970 dwellings to be provided, however the mix of dwellings have not been provided at this stage. The mix of dwellings to be provided can be established via the reserved matters stage, and legal agreement, in line with the Council's Strategic Housing Market Assessment. The proposed development is of a sufficient scale to accommodate a broad range of house sizes, tenures and types.

5.10 In accordance with emerging plan policy H10 on affordable housing the scheme would deliver 30% affordable housing (291 dwellings) on site. An affordable housing layout would be approved through condition or legal agreement,

with dwellings pepper potted throughout. The size and type of homes shall be a pro rata mix of the total homes.

5.11 Furthermore, the masterplan indicates two areas for self and custom build housing, consistent with emerging plan policy H4. Policy H4 sets out that strategic sites are required to supply at least 5% of the dwelling plots for sale, equating to 49 plots and it is considered this can be provided within the development.

ii. Create strategic landscape buffering along the existing road network that borders the site. This will retain key views towards the Minster as well as to the north that should be preserved.

5.12 The illustrative masterplan and parameter plans indicate buffer strips along both North Land and Monks Cross Link road. There is time for the landscape buffers to evolve, with emphasis on incorporating well designed views through the buffer into the development at key points, rather than attempting to screen the whole development. Developing this through reserved matters will be important to avoid compromising key views.

iii. Include an appropriate landscape treatment adjacent to the link road, with landscaping where appropriate, to protect the setting and character of York.

5.13 As above, the illustrative masterplan and parameter plans indicate landscaping adjacent to the Monks Cross Link road. This again can evolve through reserved matters to ensure that the setting and character of York is protected.

iv. Explore the creation of a new green wedge to the west of the site to play an important role in protecting ecological assets, safeguarding the historic character and setting of the city and conserving on-site heritage assets including Ridge and Furrow, archaeology, hedgerows and trees that contribute to the setting of Huntington. It should be linked into the adjacent new housing scheme currently under construction at Windy Ridge/Brecks Lane. The provision of the new green wedge to the west of the site will also create an appropriate setting for the existing village of Huntington, allowing Huntington to maintain its identity and not sprawl outwards, with ST8 forming a new contained neighbourhood within the main urban area.

5.14 To the west there is a green wedge, in the form of playing fields and amenity open space. The south western corner of the site is indicated to be open, providing a link to the Windy Ridge/Brecks Lane development. The safeguarding of heritage assets can be development via reserved matters and conditions. It is considered that the proposal will create an appropriate setting for the existing village of Huntington and retain its identity.

v. Increase biodiversity and connectivity with the natural environment. The site intersects with local green infrastructure corridors and contains some trees with protection orders. There are opportunities for this site to interconnect with existing green infrastructure corridors and to integrate a scheme throughout the site which should be exploited.

5.15 The development will retain and enhance strong 'green links' within the development area. The public open space to the east will provide mitigation and compensation for biodiversity and local biodiversity. A programme of safeguarding the 'green' areas to ensure these links remain viable throughout the project can be development through conditions. The relocation of the access from North Lane allows an existing Oak tree to be retained.

vi. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:

- Creation of a new open space on additional land to the east of the Monks Cross Link Road (as shown on the policies map as allocation OS8). This land remains in the Green Belt. Traffic calming measures should be provided along Monks Cross Link Road alongside the provision of pedestrian footways and safe crossing points. Ecological mitigation is also required on land to the east of the Link Road.

- Open space provision that satisfies policies GI2a and GI6.

5.16 There is the creation of a new open space to the east of the Monks Cross Link road. There is a pedestrian island on the southern junction to provide pedestrian crossing along the Monk Cross Link road, and further measures, can be explored through legal agreement or other highway legislation, such as the proposed reduction to a 40mph speed limit. This area of open space will provide newt habitats and ecological mitigation for the development.

5.17 Emerging plan policy GI6 seeks to provide open space within the main residential area. The illustrative masterplan indicates that there will be areas of public open space and amenity comprising playing fields and playing areas, which are integrated into the site's layout and can be developed via reserved matters.

5.18 Emerging plan policy GI2a seeks safeguards regarding development not directly connected with or management of the Strensall Common Special Area of Conservation and Site of Special Scientific Interest (SSSI). The application site is situated within the 'zone of influence' of Strensall Common and part b of policy GI2a requires the provision of open space within allocated housing site as mitigation to compensate for increase recreational pressure that Strensall Common is likely to be subject to. There is an allocated area (OS8) to the west of the application site that will provide new open space. Furthermore, a Habitats Regulation Assessment (HRA) has been submitted by the applicant. This has been assessed by the Council's Ecologist and it is concluded that the activities associated with the

proposed development are unlikely to have a significant effect on Strensall Common SAC or its qualifying interests.

vii. Provide new social infrastructure which meets the needs of future residents of ST8 and, where viable, surrounding communities, including local retail, health, community space, educational facilities and sports provision.

5.19 The application indicates that there will be a local shop (no larger than 200sqm), a new primary school which will also provide a community hub as well as playing fields to be provided.

5.20 There is no audit in respect to existing health facilities provided; emerging policy HW6 identifies this allocated site as one of the sites requiring additional spoke facilities for the Yorkshire Ambulance Service NHS Foundation Trust. There is no specific provision of an ambulance 'spoke facility' however the applicant have outlined that they will explore the potential to integrate such a facility within the community hub. This will be in discussions with the NHS Foundation Trust and can be developed through reserved matters and legal agreement.

5.21 Officers consider that a single shop providing a floorspace of 200sqm to serve the day-to-day needs of the proposed development is unlikely to be adequate; it is not clear as to its location within the development and whether it will be linked sufficiently by walking/cycle links; the site from north to south is over 800m and there may need to be a number of other shops to fully serve the development. Other community facilities are likely to be necessary, such as a café and are not provided for within the scheme. This will be discussed with the applicant prior to, and if necessary at the appeal.

5.22 The community hub is proposed to be located within the school which is proposed for the south western corner of the site, and not necessarily in the heart of the community. Further consideration should be given to its location at reserved matters stage.

viii. Deliver a new primary school in an accessible location (to be assessed further based on generated need) as well as providing appropriate contributions for nursery and secondary education.

5.23 The plans indicate a primary school will be directly accessed from the southern access from the Monks Cross Link road and local roads and footpaths within the site. The playing fields will be to the north of the proposed school.

ix. Provide new site access from Monks Cross Link Road with no new direct access to the A1237.

5.24 There is no new direct access from the A1237; two new vehicular accesses will be from the Monks Cross Link Road, along with an access from North Lane.

x. Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The site will exacerbate congestion in the area, particularly at peak times given its scale and the capacity of the existing road network. The impacts of the site individually and cumulatively with sites ST7, ST9, ST14 and ST35 should be addressed.

5.25 Highways England have removed their objection and offer conditional approval, they state that review of modelling and assessment results has demonstrated that the proposed development will not have an adverse impact on the Strategic Road Network.

5.26 However, the Council's Highways Network Management team consider that the lack of direct pedestrian and cycle links to the west and south of the site (which were indicated to be previously provided) would have an impact upon the representative trip rates of the proposed development.

5.27 It is highlighted that there is reliance on committed scheme (A1237 Ring Road/Strensall Junction 1, A1237/North Lane/Monks Cross Link Junction 2) that are to be delivered by the Council. At the present time, these schemes are progressing through the York Outer Ring Road Phase 1 Duelling Project with funding through the West Yorkshire and Transport Fund, however there a number of stages of delivery that the scheme needs to deliver before funding is released, including securing planning approval. It is anticipated that the project to allow the release of funding will be delivered by summer 2023. However, there remains a risk that the junction improvements may not be delivered, or they may take longer than anticipated. The Transport Assessment has not assessed the impact of the proposed development on the existing A1237 junctions.

xi. Deliver high quality, frequent and accessible public transport services through the whole site including facilitation of links to local employment centres and York City Centre. It is envisaged such measures will enable 15% of trips to be undertaken using public transport.

5.28 There are two bus services that could potentially serve the development site; bus service No. 9 (Monks Cross P&R to York city centre via Heworth) or service 12 (Monks Cross- York city centre- Askham Bar). No. 9 is a limited stopping service via the most direct route into the city centre with No. 12 taking a longer route but provides access to more facilities. Service No. 12 is proposed to be extended, along the spine road of the development and would use to the two new roundabouts on the Monks Cross Link. This service currently operates every 30 minutes and the

frequency could be increased to every 15 minutes, requiring two new additional buses to operate along the route.

xii. Provide enhanced safe and integrated pedestrian and cycle routes to the existing available facilities at Monks Cross to maximise the sites sustainable location. The site is bordered by existing road infrastructure to enable access onto the site but further strategic connections for pedestrian and cycle routes would be required.

5.29 Monks Cross is located to the south of the site, and primary access to Monks Cross Drive will be via the Monks Cross Link Road with a shared pedestrian and cycleway, although it does not tie into existing off road cycling infrastructure on the Monks Cross estate. This would offer sustainable transport links to the park and ride facility, and highways request that improvements are made to the cycle infrastructure in this location.

5.30 In contrast, Alpha Court, to the south of the site is part of the cycle route network, and was previously considered suitable to extend into the site to provide connectivity to the site. This option has been revoked within the latest Transport Assessment in favour of those connections from the Monks Cross Link road. The Council considers that an Alpha Court connection would offer a more convenient and attractive route to the Monks Cross facilities for the residents of the proposed development which would increase the likelihood of active travel choices.

xiii. Maximise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding areas creating well connected internal streets and walkable neighbourhoods.

5.31 The illustrative masterplan indicate a proposed pedestrian and cycle connection to Woodland Way, situated to the west of the site, although this is further away from the facilities and services provided in Huntington. The Council have identified that a more direct link to the west of the site could be via Garth Road. A further connection in and out of the site is via North Lane, however the pedestrian and cycle provisions, including lighting would need to be improved and continued to North Moor Road, which has not been indicated in the proposed application.

5.32 Within the site, the street design and layout can be developed via reserved matters to ensure appropriate connectivity to the community facilities such as the school including community hub, public open space and shop. There may be some by-passing of traffic at Monks Cross Link/North Lane roundabout via the internal spine road, and it is suggested that access is limited to vehicular traffic via modal filters, whilst providing through routes to cyclists, pedestrian and emergency vehicles.

5.33 Pedestrian access to the allocated OS8 public open space (Country Park) to the west is limited. However, there will be a reduction to the speed limit along

Monks Cross Link road which will help to promote pedestrian accessibility from the main residential areas of the proposed development. Consultees have suggested the continuation of the discontinued railway line, the tree lined boulevard as a wayfinder within the site to the country park, enhancing the local and natural environment. This can be developed via reserved matters.

Drainage and Flood Risk

5.34 National policy outlined in the NPPF seeks to steer development away from areas at risk of flooding to ensure development is safe from flood risk and to avoid increased flood risk elsewhere (para 159). Local requirements, as detailed in the York Strategic Flood Risk Assessment, with regards to drainage are to require a 30% reduction on existing run off rates where practical, to protect against climate change and prevent increased flood risk.

5.35 The site is not in either flood zones 2 or 3 and is therefore acceptable in principle for residential development in terms of policies regarding flood risk.

5.36 The submitted risk assessment (January 2021) sets out that in terms of surface water, this will discharge from the development to the unnamed watercourse located to the east; the discharge rate will be limited to 87.82l/s (greenfield + brownfield -30%), with the development split into three catchments requiring a total of 13,650m³ attenuation and due to the topography of the site, it will be necessary to pump the surface water discharge to two separate outfalls.

5.37 Both the Local Lead Flood Authority and the Foss Internal Drainage Board have raised objections to the proposals, citing that the soakaway testing carried out is not extensive for a development of this size, and which has not been witnessed along with no evidence presented of existing connections to impermeable and permeable areas. Whilst these objections are acknowledged, these issues are not insurmountable nor would they represent an objection in principle. It is considered that a drainage strategy could be designed for this greenfield site via reserved matters and conditions.

Ecology

5.38 The NPPF (para 174 d)) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

5.39 Above in the report, there has been assessment of how the proposed development would protect and mitigate ecological assets and increase biodiversity throughout the development and particularly within the green wedge area to the west and the new public open space to the east. However, in terms of assessing the ecological and biodiversity impacts of the development, it is important to note that

consideration has been given to Biodiversity Net Gain (BNG), required by in line with NPPF paragraph 180 d). There is a site wide biodiversity net gain proposed by the applicant, and supported by the Council's Ecologist. Each reserved matter application shall demonstrate how the development will achieve BNG in accordance with the site-wide BNG.

5.40 In terms of specific protected species, the ecological surveys supporting the development are well considered and provide an appropriate level of detail.

Design and Layout of the site

5.41 There is general conformity that the indicative masterplan layout is logical, retaining a number of natural features including hedgerows and trees in a planned green corridor. The applicant supports the principles of a garden village concept, which is considered suitable for this suburban village development. The density and height of the proposals are acceptable with detail established though the reserved matters stage.

5.42 There are a number of areas of concerns however, particularly the lack of integration of playing areas within the residential areas in order to benefit from natural surveillance and the loss of the green corridor to demonstrate the former railway line, from the south western corner of the site. The continuation of this could help to provide a link to the historical past of the site, as well as providing a pedestrian/cycle link to the country park to the east, further enhanced if connected to the crossing points of the Monks Cross Link road.

Residential amenity

5.43 The NPPF states that developments should create places with a high standard of amenity for all existing and future users. It goes on to state that decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

5.44 The proposed houses would be a mix of 2 and 2.5-3 storey, the higher dwellings within the site along the tree lined boulevard (spine road), with a small pocket in the north eastern corner of the site. The illustrative masterplan is indicative at this stage, however the position of new dwellings adjacent to site boundaries would maintain adequate levels of amenity for neighbouring residents.

- to the west, properties on North Moor are over 170m away, open fields form a buffer
- to the west, Keith Avenue, Lea Court, Woodlands Way will be sited adjacent to the green wedge in the form of playing fields and amenity space. This area is also indicated to contain the school and self –build areas, and would be positioned over 50m away from existing houses.

- to the north, there is a curtilage area surrounding Top Show, and proposed houses could be orientated to avoid overshadowing and overlooking.

5.46 A noise assessment outlines that dominant noise sources is from road traffic, with some occasional noise from the commercial and industrial units along Monk Cross Drive and the Portakabin site. It is also acknowledged that a building within the Portakabin site provides space for band practice during the evening over several evenings a week with some occasional weekend practice. There is concern that there has been additional development around the Monks Cross area that may have substantially increased both traffic and commercial noise in the area, and the noise report may not be representative of current noise conditions in the area.

5.47 The noise report concludes that the site is suitable for residential occupation and measures such as construction mitigation (glazing, dwelling orientation), layout and orientation of dwellings and other measures such as the use of bund boundary treatment and other boundary treatments can be secured through reserved matters and conditions. Internal noise levels within habitable areas of dwellings as well as external area will achieve complaint noise levels.

Air quality

5.48 It is set out in paragraph 186 of the NPPF that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.

5.49 A sustainable travel plan can be secured by legal agreement which will provide reasonable and proportionate mitigation in respect to overall damage costs arising from emission impacts associated with the development of the site and provided by pollutant, source and location. Further mitigation shall be in the form of electric vehicle recharging points and conditions can secure appropriate infrastructure and facilities to incorporate charging facilities across the site including residential properties and community facilities.

Archaeology

5.50 The desk based assessment and geophysical survey confirmed the possibility of surviving prehistoric and Romano-British archaeology and other archaeological features may exist across the site. Further intrusive investigation will need to be undertaken prior to any other ground disturbing works through an evaluation, which can be conditioned.

Sustainable Design and Construction

5.51 The Council's emerging 2018 Draft Plan policies CC1, CC2 and CC3 seek to tackle the challenges of climate change through ensuring development generates renewable/low carbon energy, uses natural resources prudently and is built to high standards of sustainable design and construction. The following would be required through condition:

- At least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013)
- A (maximum) water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations)
- New buildings to achieve a reasonable reduction in carbon emissions of at least 28%
- New non-residential buildings should achieve BREEAM 'Excellent' (or equivalent)
- BREEAM Communities assessment (or equivalent)
- demonstrate that heating and cooling technologies have been selected in accordance with the heating and cooling hierarchy, unless such requirements are not viable and/or that an alternative approach would be more sustainable

Land contamination

5.52 Investigations within the site identified that no contamination was detected across the majority of the site and therefore only remedial works were required to make the site safe and suitable for residential use. Further investigation work to commercial areas and the farmyard area is required to areas where access was unavailable and to characterise the extent of possible contamination.

Education

5.53 In terms of education the preference is for the provision of a primary and nursery school on site including contributions for secondary education and special educational needs. This can be secured via the s106 agreement

Open space

5.54 The 2018 Draft Plan Policy GI6 relates to new open space in conjunction with development proposals and a new area of open space has been identified in connection with this strategic site (ST8); OS8 (new parkland) and will complement further on-site provision which is the area of green wedge providing playing fields and amenity space to the west of the site. It is recommended that these areas are secured under the section 106 with long term management plans in place for circa 30years.

Gypsy and Traveller provision

5.55 Policy H5 of the emerging local plan requires strategic sites to deliver a number of pitches proportion to the number of dwellings to be provided; in this case 3 pitches should be provided. This policy also allows a choice of how to deliver the requisite number of pitches, in line with the NPPF, including on-site, on alternative land consistent with part C of the policy or via a commuted sum payment to contribute towards the development of pitches elsewhere. The required contribution, based on the provision of 3 pitches is £450,000.

Whether there are very special circumstances

5.56 The site is within the general extent of the Green Belt. The development proposed is classed as inappropriate in the Green Belt (in NPPF paragraph 149). The NPPF establishes inappropriate development should not be permitted unless very special circumstances exist. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

i Housing Land Supply

5.56 For decision making, it is accepted that the Council cannot currently demonstrate a NPPF compliant five year supply of deliverable sites on land that is outside of the general extent of York's Green Belt. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. The presumption applies a 'tilted balance' to cases where housing supply policies are out of date. However, the presumption does not apply if the proposal conflicts with restrictive Green Belt policies (NPPF paragraph 11 footnote 7). The provision of housing at a site that the Council supports through the Local Plan process is considered to be a substantial benefit of the scheme.

ii Affordable Housing Delivery

5.57 The housing market in York is not currently delivering the quantity or quality of homes the city needs. The submitted 2018 Draft Plan and subsequent evidence updates (Housing Needs Update January 2019 and Affordable Housing Note) contains a housing figure for York that includes affordability adjustments as well as making a significant contribution to affordable housing needs. Affordable housing provision at this site is included within these calculations. The 30% affordable housing at this site is considered to be a substantial benefit of the scheme.

iii Delivery of a Planned Garden Village

5.58 The emerging 2018 Draft Plan, which has been submitted for examination identifies the site for housing. There is a comprehensive evidence base behind the proposed site allocation which consider deliverability (site which are available, suitable and viable) and an assessment as to whether the development of such sites would be broadly NPPF compliant. Given the advanced stage of the emerging Local Plan, aside from the issue of Green Belt the site is considered to be acceptable for residential development in principle. Given the scale of housing development proposed, subject to the concerns noted above being addressed, the development incorporates a range of facilities that are for the public benefit, to meet the needs of future and existing residents. This includes community facilities, a small convenience store and a new primary school. Alongside this, a large area of new public open space is proposed. Subject to their satisfactory resolution, the proposals have the potential to maximise sustainable access such as pedestrian/cycle linkages in and out of the site and to the existing facilities at Monks Cross. The delivery of these elements will promote sustainable patterns of development which carries significant weight in the case for very special circumstances at this site.

5.59 This site has been identified in the site selection process as a sustainable location for development, to meet development needs which cannot be accommodated in the identified urban areas. It is considered that the proposed allocation allows the city to preserve its compactness and to protect the rural setting of the city. Furthermore, this site offers access to services and facilities within 800m Monks Cross to the South and Huntington to the west. In strengthening a clear and defensible boundary, the development has been stepped back from Huntington with a new green wedge to the west of the site to safeguard the setting and distinct identity of Huntington. This single boundary acts as a defined and recognisable urban edge which will be permanent in the long term.

5.60 It is considered that collectively, the provision of housing and affordable housing, alongside the delivery of key infrastructure at this proposed local plan housing site carry sufficient weight to demonstrate very special circumstances. It is considered that, even when substantial weight is attached to the harm to the Green Belt, cumulatively there are very special circumstances which, subject to the satisfactory resolution of the outstanding transport, highway and access issues outlined in paragraphs 3.25, 5.26-5.27, 5.29-5.31, would clearly outweigh the harm to the Green Belt and any other harm as a result of the development which is currently within the general extent of the Green Belt.

Whether prematurity is grounds to refuse the application

5.61 Paragraph 49 of the NPPF states that "in the context of the Framework - and in particular the presumption in favour of sustainable development - arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area".

5.62 Paragraph 50 of the NPPF states: "Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process".

5.63 It is considered that to grant planning permission for this scheme would not undermine the plan-making process because the Council's assessment of the Green Belt to inform the emerging 2018 Draft Plan (as detailed within Topic Paper 1: Approach to defining the Green Belt Addendum 2021) concluded that the open land to the north and east in this location has potential for development as a strategic housing site to help meet the overall needs of the city, in line with the spatial strategy and the inner boundary of the Green Belt will therefore be re-defined.

5.64 Whilst it is a larger housing site (providing circa 968 dwellings), and to be delivered over 1 – 16 years of the plan, it equates to about 7% of the total number of housings to be provided across the plan period. Therefore, there are no clear grounds (as is required by the NPPF) to refuse this particular application on the basis that it would prejudice the plan-making process.

Planning Obligations

5.65 The draft S106 heads of terms for the proposed development include:

- Affordable Housing (30% of dwellings)
- Education
 - education contribution and transfer of land on site for Primary School
- Transport and Highways
 - extension to Bus Service 12 (funded for a minimum of 5 years)
 - car club membership
 - bus passes/cycle equipment
 - Sustainable Transport travel Plan and cost of implementation
 - improvements to pedestrian/cycle connections to existing cycle routes on the Monk Cross estate and North Lane (and onto North Moor Road)
- Public Open space (long term management and strategy for country park and playing pitches)

- Waste collection (additional vehicles and bins for dwellings)
- Ambulance 'spoke facility'
- Gypsy and Travellers – commuted sum of £450,000 (based on the provision of 3 pitches)

6.0 CONCLUSION

6.1 The proposed development is located within the general extent of the Green Belt; however the emerging Local Plan strategy sets out that the land has been allocated for development as a strategic housing site to help meet the overall needs of the city. The 2018 Draft Plan and its evidence base regarding the proposed Green Belt boundaries and housing need are advanced and in the process of examination. York does not have a 5 year housing land supply and therefore the proposed housing is a benefit that carries significant weight in decision making. It is considered the lack of a 5 year housing land supply, along with the delivery of affordable housing and delivery of key infrastructure, would, subject to the satisfactory resolution of transport, highway and access issues, clearly outweigh the totality of identified harm and very special circumstances would exist in this case. Further, there is considered to be no case for refusing the scheme on prematurity grounds.

6.2 The impact of the proposed development on the wider highway network are yet to be fully determined, following initially proposed pedestrian and cycle links in and out of the site via Garth Road and Alpha Court, to the west and south being removed from application, the trip rates adjusted to take account of improved bus provision and walking and cycling rates, are not now considered to be representative of the likely trip rates for the proposed development site. There is also a reliance on committed highway schemes (A1237 Ring Road/Strensall Junction 1, A1237/North Lane/Monks Cross Link Junction 2) to be delivered by City of York Council, however whilst these schemes are progressing, there remains a risk that the junction improvements may not be delivered, or they may take longer than anticipated. The transport assessment has not assessed the impact of the proposed development on the existing A1237 junctions. As such, currently the proposed development does not accord with NPPF policy regarding promoting sustainable transport, in particular paragraphs 110, 111 and 112.

7.0 RECOMMENDATION:

1. That Committee endorse the conclusions of the report and that subject to the satisfactory resolution of the issues identified in 6.2 they will be presented to the Planning Inspectorate as part of the Council's Statement of Case at the forthcoming appeal.

2. That delegated authority is given to the Chief Planner, having regard to the heads of terms set out in this report, addendums and/or Planning Committee minutes, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to meet the requirement of the Planning Inspector.

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