



**Notice of a public meeting of  
Local Plan Working Group**

**To:** Councillors Ayre (Chair), K Taylor (Vice-Chair), Carr, Crawshaw, Cullwick, Cuthbertson, D'Agorne, Fisher, Doughty, Douglas, Hollyer, Norman, Orrell, Pearson, Perrett, Warters and Widdowson

**Date:** Tuesday, 18 May 2021

**Time:** 5.30pm

**Venue:** Remote Meeting

**AGENDA**

**This is not a formal meeting of this Local Plan Working Group. The Council is operating its meetings in accordance with statutory requirements relating to holding 'Covid-safe' meetings between 7 May and 21 June 2021. As a non-decision making body, Members of the Local Plan Working Group will continue to hold public informal sessions remotely during this period, if necessary, for the purpose of commenting and offering guidance on the business set out in the agenda. Members of the public may register to speak in the usual way set out below.**

**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 - 4)**

To approve and sign the minutes of the meeting of the Local Plan Working Group held on 20 April 2021.

## **3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on Friday 14 May 2021**.

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill out an online registration form. If you have any questions about the registration form or the meeting, please contact the relevant Democracy Officer, on the details at the foot of the agenda.

### **Webcasting of Remote Public Meetings**

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

## **4. Heslington Neighbourhood Plan - Examiner's Report (Pages 5 - 160)**

This report asks Members to recommend to Executive to agree the Examiner's recommendations to enable the Neighbourhood Plan to proceed to Referendum.

## 5. Urgent Business

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

Democracy Officer:

Name: Louise Cook

Contact Details:

- Telephone – (01904) 551031
- E-mail – louise.cook@york.gov.uk

For more information about any of the following please contact the Democracy Officer 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)

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City Of York Council

Committee Minutes

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Meeting	Local Plan Working Group
Date	20 April 2021
Present	Councillors Ayre (Chair), K Taylor (Vice-Chair), Crawshaw, Cullwick, Cuthbertson, D'Agorne, Fisher, Douglas, Hollyer, Norman, Orrell, Pearson, Perrett, Widdowson and Rowley (Substitute for Cllr Doughty)
Apologies	Councillors Doughty, Carr and Warters

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#### **16. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, and any prejudicial or discloseable pecuniary interests, which they might have in the business on the agenda. None were declared.

#### **17. Minutes**

Resolved: That the minutes of the meeting held on 16 March 2021 be approved as a correct record and be signed by the Chair at a future date.

#### **18. Public Participation**

It was reported that there had been no registration to speak at the meeting under the Council's Public Participation Scheme.

#### **19. Continuation of Temporary Amendments to the Council's Statement of Community Involvement**

Members considered a report that asked them to recommend to Executive that approval be given for the continuation of temporary amendments made to the Council's Statement of Community Involvement (SCI), as shown in Annex A of the report.

The Assistant Director of Planning & Public Protection, the Development Officer, the Corporate Director of Place, the Head of Development Services and the Development Manager were

all in attendance to provide an update and answer any questions.

The Development Officer noted that a report was taken to Executive in October 2020 where Members agreed to the temporary revisions to the Council's adopted SCI, to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications. It was requested that a follow up report be brought to Members following a six month period to consider whether a further period of implementation was required.

Members noted that some of the methods could still not be implemented under the ongoing restrictions and therefore officers were proposing the continuation of the temporary suspension of some measures, where necessary, for the duration of the pandemic in order to comply with the issued guidance. Officers confirmed these changes were only temporary, until it was safe to reinstate all consultation methods, and it was also recommended that the decision on when to lift these temporary suspensions, be subject to a delegated decision to the Corporate Director of Place in consultation with the Executive Member for Economy and Strategic Planning.

Officers were thanked for their update and discussions took place regarding the recommendations noted in the report. Cllr Crawshaw then moved and Cllr Fisher seconded that the recommendations required further clarity to ensure further temporary revisions to the SCI were for a maximum of six months and that delegated authority referred only to the reinstatement of the pre-existing SCI. Following debate, a vote was taken and it was unanimously

Resolved: That Executive be recommended to:

- i) Approve, for a maximum six month period, the temporary revisions to the Council's adopted SCI (as shown in Annex A of the report) to reflect the specific requirements arising from national guidance and procedures on dealing with coronavirus implications.
- ii) Agree to delegate authority to the Corporate Director of Place in conjunction with the Executive Member for Economy and Strategic Planning to revert back

to the pre-pandemic SCI, when the current health pandemic allowed for suspended consultation methods to be lifted.

Reason: To ensure that consultation and engagement in the planning process remained effective at a time when restrictions had been placed on face to face social interactions to help combat the spread of coronavirus.

## **20. Strategic Flood Risk Assessment Update**

Members considered a report that asked them to recommend to Executive the approval of the updated Strategic Flood Risk Assessment (SFRA) as evidence base to support decision-making and the emerging Local Plan policy and agree to submit the SFRA for consideration as part of the ongoing Local Plan Examination and for consultation purposes.

The Assistant Director of Planning & Public Protection, the Interim Forward Planning Manager, the Flood Risk Manager and the Corporate Director of Place were all in attendance to provide an update and answer any questions.

The Forward Planning Manager confirmed that the updated SFRA, as shown in Annex 1 to the report, included a flood mapping update from the Environment Agency. The updated document, following Members decision, would be submitted to the Local Plan Inspectors for consideration and would proactively refresh the Local Plan evidence base in advance of the examination hearing sessions on detailed policies.

The Flood Risk Manager highlighted the background to the report, including the technical evidence and confirmed that the document updated the policy and procedures required to effectively manage flood risk and drainage in planning applications.

In answer to questions raised, it was confirmed that the new upstream storage area on the River Foss could be included in the SFRA and the surface water hotspots listed in the SFRA were not conclusive and any new sites would be reviewed and investigated after any flooding.

The Chair thanked officers for their update and following discussion, a vote was taken and it was unanimously

Resolved: That Executive be recommended to:

- i) Accept the updated SFRA as evidence base to support decision-making and the emerging Local Plan policy.
- ii) Agree to submit the SFRA for consideration as part of the ongoing Local Plan Examination and for consultation purpose.

Reason: To ensure there was up-to-date evidence base to support flood risk policy and decision-making in relation to flood risk.

Cllr N Ayre, Chair

[The meeting started at 5.30pm and finished at 5.50pm].



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**Local Plan Working Group****18 May 2021**

Report of the Corporate Director of Place

**Heslington Neighbourhood Plan – Examiner’s Report****Summary**

1. The Heslington 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 asks Members to recommend to Executive to agree the Examiner’s recommendations to enable the Neighbourhood Plan to proceed to Referendum.

**Recommendations**

2. Members are asked to recommend that Executive:
  - i) Agree the Examiner’s modifications and the consequential minor modifications set out at Annex B to the Heslington 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 Heslington Neighbourhood Plan as amended proceeds to a local referendum based on the geographic boundary of the parish of Heslington 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.

## Background

3. 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") and within new government guidance in relation to the Covid-19 pandemic.
4. The Heslington Neighbourhood Plan has been prepared by Heslington 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 (22<sup>nd</sup> November 2016)
  - Consultation on Pre-Submission Version (29<sup>th</sup> January to 12<sup>th</sup> March 2019)
  - Submission to City of York Council (2<sup>nd</sup> October 2019)
  - Submission Consultation (30<sup>th</sup> October to 11<sup>th</sup> December 2019)
5. Following the close of Submission consultation and with the consent of the Parish Council, Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed 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;

- iv) To not breach, and be otherwise compatible with, EU and European convention on Human Rights obligations; and
  - v) To be in conformity with the Conservation of Habitats and Species Regulations 2017(3).
6. 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.
7. 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.
8. 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.
9. 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 was appropriate in this case and provided his final report on 24<sup>th</sup> March 2021.
10. Overall, the Report concluded that *“Subject to a series of recommended modifications set out in this report I have concluded that the Heslington Parish Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.”*

### **Examiner’s Recommendations**

11. Annex A and B set out the Examiner’s detailed and minor consequential modifications to the Neighbourhood Plan.
12. Positively the Examiner identifies that:

*“The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It addresses potential development opportunities at the campuses of the University of York. It also proposes the designation of a suite of local green spaces.”*

13. The examiner also identified that: *“The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.”*
14. The majority of modifications were minor however the examiner did include key points in relation to the following policies:

### **Policy HES:1 Main Street Change of Use**

15. Policy HES:1 was developed in good faith by the Parish in the period leading up to its submission. However, in September 2020 the Use Classes Order was substantially revised. It introduces three new use classes as follows:
  - Class E Commercial, business and service uses
  - Class F1 Learning and non-residential uses
  - Class F2 Local community uses
16. The new Use Class E incorporates several former use classes including A1(shops), A2 (financial and professional services) and A3 (cafes or restaurants). In this context there is now considerable flexibility for different business functions to be undertaken in towns and village centres without the need for planning permission.
17. In this context the Examiner recommended specific modifications to the policy to take account of the revised approach and details of the 2020 Use Classes Order. In particular the Examiner recommended that the former references to Class A uses and D1 uses are replaced by the relevant use class categories in the 2020 Use Classes Order.
18. This approach will offer support for the ongoing safeguarding and extension of the role, importance and significance of the village centre. In doing so it acknowledges the government’s wider ambition to stimulate the role of town and village centres both in general, and in response to the Covid pandemic in particular.



### **Policy HES12: Purpose Built Student Accommodation**

19. This policy seeks to address the issue of purpose-built student accommodation. Its approach is that such accommodation will only be supported within the existing development boundaries of the University campuses. The policy has attracted an objection from the University. It comments that the submitted policy is at odds with Policy SS22 of the emerging Local Plan. The University also comments about the inconsistencies between the policy (which applies throughout the neighbourhood area) and the Interpretation (which has a focus on Heslington village).
  
20. The Examiner sought advice from the Parish Council on how the policy was anticipated to be applied across the neighbourhood area. It commented that it had been designed to apply within the existing University campuses and within the strategic development sites. That approach would be restrictive and may prevent otherwise acceptable development proposals from coming forward. In this context the Plan provides no compelling evidence about the extent to which such development would be unacceptable. That approach would not align with the approach in Policy SS22 of the emerging Local Plan. This comments about future expansion of the University. Whilst that policy supports the development of new student accommodation as part of that wider package it does not prevent purpose-built student accommodation proposals elsewhere. Similarly, Policy HES12 is not supported by any detailed evidence about the impacts of student accommodation within the wider parish and the ability or otherwise of the University to accommodate all its accommodation needs on land within its direct control. The Examiner has considered all the information available and he recommends that the Policy and the Interpretation are deleted.

### **HES14: Green Infrastructure**

21. This policy addresses green infrastructure and in particular Significant Green Space. The proposed significant green spaces have generally been well-received. However, the University commented about the

Campus East Lake and Grounds (Site 1) and CYC commented about the Elvington Airfield Grassland (Site 3). The University's comments are primarily based on its views about the dated nature of both Figure 5 (showing details from a reserved matters application from 2008) and Figure 6 (showing the broader location of the proposed significant green spaces). The Examiner recommends that this issue is resolved by the deletion of Figure 5 and the preceding element of supporting text. The Examiner also recommends that a revised figure is included in the Plan showing the extent of Site 1.

22. The representation from CYC concentrates on the potential inconsistency between the identification of the Elvington Airfield Grasslands as a significant green space and the proposed allocation of a strategic housing allocation in the same general location in the emerging Local Plan. In its response to the clarification note the Parish Council proposes a reduced extent of the Grasslands as a significant green space in the event that the strategic allocation is included in the adopted Local Plan.
23. The Examiner considered this matter very carefully and recommends that the whole of the Elvington Airfield Grasslands is not included as a significant green space and is deleted. By definition the identification of strategic sites in the emerging Local Plan is a strategic matter which will find its own level in the examination of that Plan. In this context it would be inappropriate for a neighbourhood plan to seek to influence or shape this matter. In the event that the adopted Local Plan includes the proposed strategic housing location (ST15) in the general vicinity of the Elvington Airfield any review of a 'made' neighbourhood plan could consider the identification of a significant green space at the western end of the wider site based on appropriate evidence.

#### **HES16: Vehicular and Pedestrian Traffic**

24. This policy is very specific in its nature, it seeks to ensure that the strategic allocation site (ST15) in the emerging Local Plan is fully served by a new principal access road to the A64, bypassing the village and the immediate locality. There is a potential conflict between the

submitted policy and Policy SS13 in its emerging Local Plan. The York Local Plan Policy SS13 and the key principles in relation to transport which are highlighted in this policy should be tested through the Local Plan Examination process and not through the Neighbourhood Plan process.

25. The NPPF provides clear guidance on the distinction between strategic policies (paragraphs 20-23) and non-strategic policies (paragraphs 28-30). In particular it comments in paragraph 29 that:  
*'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'*
26. In this context the Examiner has concluded that the identification, the design and the transport arrangements associated with the strategic allocation sites in the emerging Local Plan is a strategic matter. In this context it would be inappropriate for an emerging neighbourhood plan to seek to influence this matter. The Examiner is not satisfied that the neighbourhood plan policy has produced any specific evidence to justify its approach. Certainty on the potential development of the proposed allocated site will only be available once the Local Plan examination has concluded, any main modifications are published and the Inspectors' report is available. The Examiner recommends that the policy and the Interpretation are deleted. However, to recognise the significance of this matter to the local community the Examiner also recommends that a modified version of the policy is repositioned so that it would form an additional Community Action.

### **HES17: Traffic in Heslington Conservation Area**

27. This policy comments about traffic in the conservation area. It has two related parts. The first offers support to development proposals where any increase in traffic would cause no significant harm to the character of the conservation area. The second part comments that highways improvements in the conservation area should preserve or enhance and cause no significant harm to its character. The Interpretation comments that 'the policy seeks to protect the conservation area and the amenity of residents without compromising the provision of flexible, sustainable

transport solutions'. The Examiner indicates that the proposed policy captures issues which are beyond the direct control of the planning system. In addition the Examiner highlights that the policy offers no direct evidence about the way in which increased traffic would cause harm to the conservation area and the level of any harm which might otherwise be acceptable. As such the Examiner recommends its deletion. However, to recognise the significance of this matter to the local community the Examiner also recommends that the second part of the policy is repositioned so that it would form an additional Community Action.

### **Green Belt**

28. Section 5 of the Neighbourhood Plan makes specific reference to the Green Belt. In particular Figure 2 of the Plan indicates the Green Belt boundary insofar as it affects the neighbourhood area (and as extracted from the Fourth Set of Changes Local Plan 2005). In March 2020 the High Court (*Wedgewood v City of York Council* EWHC 780 Admin) considered a case which centred about the way in which Green Belt issues should be considered in the City whilst definitive boundaries are being prepared in the emerging Local Plan. The effect of this judgement is that such decisions will take into account the Regional Spatial Strategy general extent of the Green Belt, the draft Local Plan (April 2005), the emerging Local Plan and site-specific features in deciding whether land should be regarded as Green Belt in advance of the adoption of the Local Plan. As the Plan was submitted before this judgement it is important that it takes its findings into account. This approach will also be consistent with the approach which CYC has taken since that time both in relation to development management issues and in decisions on the neighbourhood planning agenda. In this context the Examiner recommends that the Neighbourhood Plan text and maps are updated to take account of this new evidence.

### **Next Steps**

29. 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.

30. 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.
31. 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 Council. The 20th May Executive date is more than 5 weeks from the receipt of the examiner's report (24<sup>th</sup> March 2021) however Heslington Parish Council has agreed this alternative timescale in writing.
32. 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.
33. 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.
34. 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.

35. It is recommended that all of the Examiner's recommended modifications be made as set out in Table 1 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**

36. 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.
37. The Examiner's Report confirms that the referendum area should be the same as the Neighbourhood Area designated by the Council, which is the parish of Heslington. 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 9<sup>th</sup> August 2021, 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.
38. 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**

39. As the 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 the Heslington Parish. This is reflected in The Neighbourhood Planning Act 2017 which recognises 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 referendum, then the modifications recommended must also be taken into account.

40. In light of the Covid-19 pandemic the government have published updated guidance on the weight of the Neighbourhood Plan policies. The new government guidance states that 'where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given 'significant weight' in decision-making, so far as the plan is material to the application'.

### **Consultation**

41. As mentioned earlier in the report, the Heslington Neighbourhood Plan has been through several stages of consultation. These are: consultation on designation as a Neighbourhood Area (2016), consultation on the Pre-Submission version of the Plan (29<sup>th</sup> January to 12<sup>th</sup> March 2019), consultation on a Submission version (30<sup>th</sup> October to 11<sup>th</sup> December 2019).
42. 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**

43. Officers request that Members recommend to Executive that they:
- i) endorse the recommendations in paragraph 2 of this report and agree with the Examiner's Recommendations and approve the Decision Statement attached at Annex B to enable the Heslington Neighbourhood Plan to proceed to Referendum.

### **Analysis**

44. The Examiner has concluded that the modifications will 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.

45. Council Officers understand that Heslington Parish Council are considering their position in relation to the Heslington Neighbourhood Plan Examiners Report.

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

46. The following alternative options have been identified and rejected for the reasons as set out below

*ii) That the Executive 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 the Executive reject the Examiner's recommendations and refuse the Neighbourhood Plan proposal. This decision can only be justified on the grounds listed under paragraph 33.*

*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**

47. 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 Heslington Neighbourhood Plan to date and also sets out the approximate 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	£3,000
Examination	£5,750
Referendum	Circa £7,000 (tbc)
<b>Total</b>	<b>£ 16,750</b>

48. 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).
49. 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 Heslington Neighbourhood Plan in 2016, it is no longer available for neighbourhood areas in York as more than 5 neighbourhood areas are designated. Local Planning Authorities can also claim £20,000 they can usually apply for this once they have set a date for a referendum following a successful examination. However Ministry of Housing, Communities and Local Government (MHCLG) has set out new government guidance due to the Covid-19 pandemic. The guidance states that in order to minimise the financial impact of delays to neighbourhood planning referendums, the government will allow local planning authorities in 2020/21 to submit claims for new burdens grants at an earlier point in the neighbourhood planning process. A claim will be able to be made at the point when the local planning authority issues a decision statement (as set out under Regulation 25 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send the plan to referendum (rather than when a referendum date has been set).

50. Heslington Parish Council was provided with a £3k grant from the Council to support the development of the neighbourhood plan.
51. 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**

52. The following implications have been assessed:

- **Financial**– The examination and referendum will be funded by City of York Council. The examination and referendum will be funded by City of York Council. A claim by the City of York Council will be able to be made to government for a grant of £20,000 at the point when the City of York Council issues a decision statement (as set out under Regulation 25 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send the plan to referendum. The government grant of £20,000 can be put towards the costs of the City of York Council's 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** - none
- **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**

53. In compliance with the Council's risk management strategy, the main risks associated with the Heslington 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.

## Contact Details

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(interim)

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Report Approved  Date 06.05.2021

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### Wards Affected:

**Heslington**

**For further information please contact the author of the report**

### Background Papers:

<https://www.york.gov.uk/planning-policy/heslington-neighbourhood-plan/1>

## Annexes

Annex A Heslington Neighbourhood Plan Examiner's Report  
Annex B Decision Statement  
Annex C Heslington Neighbourhood Plan (Submission Version)

**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

LPA – Local Planning Authority

NP – Neighbourhood Plan

SEA – Strategic Environmental Assessment

HRA – Habitats Regulation Assessment

# **Heslington Parish Neighbourhood Development Plan 2017-2033**

**A report to the City of York Council on the  
Heslington Parish Neighbourhood Development  
Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) M.A. DMS M.R.T.P.I.**

**Director – Andrew Ashcroft Planning Limited**

**Executive Summary**

- 1 I was appointed by the City of York Council in November 2019 to carry out the independent examination of the Heslington Parish Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 15 January 2020.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It addresses potential development opportunities at the campuses of the University of York. It also proposes the designation of a suite of local green spaces.
- 4 The Plan has been 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 Heslington Parish 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 area.

**Andrew Ashcroft**  
**Independent Examiner**  
**24 March 2021**

## 1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Heslington Neighbourhood Development Plan 2017-2033 (the 'Plan').
- 1.2 The Plan has been submitted to the City of York Council (CYC) by Heslington Parish Council in its 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 (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on preserving the character and the appearance of the neighbourhood area and on designating local green spaces.
- 1.6 Within the context set out above 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 modifications to its policies and supporting text.
- 1.7 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 determine 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 Council, to conduct the examination of the Plan and to prepare this report. I am independent of both CYC and the Parish Council. 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 35 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 Service.

### *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.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am 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.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.



### 3 Procedural Matters

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

- the submitted Plan;
- the supporting evidence documents;
- the Basic Conditions Statement;
- the Consultation Statement;
- the SEA and HRA screening report;
- the Parish Council's responses to the Clarification Note;
- the City of York Council's responses to the Clarification Note;
- the representations made to the Plan;
- the saved elements of 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 (April 2005);
- the submitted City of York Local Plan 2017-2033;
- *Wedgewood v City of York Council* EWHC 780 (Admin) WL 02086186;
- the National Planning Policy Framework (February 2019);
- the Use Classes Order 2020;
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 15 January 2020. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 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 after I had received the responses to the clarification note.

## 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 sets out the mechanisms used to engage all concerned in the plan-making process. The flow chart in Section 4 is particularly helpful and informative. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (January to March 2019). Its principal feature is the way in which it captures the key issues in a proportionate way and is then underpinned by more detailed appendices.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the preparation of the initial questionnaires;
  - the delivery of the questionnaires to every household in the neighbourhood area;
  - the engagement with businesses, landowners and other organisations;
  - liaison with the University of York;
  - liaison with its students;
  - the use of a quarterly Heslington newsletter;
  - the development of website links; and
  - detailed engagement during the pre-submission consultation phase including organising a drop-in session.
- 4.4 Appendix 4 of the Statement reproduces details of the way in which the Parish Council engaged with the wider community. It provides a degree of depth and interest to the Statement. It is clear that the process has been proportionate and robust.
- 4.5 Appendices 1/2/3 of the Statement provide specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. They help to describe the way in which the plan has been refined in response to this important part of the plan-making process.
- 4.6 It is clear 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.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned

throughout the process. CYC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

*Representations Received*

4.8 Consultation on the second submitted plan was undertaken by CYC for a six-week period that ended on 11 December 2019. This exercise generated comments from a range of organisations as follows:

- Heslington Village Meeting Room Committee
- Environment Agency
- Historic England
- Coal Authority
- City of York Council
- University of York
- Langwith Developments

4.9 Representations were also received from seven local residents. I have taken all the representations into account in examining the Plan. Where it is appropriate to do so I make specific reference to certain representations on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area consists of the parish of Heslington. The population is heavily influenced by the presence of the University of York and the various elements of residential accommodation for its students. There were 4,792 usual residents in 2011. Of these, 23.5% lived in households and 76.5% lived in communal establishments. The average (mean) age of residents was 24.9 years. It was designated as a neighbourhood area on 22 November 2016. It is an irregular area located in the south-eastern part of the City of York.
- 5.2 Heslington is an area of great interest and contrasts. Its northern element is part of the built-up part of the City of York. It is based around Main Street and Field Lane. It includes the principal campus of the University of York. It also includes the more modern campus to the east off Lakeside Way. The attractive village centre is based on a spur of Main Street and includes a range of retail and commercial uses.
- 5.3 The remainder of the neighbourhood area consists of an attractive agricultural hinterland. It is located both within and outside the York Outer Ring Road (A1237). The south-eastern part of the neighbourhood area includes part of the former Elvington Airfield. The neighbourhood area is affected by proposals for major strategic development in the emerging Local Plan.

### *Development Plan Context*

- 5.4 The development plan context is both complex and unusual. It 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 environmental character of York.

These saved policies will apply in the neighbourhood 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. In March 2020 the High Court issued guidance about the way in which Green Belt issues should be considered in the City whilst definitive boundaries are being prepared in the emerging Local Plan. I refer to this matter in Section 7 of the report.

- 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 The emerging City of York Local Plan (2017-2033) was making good progress at the time of this examination. It was submitted for its own examination in May 2018. Consultation took place on proposed Main Modifications to that Plan in June/July 2019. In June and July 2020, the appointed planning inspectors wrote to CYC on Green Belt and household projection matters respectively. CYC responded with a housing needs update in October 2020. In recent months CYC has been providing additional information to the inspectors on Green Belt matters.
- 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.

*Unaccompanied Visit*

- 5.9 I visited Heslington on 15 January 2020. I drove into the neighbourhood area from the A64 to the immediate east of York. This gave me an initial impression of its setting and the character. It also highlighted its connection to the strategic road system and to the wider City of York. I was fortunate in having chosen a dry and sunny day for the visit after the effects of Storm Brendan earlier in the week. I was rewarded with excellent views of York Minster from the A64.
- 5.10 I looked initially at the part of the neighbourhood area to the south and east of the A64. I saw that it had an open and agricultural character. I drove along Elvington Lane so that I could see the general location of the proposed strategic housing site in the emerging Local Plan. I saw its location both in relation to the surrounding countryside and to the Elvington Airfield.
- 5.11 Thereafter I headed towards the built-up part of the neighbourhood area to the north and west of the A64. I looked initially at the University of York, Campus East. I saw the way in which it was attractively arranged around Lakeside Way. I also saw the Unity Health building and the local retail facilities.
- 5.12 I then looked at the village centre of Heslington. I saw the way in which it was distinct in its character and appearance based on the green verges on both sides of Main Street and the arrangement of the various buildings to these verges. I saw its range of vernacular brick buildings, mainly with clay pantile roofs. The attractiveness of the village centre was further reinforced by the high standards of the maintenance of the various buildings. I saw the various commercial facilities, including two banks and a post office. The Brown's Bakery shop was particularly popular.
- 5.13 Thereafter I looked at the range of proposed local green spaces mainly arranged to the south-west and to the north-east of the village centre. They varied in their scale and character. In their different ways they reflected the historic development of Heslington, its ecclesiastical importance and the development of sporting and

recreational facilities. The concentration of the proposed local green spaces based around St Paul's Church results in a very attractive and open environment in the heart of the village opposite the entrance to Heslington Hall.

- 5.14 I then walked up Spring Lane into the main University Campus. I saw the way in which it was attractively arranged within a sylvan setting around the iconic lake. In doing so I saw the way in which several students were taking advantage of the seating and the wider urban design of the campus on a bright Winter day.
- 5.15 I retraced my steps back along Spring Lane and then continued along Main Street/Heslington Lane. I saw the Halifax College Buildings and the aptly-named 22 acres playing fields.
- 5.16 Thereafter I drove back to the Hull Road. I saw the B&Q building and the rather interesting Inner Space Stations Service Station with its roof-mounted daleks. I left the neighbourhood area along the A64.

## 6 The Neighbourhood Plan and the Basic Conditions

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 helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 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;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings:

### *National Planning Policies and Guidance*

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Heslington Parish Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and existing development plan context as described in section 5 of this report;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 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.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements. Plainly the development plan context with the City is both unusual and challenging. In these circumstances I have given particular attention to the relevant part of Planning Practice Guidance (ID: 41-009-0509). This part of national policy comments about the way in which a qualifying body and a local planning authority should discuss and aim to agree the relationship between policies in an emerging neighbourhood plan, an emerging local plan (or spatial development strategy) and the adopted development plan with appropriate regard to national policy and guidance.
- 6.8 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 a positive vision for the future of the neighbourhood area. In particular it includes a series of policies on the scale and nature of new development. It identifies three settlement gaps and proposes local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID: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.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority 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*

- 6.11 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 that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing development, for employment development and for the future development of the University (Policies HES8-12, HES2 and HES19 respectively). In the social role, it includes a policy on local green spaces (Policy HES13). In the environmental



dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policy HES4), on urban character (HES6) and on green infrastructure (Policy HES14). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

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

- 6.12 I have already commented in detail on the development plan context in the City of York in paragraphs 5.4 to 5.8 of this report. I am satisfied that subject to the incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.
- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation and Habitat Regulations*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement a screening exercise was undertaken on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 6.16 The screening report includes a separate Habitats Regulations Assessment (HRA) of the Plan. It takes account of the likely effects of development in the neighbourhood area on the Strensall Common SAC, the Skipwith Common SAC, the River Derwent SAC, the Lower Derwent SAC, SPA and Ramsar site and on the Humber Estuary SPA, SAC and Ramsar site. It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on a European protected site. It also concludes that there will be no likely significant in-combination effects. Its level of detail provides assurance that this important matter has been comprehensively addressed.
- 6.17 The screening reports include the responses received as part of the required consultation. In doing so they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. 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. The work undertaken on HRA screening is exemplary.

- 6.19 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. In addition, 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 the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they 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 distinctive and proportionate to the neighbourhood area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. The Plan includes a series of Community Aspirations. They are properly distinguished from the principal land use policies.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies. The Community Aspirations are addressed after the 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 section of the Plan (Sections 1-7)*

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction comments generally about the neighbourhood area and how it relates to the emerging Local Plan. It does so to good effect. It identifies the Plan period.
- 7.10 Section 2 comments about the development of the Plan. It also provides background information about how the Plan was prepared and the SEA and HRA work that has been undertaken.
- 7.11 Section 3 comments about what the Plan is seeking to achieve. It helpfully summarises the policies.

- 7.12 Section 4 comments about the policy evidence and data used to support and develop the Plan. It highlights the difference between the quantitative and the qualitative data that was used in this process.
- 7.13 Section 5 comments about the wider planning policy context within which The Plan has been prepared. It also comments about the neighbourhood area and a range of matters which have influenced the preparation of the Plan. It has a particular focus on its history, its landscape setting, the University of York and the York Science Park.
- 7.14 Section 6 comments about the community and stakeholder engagement. It is particularly comprehensive in its coverage and detail. It also usefully overlaps with the submitted Consultation Statement.
- 7.15 Section 7 comments about the Plan's growth strategy. It draws attention to the overlapping approach being promoted in the emerging City of York Local Plan.
- 7.16 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### Policy HES:1 Main Street Change of Use

- 7.17 This policy seeks to sustain and diversify the range of uses in Main Street. It has three related parts as follows:
- supporting changes of use to retail (A1), food and drink (A3/A4) and medical/community uses (D1) subject to a series of traffic and amenity considerations;
  - supporting proposals to diversify the use of public houses where its principal use remains; and
  - any acceptable proposals should otherwise conform with detailed design policies elsewhere in the Plan.
- 7.18 The policy was developed in good faith in the period leading up to its submission. However, in September 2020 the Use Classes Order was substantially revised. It introduces three new use classes as follows:

Class E	Commercial, business and service uses
Class F1	Learning and non-residential uses
Class F2	Local community uses

The new Use Class E incorporates several former use classes including A1(shops), A2 (financial and professional services) and A3 (cafes or restaurants). In this context there is now considerable flexibility for different business functions to be undertaken in towns and village centres without the need for planning permission.

- 7.19 In this context I recommend specific modifications to the policy to take account of the revised approach and details of the 2020 Use Classes Order. In particular I recommend that the former references to Class A uses and D1 uses are replaced by

the relevant use class categories in the 2020 Use Classes Order. In the round this approach will offer support for the ongoing safeguarding and extension of the role, importance and significance of the village centre. In doing so it acknowledged the government's wider ambition to stimulate the role of town and village centres both in general, and in response to the Covid pandemic in particular.

7.20 In general terms the policy makes a positive response to the current mix of uses in Main Street. However, in places it has an unusual format. In particular criterion c) which comments about the Plan's approach towards proposals which would result in the loss of existing commercial facilities to residential use is effectively a separate part of the policy. This also applies to the element on the potential diversification of the use of public houses. I recommend modifications to address these substantive matters. I also recommend detailed modifications to the wording used so that the policy has the clarity required by the NPPF.

7.21 I also recommend three specific modifications to the policy as follows:

- that the final part of the policy takes on a more general format. Its effect would then be, irrespective of the use of any property, that new development should comply with the design and character policies in the Plan;
- that the policy title is modified. It is a wide-ranging policy which addresses more than simply changes of use; and
- that 'Main Street area' is defined on a Map. Whilst the village centre is largely self-evident such clarity is required for a development plan policy.

**After Main Street area add 'as shown on Map [insert number]**

**In the opening part of the policy replace 'for change of use.... other community facilities (D1)' with 'for change of use to commercial, business and service uses (Class E), to pubs and other drinking establishments, or to Learning and non-residential uses (Class F1)'**

**In the initial part of the policy replace 'subject to' with 'subject to the following criteria:'**

**Replace a) with 'they do not generate unacceptable impacts on traffic safety or the capacity of the local highway network; and'**

**Replace b) with 'they do not have an unacceptable impact on the residential amenities of the immediate local area'**

**Replace c) with a free-standing paragraph of the policy to read:**

**'Proposals which would involve the loss of Class E, Class F1 and pubs and other drinking establishments in the Main Street area will not be supported unless the applicant can demonstrate that no other similar business uses would be commercially viable'**

**Reposition d) (without modifications) to a free-standing part of the policy. In doing so delete the preceding ‘In addition’**

**In the final part of the policy replace ‘In the event.....use, any’ with ‘Insofar as planning permission is required all’**

*Replace the policy title with: ‘Sustaining the vitality and the viability of Main Street’*

*Show the Main Street area on a map in the Plan.*

Policy HES: 2 New Business and Employment Development

7.22 This policy offers support for new business and employment development in three locations as follows:

- the existing science and business parks on the University campuses;
- within designated housing sites (which may be included in the emerging Local Plan); and
- within farm complexes to support rural diversification.

7.23 This element of the policy is positively-worded. It provides a positive local response to Section 6 of the NPPF.

7.24 The final part of the policy offers support for the development of sporting facilities. Whilst this part of the policy is slightly out of context with the remainder of the policy it has the ability to contribute towards business and employment development in the neighbourhood area. Nevertheless, I recommend that this part of the policy becomes a separate and free-standing element of the policy.

7.25 I also recommend modifications to the wording used elsewhere in the policy so that it has the clarity required by the NPPF and can be applied clearly and consistently by CYC. Otherwise it meets the basic conditions.

**In c) replace ‘providing.... adverse impact’ with ‘where there would be no unacceptable adverse impacts’**

**In the final element of the policy (sports development) incorporate d) directly into the preceding wording - losing the d)**

**In this final and consolidated part of the policy replace ‘significant’ with ‘unacceptable’**

Policy HES: 3 Agriculture and Rural Enterprise

7.26 This policy recognises that much of the neighbourhood area is in agricultural use. The purpose of the policy (paragraph 9.1) identifies that it intends to support the viability of working farms as thriving businesses whilst making a positive contribution to green

infrastructure. This is further consolidated in Section 9.3 which sets out a series of priorities for the working farms. They include:

- developing renewable energy;
- the promotion of diversification projects;
- providing access to high speed Broadband; and
- helping farming businesses to build profitability and to respond to new business opportunities.

7.27 The policy seeks to provide a context to deliver such initiatives. However, its language is less than clear. As such I recommend modifications so that it has the clarity required by the NPPF. In particular I recommend that the criterion on traffic movements is replaced by one which addresses both existing and new traffic movements. I also recommend consequential modifications to the Interpretation.

7.28 I recommend a modification to the title of the policy. Its focus on agriculture is not directly reflected in the policy itself. In any event most forms of agricultural development do not need planning permission and therefore cannot be controlled by a policy.

**After ‘proposals’ add: ‘for rural enterprise and rural diversification’**

**In a) delete ‘and acknowledge’**

**Replace b) with: ‘provide safe vehicular access points to the highway network and ensure that existing and the proposed new traffic generated by the wider use of any farm/rural enterprise can be safely accommodated in the local highway network’**

**Replace c) with: ‘ensure the compatibility between the proposed new uses and any existing agricultural activities on the site concerned’**

*In the Interpretation replace ‘Applications.... ensures’ with ‘This policy has been designed to facilitate rural diversification projects whilst ensuring’*

*Replace the policy title with: ‘Rural enterprise and rural diversification’*

Policy HES: 4 Sustainable Design

7.29 This policy sets out the Plan’s intentions to secure sustainable design. As the Interpretation comments it seeks ‘to ensure that development is designed to be sustainable and inclusive’. It is based around a series of design principles which include:

- complementing the character of the surrounding area;
- providing active frontages to streets;
- creating safe and attractive pedestrian environments; and

- providing a range of parking solutions.

- 7.30 In general terms the policy has been well-developed. It seeks to ensure that the quality of new development is distinctive and of the highest quality. However, whilst this is appropriate in principle, it fails to acknowledge that the majority of development will be modest in its nature and is unlikely to trigger the need to take account of all of the development and character principles. In this regard I recommend that the opening part of the policy clarifies that the principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.31 I recommend that the first criterion is modified to clarify its intention. As the University comments it implies that character areas have been defined against which development proposals can be assessed. The recommended modification provides a more general approach but which does not undermine the effectiveness of the policy.
- 7.32 I recommend that principle g) is removed from the list of principles and sits as a free-standing part of the policy. Unlike the preceding six elements of the policy it is not a sustainable design feature in its own right.
- 7.33 I also recommend modifications to the wording used elsewhere in the policy so that it has the clarity required by the NPPF and can be applied clearly and consistently by CYC. Otherwise, it meets the basic conditions.

**At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’**

**In the opening part of the policy replace ‘use’ with ‘are of a’**

**In the opening part of the policy replace ‘sustainable urban design principles. This includes’ with ‘the following sustainable urban design principles’**

**In principle a) replace ‘the surrounding character areas’ with ‘the character of the surrounding area’**

**Reposition principle g) so that it is a free-standing element of the policy (without the g))**

**In the final part of the policy replace ‘are welcomed’ with ‘will be particularly supported’**

Policy HES: 5 Crime Prevention and Reduction

- 7.34 This policy offers support to development proposals which are designed to create safe communities. It specifically references the principles of ‘Secured by Design’.
- 7.35 The policy complements national and emerging Local Plan policies. It meets the basic conditions.



## Policy HES: 6 Urban Character

- 7.36 This is an important policy in the wider context of the Plan. It provides detailed guidance to ensure that new design in the built-up part of the neighbourhood area reflects its urban design and character. In this context the policy is helpfully underpinned by the wide-ranging supporting text in Section 10 of the Plan.
- 7.37 The policy produces a series of design principles with which new development should comply. They include:
- respecting the vernacular form and scale of existing buildings;
  - preserving gardens and open spaces;
  - maintaining historic paths and routes; and
  - specific design and reinstatement issues in the designated conservation area.
- 7.38 In general terms the policy has been well-developed. It seeks to ensure that the quality of new development is distinctive and of the highest quality. However, whilst this is appropriate in principle, it fails to acknowledge that the majority of development will be modest in its nature and is unlikely to trigger the need to take account of all of the development and character principles. In this regard I recommend that the opening part of the policy clarifies that the principles will apply as appropriate to the nature, scale and location of the proposed development.
- 7.39 I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF. In criterion j) the recommended modification acknowledges that in some case the reinstatement of traditional period features may not need either planning permission or listed building consent.
- 7.40 Otherwise the policy meets the basic conditions. It is an excellent local response to this important national agenda. It should result in sensitive and sustainable new development in the Plan period.

**At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’**

**In a) add at the end ‘of existing buildings’**

**In h) replace ‘practical’ with ‘practicable’**

**In i) add ‘and insofar as planning permission and/or listed building consent is required’**

## Policy HES: 7 Conversion of existing buildings

- 7.41 This policy seeks to ensure that conversions/extensions/adaptations to existing buildings are of a scale and design that are subservient to the original building.

- 7.42 The opening part of the policy applies the policy to those parts of the neighbourhood area 'outside strategic development site allocations' and the existing boundaries of the University campuses. Historic England correctly identify that the precise nature and outcome of the Local Plan remains uncertain. In any event the wording of the policy does not directly relate either to its title or to the Interpretation of the policy. In both case the focus is on works to existing buildings.
- 7.43 I recommend modifications to the policy to address these issues. The first clarifies the coverage of the policy. The second removes the geographic references in the policy. In effect a policy for alterations and adaptations for existing buildings should apply across the neighbourhood area. The third clarifies that the policy title and the policy itself will apply to alterations and adaptations to buildings in addition to conversions.

**Replace the opening part of the policy with:  
'Proposals for the conversion, extension or alteration of existing buildings will be supported where they:'**

*In the title replace 'Conversion' with 'The conversion, extension or alteration'*

Policy HES: 8 New housing

- 7.44 This policy comments about new housing proposals in those parts of the neighbourhood area that are unaffected by strategic development proposals or are within the University campuses. It proposes a series of locational, design and amenity considerations.
- 7.45 I sought clarification from the Parish Council on the structure of the policy. Whilst it has six criteria, they are broken into two separate categories. I recommend modifications to the structure of the policy so that it applies all six criteria in an equal fashion as anticipated by the Parish Council in designing the policy. I also recommend that the references to strategic development sites and the University are repositioned into the Interpretation.
- 7.46 I also recommend detailed modifications to the wording used in the policy so that it would have the clarity required by the NPPF.

**Delete 'Beyond the .....campuses'**

**In the body of the policy delete 'Development proposals.... if they'  
In c) add 'where practicable' before 'enhance'**

*At the end of the first paragraph of the Interpretation add: 'Policy HES 8 comments about general development proposals for housing. It does not address the strategic development proposals arising from the emerging City of York Local Plan or development on the various campus sites of the University of York'*

Policy HES: 9 Housing Mix and Affordability

- 7.47 This policy comments about housing mix and affordability on strategic developments which may come forward within the neighbourhood area. By definition the delivery of strategic development in the neighbourhood area is dependent on the eventual outcome of the emerging Local Plan.
- 7.48 The second criterion of the policy comments that affordable housing should be provided on site and not provided remotely through financial contributions. CYC comment that such an approach is contrary to the approach for the delivery of affordable housing in its emerging Local Plan (Policy H10).
- 7.49 I sought the Parish Council's comments on this issue in the clarification note. It responded that the submitted policy had not been tested for its potential effect on the viability of development sites. At the same time, it accepted that a similar approach to that in the emerging Local Plan would relate well to the wider objectives of the policy. I recommend accordingly. In the event that the Local Plan policy approach is refined through its examination process the Parish Council will have the opportunity to propose minor modification to the policy approach that would then be incorporated into any 'made' neighbourhood plan.

**In the initial part of the policy replace 'the' with 'any' and after allocations add 'arising from the City of York Local Plan'**

**Replace b) with: 'affordable housing is provided to the most recent standards published by the City of York Council. On sites of 15 homes and above on-site provision of the required level of affordable housing will be expected, unless offsite provision or a financial contribution of equivalent value can be robustly justified'**

*In the second part of the Interpretation replace 'is not supported' with 'will not be supported unless offsite provision or a financial contribution of equivalent value can be robustly justified. This approach overlaps with the approach in the emerging City of York Local Plan'*

Policy HES: 10 Housing in Multiple Occupation

- 7.50 This policy identifies a series of issues with which proposals for a change of use to a house in multiple occupation (HMO) will need to comply. They include:
- they would not harm the character and appearance of the building concerned;
  - their effects on the amenities of neighbouring residential properties; and
  - they would not create unacceptable highway issues.
- 7.51 The policy takes an appropriate approach to this important matter in the neighbourhood area. The various criteria are well-balanced and will provided clarity and consistency both to CYC and potential investors and developers. It provides an appropriate approach that is complementary to the CYC Article 4 Direction on HMOs.

- 7.52 The final paragraph of the policy ‘encourages’ proposals to change HMOs back to a traditional dwelling house. I recommend that this element of the policy is deleted given that such changes of use would be permitted development. Nevertheless, as a statement of intent I recommend that it is repositioned into the Interpretation.
- 7.53 I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF.
- 7.54 Finally I recommend modifications to the Interpretation Section to take account of a factual update suggested by CYC.

**At the beginning of the policy add: ‘Proposals for a’**

**In a) replace ‘not harm’ with ‘not cause unacceptable harm to’**

**In c) replace ‘so as not to harm visual amenity’ with ‘and would not cause unacceptable harm to the visual amenity of the immediate locality of the property concerned’**

**Delete the final paragraph of the policy.**

*In the Interpretation replace ‘Houses in Multiple Occupation Technical Paper (2011, updated 2014)’ with ‘Draft Controlling the Concentration of Houses in Multiple Occupation SPD (Approved 2012, Amended July 2014)’.*

*At the end of the Interpretation add:*

*‘Proposals for the conversion of HMOs back to traditional dwelling houses are permitted development and therefore do not need planning permission. However, the Plan would encourage and support such proposals’*

Policy HES: 11 Housing and community facilities

- 7.55 This policy offers support for community and recreational facilities on any strategic housing sites in the neighbourhood area which may be included in the emerging Local Plan. Its third part requires that any sites which are developed incrementally include a master plan design statement which includes the location of community facilities and otherwise complies with other neighbourhood plan policies.
- 7.56 I am satisfied that the policy takes a general and a non-prescriptive approach. In addition, it does not seek to influence the development of local plan policies or express a preference for any particular site.
- 7.57 I recommend modifications to the title of the policy and its opening element so that they properly reflect its intention. I also recommend detailed modifications to the wording used in the various criteria so that they have the clarity required by the NPPF. Otherwise it meets the basic conditions.

**Replace the opening element of the policy with:  
‘The development of any strategic sites in the neighbourhood area allocated in the emerging City of York Local Plan should:’**

**In c) replace ‘Submit.... incrementally, which includes’ with ‘prepare a masterplan design statement in circumstances where strategic sites are developed incrementally and which identifies’**

*Replace the policy title with:*

*‘Community and recreational facilities in strategic housing sites’*

Policy HES: 12 Purpose Built student accommodation

- 7.58 This policy seeks to address the issue of purpose-built student accommodation. Its approach is that such accommodation will only be supported within the existing development boundaries of the University campuses.
- 7.59 The policy has attracted an objection from the University. It comments that the submitted policy is at odds with Policy SS22 of the emerging Local Plan. The University also comments about the inconsistencies between the policy (which applies throughout the neighbourhood area) and the Interpretation (which has a focus on Heslington village).
- 7.60 I sought advice from the Parish Council on how the policy was anticipated to be applied across the neighbourhood area. It commented that it had been designed to apply within the existing University campuses and within the strategic development sites. Whilst this is helpful that approach would be restrictive and may prevent otherwise acceptable development proposals from coming forward. In this context the Plan provides no compelling evidence about the extent to which such development would be unacceptable. In any event that approach would not align with the approach in Policy SS22 of the emerging Local Plan. This comments about future expansion of the University. Whilst that policy supports the development of new student accommodation as part of that wider package it does not prevent purpose-built student accommodation proposals elsewhere. Similarly, Policy HES12 is not supported by any detailed evidence about the impacts of student accommodation within the wider parish and the ability or otherwise of the University to accommodate all its accommodation needs on land within its direct control.
- 7.61 I have considered all the information available to me very carefully. In all the circumstances I recommend that the Policy and the Interpretation are deleted.

**Delete the policy**

*Delete the Interpretation*

## Policy HES: 13 Local Green Spaces

- 7.62 This policy proposes the designation of a package of local green spaces (LGSs). The supporting text in Section 12 makes appropriate references to paragraphs 99-101 of the NPPF and the national context to the designation of LGSs.
- 7.63 The policy approach is underpinned by Appendix 1 of the Plan (the LGS Evidence base). It provides a detailed assessment of each of the proposed LGS against the various criteria included in the NPPF. Both the process followed and the resulting document are exemplary.
- 7.64 The Appendix helpfully comments about the potential overlap between proposed LGSs and the existing and the proposed extent of the York Green Belt. I am satisfied that a proportionate approach has been taken on this matter. In particular it has taken account of the current stage at which the Local Plan has reached in its examination process. In this context I am satisfied that the proposed LGS at Pond Field (LGS12) is appropriate.
- 7.65 I am satisfied that in general terms the proposed LGS have been carefully chosen. They are distinctive to the neighbourhood area and reflect its character. In its response to the clarification note the Parish Council advised that proposed LGS 7 - Heslington Hall Gardens (Rear) is now listed by Historic England as a Heritage Category: Park and Garden Grade: II. List Entry Number: 1456517 and that the additional protection of LGS is no longer justified. I therefore recommend the deletion of LGS 7 accordingly.
- 7.66 In general terms I am satisfied that the proposed LGS designations accord with the more general elements of paragraph 99 of the NPPF. Firstly, the package of sites is consistent with the local planning of sustainable development. The Plan has sought to take account of the emerging City of York Local Plan in general and the way in which it addresses strategic housing issues in particular. The package of proposed LGSs are unaffected by alternative development proposals. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, in many cases they are established elements of the local environment and are sensitively managed as green spaces in ways appropriate to their particular uses.
- 7.67 In general terms the policy itself takes the matter of fact approach in the NPPF on LGS designation. Nevertheless, I recommend that its format is modified so that it explicitly designates the various spaces as LGSs. This will result in the clarity required by the NPPF. Otherwise the effect and coverage of the policy is unaffected.
- 7.68 I also recommend the deletion of the second part of the policy which seeks to identify the nature of very special circumstances which may justify certain developments within identified LGSs. Whilst the types of development suggested are modest, they go beyond the matter of fact approach in the NPPF. Plainly it will be the CYC to assess any development proposals which may come forward within LGSs on their merit taking account of all the relevant material considerations. However, in the circumstances I recommend that the criteria are repositioned into the Interpretation section.

**Replace the opening part of the policy with:**

**‘The Plan designates the following green spaces as shown in Figure 4 as Local Green Spaces:’**

**[List LGSs 1-6 and 8-13 numbers and descriptions]**

**After the schedule of sites add:**

**‘Development proposals that would affect the designated Local Green Spaces will only be supported in very special circumstances’**

*In the Interpretation insert the following after the first sentence:*

*‘CYC will assess any development proposals which may come forward within LGSs on their merit taking account of all the relevant material considerations. However small scale, ancillary development proposals on local green spaces may be supported where they meet each of the three following points:*

*List a) to c) from the policy (as submitted)’*

*Thereafter delete the second sentence of the Interpretation section.*

Policy HES: 14 Green Infrastructure

- 7.69 This policy addresses green infrastructure. It is a particularly wide-ranging policy which has both a general application and one which relates specifically to identified ‘significant green spaces’ as identified in paragraph 13.5 and shown in Figure 6 of the Plan.
- 7.70 The generality of the policy indicates that development will be supported where it avoids significant harm to the environment of the neighbourhood area, including:
- trees, hedgerows and other ecological features;
  - local wildlife habitats and protected landscapes; and
  - identified significant green spaces.
- 7.71 Other elements of the policy comment about mitigation measures. Opportunities to incorporate improvements for green infrastructure in and around developments will be supported.
- 7.72 I sought the Parish Council’s comments on the initial element of the policy which is general in nature and contrasts significantly from the more specific elements. The Parish Council agreed that it could be deleted and repositioned into the supporting text. I recommend accordingly.
- 7.73 The proposed significant green spaces have generally been well-received. However, the University has commented about the Campus East Lake and Grounds (Site 1) and CYC has commented about the Elvington Airfield Grassland (Site 3). The University’s comments are primarily based on its views about the dated nature of both Figure 5 (showing details from a reserved matters application from 2008) and Figure 6 (showing the broader location of the proposed significant green spaces). I recommend that this



issue is resolved by the deletion of Figure 5 and the preceding element of supporting text. I also recommend that a revised figure is included in the Plan showing the extent of Site 1.

- 7.74 The representation from CYC concentrates on the potential inconsistency between the identification of the Elvington Airfield Grasslands as a significant green space and the proposed allocation of a strategic housing allocation in the same general location in the emerging Local Plan. In its response to the clarification note the Parish Council proposes a reduced extent of the Grasslands as a significant green space in the event that the strategic allocation is included in the adopted Local Plan.
- 7.75 I have considered this matter very carefully. In all the circumstances I recommend that the whole of the Elvington Airfield Grasslands is not included as a significant green space. By definition the identification of strategic sites in the emerging Local Plan is a strategic matter which will find its own level in the examination of that Plan. In this context it would be inappropriate for a neighbourhood plan to seek to influence or shape this matter. In the event that the adopted Local Plan includes the proposed strategic housing location (ST15) in the general vicinity of the Elvington Airfield any review of a 'made' neighbourhood plan could consider the identification of a significant green space at the western end of the wider site based on appropriate evidence.
- 7.76 I recommend modifications to the policy itself. They fall into three areas:
- detailed modifications to the wording used so that it would have the clarity required by the NPPF;
  - modifications to ensure that it has regard to national policy (Section 15 of the NPPF); and
  - the deletion of the general criterion a).

**In the opening part of the policy replace 'they can.....as a whole, including' with 'they are designed to respect the natural environment of the neighbourhood area and do not cause unacceptable harm to its integrity and longevity. Development proposals should take particular account of the following elements of the natural environment: [At this point include b) and c) from the submitted policy].**

**Replace the second part of the policy with: 'Development proposals will not be supported where significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for'**

**Replace the third part of the policy with: 'Development proposals which would bring about improvements to the integrity, the accessibility and the interpretation of green infrastructure will be particularly supported'**

*In the second paragraph of the Interpretation insert after the first sentence: 'Policy HES: 14 applies both generally across the neighbourhood area, and in the specific locations identified in the first part of the policy. Whilst the policy cannot identify every*



*element of green infrastructure in the neighbourhood area it might otherwise include trees, woods, hedges, ditches, grass field margins, flora and fauna'*

*Delete 3 Elvington Airfields Grasslands as a significant green space both from Section 13.5 of the Plan and from Figure 6.*

*Delete the paragraph on page 55 'The University of York.... continuity of grass'*

*Replace Figure 5 with a revised plan showing the extent of proposed significant green space at the Campus East Lake and Grounds (Site 1 in Figure 6).*

Policy HES: 15 Sustainable Transport

7.77 This policy comments about sustainable transport provision on strategic development sites which may come forward through the process of the emerging Local Plan. Its approach is to support development proposals on such strategic sites where they incorporate a variety of transport facilities including:

- public transport facilities;
- strong pedestrian links to bus stops and community facilities; and
- the preparation of a transport master plan.

7.78 As with Policy HES: 8 its various criteria are arranged in two distinct parts of the policy. The Parish Council responded to the clarification note that not all of the criterion e) to k) would necessarily apply to every strategic development site. In this context it recommended a modified approach to the policy.

7.79 I recommend that the policy is redesigned so that it incorporates its principal requirements (a-d) in general terms and that the other criteria are applied insofar as they relate to any particular strategic site. In addition, I recommend detailed modifications to the wording used in the policy so that it has the clarity required by the NPPF and to respond to the suggestions by CYC.

**In the opening part of the policy replace 'the' with 'any'**

**After 'including' add 'as appropriate to the site concerned and the scale and the nature of the proposed development'**

**In c) replace 'to' with 'across'**

**Replace 'Development proposals.... of the following' with 'Development proposals should address any of the following matters insofar as they are relevant to the development of the site concerned'**

**Replace the e) to k) lettering system with bullet points'**

**In the submitted e) insert at the beginning 'the incorporation of'**

**In the submitted f) insert at the beginning ‘the incorporation of measures that would result in’**

**In the submitted k) insert at the beginning ‘the incorporation of’**

Policy HES: 16 Vehicular and Pedestrian Traffic

- 7.80 This policy is very specific in its nature. As the Interpretation comments it seeks to ensure that the strategic allocation site (ST15) in the emerging Local Plan is fully served by a new principal access road to the A64, bypassing the village and the immediate locality.
- 7.81 CYC draws my attention to the potential conflict between the submitted policy and Policy SS13 in its emerging Local Plan. It contends that the York Local Plan Policy SS13 and the key principles in relation to transport which are highlighted in this policy should be tested through the Local Plan Examination process and not through the Neighbourhood Plan process.
- 7.82 I have considered this matter very carefully in general, and given the different approaches being taken by CYC and the Parish Council in particular. The NPPF provides clear guidance on the distinction between strategic policies (paragraphs 20-23) and non-strategic policies (paragraphs 28-30). In particular it comments in paragraph 29 that:
- ‘Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies’*
- 7.83 In this context I have concluded that the identification, the design and the transport arrangements associated with the strategic allocation sites in the emerging Local Plan is a strategic matter. In this context it would be inappropriate for an emerging neighbourhood plan to seek to influence this matter. In any event the emerging Local Plan is just that, and as CYC comment, these and other matters remain to be examined. In addition, I am not satisfied that the neighbourhood plan policy has produced any specific evidence to justify its approach. In any event certainty on the potential development of the proposed allocated site will only be available once the Local Plan examination has concluded, any main modifications are published and the Inspectors’ report is available.
- 7.84 In these circumstances I recommend that the policy and the Interpretation are deleted. However, to recognise the significance of this matter to the local community I also recommend that a modified version of the policy is repositioned so that it would form an additional Community Action.

### **Delete the policy**

*Delete the Interpretation*

*Insert an additional Community Action to read:*

*'Within the context set by the emerging Local Plan the Parish Council will work with the City of York Council and the developers concerned to ensure that the development of the strategic housing allocation (ST15) safeguards the character of the local road network in general, and of Low Lane, Ox Close Lane, Common Lane, Long Lane and Langwith Stray in particular'*

Policy HES: 17 Traffic in Heslington Conservation Area

- 7.85 This policy comments about traffic in the conservation area. It has two related parts. The first offers support to development proposals where any increase in traffic would cause no significant harm to the character of the conservation area. The second part comments that highways improvements in the conservation area should preserve or enhance and cause no significant harm to its character.
- 7.86 The origin of the policy is not directly referenced in the Rationale and Evidence in this part of the Plan. The Interpretation comments that 'the policy seeks to protect the conservation area and the amenity of residents without compromising the provision of flexible, sustainable transport solutions'
- 7.87 The policy raises a series of issues about the way in which it could be applied through the development management process. The first part of the policy has a focus on the impact of traffic in the conservation area. Whilst this approach is understandable given the central position of the conservation area in the neighbourhood area and the concentration of retail and commercial businesses within its area, conservation areas are designated for their historic or architectural significance rather than their level of traffic. In addition, the second part of the policy's focus on any associated highway improvements addresses issues which would traditionally be permitted development as they are carried out within the highway.
- 7.88 Whilst I have some sympathy for the issues that the Parish Council is seeking to address in the proposed policy it captures issues which are beyond the direct control of the planning system. In any event, the policy offers no direct evidence about the way in which increased traffic would cause harm to the conservation area and the level of any harm which might otherwise be acceptable. As such I recommend its deletion. However, to recognise the significance of this matter to the local community I also recommend that the second part of the policy is repositioned so that it would form an additional Community Action. In this context it would supplement HES: CA1 (Street Furniture and Lighting in the Conservation Area).

**Delete the policy**

*Delete the Interpretation*

*Insert an additional Community Action after HES: CA1 to read:*

*‘Any highway improvements within the Heslington Conservation Area (either introduced in their own right or as mitigation associated with other development) are expected to respect the character or appearance of the area and respond to its distinctive features’*

Policy HES: 18 Paths and other Rights of Way

7.89 This policy offers support to proposals which preserve or enhance the network of footpaths, bridleways and cycleways in the neighbourhood area. I saw many of such paths during my visit. They contribute significantly to the attractiveness of the neighbourhood area and the way in which its local residents can enjoy their environment and move around within that environment.

7.90 It meets the basic conditions.

Policy HES: 19 University of York

7.91 This policy comments about development proposals for the various campuses of the University of York. The development of the policy reflects the importance of the University to the environment and to the economy of the neighbourhood area. The Parish Council clarified that the policy was intended to apply to academic and University-related development.

7.92 The policy offers support for such development where it safeguards the green open space buffer zones and implements the various good practice development principles in Section 15.4 of the Plan. The principles are as follows:

- master planning;
- existing planning conditions;
- character;
- historic buildings;
- permeability and movement;
- design quality; and
- design and access statements.

7.93 I recommend that the element of the policy on green spaces is addressed in the supporting text. In a policy context such green spaces are already included in Policy HES 14 of this Plan.

7.94 In general terms I am satisfied that the good practice development principles are well-considered and appropriate for the neighbourhood area. Nevertheless, I recommend the deletion of the ‘existing planning conditions’ and the ‘Design and Access Statement’ principles. The former is a matter of fact issue rather than a development principle. Nonetheless I recommend that it is addressed in the supporting text. As the University comment any reserved matters applications which come forward will be considered within the context of the planning history of the site concerned and their

compliance or otherwise with existing master plans and development briefs that exist on the various campus sites.

- 7.95 The latter is a means by which the planning application would be assessed and described against the development principles in this policy.

**Replace the policy with:**

**‘Proposals for academic and University-related development on the University of York campuses will be supported where they demonstrate, as appropriate to the location, scale and nature of the development concerned, how they respond positively to the development principles in Section 15.4 of this Plan’**

*In Section 15.4 delete 15.4.2 (Existing planning conditions) and 15.4.7 (Design and Access Statements)*

*After 15.4.6 Design Quality add:*

*‘15.5 Implementation*

*Policy HES: 19 sets out a series of development principles to guide and influence any new development that may come forward on the University campuses. Within this context the policy seeks to consolidate the approach already taken by previous planning permissions and captured in master plan and development brief work. Design and Access Statements should demonstrate the extent to which development proposals address the design principles included in Section 15.4 of the Plan’*

Community Actions

- 7.96 The Plan includes three community actions. In accordance with national guidance they are captured in a separate part of the Plan. They are also shown in a different colour than the land use policies. They are as follows:

HES: CA1	Signage, Street Furniture and Lighting in the Conservation Area
HES: CA2	Building and Landscape Character
HES: CA3	Elvington Airfield

- 7.97 I am satisfied that the first two community actions are appropriate and distinctive to the neighbourhood area.
- 7.98 HES:CA3 relates to the proposed strategic development at Elvington Airfield. It requires that a master plan should be in place before any separate planning permissions are granted on the site. This approach may well be incorporated in the event that the site is included as such in the emerging Local Plan. However, this is a matter for that Plan and not for the neighbourhood plan. In any event as submitted the proposed community action reads as a land use policy.

- 7.99 I recommend modifications to remedy the latter point.

*Replace the Community Action to read:*

*'The local community will work with the City of York Council, landowners and any proposed developers to ensure that any development of the former Elvington Airfield comes forward within the context of an agreed master plan'*

Other matters – Green Belt

- 7.100 Section 5 of the Plan provides a comprehensive analysis of the complicated planning policy context in the City. It makes specific reference to the Green Belt. In particular Figure 2 of the Plan indicates the Green Belt boundary insofar as it affects the neighbourhood area (and as extracted from the Fourth Set of Changes Local Plan 2005).
- 7.101 In March 2020 the High Court (*Wedgewood v City of York Council EWHC 780 Admin*) considered a case which centred about the way in which Green Belt issues should be considered in the City whilst definitive boundaries are being prepared in the emerging Local Plan. The effect of this judgement is that such decisions will take into account the Regional Spatial Strategy general extent of the Green Belt, the draft Local Plan (April 2005), the emerging Local Plan and site-specific features in deciding whether land should be regarded as Green Belt in advance of the adoption of the Local Plan. As the Plan was submitted before this judgement it is important that it takes its findings into account. This approach will also be consistent with the approach which CYC has taken since that time both in relation to development management issues and in decisions on the neighbourhood planning agenda
- 7.102 In this context I recommend that paragraph 5.1.3 is updated and consolidated with replacement text. I also recommend consequential modifications to Figure 2 and the Policies Map.

*Replace paragraph 5.1.3 with:*

*'5.1.3 National Planning policy is clear in its support for the Green Belt, emphasising its essential characteristics of openness and permanence. It also states that inappropriate development (such as the construction of new buildings), which is harmful to the role and function of the Green Belt should not be approved except in very special circumstances.*

*5.1.4 Despite the fact that the York Green Belt is still, technically, draft Green Belt it has, de facto, been in existence for several decades and has been reaffirmed on numerous occasions in planning refusals and dismissals of planning appeals. It was specifically recognised in the Yorkshire and Humber Regional Spatial Strategy (RSS) adopted in 2008 and although the RSS was substantially revoked by an Order (SI. No. 117 2013) made in early 2013 under the Localism Act 2011, policies which related to the York Green Belt were specifically excluded from the revocation.*

*5.1.5 The Neighbourhood Plan needs to be in general conformity with strategic policies of the Development Plan. In this case, these are the saved policies YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy (RSS) (2008) and the RSS Key*



*diagram (see Figure 2A). Together the policies and key diagram set the general extent of York's Green belt to approximately 6 miles from York's city centre.*

*5.1.6 Further, 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. This is a material consideration in decision making but does not define York's Green belt boundaries.*

*5.1.7 The National Planning Policy Framework (NPPF) is clear that the identification and modification of Green Belt boundaries are essentially 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, which was submitted for independent examination in May 2018. The proposed Green Belt boundary relevant to the Heslington Neighbourhood Plan is set out on the Local Plan Policies Map South (2018) (Figure 2B). The adopted Local Plan will set the detailed Green belt Boundaries.*

*5.1.8 In advance of the adoption of the Local Plan decisions on whether to treat land as falling within the Green Belt for development management purposes will be taken in accordance with the approach supported in the case of Christopher Wedgewood v City of York Council Group [2020] EWHC 780 (Admin). This means that such decisions will take into account the RSS general extent of the Green Belt, the draft Local Plan (April 2005) (Figure 2C), the emerging Local Plan and site-specific features in deciding whether land should be regarded as Green Belt in advance of the adoption of the Local Plan'*

*Renumber paragraphs 5.1.4 and 5.1.5 of the submitted Plan accordingly*

*Insert a Figure 2A to show the RSS Key Diagram (2008)*

*Insert a Figure 2B to show the City of York Local Plan Publication (Draft) (2018) submitted for examination – Policies Map South Heslington Parish extract*

*Renumber Figure 2 as Figure 2C*

*On the Policies Map remove the Green Belt shading from the map and the Green Belt part of the key. Insert a note at the end of the Key to read: Green Belt: 'The situation in relation to the Green Belt is set out in paragraphs 5.1.3 to 5.1. 10 of the Plan and illustrated on Figures 2A, 2B and 2C'*

*Other matters - General*

- 7.103 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 Council 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.*

- 7.104 The Plan acknowledges the need to identify the Plan period. However, it does so in a fashion which is slightly unclear. As I read the Plan its intention is to run in parallel with the emerging Local Plan (as indicated in paragraph 1.1.2 of the submitted Plan). However, in other places it refers to a 20-year period or to a date of the emerging Green Belt boundaries. For clarity I recommend that the Plan period should relate to that of the emerging Local Plan (2017-2033). In this context I recommend modifications to the front cover of the Plan and to paragraph 1.1.2.

*On the front page of the Plan add '2017 to 2033' after Plan*

*In paragraph 1.1.2 replace 'covers a 20-year period' with 'period is 2017-2033'*



## 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 2033. It is 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 Heslington Parish Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 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 Heslington Parish Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 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 this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by the City of York Council on 22 November 2016.

**Andrew Ashcroft**  
**Independent Examiner**  
**24 March 2021**

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**City of York Council****HESLINGTON 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 Heslington Neighbourhood Plan ("the Plan") by independent Examiner Mr Andrew Ashcroft, which was submitted to the Council on 24<sup>th</sup> March 2021.

This decision statement, the independent Examiner's Report and the submission version of Heslington Neighbourhood Plan and supporting documents can be viewed on the Council's website: [www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning) in line with the current arrangements in the Councils update Statement of Community Involvement.<sup>1</sup>

**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 Heslington Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 22<sup>nd</sup> November 2016. This area is coterminous with the boundary of the parish of Heslington and is entirely within the Local Planning Authority's area.
- 1.4 Heslington Parish Council undertook a pre-submission consultations on the draft Plan in accordance with Regulation 14. Consultation on the Pre-Submission Version took place between 29<sup>th</sup> January to 12<sup>th</sup> March 2019.

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<sup>1</sup> [statement-of-community-involvement \(york.gov.uk\)](http://statement-of-community-involvement.york.gov.uk)

- 1.5 Following the submission of the Heslington Neighbourhood Plan to the Council on 2<sup>nd</sup> October 2019, 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 on 11<sup>th</sup> December 2019.

## **2.0 INDEPENDENT EXAMINATION**

- 2.1 The Council appointed Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, with the consent of Heslington Parish Council, to undertake the independent examination of the Heslington 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 on 15<sup>th</sup> January 2020.
- 2.3 The Examiner's Report was formally submitted on 24<sup>th</sup> March 2021. 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 boundary for Heslington Parish.
- 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, 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 Heslington 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 As a consequence of the required modifications, the Council will modify the Heslington Neighbourhood Plan accordingly, for it then to proceed to referendum.

- 3.4 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 Heslington Neighbourhood Plan will therefore be based on the designated Heslington Parish Neighbourhood Area.
- 3.5 This decision will be made at a meeting of the Council's Executive on 20<sup>th</sup> May 2021.
- 3.6 This decision statement will be dated 20<sup>th</sup> May 2021.

**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

Heslington Neighbourhood Plan Policy	Examiner's Report Reference	Recommended Modification	CYC Consideration/ Justification
Policy HES:1 Main Street Change of Use	Paragraph 7.17-7.21	<p><b>After Main Street area add 'as shown on Map [insert number]</b></p> <p><b>In the opening part of the policy replace 'for change of use.... other community facilities (D1)' with 'for change of use to commercial, business and service uses (Class E), to pubs and other drinking establishments, or to Learning and non-residential uses (Class F1)'</b></p> <p><b>In the initial part of the policy replace 'subject to' with 'subject to the following criteria:'</b></p> <p><b>Replace a) with 'they do not generate unacceptable impacts on traffic safety or the capacity of the local highway network; and'</b></p> <p><b>Replace b) with 'they do not have an unacceptable impact on the residential amenities of the immediate local area'</b></p> <p><b>Replace c) with a free-standing paragraph of the policy to read: 'Proposals which would involve the loss of Class E, Class F1 and pubs and other drinking establishments in the Main Street area will not be supported unless the applicant can demonstrate that no other similar business uses would be commercially viable'</b></p> <p><b>Reposition d) (without modifications) to a free-standing part of the policy. In doing so delete the preceding 'In addition'</b></p> <p><b>In the final part of the policy replace 'In the event.....use, any' with 'Insofar as planning permission is required all'</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><i>Replace the policy title with: 'Sustaining the vitality and the viability of Main Street'</i></p> <p><i>Show the Main Street area on a map in the Plan.</i></p>	
Policy HES: 2 New Business and Employment Development	Paragraph 7.22-7.25	<p><b>In c) replace 'providing.... adverse impact' with 'where there would be no unacceptable adverse impacts'</b></p> <p><b>In the final element of the policy (sports development) incorporate d) directly into the preceding wording - losing the d)</b></p> <p><b>In this final and consolidated part of the policy replace 'significant' with 'unacceptable'</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 3 Agriculture and Rural Enterprise	Paragraph 7.26-7.28	<p><b>After 'proposals' add: 'for rural enterprise and rural diversification'</b></p> <p><b>In a) delete 'and acknowledge'</b></p> <p><b>Replace b) with: 'provide safe vehicular access points to the highway network and ensure that existing and the proposed new traffic generated by the wider use of any farm/rural enterprise can be safely accommodated in the local highway network'</b></p> <p><b>Replace c) with: 'ensure the compatibility between the proposed new uses and any existing agricultural activities on the site concerned'</b></p> <p><i>In the Interpretation replace 'Applications.... ensures' with 'This policy has been designed to facilitate rural diversification projects whilst ensuring'</i></p> <p><i>Replace the policy title with: 'Rural enterprise and rural diversification'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 4 Sustainable Design	Paragraph 7.29-7.33	<p><b>At the beginning of the policy add: 'As appropriate to the nature, scale and location of the proposed development'</b></p> <p><b>In the opening part of the policy replace 'use' with 'are of a'</b></p>	Agree with the modifications for the reasons set out in the Examiners

		<p><b>In the opening part of the policy replace ‘sustainable urban design principles. This includes’ with ‘the following sustainable urban design principles’</b></p> <p><b>In principle a) replace ‘the surrounding character areas’ with ‘the character of the surrounding area’</b></p> <p><b>Reposition principle g) so that it is a free-standing element of the policy (without the g))</b></p> <p><b>In the final part of the policy replace ‘are welcomed’ with ‘will be particularly supported’</b></p>	Report.
Policy HES: 5 Crime Prevention and Reduction	Paragraph 7.34 -7.35	No modifications proposed.	N/A
Policy HES: 6 Urban Character	Paragraph 7.36 -7.40	<p><b>At the beginning of the policy add: ‘As appropriate to the nature, scale and location of the proposed development’</b></p> <p><b>In a) add at the end ‘of existing buildings’</b></p> <p><b>In h) replace ‘practical’ with ‘practicable’</b></p> <p><b>In i) add ‘and insofar as planning permission and/or listed building consent is required’</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 7 Conversion of Existing Buildings	Paragraph 7.41-7.43	<p><b>Replace the opening part of the policy with: ‘Proposals for the conversion, extension or alteration of existing buildings will be supported where they:’</b></p> <p><i>In the title replace ‘Conversion’ with ‘The conversion, extension or alteration’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 8 New Housing	Paragraph 7.44-7.46	<p><b>Delete ‘Beyond the .....campuses’</b></p> <p><b>In the body of the policy delete ‘Development proposals.... if they’</b></p> <p><b>In c) add ‘where practicable’ before ‘enhance’</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.



# ANNEX B

		<i>At the end of the first paragraph of the Interpretation add: 'Policy HES 8 comments about general development proposals for housing. It does not address the strategic development proposals arising from the emerging City of York Local Plan or development on the various campus sites of the University of York'</i>	
Policy HES: 9 Housing Mix and Affordability	Paragraph 7.47-7.49	<p><b>In the initial part of the policy replace 'the' with 'any' and after allocations add 'arising from the City of York Local Plan'</b></p> <p><b>Replace b) with: 'affordable housing is provided to the most recent standards published by the City of York Council. On sites of 15 homes and above on-site provision of the required level of affordable housing will be expected, unless offsite provision or a financial contribution of equivalent value can be robustly justified'</b></p> <p><i>In the second part of the Interpretation replace 'is not supported' with 'will not be supported unless offsite provision or a financial contribution of equivalent value can be robustly justified. This approach overlaps with the approach in the emerging City of York Local Plan'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 10 Housing in Multiple Occupation	Paragraph 7.50-7.54	<p><b>At the beginning of the policy add: 'Proposals for a'</b></p> <p><b>In a) replace 'not harm' with 'not cause unacceptable harm to'</b></p> <p><b>In c) replace 'so as not to harm visual amenity' with 'and would not cause unacceptable harm to the visual amenity of the immediate locality of the property concerned'</b></p> <p><b>Delete the final paragraph of the policy.</b></p> <p><i>In the Interpretation replace 'Houses in Multiple Occupation Technical Paper (2011, updated 2014)' with 'Draft Controlling the Concentration of Houses in Multiple Occupation SPD (Approved 2012, Amended July 2014)'</i></p> <p><i>At the end of the Interpretation add: 'Proposals for the conversion of HMOs back to traditional dwelling houses are permitted development and therefore do not need planning permission. However, the Plan would encourage and support such proposals'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 11 Housing and	Paragraph 7.55-7.57	<b>Replace the opening element of the policy with: 'The development of any strategic sites in the neighbourhood area allocated in the</b>	Agree with the modifications for the

Community Facilities		<p><b>emerging City of York Local Plan should:'</b></p> <p><b>In c) replace 'Submit.... incrementally, which includes' with 'prepare a masterplan design statement in circumstances where strategic sites are developed incrementally and which identifies'</b></p> <p><i>Replace the policy title with: 'Community and recreational facilities in strategic housing sites'</i></p>	reasons set out in the Examiners Report.
Policy HES: 12 Purpose Built Student Accommodation	Paragraph 7.58-7.61	<p><b>Delete the policy</b></p> <p><i>Delete the Interpretation</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 13 Local Green Spaces	Paragraph 7.62-7.68	<p><b>Replace the opening part of the policy with: 'The Plan designates the following green spaces as shown in Figure 4 as Local Green Spaces:' [List LGSs 1-6 and 8-13 numbers and descriptions]</b></p> <p><b>After the schedule of sites add: 'Development proposals that would affect the designated Local Green Spaces will only be supported in very special circumstances'</b></p> <p><i>In the Interpretation insert the following after the first sentence: 'CYC will assess any development proposals which may come forward within LGSs on their merit taking account of all the relevant material considerations. However small scale, ancillary development proposals on local green spaces may be supported where they meet each of the three following points: List a) to c) from the policy (as submitted)'</i></p> <p><i>Thereafter delete the second sentence of the Interpretation section.</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 14 Green Infrastructure	Paragraph 7.69-7.76	<p><b>In the opening part of the policy replace 'they can.....as a whole, including' with 'they are designed to respect the natural environment of the neighbourhood area and do not cause unacceptable harm to its integrity and longevity. Development proposals should take particular account of the following elements of the natural environment: [At this point include b) and c) from the submitted policy].</b></p>	Agree with the modifications for the reasons set out in the Examiners

		<p><b>Replace the second part of the policy with: ‘Development proposals will not be supported where significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for’</b></p> <p><b>Replace the third part of the policy with: ‘Development proposals which would bring about improvements to the integrity, the accessibility and the interpretation of green infrastructure will be particularly supported’</b></p> <p><i>In the second paragraph of the Interpretation insert after the first sentence: ‘Policy HES: 14 applies both generally across the neighbourhood area, and in the specific locations identified in the first part of the policy. Whilst the policy cannot identify every element of green infrastructure in the neighbourhood area it might otherwise include trees, woods, hedges, ditches, grass field margins, flora and fauna’</i></p> <p><i>Delete 3 Elvington Airfields Grasslands as a significant green space both from Section 13.5 of the Plan and from Figure 6.</i></p> <p><i>Delete the paragraph on page 55 ‘The University of York.... continuity of grass’</i></p> <p><i>Replace Figure 5 with a revised plan showing the extent of proposed significant green space at the Campus East Lake and Grounds (Site 1 in Figure 6).</i></p>	Report.
Policy HES: 15 Sustainable Transport	Paragraph 7.77-7.79	<p><b>In the opening part of the policy replace ‘the’ with ‘any’</b></p> <p><b>After ‘including’ add ‘as appropriate to the site concerned and the scale and the nature of the proposed development’</b></p> <p><b>In c) replace ‘to’ with ‘across’</b></p> <p><b>Replace ‘Development proposals.... of the following’ with ‘Development proposals should address any of the following matters insofar as they are relevant to the development of the site concerned’</b></p> <p><b>Replace the e) to k) lettering system with bullet points’</b></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><b>In the submitted e) insert at the beginning ‘the incorporation of’</b></p> <p><b>In the submitted f) insert at the beginning ‘the incorporation of measures that would result in’</b></p> <p><b>In the submitted k) insert at the beginning ‘the incorporation of’</b></p>	
Policy HES: 16 Vehicular and Pedestrian Traffic	Paragraph 7.80-7.84	<p><b>Delete the policy</b></p> <p><i>Delete the Interpretation</i></p> <p><i>Insert an additional Community Action to read: ‘Within the context set by the emerging Local Plan the Parish Council will work with the City of York Council and the developers concerned to ensure that the development of the strategic housing allocation (ST15) safeguards the character of the local road network in general, and of Low Lane, Ox Close Lane, Common Lane, Long Lane and Langwith Stray in particular’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 17 Traffic in Heslington Conservation Area	Paragraph 7.85-7.88	<p><b>Delete the policy</b></p> <p><i>Delete the Interpretation</i></p> <p><i>Insert an additional Community Action after HES: CA1 to read: ‘Any highway improvements within the Heslington Conservation Area (either introduced in their own right or as mitigation associated with other development) are expected to respect the character or appearance of the area and respond to its distinctive features’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy HES: 18 Paths and Other Rights of Way	Paragraph 7.89-7.90	No modifications proposed.	N/A
Policy HES: 19 University of York	Paragraph 7.91-7.95	<p><b>Replace the policy with:</b> <b>‘Proposals for academic and University-related development on the University of York campuses will be supported where they demonstrate, as appropriate to the location, scale and nature of the development concerned, how they respond positively to the development principles in Section 15.4 of this Plan’</b></p> <p>In Section 15.4 delete 15.4.2 (Existing planning conditions) and 15.4.7 (Design and Access</p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p>Statements)</p> <p>After 15.4.6 Design Quality add:          '15.5 Implementation          Policy HES: 19 sets out a series of development principles to guide and influence any new development that may come forward on the University campuses. Within this context the policy seeks to consolidate the approach already taken by previous planning permissions and captured in master plan and development brief work. Design and Access Statements should demonstrate the extent to which development proposals address the design principles included in Section 15.4 of the Plan'</p>	
Community Actions HES:CA3	Paragraph 7.96-7.99	<p><i>Replace the Community Action to read:          'The local community will work with the City of York Council, landowners and any proposed developers to ensure that any development of the former Elvington Airfield comes forward within the context of an agreed master plan'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Other Matters – Green Belt	Paragraph 7.100-7.102	<p><i>Replace paragraph 5.1.3 with:          '5.1.3 National Planning policy is clear in its support for the Green Belt, emphasising its essential characteristics of openness and permanence. It also states that inappropriate development (such as the construction of new buildings), which is harmful to the role and function of the Green Belt should not be approved except in very special circumstances.</i></p> <p><i>5.1.4 Despite the fact that the York Green Belt is still, technically, draft Green Belt it has, de facto, been in existence for several decades and has been reaffirmed on numerous occasions in planning refusals and dismissals of planning appeals. It was specifically recognised in the Yorkshire and Humber Regional Spatial Strategy (RSS) adopted in 2008 and although the RSS was substantially revoked by an Order (SI. No. 117 2013) made in early 2013 under the Localism Act 2011, policies which related to the York Green Belt were specifically excluded from the revocation.</i></p> <p><i>5.1.5 The Neighbourhood Plan needs to be in general conformity with strategic policies of the Development Plan. In this case, these are the saved policies YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy (RSS) (2008) and the RSS</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><i>Key diagram (see Figure 2A). Together the policies and key diagram set the general extent of York's Green belt to approximately 6 miles from York's city centre.</i></p> <p><i>5.1.6 Further, 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. This is a material consideration in decision making but does not define York's Green belt boundaries.</i></p> <p><i>5.1.7 The National Planning Policy Framework (NPPF) is clear that the identification and modification of Green Belt boundaries are essentially 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, which was submitted for independent examination in May 2018. The proposed Green Belt boundary relevant to the Heslington Neighbourhood Plan is set out on the Local Plan Policies Map South (2018) (Figure 2B). The adopted Local Plan will set the detailed Green belt Boundaries.</i></p> <p><i>5.1.8 In advance of the adoption of the Local Plan decisions on whether to treat land as falling within the Green Belt for development management purposes will be taken in accordance with the approach supported in the case of Christopher Wedgewood v City of York Council Group [2020] EWHC 780 (Admin). This means that such decisions will take into account the RSS general extent of the Green Belt, the draft Local Plan (April 2005) (Figure 2C), the emerging Local Plan and site-specific features in deciding whether land should be regarded as Green Belt in advance of the adoption of the Local Plan'</i></p> <p><i>Renumber paragraphs 5.1.4 and 5.1.5 of the submitted Plan accordingly</i></p> <p><i>Insert a Figure 2A to show the RSS Key Diagram (2008)</i></p>	
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# ANNEX B

		<p><i>Insert a Figure 2B to show the City of York Local Plan Publication (Draft) (2018) submitted for examination – Policies Map South Heslington Parish extract</i></p> <p><i>Renumber Figure 2 as Figure 2C</i></p> <p><i>On the Policies Map remove the Green Belt shading from the map and the Green Belt part of the key. Insert a note at the end of the Key to read: Green Belt: ‘The situation in relation to the Green Belt is set out in paragraphs 5.1.3 to 5.1. 10 of the Plan and illustrated on Figures 2A, 2B and 2C’</i></p>	
Other Matters - General	Paragraph 7.103-7.104	<p><i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i></p> <p><i>On the front page of the Plan add ‘2017 to 2033’ after Plan</i></p> <p><i>In paragraph 1.1.2 replace ‘covers a 20-year period’ with ‘period is 2017-2033’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

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# **HESLINGTON PARISH NEIGHBOURHOOD PLAN**

## **SUBMISSION VERSION**

**September 2019**

## HESLINGTON PARISH NEIGHBOURHOOD PLAN

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## 1 Introduction

### 1.1 The Heslington Parish Neighbourhood Plan (HPNP)

- 1.1.1 The Heslington Parish Neighbourhood Plan (HPNP) will form part of the statutory development plan together with the emerging City of York Local Plan<sup>1</sup>, hereinafter called the York Draft Local Plan, when adopted. Planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.1.2 The HPNP covers a 20 year period and has been developed against a background of change within the political framework of the City of York Council (CYC) and the emergence of a York Draft Local Plan.
- 1.1.3 Heslington Parish Council will review the HPNP periodically to ensure that it remains up-to-date and that it is effective in shaping development management decisions taken by CYC. The plan will be revised as necessary.
- 1.1.4 The York Draft Local Plan covers the period up to 2032/33 with the exception of the Green Belt boundaries, which will endure up to 2037/38. The York Draft Local Plan sets out how much and where land should be provided to accommodate the new homes and jobs that are needed in York. It should also facilitate new infrastructure to ensure that development is sustainable and protects and enhances the natural and built environment and heritage of York. Once finalised and adopted, the York Draft Local Plan will be used to manage development through the determination of planning applications, making it clear where development is acceptable and to help provide certainty for the local community that the development planned is co-ordinated.

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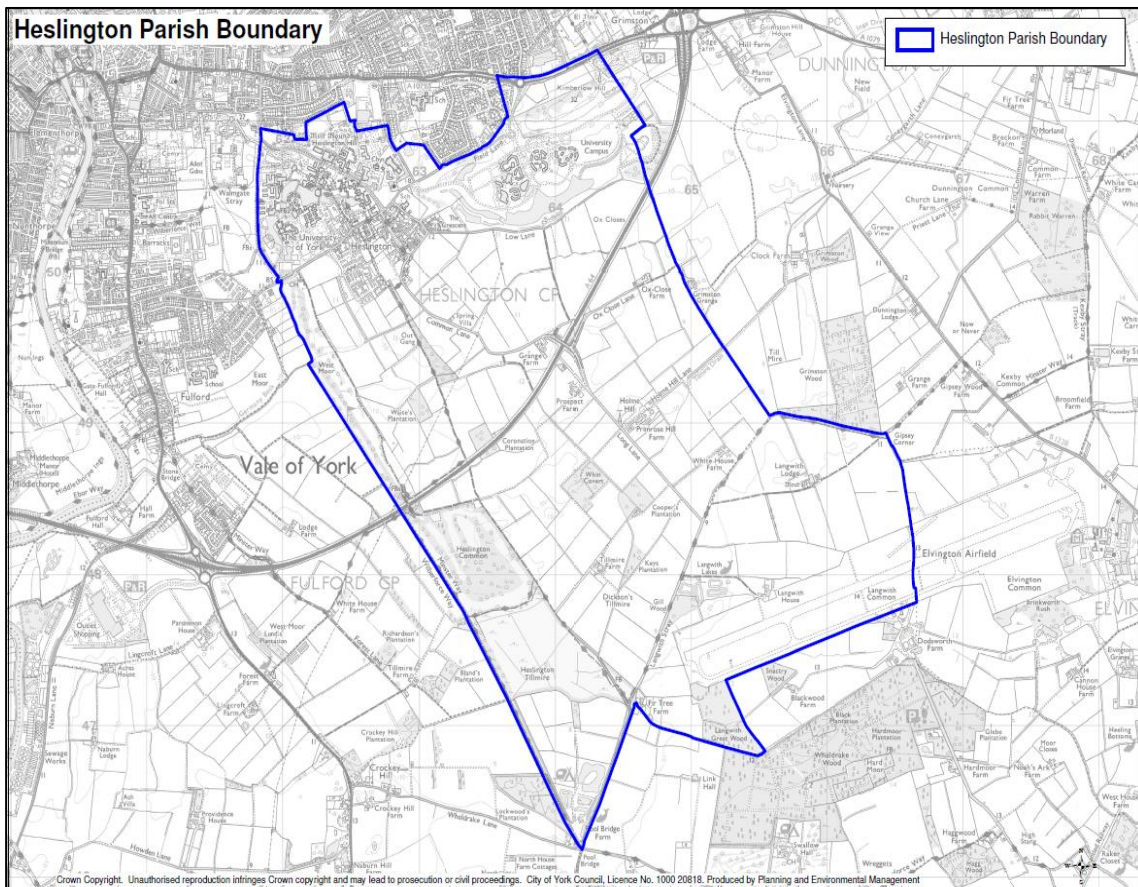
<sup>1</sup> City of York Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on Friday 25 May 2018 for independent examination.

## 2 Preparation of the Neighbourhood Plan

### 2.1 Heslington Neighbourhood Plan Area

2.1.1 The Parish Council approved the development of the HPNP in order to reflect the views of residents and stakeholders in influencing planning matters within the Parish area. The designated area, which follows the Parish boundary, was formally approved on 22 November 2016.

#### **HESLINGTON NEIGHBOURHOOD PLAN DESIGNATED AREA<sup>2</sup> AGREED BY THE CITY OF YORK COUNCIL 22 NOVEMBER 2016.**



**Figure 1 Neighbourhood Plan Boundary**

### 2.2 Heslington Neighbourhood Plan Development

2.2.1 Heslington Parish Council set up a Working Group to be responsible for the development of the HPNP in compliance with the Localism Act 2011. The Neighbourhood Plan Working Group is a sub-committee of the Parish Council with clear terms of reference. The Working Group has worked with professional

<sup>2</sup> All maps in this Plan are “Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty’s Stationery Office, Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings”.  
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consultants specialising in this field and with assistance from CYC Planning Department.

- 2.2.2 All Neighbourhood Plans must have regard to national policies. The National Planning Policy Framework (NPPF) 2019, paragraph 29 states *“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.”*

(NOTE: Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.)

- 2.2.3 The work has been part-funded through a series of grants from *Groundwork UK/Locality* (an organisation responsible for overseeing the allocation of funding for the development of Neighbourhood Plans) and CYC.
- 2.2.4 The HPNP was developed in consultation with village residents, local organisations, local businesses and landowners and the University of York. It is based on extensive research and engagement with the local community. Progress of the work was reported to the Parish Council at their monthly meetings. Details of meeting minutes, consultation questionnaires and supporting documents are available on the Heslington website:  
<https://www.heslington.org.uk/neighbourhood-plan/>.
- 2.2.5 Residents and other stakeholders were kept up-to-date with progress on the Plan development via monthly minutes of Parish Council meetings, a quarterly Heslington newsletter, the Heslington website and the village notice board.
- 2.2.6 Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) Screening Reports were completed and updated following the Pre-Submission Consultation. The Environment Agency, Natural England and Historic England agree with the conclusions, which have been reached at this stage of the process, that there are not likely to be significant (adverse) effects as a result of the plan. CYC concur with this conclusion.



### 3 What the Plan Aims to Achieve

#### 3.1 Aims

3.1.1 The aim of the Plan is to influence change in Heslington Parish, not to prevent it. By working with residents, the University of York and other local stakeholders, future developments will be welcomed but need to be sympathetic and protect the historic character and rural environment of the area.

3.1.2 The Neighbourhood Plan sets out a clear direction for the Parish that has been developed and agreed by the people and businesses in the area. The most important aims are set out below:

- Strengthen the historic character, rural setting and core village identity
- Support new development of appropriate housing, without compromising the unique qualities of the built and natural environment
- Protect the rural, open character and green spaces of the Parish from inappropriate development
- Support those types of businesses and employment developments that meet the needs of the community whilst retaining the essential nature of Heslington village and its surroundings
- Improve the choice and sustainability of traffic flows (motor vehicle, cycle and pedestrian) to enhance the quality of life for those who live, work, study or do business in the Parish
- Support and enhance the sense of community by improvements in infrastructure and facilities
- Foster effective and positive working relationships with all local stakeholders to achieve a balance between the unique identity of Heslington as a rural village, the proximity of a thriving university and opportunities for growth

#### Summary of Policies

<b>POLICY AREA</b>	<b>Purpose</b>
<b>Business, Employment and Local Facilities</b>	To promote employment opportunities in Heslington that help to create sustainable life-work balance. To maintain and enable a balanced range of local community facilities to meet local need.
<b>Agriculture and Rural Enterprise</b>	To support the viability of the working farms in Heslington Parish as thriving businesses, whilst making a positive contribution to the Parish's green infrastructure.
<b>Urban Design and Character</b>	To ensure that development proposals incorporate sustainable design and complement the distinctive character of Heslington.
<b>Housing</b>	To ensure that new housing development is sustainable and meets local need.

<b>Designations: Local Green Spaces</b>	To ensure that that local Green Space is valued and protected.
<b>Green Infrastructure</b>	To protect and enhance Heslington's green environment for current and future generations.
<b>Transport and Movement</b>	To ensure that development proposals are supported by a balanced mix of sustainable transport options and do not have an adverse impact on traffic safety and congestion.
<b>University of York</b>	<p>To enable the ongoing sustainable development of the University of York as a major educational, cultural, social and economic asset.</p> <p>To support exceptional design and environmental quality, creating an environment with a distinctive sense of place, helping to attract students nationally and internationally.</p> <p>To reconcile the development of the campuses with protection of the character, setting and amenities of Heslington village.</p>
<b>Community Actions</b>	To complement Plan policies and address matters not covered within land-use planning.

## 4 Heslington – Policy Evidence and Data

### 4.1 Reference Data

4.1.1 This section provides a reference for anyone using the Plan. It forms a basis for policies. Evidence and data to support this Plan have been taken from a number of sources:

- Data from and reference to the York Draft Local Plan<sup>3</sup>
- Technical data from CYC and the University of York
- Census data 2011

4.1.2 Heslington Village Design Statement (VDS)<sup>4</sup> was produced, following extensive consultation, and adopted as Supplementary Planning Guidance in 2004. The HPNP incorporates appropriate elements of the VDS in its evidence base and in its policies. Thus, the HPNP will supersede the VDS and gives statutory force to its principles.

4.1.3 In addition, information was gained through surveys<sup>5</sup> with:

- Local residents
- University staff, undergraduate and post graduate students
- Local businesses, community groups, landowners and other stakeholders

4.1.4 Evidence can be both quantitative (facts and figures such as census data) as well as qualitative (opinions given in consultation responses, input from local organisations and voluntary groups e.g. Heslington Village Trust and where relevant, organisations and bodies responsible for protecting the historic and natural environments) and is used to support the development of the policies in the HPNP.

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<sup>3</sup> Source: City of York Local Plan - Publication Draft (Regulation 19 Consultation February 2018)

<sup>4</sup> [https://www.york.gov.uk/downloads/file/3239/heslington\\_village\\_design\\_statement](https://www.york.gov.uk/downloads/file/3239/heslington_village_design_statement)

<sup>5</sup> Details of the questionnaires and analyses of the responses can be found at:  
<https://www.heslington.org.uk/neighbourhood-plan/np-questionnaire-analyses/>

## 5 Strategic Context

### 5.1 Planning Context

Heslington Parish is located approximately 2 miles to the south east of the historic city of York. York Minster is visible from parts of the Parish. The core of the village is a significant Conservation Area with its important listed buildings and many green spaces.

#### 5.1.1 City of York Local Plan<sup>3</sup>

There is no adopted Local Plan for the City of York, although work continues with the York Draft Local Plan.

The proposed housing supply in the York Draft Local Plan will provide the required flexibility in order to demonstrate that the Local Plan can respond to unforeseen circumstances over the duration of the Local Plan period. It will also create a Green Belt boundary for York which will endure beyond the end of the Plan period meeting longer term development needs.

It is acknowledged that there is a shortage of affordable housing in York. Large parts of affordable housing need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).

CYC Strategic Housing Market Assessment<sup>6</sup> (2016 and Addendum 2017) has updated the demographic baseline for York, based on the July 2016 household projections, giving an Objectively Assessed Housing Need (OAN) of 867 new dwellings per annum for the plan period to 2032/33. This includes any shortfall in housing provision against this need from the period 2012 to 2017 and for the post-Plan period to 2037/38.

The CYC Objective Assessment of Housing Need<sup>7</sup> has been further updated by consultants GL Hearn in January 2019. Based on this analysis the OAN in York results in a need for 790 dwellings per annum, which would be sufficient to respond to market signals including affordability adjustments, as well as making a significant contribution to affordable housing needs. CYC consider this endorses the robustness of submitted housing plans in the York Draft Local Plan.

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.

---

<sup>6</sup> [https://www.york.gov.uk/downloads/file/11251/strategic\\_housing\\_market\\_assessment\\_shma\\_2016](https://www.york.gov.uk/downloads/file/11251/strategic_housing_market_assessment_shma_2016)  
[https://www.york.gov.uk/downloads/file/14277/strategic\\_housing\\_market\\_assessment\\_update\\_2017](https://www.york.gov.uk/downloads/file/14277/strategic_housing_market_assessment_update_2017)

<sup>7</sup> <https://democracy.york.gov.uk/documents/s130692/Annex%20A%20-%20GL%20Hearne%20Housing%20Need%20Update%202019.pdf>

### 5.1.2 NPPF reference

References were made throughout the Pre-Submission version to NPPF 2012 to add useful context. In February 2019 an updated NPPF was released by government. In line with CYC guidance, the Submission version of the plan is written to reference NPPF 2019.

### 5.1.3 Green Belt

From York Draft Local Plan<sup>3</sup> [Ref: para. 1.49 and 1.50]

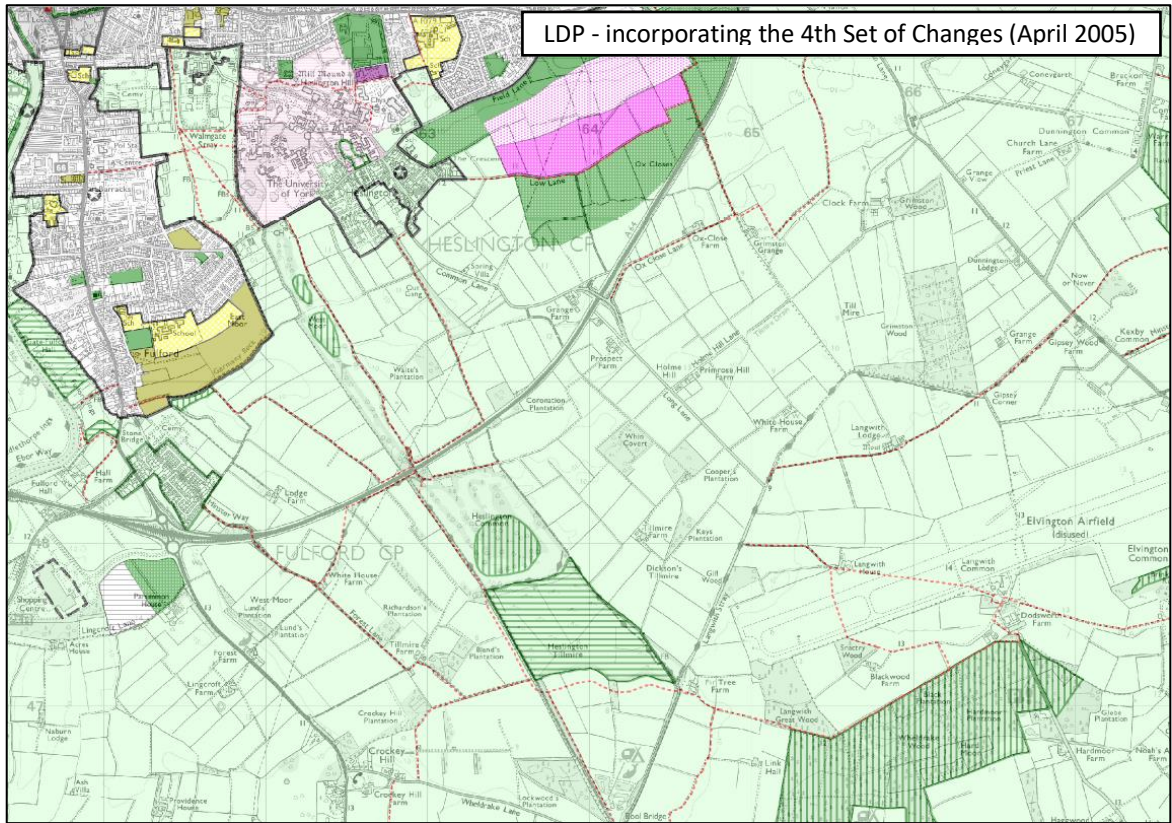
*“CYC covers approximately 27,200 ha. Of this, around 4,500 ha are built-up area, with the remainder being open countryside”.*

*“The majority of land outside the built-up areas of York has been identified as Green Belt within the York Draft Local Plan since the 1950s, with the principle of York’s Green Belt being established through a number of plans including the North Yorkshire County Structure Plan (1995-2006) and the Yorkshire and Humber Plan: Regional Spatial Strategy to 2026 (2008). The overall purpose of York’s Green Belt is to preserve the setting and special character of York.”*

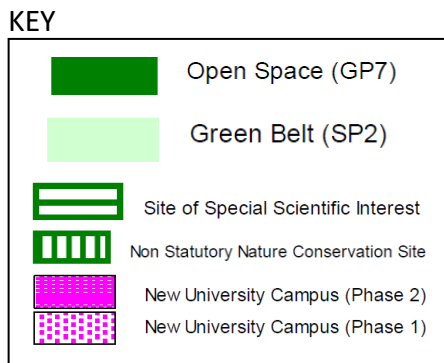
*“While the Regional Strategy for Yorkshire and Humber Spatial Strategy (2008)(RSS) has otherwise been revoked when the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order (2013) came into force, its York Green Belt policies were saved...”*

*“It is therefore the role of the York Draft Local Plan to define what land is in the Green Belt and in doing so establish formal detailed Green Belt boundaries.”*

Heslington Parish (including the village but excluding parts of Campus East and Campus West) is within the general extent of the Green Belt. This status has been vital in ensuring that the village and its surroundings maintain their unique rural feel, despite proximity to York and the University. For the purposes of this document the Green Belt is defined as set out in the otherwise revoked RSS and the Fourth Set of Changes to the Development Control Local Plan (2005) until such time as the emerging Draft Local Plan is adopted. See Figure 2 below.



**Figure 2 Green Belt Boundary Heslington Parish  
As set out in 4th Set of Changes to Local Development Plan (2005)**



5.1.4 York Draft Local Plan<sup>3</sup> preferred [Spatial Strategy] options

From the York Draft Local Plan [Ref: para. 3.13]

*“The Plan seeks to identify sufficient land to accommodate York’s development needs across the plan period, 2012-2033. In addition, the Plan provides further development land to 2038 (including allowing for some flexibility in delivery) and establishes a Green Belt boundary enduring for at least 20 years.”*

The HPNP welcomes this clear position on Green Belt and the protection it gives to the historic setting and character of the village of Heslington and the wider Parish area.



### 5.1.5 York Draft Local Plan strategic development site allocations

In the York Draft Local Plan, Heslington Parish will be delivering substantial growth for the city on three major sites together with a new open space:

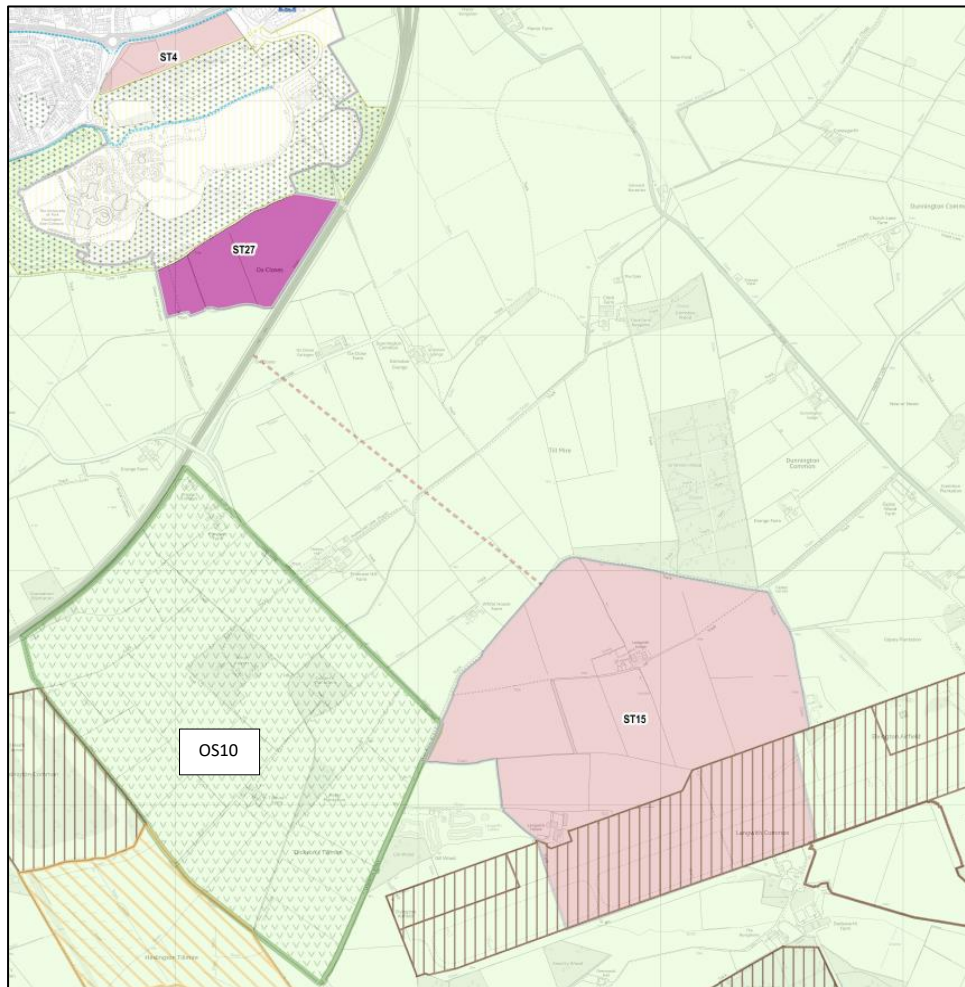


Figure 3 York Draft Local Plan<sup>3</sup> - 2018 Policies / Proposal Map South

- OS10** New open space (193 ha) is identified on land to the south of the A64 in association with ST15.
- ST4** Land adjacent to Hull Road will deliver approximately 211 dwellings at this urban extension development site (7.5 ha).
- ST15** The development of Land West of Elvington Lane proposes approximately 3,339 dwellings, at this new 'garden village' site (159 ha).
- ST27** University of York proposed expansion will provide B1b employment floorspace for knowledge based businesses including research-led science park uses and other higher education and related uses (21.5ha).

## 5.2 Heslington Village Location within the City of York

- 5.2.1 Heslington village is now unique amongst York's immediately peripheral settlements. Given the proximity of the University, Heslington has retained its 'village' identity and rural charm because it has largely maintained its visual and physical setting, sense of community and shared green spaces. The village has avoided being submerged by suburban high-volume house building. Continuation of farming on the land in and around the village is fundamental to its identity. Importantly, the village also provides an attractive environment for the University of York.
- 5.2.2 The village has 32 listed buildings and structures<sup>8</sup> and many green spaces e.g. Church Field and the open areas alongside Boss Lane. There are public rights of way through both the Campus East and Campus West of the University.

## 5.3 Landscape Setting

- 5.3.1 The Parish of Heslington outside the University is largely farmland. It is part of the Vale of York with a major trunk road (A64) bisecting the area east to west. The Tillmire Site of Special Scientific Interest (SSSI) and The Outgang common land are of particular importance.
- 5.3.2 Virtually the whole Parish, excluding parts of the University, is recognised as within the extent of the Green Belt by local planning authorities.
- 5.3.3 There are two Ancient Monuments in the Parish.
- 5.3.4 The agricultural land is predominantly Grade 2.
- 5.3.5 There is risk of flooding in the Parish, with small portions of Zone 3b particularly to the south and east of the village, some Zone 3a, particularly to the south of the A64 and a larger Zone 2 risk surrounding these two areas.<sup>9</sup>
- 5.3.6 CYC has adopted the concept of green wedges which bring the countryside into the city. Village open spaces connect to the area of common land known as Walmgate Stray to form one of these important green wedges.

## 5.4 History and Character

Heslington has been a settlement since before the Domesday Book. The village now, with its layout of streets, lanes, footpaths and surrounding paddocks, reflects its slow growth over the ensuing centuries and by the end of the C19 the pattern of urban form that we see today was established. Architecturally, the village buildings show a remarkable consistency of form, materials and details giving the village a cohesiveness, identity and sense of place.

## 5.5 Plan Demographics

- 5.5.1 The University of York has just over 20,000 students and staff; about 4,100<sup>10</sup> of these students are short-term residents of the Parish and live in halls of residence in the Parish. There are some 2,000 direct employees in York Science Park

<sup>8</sup> Source: Historic England

<sup>9</sup> <https://flood-map-for-planning.service.gov.uk/confirm-location?eastings=462634&northings=450249&placeOrPostcode=YO10%205DT>

<sup>10</sup> Based on last UK census. There are currently more halls of residence and a larger student population.



(hereafter referred to as “the Science Park”). There are about 700 residents in the village and surrounding farms and businesses.

Policies have been developed to reflect the needs of all who live, work or do business in the area and included joint meetings between the University and the HPNP Working Group.

## 5.6 The University of York

5.6.1 The University of York, founded in 1963, is consistently in the top 20 ranking universities nationally for teaching quality and research. A member of the Russell Group<sup>11</sup> of UK universities, it plays a significant role in the economic and cultural life of the city and the region, contributing some £240m annually to the York economy, and generating around 2,780 direct University jobs and 3,700 indirect jobs<sup>3</sup>. (The latest figures from the University of York detailed in response to the Pre-Submission Consultation are 4,200 and 6,600).

5.6.2 It occupies a 197 ha parkland site on the south eastern edge of York, entirely within Heslington Parish. Expansion beyond the boundaries of the original Campus West to form Campus East, at 116 ha, was approved in 2007 by the Secretary of State (and subsequently amended in March 2016 (15/02923/OUT)).

## 5.7 York Science Park

The Science Park provides high specification, managed business accommodation to over 150 companies largely in the science and technology sectors. This 8.5 ha park with its close links to the University of York plays a pivotal role in the technology transfer and business development for York’s knowledge, bioscience and IT enterprises. It is managed by York Science Park Ltd (YSPL).

## 5.8 Wider Socio-economic and Environmental Context<sup>3</sup>

5.8.1 York falls within two socio-economic areas: the Leeds City Region and the York Sub Area. These areas are overlapping but self-contained functional areas that were originally defined in the now partially revoked Yorkshire and Humber Regional Spatial Strategy.

5.8.2 York’s wealth of historic attractions provides the cornerstone of the city’s visitor economy. The city grew as a major centre for the wool industry, and during the C19 its growth was based around the city becoming a hub within the national rail network as well as a centre for manufacturing and confectionary. In more recent times, the city’s economy has moved towards being based on service industries including both tourism and knowledge-based industries. The city has a number of key sectoral strengths. These include: the healthcare and bioscience sectors, rail, environmental and bio-renewable technologies, IT and digital companies, creative industries and financial and professional services. There is significant employment in chocolate manufacture and the railways. York is the base for two of the largest building companies in the UK. Higher and further education institutions in the city (including the University of York) play an important role both in terms of being

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<sup>11</sup> The Russell Group represents 24 leading UK universities which are committed to maintaining the very best research, an outstanding teaching and learning experience and unrivalled links with business and the public sector

major employers in their own right, supporting over 8,000 jobs and providing a skilled labour pool of graduates to serve the city's science, technology and professional services industries.

5.8.3 The City of York compares well against similar sized European cities, with its highly skilled workforce, although it is not as productive per capita. In summary:

- Supports nearly 116,000 jobs (NOMIS, 2016)
- Contributes £4bn of value to the national economy
- Attracts 7 million visitors per year
- Ranks highly in various competitiveness indices – for example 20th out of the UK's largest 64 cities based on indicators in the Huggins UK competitiveness Index (2016)
- Employs 31% of people in the public sector (above average) (Centre for Cities 2015)
- Has a lower than average enterprise and productivity, which is 86% of the national average

5.8.4 The Oxford Economics' Forecast (OEF) 2014-2031 shows that over the period to 2031 employment will grow by over 10,500 and will add £2.3bn to Gross Value Added. This means the York economy will be 50% bigger by 2031.

5.8.5 The York Economic Strategy 2016-20 (2016) sets out the vision for York to be 'A great place to live, work, study, visit & do business'.

5.8.6 Key long term targets include: to have wages above the national average by 2025, business space and housing requirements to be fully met, priority high value sector growth and employment rate, skills plus connectivity advantages maintained.

## 5.9 Socio-Economic Characteristics

### 5.9.1 Population characteristics

The presence of the University of York in the Parish gives a population with a high proportion of young people and transient residents. Of the 4,800 people who live in the Parish about 4,100 are students. A good proportion of these are here for 3 years for 3 academic terms each year. Similarly, the working population is dominated by the University and the Science Park.

Key statistics<sup>12</sup>:

There were 4,792 people living in Heslington aged 16 and over; most of these were students. The non-student population was approximately 700.

Heslington had 480 households.

150 households were 'One Person'. In 65 of these households the person was aged over 65. 146 households had children. 26 households were occupied by students.

The two largest ethnic groups were White 74.1% (3,551) and Asian 19.7% (944), the latter group reflecting the University of York student body.

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<sup>12</sup> Source: Heslington Ward Profile supplied by CYC in 2017 based on 2011 census

### 5.9.2 Employment

Key statistics<sup>12</sup>:

Based on Census 2011 Parish data for those aged 16 to 74:

9.5% (431) were employed in part-time, full-time or self-employed work. 0.4% (20) were unemployed and 1.5% (67) economically inactive (i.e. not actively seeking work). 2.5% (113) were retired. When excluding those registered as students from the total data the percentage of people retired increased to 17.9% and was line with York as a whole at 16.3%.

### 5.9.3 Land use

The predominant uses in the Parish are agriculture, education, the Science Park and residential housing. Most of the land outside the village and the University is dedicated to farming.

### 5.9.4 Housing

The housing stock is an eclectic mix of small C18 and C19 houses, which dominate Main Street, with some larger buildings of the same centuries: Little Hall, the Manor House and a working farmhouse. The imposing C16 century Heslington Hall is occupied by the University. There are two sets of almshouses: Hesketh Almshouses and the cottages at the south end of Main Street. In the middle of the village, Heslington Court is a sheltered housing facility run by the Joseph Rowntree Housing Trust. Post-war developments have added to the housing stock.

### 5.9.5 Transport routes and links

Heslington is well served with buses as a result of the University presence. During term time buses from the village are typically better than 10 minute frequency into the city centre during the day. These give access to a substantial public transport infrastructure in the centre of York and the railway station. As York is a significant hub for rail traffic, there are excellent links to the rest of the UK by train. There are also good bus links to local areas (Leeds and the east coast) and other parts of the UK.

The A64 to the south of York provides an excellent link west to the A1 and the motorway network. To the east it provides access to the coast. York is within reach of the North York Moors National Park, the Yorkshire Dales and the Yorkshire Wolds.

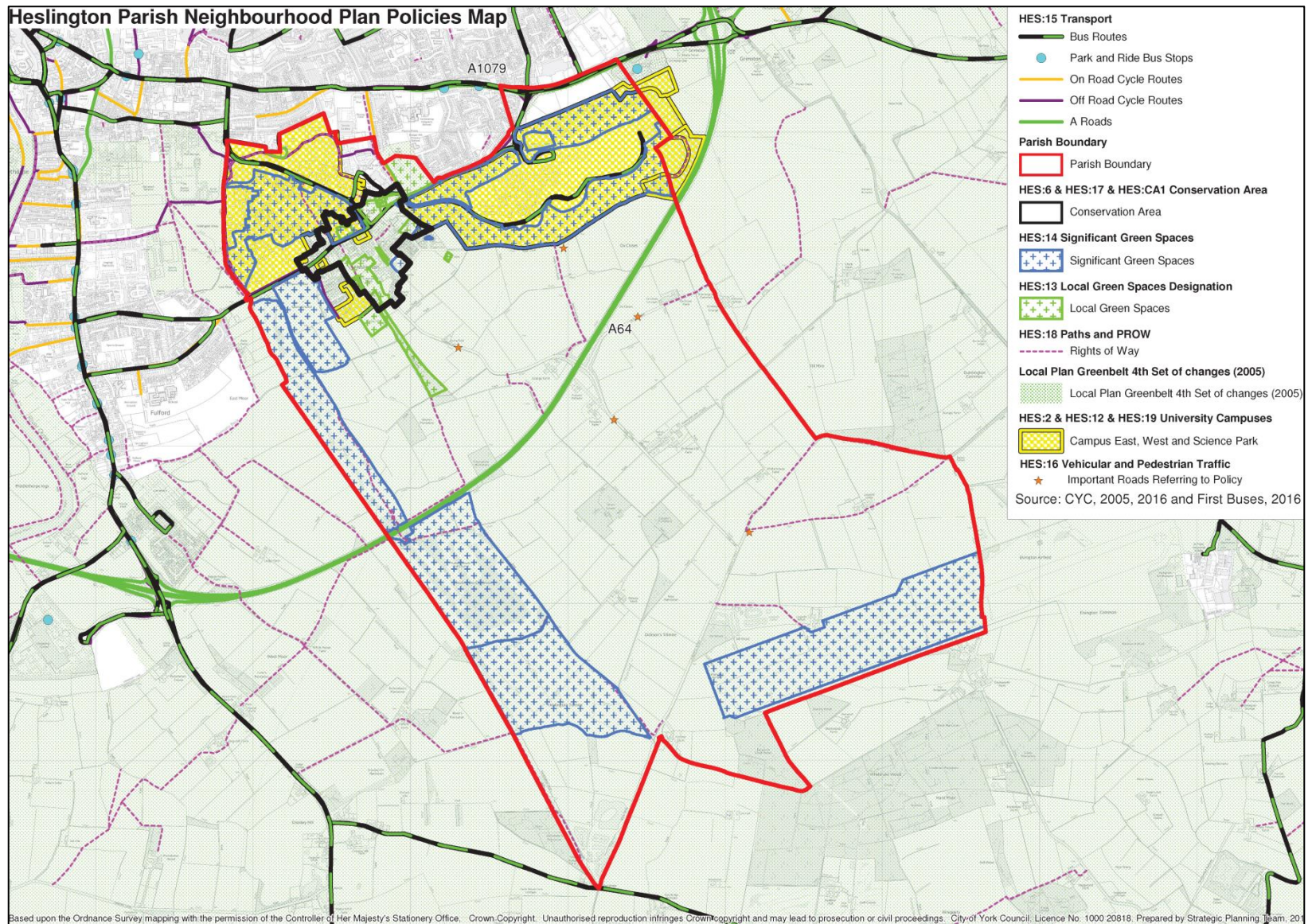
Public transport access into the village from the outlying areas is limited. This promotes an increase in car journeys to the village.

### 5.9.6 Communications infrastructure (Broadband)

The village is well served with telephone and high speed broadband. Recent addition of a fibre network gives access to even higher speeds. However, in the outlying areas of the Parish broadband access is very poor.



5.10 Policies Map





## 6 Community and Stakeholder Engagement

### 6.1 Survey Questionnaires

In February 2017, as part of the continuing process of community and stakeholder engagement, questionnaires were sent to five groups:

*Printed copies (hand-delivered)*

- Residents
- Businesses, landowners and other stakeholders

*On-line through the University of York (UoY)*

- Undergraduate students
- Postgraduate students
- University staff

All five groups were asked broadly the same series of ‘core’ questions, but with modifications appropriate to their involvement in the Parish. Further details of the questionnaires and analysis of the responses can be found at:

<https://www.heslington.org.uk/neighbourhood-plan/np-questionnaire-analyses/>

#### 6.1.1 Residents

A single copy of the paper version of the questionnaire was delivered to every household in the Parish (486 questionnaires). A notice about the survey and the questionnaire were also available on-line via the Heslington website. Notices about the Neighbourhood Plan, the purpose of the questionnaire and how to respond were posted on the Parish notice board.

88 questionnaires were returned, a response rate of 18.1% of eligible households.

There were two kinds of questions – quantitative (‘box-ticking’), and qualitative (requiring an ‘open’, verbal answer).

#### 6.1.2 Businesses, landowners and other organisations

A single copy of the paper version of the questionnaire was delivered to all businesses, landowners and other organisations in the Parish (180 questionnaires). Every effort was made to contact all eligible businesses and landowners based on information provided by CYC, the University of York and the Science Park. A stamped addressed envelope was provided for responses.

39 questionnaires were returned, an overall response rate of 21.7%.

Response rates for specific segments of the community were as follows:

	<b>Questionnaires</b>		
	<b><i>distributed</i></b>	<b><i>Returned</i></b>	<b><i>% Return</i></b>
Science Park/Businesses	153	27	(17.6%)
Working farms	7	2	(28.6%)
Landowners/farmers	5	3	(60.0%)
Other village and Parish	14	7	(50.0%)

- 6.1.3 The responses to both Resident and Science Park/Business survey questionnaires were analysed by a retired natural scientist with additional input from a retired data-analyst.

## 6.2 Liaison with University of York

As already indicated, Heslington is unusual (possibly even unique) in hosting a world-class university on two main sites (Campus East and Campus West) within what is still a predominantly rural Parish. Accordingly, a joint Neighbourhood Plan working sub-group was established with the University.

## 6.3 University Undergraduates, Postgraduates and Staff

An electronic version of the questionnaire using Google Forms was circulated by the University of York to all undergraduates (approx. 12,500), postgraduates (approx. 4,500) and staff (approx. 3,500) using the internal e-mail system and staff newsletter, irrespective of whether they lived in the Parish or outside it, making clear that their responses should refer only to their activities (i.e. work, leisure and using facilities) within the Parish and not the wider City of York.

Responses were analysed automatically using spread sheets.

### ***Response rates***

Undergraduates	278 (2.2%)
Postgraduates	99 (2.2%)
Staff	238 (6.8%)

## 6.4 Consultation Responses to Survey Questionnaires

Common response themes referring to facilities, the advantages and disadvantages of having a university close by, transport, housing and the green and built environment were carefully analysed and collated. This provided important and substantial input to the policy development.

## 6.5 HPNP Pre-Submission Consultation

- 6.5.1 In January 2019 a Draft Plan consultation letter and a Draft Plan summary booklet were delivered to every household, all businesses were contacted by letter and all statutory consultees and landowners/agents contacted by email/letter. Hard copies of the full Plan were made available locally. All appropriate documents were made available on the Heslington website.  
[www.heslington.org.uk/neighbourhood-plan/](http://www.heslington.org.uk/neighbourhood-plan/)
- 6.5.2 In January 2019 all University of York students and staff received an electronic communication giving details of the Draft Plan for consultation and with information on how to view the Plan in full or where hard copies of the Plan were available.
- 6.5.3 A 'drop-in' meeting was held in the Heslington Village Meeting Room on 11 February 2019 to provide residents with the opportunity to ask questions and express their views. Thirty residents attended over the course of the day.
- 6.5.4 Pre-Submission Consultation on the Plan took place from 29 January to 14 March 2019, inviting responses electronically (via a dedicated [heslingtonpcnplan@outlook.com](mailto:heslingtonpcnplan@outlook.com) email address) or in paper form (by post to the

Parish Clerk, or in a dedicated mailbox at a business on Main Street). Following the consultation all responses were analysed in detail and revisions made to the Plan.

The response rates to the consultations were:

Residents	153 <sup>13</sup>
Business, Landowners, Other stakeholders/consultees	13
Undergraduates/University Staff	13

- 6.5.5 In addition to the above consultation steps, residents and other stakeholders were regularly kept up-to-date with the HPNP development via monthly minutes of Parish Council meetings, a quarterly Heslington newsletter, Heslington website and via the village notice board.
- 6.5.6 Throughout the process, the HPNP has been developed in consultation with CYC and in parallel with the emerging City of York Local Plan and has been informed by the evidence and strategies contained in that emerging Local Plan.
- 6.5.7 A full summary and analysis of all consultation and engagement work with the community can be found in the HPNP Consultation Statement and associated appendices.

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<sup>13</sup> Includes 107 responses to an independently prepared and distributed flyer by a local resident (highlighting the importance of Heslington's local green spaces).

## 7 Growth Strategy

### 7.1 Overview

This strategy is based on enabling growth, including the York Draft Local Plan proposed strategic development sites, to accommodate the wider growth required in York, together with consideration of environmental constraints.

### 7.2 Delivering Growth

The York Draft Local Plan<sup>3</sup> proposes strategic development site allocations in Heslington, catering not just for the needs of Heslington Parish, but also the wider city. This includes allocation for approximately 3,550 houses, providing the housing growth.

(See York Draft Local Plan strategic development site allocations, paragraph 5.1.5).

Within the Neighbourhood Plan most of the economic growth will come from the University of York, the Science Park and businesses within strategic site allocation ST15 (See paragraph 5.1.5).

The HPNP aims to deliver sustainable development by the following means:

- Recognising the strategic site allocations being made by the York Draft Local Plan and including policies to ensure that such housing is well designed and served by adequate infrastructure
- Recognising the development of the University of York campuses
- Conserving the historic character of Heslington village
- Enabling and maintaining a balanced mix of uses, including a range of community facilities
- Protecting and enhancing the environment and green spaces through Local Green Space designations and policies

7.2.1 In addition, the HPNP works within the spatial framework created by different environmental constraints, including:

- Designated natural sites and built heritage
- National Green Belt boundaries
- Green open space 'buffer zones' around the village to protect the landscape and maintain separation from the University of York
- 'Green wedges' which comprise the open areas around, and between, parts of settlements and prevent the coalescence of adjacent places.



## 8 Business, Employment and Local Facilities

### 8.1 Purpose

To promote employment opportunities in Heslington that help to create sustainable life-work balance.

To maintain and enable a balanced range of local community facilities to meet local need.

### 8.2 Rationale and Evidence

#### 8.2.1 Paragraph 80 of the NPPF (2019) states:

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*

#### 8.2.2 Paragraph 92 NPPF (2019) states:

*“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs*
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”*

#### 8.2.3 The York Draft Local Plan<sup>3</sup> states:

##### **Create a Prosperous City for All**

*“The Local Plan will enable York to realise its economic growth ambitions as set out within the York Economic Strategy (2016), contributing to a vibrant economy.”*

*[Ref: paragraph 2.1]*

*“In more recent times, the city’s economy has moved towards being based on a service industry including both tourism as well as knowledge-based industries. The city has a number of key sector strengths. These include: the healthcare and bioscience sectors, rail, environmental and bio-renewable technologies, IT and digital companies, creative industries and financial and professional services.”*

*[Ref: paragraph 1.32]*

#### 8.2.4 The University of York, including the Science Park, is at the forefront of this area of increased jobs.

#### 8.2.5 The spread of businesses and employment within the Parish of Heslington is extremely diverse:

- The University is the major employer supporting 2,780 direct University jobs and 3,700 indirect jobs<sup>3</sup>
- Within the University campuses there are a number of cafes, restaurants and shops, businesses and a health centre serving local University personnel and Heslington residents
- The Science Park occupies a site within Campus West. This provides purpose- built, high-specification, fully-serviced office, laboratory and meeting space to cutting-edge businesses in dynamic industry sectors including creative and digital media, technology, and biotechnology. Major buildings include the Innovation Centre, the Bio Centre, the IT centre and Enterprise House. Much of this is incubator space with companies staying on average for about 4 years before moving to more permanent sites elsewhere in the city. Companies on the Science Park gain access to cutting edge research facilities at the University, including a comprehensive suite of bioscience laboratories, the UK's premier Plasma Research Centre and a Nanocentre hosting one of the world's most powerful microscopes. On average there are around 150 businesses employing over 2,000 staff
- In addition to the offices managed by York Science Park Limited (YSPL) there are 6 further blocks of offices owned by the University of York and others. These are occupied by 14 longer-term tenants and include some University usages
- *The Catalyst* building is situated on Campus East. This modern site can house up to 48 units aimed at creative, IT and digital sector development and is managed by YSPL
- In Heslington Main Street [South] there are a Post Office, two banks, two pubs (with one listed as an Asset of Community Value), a local shop, the Village Meeting Room and a residential letting agency. The University also occupies buildings on Main Street

#### 8.2.6 Other activities and facilities around the village include:

- Heslington Church (St Paul's) Local Ecumenical Partnership (LEP) and community meeting rooms
- More House, Catholic Chaplaincy
- Lord Deramore's Primary School, with a new school building for 200 children
- Heslington pre-school group and 'out-of-school' club
- Heslington Scout group and Brownies group
- The Holmefield Centre (a communal meeting room and facilities)
- Heslington Sportsfield at The Outgang hosting cricket and football teams, its own clubhouse and an area with children's play equipment
- Fulford Golf Course – employing about 20 staff
- Rural based businesses include:
  - One working farm in the village
  - Nine working farms to the south of the village
  - A horse livery business
  - Two fishing lake enterprises
  - A holiday caravan enterprise
  - Leisure activities using Elvington airfield runway

### 8.3 Main Street, Heslington

- 8.3.1 Main Street<sup>14</sup> is the core of the Village Conservation Area, running from the Heslington Hall roundabout to its junction with Low Lane and Common Lane. As well as residential properties it is also where many of the important facilities are located. The shops and businesses all rely on students and staff at the University and from the Science Park for a steady stream of trade and this ensures that Heslington residents get the continuing benefit of these businesses, which could not easily be supported solely by the local resident population.
- 8.3.2 Main Street has been described as having two quite different characters. During the day, particularly during university term time, it is a busy, often very busy road, filled with pedestrians, cyclists, and cars, vans and lorries (competing for parking places and often parked on double-yellow lines), all making use of its facilities. In the evening and at night it reverts to being a quiet rural village street.
- 8.3.3 The Neighbourhood Plan seeks to reconcile a sensible balance between the competing demands of village streets designated as part of a Conservation Area and those facilities required by a thriving, international community of university staff, students and residents.

### 8.4 York Science Park

This area of high employment is extremely important to York as a driver of growth with its position alongside the University of York. However, there are few opportunities for expansion on its current site and future growth in professional, scientific and technical activities may have to be directed to the Campus East. The survey of businesses showed:

- 41.0% are considering expanding over the next 5 years
- 33.3% are currently recruiting
- 39.2% of their workforce travel to work by car
- 28.2% could use more parking space

Twelve businesses (60% of those responding to the question) commented that increased traffic and congestion in the village could be a problem for their business:

- 25.0% chose Heslington because of location including facilities and transport links
- 21.1% chose Heslington because of involvement with and access to the University
- 9.6% chose Heslington for the quality of the environment/ beauty of the area

Thus, Heslington Parish and village, the Science Park and the University of York are inter-dependant and the importance of balance is clear.

### 8.5 Travel and Traffic Implications

The University of York Transport Survey 2017 records a notable increase in University-related traffic during peak hours at the Grimston Bar roundabout and the Green Dykes

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<sup>14</sup> Main Street has two parts. The stretch that runs north-south through the village, and where most of the village facilities are located, is usually simply referred to as Main Street, but occasionally as Main Street [South], a convention adopted in the HPNP. At Heslington Hall, Main Street turns west towards Fulford and runs as far as Holmefield Lane where the road becomes Heslington Lane.

Lane/Melrosegate junction with the Hull Road. This, when added to the traffic to and from the Science Park presents an ongoing problem. The threat from too much road traffic arising from expansion is clear and so any development must include measures to control or reduce traffic.

#### 8.6 Use of Local Facilities

The questionnaires circulated to Residents, Undergraduates, Postgraduates and University Staff explicitly asked about their use of facilities. The number of respondents using each type of facility in Heslington, *excluding* facilities on Campus East and Campus West are summarised in the table below.

<b>Facility</b>	<b>Residents</b>	<b>Under- and Post-graduate students</b>	<b>Staff</b>
<b>Post Office</b>	85	243	207
<b>Banks</b>	73	199	168
<b>Local shop</b>	72	293	202
<b>Places of worship</b>	26	22	15
<b>Primary school</b>	8	1	14
<b>Pre and Out-of-school clubs</b>	6	3	8
<b>Brownies, Scouts etc.</b>	4	11	4
<b>Sports Field, Church Field</b>	42	78	41
<b>Pubs</b>	53	290	190
<b>Village Meeting Room and/or Holmefield Centre</b>	62	11	10
<b>Golf Club</b>	4	8	5

#### 8.7 Consultation Responses

It is clear from the consultation responses that the maintenance of facilities within the village is valued. The local pubs are an important part of the social fabric. At the same time traffic associated with businesses and their hours of operation should not compromise residential amenity.

8.8 Business, Employment and Local Facilities Policies

<b>Policy HES: 1      Main Street - Change of Use</b>
<p><b>Within the Main Street area, development proposals for change of use to Retail (A1)<sup>15</sup>, Food and drink (A3, A4) and Medical and other community facilities (D1) will be supported subject to:</b></p> <ul style="list-style-type: none"> <li><b>a) There being no significant detrimental impact on traffic safety or capacity;</b></li> <li><b>b) There being no significant detrimental impact on the amenities of nearby residents e.g. by restricting the hours of operation; and</b></li> <li><b>c) There is no change of use involving the loss of retail, food and drink, business or community facilities in Main Street including changes of use of ground floors to residential use, unless it can be satisfactorily demonstrated that none of the above are viable uses.</b></li> </ul> <p><b>In addition:</b></p> <ul style="list-style-type: none"> <li><b>d) Proposals to diversify the use of public houses will be supported, providing the use as a public house remains as part of the mix of uses.</b></li> </ul> <p><b>In the event of there being no demonstrable acceptable viable use, any alterations to Main Street premises must satisfy the requirements of Neighbourhood Plan policies HES 4, 5, 6, 7 and 8.</b></p>
<p><b>Interpretation</b></p> <p>The current mixed commercial and residential character of Main Street [South] should be preserved and any commercial development, while being sensitive to the needs of local farmers and residents, should not reduce the amenity value for residents.</p>

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<sup>15</sup> Town and Country Planning (Use Classes) Order 1987 (as amended)

**Policy HES: 2****New Business and Employment Development**

**Development proposals for new business and employment development will be supported in the following locations:**

- a) Existing science and knowledge-based business parks on University campuses;**
- b) Within the strategic designated York Draft Local Plan housing site allocations to provide local facilities; and**
- c) Within farm complexes, to support diversification, providing there is no significant adverse impact on traffic safety, congestion or residential amenity.**

**Development for sports usage will be supported:**

- d) Where there is a proven local need and providing there is no significant adverse impact on traffic safety, congestion or residential amenity.**

**Interpretation**

This policy recognises the strategic importance of the science/business park and the farming community. It enables employment close to new housing, to provide local opportunities and create more sustainable work-life patterns. The policy also enables farm diversification and, if justified, the provision for sports usage.

## 9 Agriculture and Rural Enterprise

### 9.1 Purpose

To support the viability of working farms in Heslington Parish as thriving businesses, whilst making a positive contribution to the Parish's green infrastructure.

### 9.2 Rationale and Evidence

#### 9.2.1 National policy

A key message within the NPPF (2019) is the “*presumption of sustainable development*”. Paragraphs 83, 118, 152 and 170 make a number of important points on food security and sustainable agriculture including:

- *Planning policies and decisions should enable:*
  - *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings*
  - *the development and diversification of agricultural and other land-based rural businesses*
- *Planning policies and decisions should: recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production*
- *The planning system should support the transition to a low carbon future...*
- *Planning policies and decisions should contribute to and enhance the natural and local environment by:*
  - *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils*
  - *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*

#### 9.2.2 Sustainable farming – evidence of need

- Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves
- Increases in farm productivity and decreases in impact on the environment are required
- Sustainable development and growth in rural areas supports the integration of environmental, social and economic objectives. This also meets the needs of a diverse rural population and ensures equality of opportunity
- Maintaining the area's natural asset base
- Farmers and landowners should always be consulted and listened to with regard to developing the area
- Sustainable farming will support the wider community
- Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment
- Encouraging links between rural areas and urban centres

#### 9.2.3 The farms

There are ten working farms in the Parish, one in the village itself and the others to the south of Heslington. They are a fundamental part of the village's rural setting.

The farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings either to meet regulations or to change the use of existing buildings in order to respond to changing market demand.

A sustainable rural community based on an innovative rural economy and a thriving farming industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the county's prosperity.

For the farming community priorities include (in no particular order):

- Creating thriving localities that meet the needs of their communities, businesses and their environment
- Developing renewable energy that meets the needs of the farm and is appropriate to the location and renewable resources available
- Developing farming enterprises that can meet the challenges of food security through modernising and becoming more efficient
- Diversifying farming enterprises to meet new opportunities such as, *inter alia*, business units or tourism
- Making provision for the next generation to take on management of farms and to support this through the provision of affordable housing
- Realising the value of the Parish's environmental assets
- Providing access to high-speed broadband
- Strengthening farming businesses to help them build profitability and respond to new opportunities

#### 9.2.4 Farming and evidence on the importance placed on green infrastructure

Local farmers are crucial for the maintenance of the Parish's green infrastructure, by caring for existing and sometimes reinstating, hedgerows, ditches, grass field margins and woodlands.

Agricultural land in the Parish is generally identified as Agricultural Land Classification grade 2 (very good). Moreover, the area's soils should be valued as a finite multi-functional resource, which underpins well-being and prosperity. Soil can be a store for carbon and water, a reservoir of bio-diversity and a buffer against pollution. The NPPF (2019) paragraph 170 reflects the importance of the conservation and sustainable management of soils.



9.3 Agriculture and Rural Enterprise Policy

<b>Policy HES: 3      Agriculture and Rural Enterprise</b>
<p><b>Development proposals will be supported where they:</b></p> <ul style="list-style-type: none"><li><b>a) Are sited and designed to support and acknowledge the working farms and rural businesses;</b></li><li><b>b) Ensure that farm traffic is accommodated; and</b></li><li><b>c) Avoid compromise to farming activities.</b></li></ul>
<p><b>Interpretation</b></p> <p>Application of this policy ensures that the operational requirements of farms and rural businesses are fully considered when development is proposed and there is no significant adverse impact on traffic safety, congestion or residential amenity.</p>

## 10 Urban Design and Character

### 10.1 Purpose

To ensure that new development incorporates sustainable design and complements the distinctive character of Heslington. This means ensuring that:

- Any development proposals, whether extensions, refurbishments to existing buildings or new developments, incorporate sound sympathetic architectural and urban design that is informed by, reflects and complements the distinctive vernacular and architectural characters of Heslington so much valued by the residents
- The historic pattern of development of the village is sustained and enhanced and not lost nor obscured through lack of understanding and unsympathetic development

### 10.2 Rationale and Evidence

The rationale and evidence base is drawn principally from the NPPF (2019), the Heslington Conservation Area Appraisal, the Village Design Statement and responses to community surveys.

#### 10.2.1 Conservation Area<sup>16</sup>

In 1969, when under Selby District Council, the Heslington Conservation Area was designated in order to protect Heslington's architectural character and historical interest, its integrity and the coherence of its built and green environment. Following a review in 2004, the Conservation Area boundary was extended by CYC to include, principally, School Lane and Lord Deramore's School and grounds to the east, the fields, paddocks and allotments to the west of Main Street [South]. Around the same time, CYC formally adopted the Heslington Village Design Statement as Supplementary Planning Guidance. In 2009, CYC commissioned and accepted an independent Conservation Area Character Appraisal and this was followed in 2013 by CYC's Character Area Statement for Heslington which covered the whole village, not just the Conservation Area. This further emphasised and stressed the importance of Heslington's architectural and environmental character and qualities, including its 32 listed buildings and structures, of which 2 are listed as Grade II\*.

#### 10.2.2 National policy (NPPF 2019)

**Achieving sustainable development**, paragraph 8c states:

*"An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment."*

**Achieving well-designed places**, paragraph 124, states:

*"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work."*

And Paragraph 127 states:

*"Planning policies and decisions should aim to ensure that developments:*

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<sup>16</sup> Full details and map can be found at <https://www.york.gov.uk/downloads/file/3488/ca28heslingtonpdf>

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

**Conserving and enhancing the historic environment**, para 185 states:

*“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.”*

### 10.3 Character Appraisals

#### 10.3.1 Heslington Conservation Area Appraisal [HCAA]

This Appraisal was drawn up by external consultants for CYC and adopted in April 2009. As such, it has been used to inform the York Draft Local Plan and its recommendations and observations have been incorporated in the HPNP. The Appraisal identifies and describes three distinct character areas of the village, the qualities of their buildings, other structures and the neutral and negative factors in the areas. They are:

#### **1. Heslington Lane and Main Street [West]**

This character area consists of a through road running across the north of the Conservation Area with adjacent built areas and open spaces to either side. The road forms a roundabout at a junction with University Road. To the north the area is interlocked with the University.

The special interest of this character area is the result of a number of different factors, including the architectural quality of the buildings, the presence of high front boundary walls, the relative variety of the buildings in terms of style, size, etc. and the relationship to the main road and to the University. It includes the most important listed building in the Parish, Heslington Hall [Grade II\*].

## 2. Main Street [South]

This character area consists of the south leg of Main Street and adjacent roads and areas. This section of Main Street forms a T junction with Low Lane terminating the southern end of the Conservation Area.

The special interest of this area is that of the appearance of a main village street. In contrast to the previous character area, the dominant features here are the wide highway, enhanced by wide grass verges and trees. The buildings, mostly C19 clamp brick and pantile, are of similar simple form but many with different eaves and ridge heights. This area contains the only other Grade II\* building, Little Hall, and the majority of the other buildings are either listed Grade II, or identified as making a positive contribution to the conservation area.

The Appraisal also notes the value of the open agricultural ground and paddocks to the west of Main Street, which separates it from Holmefield, and thus helps to preserve the historic pattern of the village.

## 3. Heslington (St Paul's) Church LEP and the School

This character area is centred on the church and the school and consists of the areas associated with Field Lane. The special interest of this area is the openness, which serves as a protective space between the rural setting of the Conservation Area and the built-up areas of the University, the Science Park and Badger Hill.

The urban design principles drawn from the HCCA have been incorporated in the HPNP.

### 10.4 Urban Design Analysis

The evidence base for the urban design analysis is drawn from the Heslington Village Design Statement, the HCCA and the results of the surveys of people who live and work in the village and the University. It focuses on the historic development of the village and surrounding areas and separately, on the University campuses.

### 10.5 Consultation Responses

The following summary and extracts are taken from the results of the surveys:

#### 1. Summary of Findings from Questionnaires

From the surveys (see Section 6.1) it was possible to group the emerging themes and issues. Within these areas there was strong commonality, some areas of difference or perhaps difference in emphasis and, at times, conflicting views.

A strong feature of all surveys was the recognition of and value assigned to Heslington's rural feel, its access to the countryside and its quality design and architecture. Heslington is seen to have a good access to the countryside and is well cared for. A key theme was that proximity to the village provides a peaceful break from university life and that its homely feel and sense of community provides something unique and valuable when compared with other campus-based universities. Availability of 'green space' is cherished.

## 2. Emerging themes relevant to Urban Design from Responses to Residents' Questionnaire

Several themes emerge strongly, especially the sense that the village retains a rural/semi-rural feel and identity.

The percentage of respondents "agreeing" or "strongly agreeing" with the following statements was:

- |   |       |
|---|-------|
| • There is good access to the countryside | 97.8% |
| • There are open spaces in the village    | 92.0% |
| • There are open spaces round the village | 97.6% |
| • The Green Belt is protected             | 77.3% |
| • Heslington Tillmire SSSI is conserved   | 90.7% |

Number of responses to qualitative questions were summarised into categories:

- |  |    |
|--|----|
| • The village retains a rural/semi-rural feel and identity                   | 57 |
| • There is easy access to neighbouring countryside, footpaths and wildlife   | 44 |
| • Quality village architecture, Main Street, grass verges, Church Field etc. | 32 |
| • History, including links to agriculture and farming                        | 13 |

### 10.6 Heritage Assets

Heslington is particularly rich in heritage assets deriving from its history and that help to define its historic character, qualities that were recognised in the designation of much of the village as a Conservation Area.

#### 10.6.1 Listed buildings/structures

Heslington has many buildings of architectural quality and historic value, with 32 listed buildings and structures<sup>8</sup>, of which 2 are Grade II\*. All lie within the Conservation Area. The two most important buildings are Heslington Hall, now the administrative centre for the University, and Little Hall. Historic England describes them as follows:

*"Heslington Hall – Grade II\* - built 1565-68 for the Secretary to the newly established Council in the North. The Hall was remodelled in C19 and most of the interior is by Brierley (1903), though the splendid pendant plaster ceiling is an Elizabethan original. Part of the historic garden survives.*

*Little Hall – Grade II\* - Ceiling inscribed and dated 'JY 1734', built for John Yarburgh".*

#### 10.6.2 Scheduled Ancient Monuments

There are two Scheduled Ancient Monuments in the Parish, recognised by Historic England: Siwards How, south east of the water tower on Heslington Hill and a World War II bombing decoy site 500m east of Bland's Plantation.

#### 10.6.3 Undesignated buildings

In addition to the listed buildings, Heslington has many others deemed to make a positive contribution to the Conservation Area. These, together with the listed buildings, comprise the majority of buildings on Main Street [South] as far as The Outgang and Main Street [West] to the edge of the village.

### 10.7 Permeability within the Village

The permeability of the village for pedestrians is to some extent restricted by its historic development. The historic core, Main Street [South], developed as a mixture of farms and short rows of terraced housing with long, narrow gardens (the remnants of medieval burgage plots) running east to School Lane and west to Boss Lane.

Nevertheless, the principles of pedestrian permeability should apply for all relevant development proposals.

#### 10.7.1 Historic footpaths and bridleways

There is now only one surviving footpath from Main Street, Tally Alley, a public footpath, which runs east through to School Lane. To the west is the most important bridleway in the village, Boss Lane. This runs roughly north-south and was the old medieval route for driving cattle from the market in York, south to The Outgang and on to the grazing lands of the Tillmire.

#### 10.7.2 University campuses

The original Heslington Campus West and now Campus East have been developed as buildings set in landscaped parkland. They provide a great degree of permeability with a variety of footpaths and routes through. It was a founding principle that they are open to the public and they have easy and much used pedestrian access from the village.

#### 10.7.3 Holmefield

This is the largest development in the village after the University. Developed in the 1970s, it was designed with permeability in mind to minimise through traffic and incorporates a number of footpaths allowing residents to move through the estate to Main Street [West], Boss Lane and The Outgang while avoiding trafficked roads.

### 10.8 Quality of the Built Environment

The quality of the built environment is important to all stakeholders in the Parish. To achieve this, HPNP policies incorporate key principles from the Design Council's *Building for Life 12*<sup>17</sup>. These are:

- 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?

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<sup>17</sup> *Building for Life 12* is a tool for assessing the quality of homes, developed by the Commission for Architecture and the Built Environment. A government endorsed industry standard

- 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?

#### 10.9 Communication Infrastructure (Broadband)

With respect to NPPF (2019) paragraph 112 states:

*“Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.”*

The York Draft Local Plan Policy C1: Communications Infrastructure states:

*“All new development will be required to enable a Next Generation Access (NGA) broadband connection (i.e. to communications infrastructures that provides a broadband connection in excess of a minimum 30Mbps) unless the developer can clearly demonstrate that the provision on NGA is not viable.”*

10.10 Urban Design and Character Policies**Policy HES: 4      Sustainable Design**

Development proposals will be supported where they use high quality design incorporating key principles from the Design Council's *Building for Life 12*<sup>17</sup> and based on sustainable urban design principles. This includes:

- a) Complementing the surrounding character areas in terms of scale, height, massing, spacing, urban grain and set-back from street frontages;
- b) Providing active frontages to streets and public spaces, so as to provide natural surveillance;
- c) Providing a clear separation between private spaces (rear gardens) and public spaces and streets;
- d) Creating attractive, safe, permeable and convenient pedestrian environments, linking to the surrounding footpath network;
- e) Using permeable materials for hard surfaces;
- f) Providing a range of parking solutions as an integral part of layout, ensuring that parking does not dominate the street scene; and
- g) Development proposals will be particularly supported where high speed broadband facilities are provided.

Creative and innovative design solutions are welcomed, especially where they incorporate superior environmental performance.

**Interpretation**

Application of this Policy seeks to ensure that development is designed to be sustainable and inclusive. It seeks to promote sustainability by addressing local character, amenity, safety and pedestrian convenience. As part of the development process, rigorous analysis of the site and context is essential.

Although the policy applies to all scales of development, a proportionate approach is necessary as recognised in NPPF (2019) paragraph 126, which has a requirement for:

*"...creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified."*

The term 'active frontages' means elevations containing windows and doors, so that they overlook the public realm, providing natural surveillance.

Car parking may comprise a mix of garages, driveway space, on street and other provision, depending on the location. The aim is to ensure that the public realm is not dominated by parking.



Separation of public and private space involves layouts where rear gardens are located away from road frontages. This avoids the need for high fencing or walls next to roads, which would create dead frontages and a poor quality public realm.

Development proposals for major sites should make clear how NPPF's policy for community engagement has been met, recognising that this is a material consideration. Community engagement should be focused on the pre-design stage, so that the community's knowledge informs the design process. Late stage engagement, focused on narrow and subjective aesthetic matters, offers little opportunity to influence the fundamental characteristics of a scheme.

The City of York Council's Statement of Community Involvement<sup>18</sup> (adopted Dec 2007) further underpins and supports this.

High speed broadband is an essential tool in running a business or farm. The York Draft Local Plan aims to "expand and continue the development of York's world-class ultrafast connectivity" and it is vital to offer high-speed internet access as York continues to be promoted as a vanguard 'Digital City'.

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<sup>18</sup> [https://www.york.gov.uk/downloads/file/1287/statement\\_of\\_community\\_involvement](https://www.york.gov.uk/downloads/file/1287/statement_of_community_involvement)

**Policy HES: 5****Crime Prevention and Reduction**

**Development proposals will be supported where they:**

- a) Are designed to create safe communities and reduce the likelihood and fear of crime; and**
- b) Incorporate the principles of ‘Secured by Design’<sup>19</sup>(SBD) to ensure that a safe and sustainable community is maintained.**

**Interpretation**

Good design can help ensure crime and the fear of crime does not compromise quality of life for those who live, work, study and do business in the Parish. The best design advice, incorporating community based views to inhibit and remedy the causes and consequences of criminal, intimidatory and anti-social behaviour, should be adopted.

SBD is a police initiative that improves the security of buildings and their immediate surroundings to provide safe places to live, work, shop and visit.

<https://www.securedbydesign.com/>

With respect to NPPF (2019) paragraph 127f states:

*“Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future use; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.”*

The York Draft Local Plan Policy HW7: **Healthy Places** states:

*“Proposals for residential developments must provide a statement, proportionate to the size of the development, showing how the following design principles have been adequately considered and incorporated into plans for development: e.g. considerations for how the design may impact on crime or perception of safety.”*

The York Draft Local Plan Policy D1: **Placemaking** states:

*“Development proposals should adhere to the following detailed design points:*

- designed to reduce crime and the fear of crime and promote public safety throughout the day and night.”*

<sup>19</sup> <https://www.securedbydesign.com/>

**Policy HES: 6      Urban Character**

**Development proposals and extensions to existing buildings will be supported where they complement the local character of Heslington, including:**

- a) Respecting the vernacular forms and scale;
- b) Enhancing and protecting the character and setting, including the medieval pattern of long, narrow burgage plots in Main Street;
- c) Preserving gardens and open spaces behind and between the houses and only allowing sub-division of such gardens and open spaces where the resulting layout would maintain the character and amenity value of the village;
- d) Maintaining historic paths and routes;
- e) Maintaining key views and the setting of local landmarks to help orientation and provide local distinctiveness;
- f) Having regard to the diverse character of the historic environment, based on variety in styles and construction methods, including use of materials that respect and are sympathetic to the context and building traditions;
- g) Within the Conservation Area, retaining wide green verges, without further crossways;
- h) Within the Conservation Area, wherever practical, taking every opportunity to re-route or install underground existing overhead electricity and telephone/data cabling services; and
- i) Within the Conservation Area, reinstating original features where inappropriate modern materials or other external features have been introduced to listed buildings or elsewhere.

**Interpretation**

This policy highlights particular characteristics that contribute to the village's distinctive character. The impact on these characteristics will need careful consideration to ensure that development is sustainable and appropriate to the local context.

High quality contemporary design is entirely appropriate in historic settings and is encouraged where it complements the qualities of the site and its context.

**Policy HES: 7****Conversion of Existing Buildings**

**Beyond the strategic development site allocations and the existing development boundary of the university campuses, development proposals will be supported where they:**

- a) Complement the vernacular forms, scale and character of local buildings; and**
- b) Avoid dominating the parent building in terms of scale or siting.**

**Interpretation**

This policy ensures that conversions or extensions to existing buildings are of a scale that is subservient to the original parent building and are sited so as not to dominate the original. In most instances, this means that extensions should be set back from the front building line of any property.

## 11 Housing

### 11.1 Purpose

To ensure that new housing development is sustainable and meets local need.

### 11.2 Rationale and Evidence

#### 11.2.1 National policy NPPF (2019)

**Achieving sustainable development**, paragraph 7 discusses the dimensions of sustainable development and paragraph 8b acknowledges a social objective: *“to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.”*

Paragraph 61 states that:

*“the size, type and tenure of housing needed for different group in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*

#### 11.2.2 Evidence of need

Housing requirements in Heslington must be seen in the overall context of CYC requirements. The SHMA (Strategic Housing Market Assessment)<sup>6</sup> (2016 and Addendum 2017) draws the conclusion on the overall Objectively Assessed Need for 867 new dwellings per annum for the plan period to 2032/33.

Furthermore, CYC Objective Assessment of Housing Need<sup>7</sup> (OAN) has been updated by consultants GL Hearn in January 2019. Based on this update, the OAN in York results in a need for 790 dwellings per annum. CYC consider this endorses the robustness of submitted housing plans in the York Draft Local Plan.

The current stock of housing in Heslington is mixed, ranging from terraced houses through to more substantial residential properties. The average price in Heslington (YO10) was £314K based on the average price paid for 68 properties over the last 5 years, with prices ranging from about £90K up to £850K<sup>20</sup>.

From the surveys, the rural feel of the village was universally appreciated and there was general agreement with the following statements:

It is important that:

- There are open spaces in the village
- There are open spaces around the village and good access to the countryside
- The village is well cared for
- The Green Belt is protected

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<sup>20</sup> Source: Zoopla Jan 2018

- Vehicle flows through Common Lane/Low Lane are for existing local businesses and existing residential areas only at the date of adoption of the Plan
- Major new developments should be prevented from vehicular access through Common Lane/Low Lane
- There are not enough affordable/family /single person homes and that there are too many rented HMOs (in particular for students). While more affordable housing is needed, the rural nature of the village should be protected

### 11.3 Housing Development in Heslington

#### 11.3.1 Sites and circumstances

There are limited opportunities for significant housing development within Heslington village's robust heritage and conservation boundaries. As can be seen from the responses to surveys, considerable value is placed on Heslington village's rural feel and open spaces. Whilst responses acknowledge a need to maintain a balanced housing stock including affordable housing, strong antipathy against any extra traffic through the village emerges.

To meet the need for housing in York, the York Draft Local Plan<sup>3</sup> allocates two sites in the existing Green Belt in Heslington. They are ST4 and ST15, which represent substantial growth in the Parish of approximately 3,500 houses.

**The HPNP does not allocate any sites for development but seeks to ensure those allocated in the York Draft Local Plan are developed consistently within the applicable policies and principles.**

#### 11.4 Consultation Responses

Maintaining the character and rural feel of the village was considered of high importance. There were substantial calls for balanced housing provision including a good supply of affordable housing. Concern was also expressed about the risks of an excessive number of residential properties operating as student lets/HMOs unbalancing the demographics of the local area.

11.5 Housing Policies

<b>Policy HES: 8      New Housing</b>
<p><b>Beyond the strategic development site allocations and the boundaries of the existing university campuses, infill housing development proposals will be supported, providing they:</b></p> <ul style="list-style-type: none"> <li><b>a) Comprise infill development within an existing housing row or cluster;</b></li> <li><b>b) Avoid the creation or extension of ‘ribbon development’;</b></li> </ul> <p><b>Development proposals will be particularly supported if they:</b></p> <ul style="list-style-type: none"> <li><b>c) Maintain or enhance the amenities of existing residential properties;</b></li> <li><b>d) Complement the character of the area, including complementing the spatial characteristics of existing housing in terms of setback, spacing and garden space;</b></li> <li><b>e) Incorporate screened storage space for refuse bins and recycling bins; and</b></li> <li><b>f) Incorporate enclosed, secure, covered storage for cycles.</b></li> </ul>
<p><b>Interpretation:</b></p> <p>Heslington village sits within the general extent of the Green Belt. The retention of this status within the York Draft Local Plan is a material consideration that underpins this policy. In general, the policy enables some minor infill rather than allowing more significant housing development in or around the village.</p> <p>The requirements to avoid detriment to residential amenity and to complement the character of the village are intended to prevent inappropriate ‘cramming’ of housing development into sites that are not capable of accommodating it in a sustainable way.</p> <p>The policy also ensures that each dwelling meets certain standards in terms of storage. Moreover, the policy also contributes to the local environment, by ensuring bins are screened from view.</p> <p>In addition, the provision of cycle storage encourages and enables more sustainable travel.</p>

**Policy HES: 9****Housing Mix and Affordability**

**Development proposals within the strategic development site allocations will be supported where:**

- a) They include a balanced mix of house types, to meet local needs and should as a minimum meet the Government's Technical housing standards<sup>21</sup>;
- b) Affordable housing is provided on site and is not provided remotely through financial contributions; and
- c) Affordable housing is tenure blind, forming an integral part of any relevant scheme.

**Interpretation**

The policy does not seek to modify affordable housing requirements, which are a matter for the Local Plan, but to ensure that affordable housing is located within the York Draft Local Plan strategic development site allocations, so as to meet local needs.<sup>6,7</sup>

Channelling of developer financial contributions elsewhere instead of providing affordable housing or adequate infrastructure is not supported.

The requirement for 'tenure blind' development means that housing of different tenures should be similar in appearance, rather than having obviously lower specification housing as the affordable element.

Housing schemes should provide a scale and variety of housing that reflects and encourages a diverse social mix.

<sup>21</sup> The Government's Technical housing standards March 2015 (a nationally described space standard), sets out standard room sizes and will be taken into account (or any equivalent standard superseding and replacing that document)



### Policy HES: 10 Houses in Multiple Occupation

Change of use to a house in multiple occupation (HMO) will be supported where:

- a) The proposal would not harm the character and appearance of the building, adjacent buildings or the local landscape context;
- b) The design, layout and intensity of use of the building would not have an unacceptable impact on neighbouring residential amenities;
- c) Internal and external amenity space, refuse storage and car and bicycle parking is provided at an appropriate quantity and is of a high standard so as not to harm visual amenity;
- d) The proposal would not cause unacceptable highway problems; and
- e) The proposal would not result in a contravention of the threshold ‘tipping points’ set out in the CYC Article 4 Direction.

Application for change of use from HMO back to dwelling house would be encouraged.

#### Interpretation:

CYC state<sup>22</sup> that a “House in Multiple Occupation (HMO) is defined in the Housing Act 2004, and includes houses occupied by 3 unrelated people who form 2 or more households. It is legal term and covers certain types of multi-occupied buildings as defined by the Act.”

“A HMO must be licensed if it satisfies all of the following criteria:

*The premises are occupied by 5 or more persons; and  
the occupiers comprise 2 or more separate ‘households’; and  
share amenities such as bathrooms, toilets and /or cooking facilities; or  
where all units of accommodation are not fully self-contained.”*

The York Draft Local Plan seeks to deliver not only sufficient housing but also the right type and mix of housing to meet York’s needs. Many people, not only students, choose to live in the private rented sector, typically in HMOs. An historical mapping exercise set out in the Houses in Multiple Occupation Technical Paper (2011, updated 2014) indicates the number of HMOs has doubled or tripled in the ten year period. These are concentrated within certain areas. In 2012 CYC introduced an Article 4 Direction<sup>23</sup> in relation to HMOs. The Article 4 Direction removes permitted development rights for this type of development and requires a planning application to be submitted to change a property from a dwelling house into an HMO.

CYC has identified that “a threshold based policy approach is considered most appropriate which identifies a ‘tipping point’ when issues arising from concentrations of

<sup>22</sup> [https://www.york.gov.uk/downloads/file/2889/hmo\\_licensing\\_-\\_application\\_form\\_guidance\\_notes](https://www.york.gov.uk/downloads/file/2889/hmo_licensing_-_application_form_guidance_notes)

<sup>23</sup> [https://www.york.gov.uk/downloads/file/9549/hmo\\_article\\_4\\_direction\\_and\\_plan](https://www.york.gov.uk/downloads/file/9549/hmo_article_4_direction_and_plan)

*HMOs become harder to manage and a community or locality can be said to tip from balanced to unbalanced. Under the threshold approach an assessment of the proportion of households that are HMOs is undertaken within a given area. Whilst there is no formal definition of what constitutes a balanced community, recently, for York, through consultation, a threshold of 10% of all properties being HMOs within 100m and 20% across a neighbourhood area have been established as the point at which a community can tip from balanced to unbalanced.”<sup>24</sup>*

This policy is based on the York Draft Local Plan Policy H8.

Whilst CYC has made an Article 4 Direction that restricts home owners’ permitted development rights to use their property as HMOs, consultation on the HPNP clearly evidenced that residents would want to support this position and reinforce the Article 4 Direction within the HPNP policies. This is particularly important in Heslington, in view of its proximity to the University, in the event CYC choose to withdraw this Direction.

With the possibility of future expansion of the University of York and whilst pressure, generally, on available affordable housing continues in York this policy seeks to maintain a ‘balanced community’ within the Heslington Parish by adding weight to the existing CYC Article 4 Direction.

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<sup>24</sup> [https://www.york.gov.uk/downloads/file/9547/houses\\_in\\_multiple\\_occupation\\_draft\\_spd](https://www.york.gov.uk/downloads/file/9547/houses_in_multiple_occupation_draft_spd)

**Policy HES: 11     Housing and Community Facilities**

**Development proposals for housing on the strategic sites will be supported where they:**

- a) Incorporate appropriate community facilities as part of the mix of uses, to support additional needs;**
- b) Include recreational facilities, convenient paths and green spaces to encourage healthy lifestyles; and**
- c) Submit and agree a masterplan design statement, if sites are developed incrementally, which includes the location of community facilities and satisfies the relevant requirements of Neighbourhood Plan policies HES 4, 5, 6 and 8.**

**Interpretation:**

The policy seeks to ensure that the large-scale housing development envisaged through the York Draft Local Plan strategic site allocations does not comprise single use development, but includes the mix of uses necessary to support new residents, such as shops, medical, sports and recreational facilities. It should encourage provision of dog walking facilities on the development site to prevent encroachment on to the Tillmire SSSI.

**Policy HES: 12      Purpose Built Student Accommodation**

**Development proposals for purpose built student residential accommodation will only be supported within the existing development boundaries of the University of York campuses.**

**Interpretation**

The policy seeks to ensure that the York Draft Local Plan strategic housing sites contribute fully to meeting local housing needs and community needs. It is also essential that student accommodation and housing be kept in balance, so that no part of the village becomes predominantly a home for a transitory population.

## 12 Local Green Space

### 12.1 Purpose

To ensure that that Local Green Space is valued and protected.

### 12.2 Rationale and Evidence

12.2.1 There are currently no Local Green Space designations in the Parish.

12.2.2 The HPNP designates the Local Green Spaces set out in this section. The designations all meet the criteria contained in Paragraph 100 of the NPPF (2019), because the green space is:

*a) in reasonably close proximity to the community it serves;*

*b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

*c) local in character and is not an extensive tract of land.*

12.2.3 Appendix 1: Local Green Space Evidence Base that accompanies the HPNP Basic Conditions Statement gives further details. It sets out the background to Local Green Spaces and explains the methodology and evidence base used.

12.2.4 Site locations are identified by a National Grid Reference to their approximate centre or by two Grid References defining their maximum extent (N-S or W-E as appropriate). All are in Grid Square SE. Some, but not all, of these sites are listed in CYC's *Local Plan Evidence Base Study: Open Space and Green Infrastructure Update September 2017*, and are given the Site ID number (e.g. **YLP123**) from that document.<sup>25</sup>

The two most distant sites (Site 7, Heslington Hill, Mill Mound and Siwards How, and Site 13, The Outgang) are both approximately 600m from Heslington Hall.

All fall within one or more of the categories of Green Infrastructure listed on page 10 of *Neighbourhood Planning: Local Green Spaces* (December 2018) published by *Locality*<sup>26</sup>.

Note: These sites include some that are designated as green open space in the York Draft Local Plan. If the York Draft Local Plan is adopted before the HPNP those sites included will be removed from the HPNP.

12.2.5 All these green open spaces are highly valued by residents, members of the University and local businesses, as evidenced by (see Section 6) the Initial Questionnaires and the Pre-Submission Consultation, where consultees repeatedly emphasised that green open spaces defined the character of the village. In a private initiative, by a local resident<sup>13</sup>, a flyer was distributed highlighting the

<sup>25</sup> [https://www.york.gov.uk/downloads/file/16040/sd085\\_-\\_city\\_of\\_york\\_local\\_plan\\_evidence\\_base\\_-\\_open\\_space\\_and\\_green\\_infrastructure\\_update\\_september\\_2017](https://www.york.gov.uk/downloads/file/16040/sd085_-_city_of_york_local_plan_evidence_base_-_open_space_and_green_infrastructure_update_september_2017)

[https://www.york.gov.uk/downloads/file/16047/sd089\\_-\\_city\\_of\\_york\\_council\\_biodiversity\\_audit\\_2010](https://www.york.gov.uk/downloads/file/16047/sd089_-_city_of_york_council_biodiversity_audit_2010)

<sup>26</sup> <https://neighbourhoodplanning.org/toolkits-and-guidance/making-local-green-space-designations-neighbourhood-plan/>

importance of Heslington's the Local Green Spaces. All 107 responses from this flyer were all highly supportive of the designations.

### 12.3 Local Green Spaces: Sites to be Designated (approximate areas)

1. **Allotments between the southern half of Boss Lane and Holmefield** (627 500)  
Popular, well-used allotments that also form a narrow buffer between the built-up area of Holmefield and Boss Lane (0.3 ha).
2. **Allotments on Low Lane** (633 502) (YLP726)  
A small group of allotments (0.15ha) to the south of Low Lane designated as existing open space in the York Draft Local Plan.
3. **Boss Lane and associated paddocks** (N 626 503 to S 628 499)  
The northern half of the public right of way known as Boss Lane retains the feel and character of its ancient origins, as a route out of the Anglo-Saxon village to The Outgang (site 13) and Tillmire SSSI. Its ancient hedges and trees are a much-loved feature of the village. It is flanked for part of its length on either side by paddocks (situated behind the properties on Main Street to the east, and Holmefield to the west) that are an important part of the village Conservation Area. Its southern half is more open, with paddocks to the east and University allotments to the west. The whole area is 3.8ha.
4. **Church Field** (627 505)  
Church Field is a green open space (1.4ha) between Heslington Hall and Heslington Church (St Paul's) LEP. It is heavily used as a pleasant, green recreational space by both residents and members of the University.
5. **Dean's Acre** (629 506)  
A green open space (0.5ha) to the east of Heslington Church, between Field Lane and Church Road. It frames the view of the church when approached from the east of the village. In accordance with Dean Milner-White's bequest to the University this field should be kept open to "*preserve the view of the church and Heslington Hall from the east*".
6. **Grass Verges along both sides of Main Street** (N 628 503 to S 629 501)  
The wide grass verges (0.15ha) on either side of Main Street [South] are fundamental to the rural appearance of the village. New crossways damage their integrity and are strongly opposed by most residents. The grass verges run between the Charles II pub to the north and the Deramore Arms pub to the south.
7. **Heslington Hall Gardens (rear)** (626 504)  
Heslington Hall has formal gardens (0.6ha) to the rear, consisting of an ornamental pool and ancient clipped yews. The gardens are open to the public and form a much-loved green open space for residents of Heslington, university staff and students and visitors to the University. They are identified as existing open space in the York Draft Local Plan.

- 8. Heslington Hill, Mill Mound and Siwards How (620 508)**  
These refer to different parts of a small (0.4ha) hill on the very northern edge of the Parish, lying to the north and east of University Road. The hill is an important feature in an otherwise flat landscape. It is identified in the York Draft Local Plan as existing open space. South east of the water tower is Siwards How, a burial mound scheduled as an Ancient Monument (number 1015690).
- 9. Heslington Village Sports Field (628 498) (YLP555)**  
The Sports Field (1.8ha) is an important local amenity, with football and cricket pitches, children's play area (separately designated as **YLP41**) and a pavilion. It is identified in the York Draft Local Plan as existing open space.
- 10. Heslington (St Paul's) Church Yard (628 506)**  
The small (0.3ha) church yard links Church Field (site 4) with Dean's Acre (site 5) and forms a wonderful setting for the church itself.
- 11. Lord Deramore's Primary School Grounds (629 504) (YLP724)**  
As well as being important for the pupils of the village school and local area, the grounds are part of the green open space (0.9ha) between the University campuses, School Lane and the village.
- 12. Pond Field (629 508)**  
The field (4.5ha) is bounded to the west by Windmill Lane, to the east by Badger Hill and to the south by Field Lane. It carries the Green Belt to the very edge of the city. Feeding horses in the field with carrots is popular with local children.
- 13. The Outgang (N 628 499 to S 631 493) (YLP558)**  
The Outgang is a 3.2ha strip of Open access<sup>27</sup> land at the southern end of the village identified in the York Draft Local Plan as existing open space. It is heavily used by residents for activities ranging from dog-walking, bird-watching and just being there.

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<sup>27</sup> Countryside and Rights of Way Act (CROW) 2000



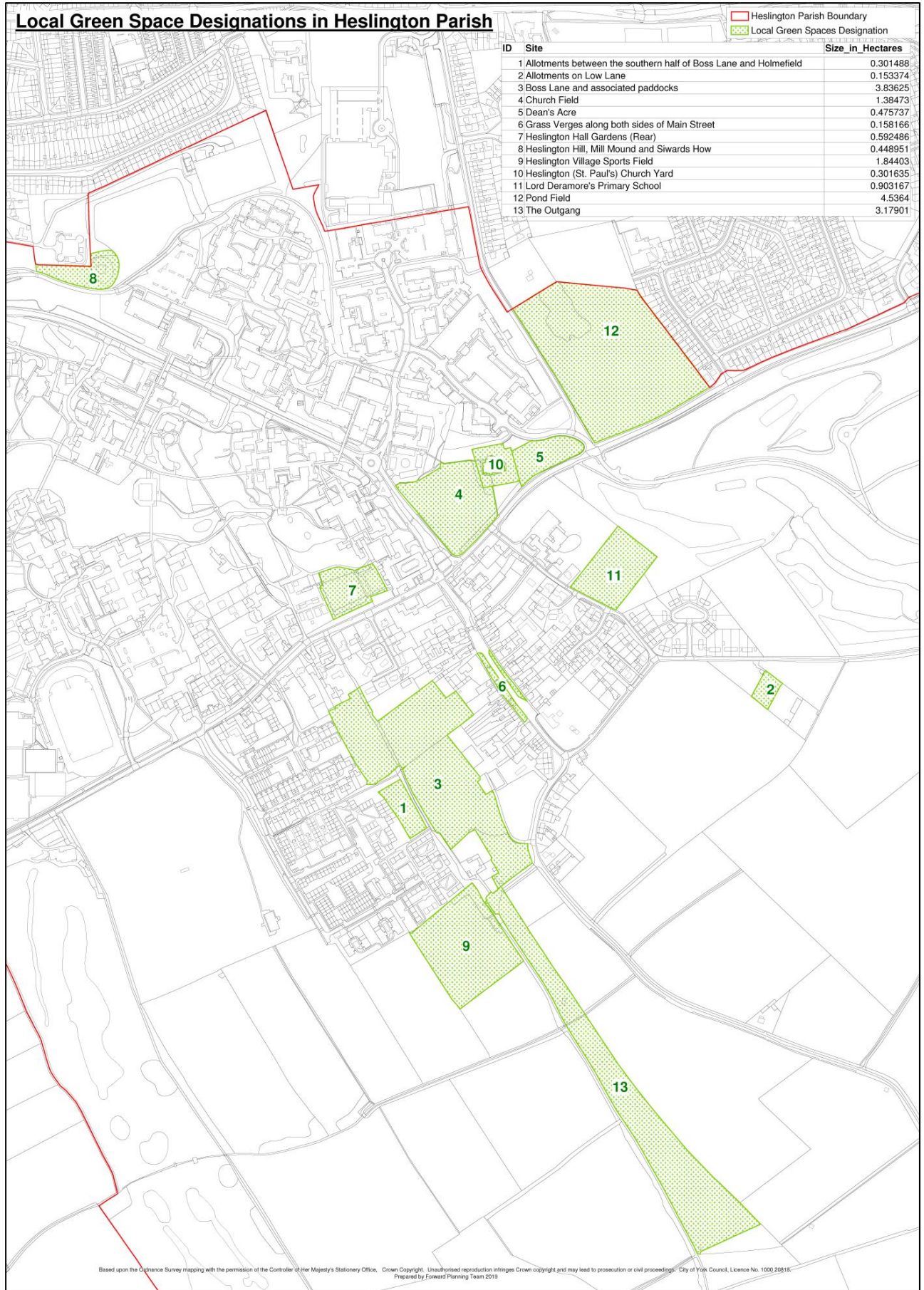


Figure 4 Designated Local Green Spaces



12.4 Local Green Space Policy

<b>Policy HES: 13      Local Green Spaces Designation</b>
<p><b>The spaces listed above in paragraph 12.3 and Figure 4 are designated as Local Green Spaces and must remain as open community spaces except in very special circumstances.</b></p> <p><b>Small size, ancillary development proposals will be supported, providing they meet all of the following:</b></p> <ul style="list-style-type: none"> <li><b>a) The open and green character of the Green Space is not compromised;</b></li> <li><b>b) They provide facilities to support the community use of space; and</b></li> <li><b>c) Community, wildlife, amenity or other values as a Local Green Space are preserved or enhanced.</b></li> </ul>
<p><b>Interpretation</b></p> <p>This policy protects the open character and community value of Local Green Space. The policy does allow for small-scale development to support the community use of the space. Examples of small-scale development that could be supported include:</p> <ul style="list-style-type: none"> <li>• A sports pavilion, to support the use of sports pitches</li> <li>• Storage facilities for tools and equipment used for maintaining green space</li> <li>• A small refreshment kiosk to support the recreational use of space</li> </ul>

## 13 Green Infrastructure

### 13.1 Purpose

To protect and enhance Heslington's green environment for current and future generations.

### 13.2 Rationale and Evidence

Paragraph 170 of the NPPF (2019) states:

*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- *improving public access to it where appropriate;*
- *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”*

13.2.1 Green infrastructure is the term used for the overarching framework relating to all green assets. Those components of Heslington's green infrastructure described in this section do not qualify for designation as Local Green Spaces, because of their large size, distance from the village, or restricted public access.

13.2.2 Green infrastructure contributes to the quality and distinctiveness of the local environment. The Parish of Heslington is fortunate to be rich in infrastructure, both in its variety and its extent:

- Green wedges and corridors that bring the open Yorkshire countryside into the heart of the village and the city of York
- Green infrastructure within Heslington Conservation Area
- Sites elsewhere in the Parish and rural farmland
- Links between wildlife sites in the Parish and the Lower Derwent Valley National Nature Reserve
- The network of footpaths, bridleways and cycle routes that crisscross the Parish
- Woods, hedges, ditches and grass field margins
- Private lakes at Pool Bridge Farm and Langwith Lakes which, as well as being important recreational sites for anglers, both have some nature conservation value, particularly for wildfowl

13.2.3 The social, community, economic and environmental benefits of Heslington's green infrastructure help make the Parish environmentally sustainable. The policies in this section aim to protect and enhance the green infrastructure for current and future generations.

### 13.3 Green Infrastructure in the York Draft Local Plan

In the York Draft Local Plan Policies GI1, GI2 and GI3 have implications for Heslington Parish. These are developed in the sections that follow.

### 13.4 Green Wedges and Corridors

- 13.4.1 The York Draft Local Plan identifies two tracts of land within Heslington Parish that are important for the “Historic Character and Setting of York”, and that together form a green wedge running diagonally across the Parish from its southern boundary to the very edge of the village. Such areas “are considered to have a key role in preserving the identity of the settlements and villages round York”<sup>28</sup>
- 13.4.2 The southern part of the wedge (lying south of the A64) is designated as an “Extension of Green Wedge” in the York Draft Local Plan; it is contiguous with land to the north of the A64 designated as an “Area Retaining Rural Character”. Together they take in the Tillmire, Heslington Common (Fulford Golf Course south of the A64), the golf course north of the A64, Grange Farm, Common Lane, farmland to the south of Low Lane and the western edge of Campus East.
- 13.4.3 A much larger, partly overlapping swathe of land is further identified in the York Draft Local Plan as a “Green Infrastructure Corridor” taking in much of the farmland and part of Elvington Airfield to the south and east of the village.

### 13.5 Significant Green Spaces (sites in alphabetical order)

The Parish has a number of significant green spaces which should be maintained, but do not meet the criteria for Local Green Space designation.

Note: These sites include some of those sites designated as green open space, or fall within the general extent of the proposed green belt boundary, in the York Draft Local Plan

Sites identified in *CYC's Local Plan Evidence Based Study: Open Spaces and Green Infrastructure Update September 2017*<sup>25</sup> are given the reference number in that document (e.g. **YLP123**).

#### **1. Campus East Lake and Grounds (W 630 506 to E 645 510)**

The extensive green open spaces and lake on Campus East are managed by the University as an informal nature reserve and wildlife conservation area. Large parts of it are identified in the York Draft Local Plan as existing open space. Campus East was given a *Green Flag Award*® for the sixth year running in 2018. The lake created in 2010/11 is now regionally important for its breeding, migrating and wintering birds. The University provides information boards about the site's wildlife at strategic points round the lake and a bird-hide.

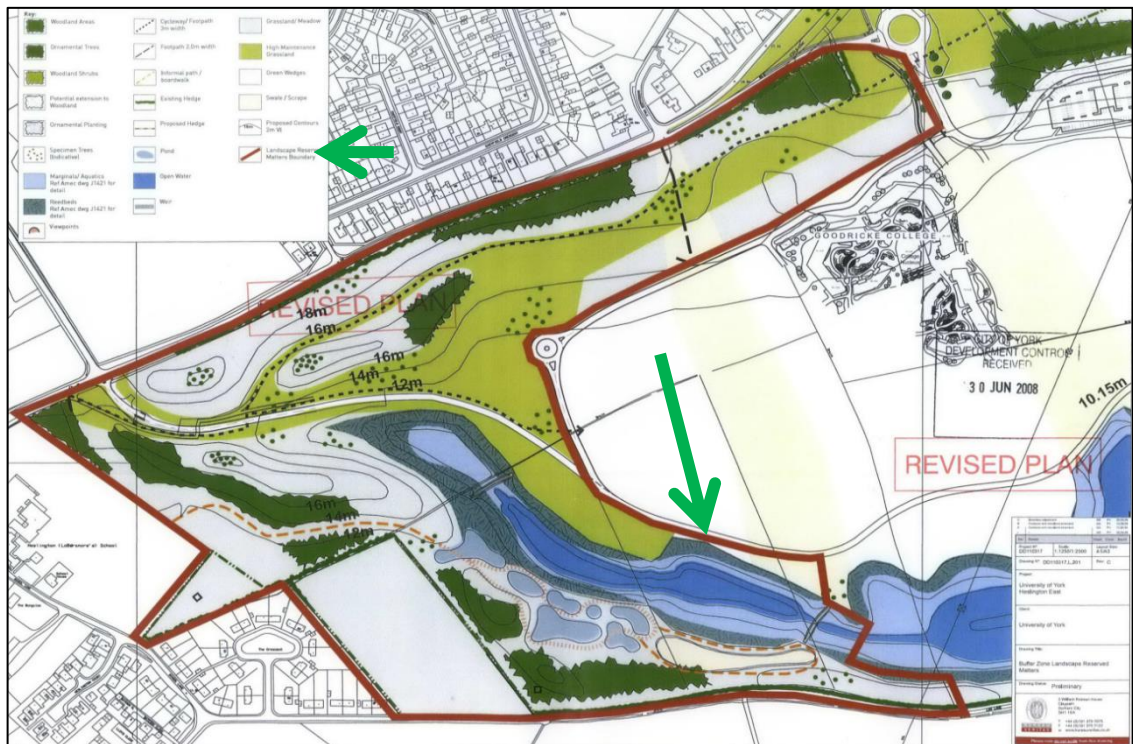
The north eastern boundary of the site is dominated by Kimberlow Hill, which offers extensive views to the south, west and north. In 2012, 24ha were planted with 17,000 native trees to establish a Woodland Trust ‘Diamond’ wood as part of Queen Elizabeth II's Diamond Jubilee celebrations. It forms an important green open space ‘buffer’ between new housing proposed for ST4 in the York Draft Local Plan and Campus East.

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<sup>28</sup> Source: York Draft Local Plan Section: 3 Spatial Strategy (ref. paragraph 3.5).

At the Public Inquiry and subsequent planning consent for the construction of Campus East, two green open space 'buffer zones' were established to separate the site from Badger Hill to the north and Heslington village to the west.

The University of York Heslington East Campus - Design Brief Including Master Plan 2008, identifies them as "Major buffer zones between the development and the residential communities of Heslington and Badger Hill. These are to be simple parkland, with continuity of grass..."



**Figure 5 Green Open Space 'buffer zones' (Landscape Reserved Matters Boundary) Boundary shown by brown line\***

\*Source: Approved planning application 08/01136/REMM | Reserved matters application for the landscaping of the western part of the site ... following outline application 04/01700/OUT for development of a university campus.<sup>29</sup>

## 2. Campus West Lake and Grounds (W 619 502 to E 626 504)

Campus West lake and grounds are a familiar feature of the University world-wide. The site was given a *Green Flag Award*<sup>30</sup> for the sixth year running in 2018, and registered as a Grade II Historic Park and Garden by Historic England in 2018 (number 1456517). As well as providing a pleasant working environment, green, permeable pedestrian and cycle routes between University Departments and

<sup>29</sup> <https://planningaccess.york.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=K0SY31SJ08D00>

<sup>30</sup> The *Green Flag Award*<sup>®</sup> scheme recognises and rewards well managed parks and green spaces, setting the benchmark standard for the management of recreational outdoor spaces across the United Kingdom and around the world.

Colleges and quiet paths and corners for relaxation and recreation, the site is a valuable wildlife habitat.

The south-west corner of Campus West is identified in the York Draft Local Plan as existing open space. It is important because it links the green wedge running up through Fulford Golf Course to Heslington Lane, with Walmgate Stray (outside the Parish, but which takes the green wedge into the heart of the city).

**3. Elvington Airfield Grasslands (W 650 479 E 667 479)**

The grasslands that run either side of, and between, the runways and access roads of Elvington Airfield are designated as a Site of Importance for Nature Conservation (SINC) in the York Draft Local Plan, because of their botanical richness and high skylark population. There are no public Rights of Way across the area and no recent natural history records in the public domain.

Note: It is recognised that a central portion of the site is designated for strategic housing development (ST15) in the York Draft Local Plan whilst retaining SINC status either side.

**4. Fulford Golf Course (N 620 500 to S 637 477)**

The golf course runs for 2.75km along the western boundary of the Parish. It takes in sites individually known as West Moor and Heslington Common and is a part of the green wedge running into York from the southern edge of the Parish. The Minster and Wilberforce Ways both run along its western boundary, south of the A64. It is:

- Designated open access land
- Identified as a Site of Importance for Nature Conservation in the York Draft Local Plan

The roughs and woodlands are managed sympathetically for nature conservation by the Golf Club.

**5. Heslington Tillmire<sup>31</sup> (638 475)**

The Tillmire is a Site of Special Scientific Interest and is accordingly identified as a site of National Significance for Nature Conservation in the York Draft Local Plan. It is also open access land, with the Minster Way running along its eastern and northern boundaries and the Wilberforce Way along its western edge. The Tillmire lies immediately to the south of Fulford Golf Course and hence is part of the green wedge running towards the city from the southern edge of the Parish. The site is approximately 46.7 ha of unimproved wet grassland (tall herb fen and marsh grassland). Parts of the Tillmire flood in the winter and it remains damp all year except after long periods without rain. It has a rich flora and an important assemblage of breeding and wintering waders. Well managed grazing is essential to maintain Heslington Tillmire SSSI in good ecological condition, which in turn

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<sup>31</sup> The name appears to have acquired a second 'l' as an error during the preparation of the first (1858) edition of the Ordnance Survey map of the area; all previous written records, stretching back to the late C12, refer to the Tilmire.

requires a viable farm and appropriate building for stock in close proximity to the site.

**6. Sports Fields between Holmefield and Fulford Golf Course**

(N620 501 to S625 495) (YLP834)

These University sports pitches are designated as existing open space in the York Draft Local Plan. Running alongside and to the east of Fulford Golf Course, they are an important part of the green wedge running into Heslington, Campus West and Walmgate Stray. (Total area estimated at 16ha).

**7. The Crescent Amenity Green Space (631 503) (YLP725)**

In the center of The Crescent is a small green, identified by CYC as an Amenity Green Space<sup>25</sup>.

**8. The Manor House Garden (629 502)**

This 0.8ha garden lies at the south end of Main Street, at the junction with Low Lane. Internationally known among gardeners, both for its landscaping and its plant collection, its fine walls, trees and bushes are a major feature of the village street scene. The gardens are private, but open to visitors from time-to-time.



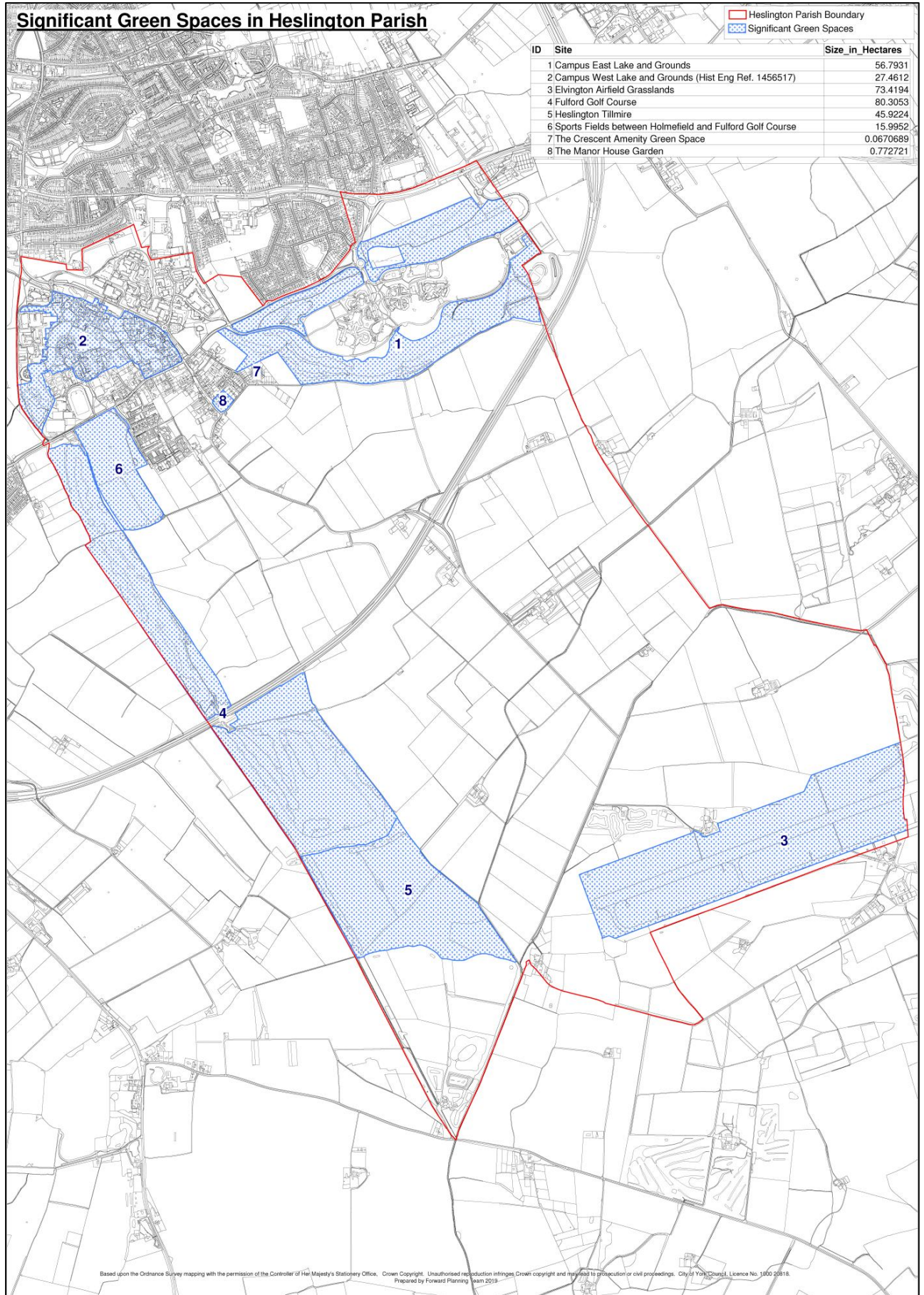


Figure 6 Significant Green Spaces

### 13.6 OS10 Proposed New Open Space (645 485)

The York Draft Local Plan designates a large area of existing farmland as proposed New Open Space (OS10), bounded by Langwith Stray to the south, the A64 to the north, Tillmire SSSI and Heslington Common (southern part of the golf-course) to the west and the western edge of ST15 to the east. Heslington Parish Council has objected to OS10 being taken out of agriculture as part of the York Draft Local Plan consultation. It is crucial the designation does not increase disturbance by people and dogs on the adjacent Tillmire SSSI.

### 13.7 Lower Derwent Valley National Nature Reserve

13.7.1 The Lower Derwent Valley National Nature Reserve (LDV NNR) is one of the UK's most important wildlife conservation areas, running primarily from just east of Wheldrake in the north to Bubwith in the south, an area of about 1000ha. The bulk of Wheldrake Ings and fingers of land within the NNR running up the River Derwent north of Wheldrake to Sutton-upon-Derwent lie within the extreme SE boundary of the City of York. As well as being a National Nature Reserve, the LDV is an SSSI, a Ramsar Wetland of International Importance, and a European Special Protection Area (SPA) and Special Area of Conservation (SAC).

13.7.2 The southern tip of Heslington Parish is 5km from the northern edge of the NNR at Wheldrake Ings, the Tillmire SSSI is 6km away and Campus East lake 9km away. *York Ornithological Club* Annual Reports show that many of the internationally important species of waders and wildfowl that breed, winter and pass through the NNR also frequent and make use of these wetland sites within the Parish. Loss of key conservation sites in Heslington Parish has the potential to adversely impact the LDV NNR.

### 13.8 Footpaths, Bridleways and Cycle Routes

Paragraph 98 in NPPF (2019) states:

*“Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.”*

13.8.1 The Parish is well supplied with public footpaths, bridleways and cycle routes giving good access to open countryside adjacent to the village and good connectivity within the village and throughout Campus East and Campus West. The campuses are open to the general public, accessible by walking or cycling. Two recreational routes run through the Parish in its western and southern portions: (i) the Minster Way linking the Centre of York to Kexby and the River Derwent to the east of Heslington and (ii) the Wilberforce Way linking the centre of York with Wheldrake and Elvington to the south east.

### 13.9 Woods and Hedges, Ditches and Grass Field Margins

13.9.1 The woods, hedges and hedgerow trees, ditches and grass field margins on the farmland to the south of the village create an essential, connected network of interlinked green infrastructure. Without this tapestry of habitats, the Parish's green infrastructure and biodiversity would be significantly the poorer.

13.9.2 The Vale of York has one of the lowest percentages of tree cover in England, reflected in the very small areas of woodland in the Parish. There are no proven Ancient Woodlands; all appear to be plantations of one form or other, although



‘indicator’ plant species suggest that some may have been planted on previously wooded sites. Importantly, these woods increase the diversity of wildlife in the Parish.

- 13.9.3 Some of the largest and oldest trees are within the village, around the church and on Campus West.
- 13.9.4 As is typical of the Vale of York, most of the fields are bordered by hedges dating from the Enclosure Acts. The Parish still supports good populations of farmland birds that have declined drastically over much of lowland England and that require a mixture of hedges, agricultural fields, hedgerow trees and grass field margins. Farmers in the Parish who have entered into government *Countryside Stewardship* agreements also help to maintain and enhance its wildlife and have created over 1200m of hedges in recent years.
- 13.9.5 Parts of the Parish also have large old, even ancient, hedges of note. They include:
- Boundary hedges on Fulford Golf Course (West Moor and Heslington Common)
  - Boundary hedges on Langwith Stray and some on the Tillmire
  - The Outgang boundaries (including one particularly ancient part of the western boundary)
  - Boss Lane
  - The western boundary hedge of Campus West, abutting Walmgate Stray
- 13.9.6 The flat farmland in the southern half of the Parish is criss-crossed by a complex of drainage ditches that support, both in the water and on the bank-sides, a variety of birds, mammals and plants.

#### 13.10 Evidence of the Importance Placed on Green Infrastructure from Questionnaires

In the questionnaires circulated to residents, university staff, students, businesses and landowners, respondents to questions about the Parish environment were unanimous in recognising the importance of its green infrastructure. Not a single respondent identified any aspect of Heslington’s green infrastructure as an impediment to, or a problem for, their lives, work and recreation; dissatisfaction (if any) took the form of wanting more, not less of some aspects of green infrastructure.

In summary, a clear majority of respondents felt that:

- There is good access to countryside, footpaths and wildlife
- There is a rural/semi-rural feel and identity to the Parish
- There are good open spaces for play, sports and leisure in the village
- The Green Belt should be protected

These views were strongly re-enforced during the Pre-Submission Plan Consultation.

13.11 Green Infrastructure Policy

<b>Policy HES: 14      Green Infrastructure</b>
<p><b>Development proposals will be supported where they can be shown to avoid significant harm to the environment of Heslington Parish as a whole, including:</b></p> <ul style="list-style-type: none"> <li>a) <b>Trees, woods, hedges, ditches, grass field margins, flora and fauna;</b></li> <li>b) <b>Local wildlife habitats and protected landscapes, including the Common Land and SSSI; and</b></li> <li>c) <b>Significant green spaces as listed in paragraph 13.5 and Figure 6.</b></li> </ul> <p><b>Where significant harm cannot be avoided, it must be adequately mitigated, or as a last resort, compensated for.</b></p> <p><b>Opportunities to incorporate improvements for green infrastructure in and around developments are supported.</b></p>
<p><b>Interpretation</b></p> <p>This policy seeks to conserve and protect the local rural identity and fulfil the obligations set out by those organisations and bodies with responsibility for supporting the historic and natural environments. It should consider the impact of cumulative small changes. The 'rural feel' of Heslington, commented on and appreciated by a majority of residents, members of the University and local businesses is entirely dependent on the setting of the village within its largely agricultural hinterland and the green spaces within it, which in turn derive much of their character from the rich green infrastructure, which the HPNP seeks to protect and where possible enhance.</p> <p>A major threat to UK biodiversity is the continual loss, degradation and fragmentation of sites of importance for wildlife. The HPNP seeks to prevent this erosion of sites and where possible enhance wildlife in the Parish, by promoting the green infrastructure and Local Green Spaces on which Heslington's wildlife depends.</p>

## 14 Transport and Movement

### 14.1 Purpose

To ensure that new development is supported by a balanced mix of sustainable transport options and does not have adverse impact on traffic safety and congestion.

### 14.2 Rationale and Evidence

14.2.1 The HPNP will work to create a movement network that reflects the needs of the community and encourages more sustainable means of transport.

14.2.2 Paragraph 102 of the NPPF (2019) states:

*“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

14.2.3 Paragraph 103 of the NPPF (2019) states:

*“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”*

14.2.4 Paragraph 104 of the NPPF (2019) states:

*“The Planning policies should:*

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;*
- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;*

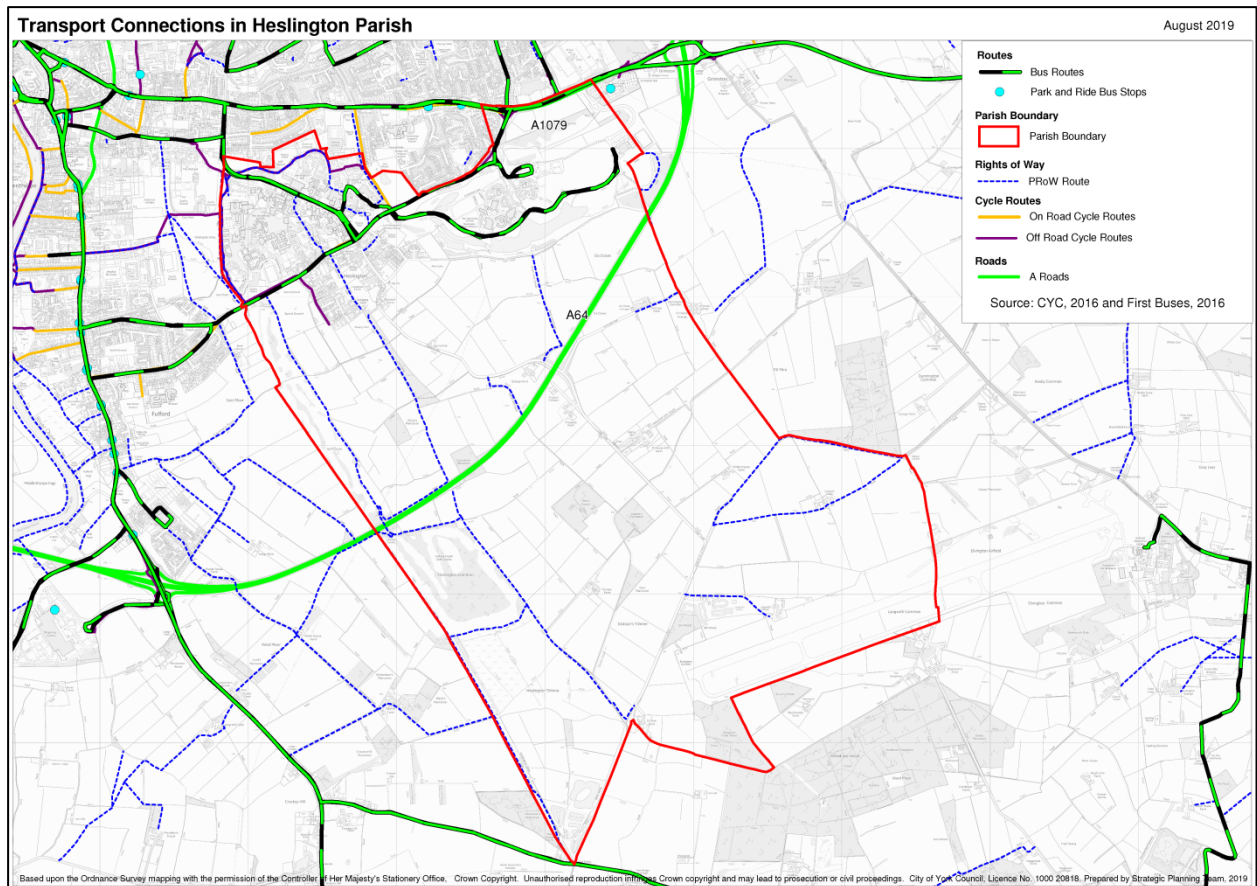
- c) *identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;*
- d) *provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)."*

14.2.5 Paragraph 111 of the NPPF (2019) states:

*"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."*

### 14.3 Transport Connections

- 14.3.1 The consultations with residents, university students and staff and local businesses reinforced the need for choice of sustainable transport. Whilst walking and cycling are particularly favoured by residents and those working at the University, the regular bus timetables to the University areas are also seen as a major advantage. All respondent groups highlighted concerns over the increasing traffic pressures into the area with the growth of the University, the Science Park and the York Draft Local Plan strategic site allocations in the Parish.
- 14.3.2 Traffic congestion concerns at Grimston Bar (A1079/A64 junction), Field Lane, Heslington Lane, University Road and the Green Dykes Lane/Melrosegate junction with the Hull Road were repeatedly highlighted. The existing traffic calming measures were heavily criticised.
- 14.3.3 The transport connections maps below show that Heslington is generally well served by public transport links with regular bus timetables, driven primarily by the needs of the University of York, and a Park & Ride facility from Grimston Bar. In addition, Travel York provides 'Dial&Ride', a flexible door-to-door bus service that serves local shopping centres and York City centre.
- 14.3.4 An overview of the transport connection routes in the Parish is provided in Figure 7 below.



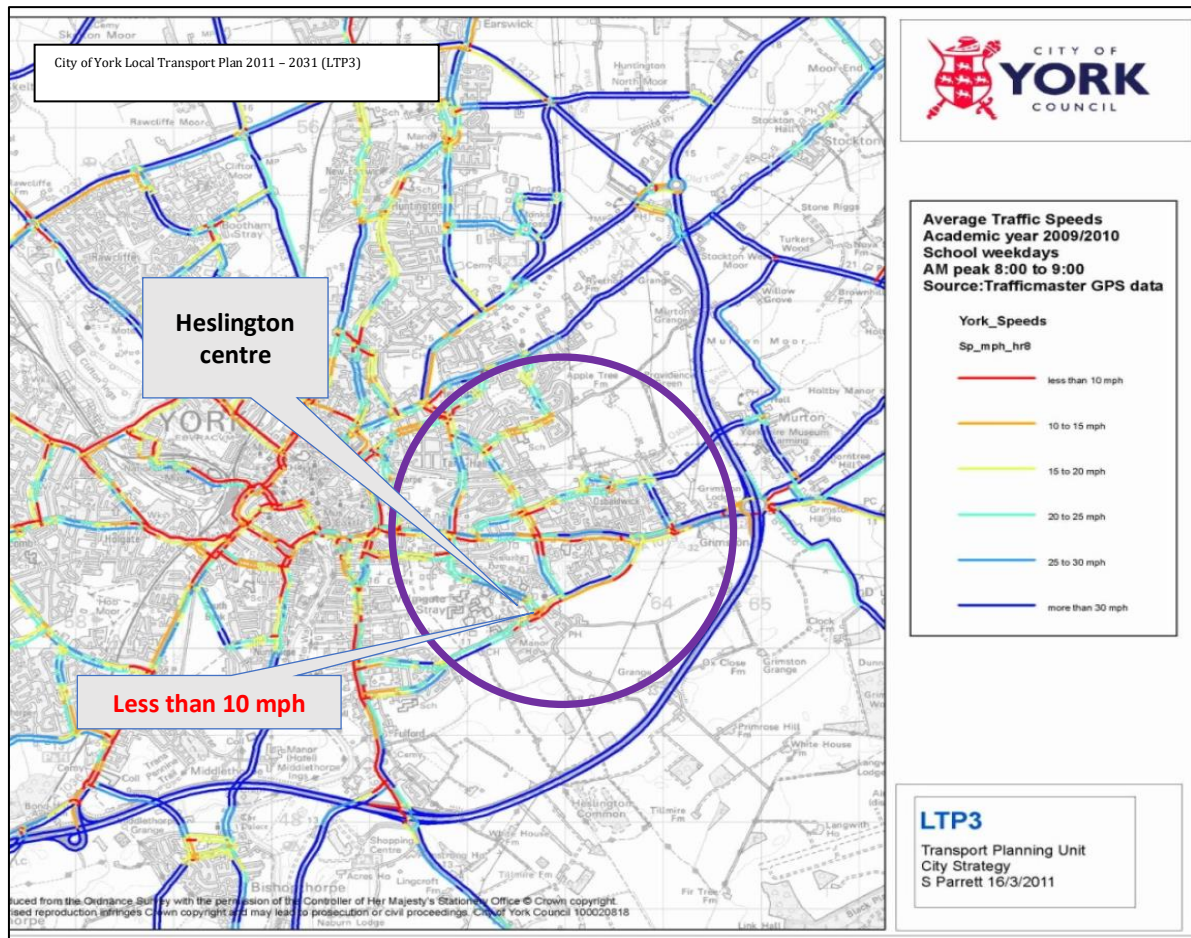
**Figure 7 Major Transport Connection Routes through Parish**

#### 14.4 CYC Local Transport Plan 2011-2031 (LTP3)

The York Draft Local Plan references the CYC Local Transport Plan 2011-2031 (LTP3), which covers the period April 2011 to March 2015 and beyond to 2031. It sets policies and measures that will contribute to the city's economic prosperity over the next 20 years.

##### 14.4.1 Key points relevant for Heslington are:

- Peak traffic congestion 'hot spots'
- Commuting traffic flows congestion



**Figure 8** York am Average Traffic Speeds 2009/10

- 14.4.2 The slowest speeds on certain sections of road are displayed in red. This is where, between 08:00 and 09:00 in the morning, cars are travelling on average at less than 10mph, indicating congestion. Circled above is the section to the east and those main roads feeding into Heslington, the University of York and the Science Park.
- 14.4.3 Of particular relevance to the HPNP is the A64/A1079/A166 Grimston Bar junction, situated to the east of York, on the Parish boundary. A substantial amount of the inward commuting road traffic along the Hull Road corridor and through to the University of York accesses this route. Improvements to this junction and associated road networks will be needed to reduce congestion and identify mitigation.



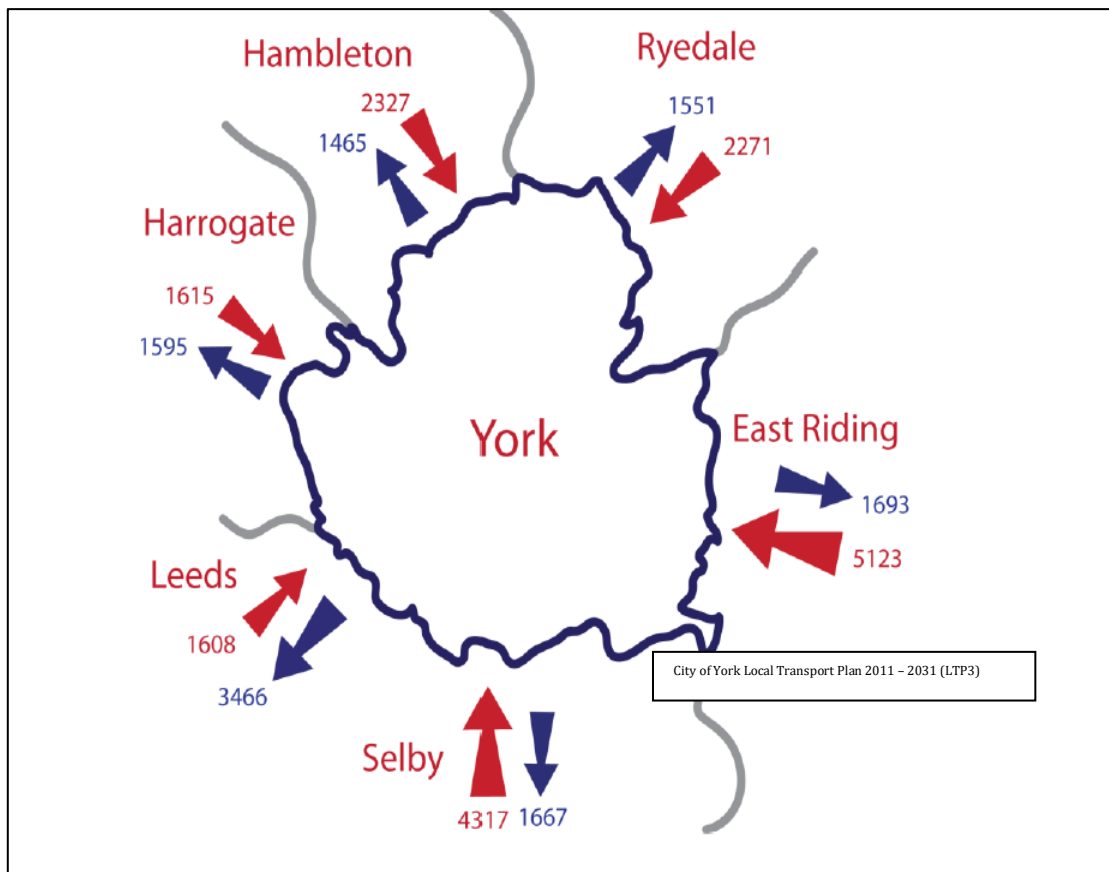


Figure 9 Weekday Journey Movements into York

14.4.4 The above figure (based on 2001 Census and survey updates in 2009/10) shows the weekday journey-to-work movements. There is a large net inflow into York from the East Riding area. Factoring in the economic growth assumptions from the York Draft Local Plan, planned new house build to the East of York/Heslington and the increased student enrolment/research/Science Park activity that is forecast, it is clear that the Heslington area will face worsening traffic congestion.

#### 14.5 City of York Local Plan<sup>3</sup>

14.5.1 The York Draft Local Plan proposal for substantial strategic housing on ST15 (see paragraph 5.1.5) acknowledges that a range of transport issues must be addressed. The York Draft Local Plan also seeks to promote “sustainable connectivity through ensuring new development has access to high quality public transport, cycling and walking networks”. Developers, Highways England and CYC will be expected to fund these improvements to both public transport and the associated safe pedestrian/cycle routes to achieve this. Increased efforts are required to actively manage traffic growth. There is ample evidence to justify a safer and more secure layout of all routes in order to minimise conflicts between traffic, cyclists and pedestrians. Further cycle path development, which better links University of York campuses and improves safety on local routes, would be supported. Various cycle routes are incomplete or require impractical sharing between cyclists and pedestrians. The focus on cycling and pedestrians in the HPNP is to promote better health and well-being and sustainable travel options for all residents/users.

14.5.2 Where pedestrian and cycleway construction becomes part of any new development, routes should be wide enough to accommodate both pedestrians

and cycles independently. A specific example is the need to provide cycle and pedestrian routes alongside any roads linking ST15 to the A64 and the University. The small local roads connecting Heslington village must remain accessible for local farmers and businesses and so it is essential that this link road has no access to local roads. The construction of these new routes is the responsibility of Highways England in conjunction with CYC/developers.



14.6 Transport and Movement Policies**Policy HES: 15 Sustainable Transport Provision**

Development proposals on the strategic allocation sites will be supported where there is balanced and sustainable transport provision, including:

- a) Public transport facilities, including new bus stops;
- b) A layout providing convenient pedestrian links to footpaths, bus stops and community facilities;
- c) Strong cycle and pedestrian links on any new access roads to the A64, University and other major roads; and
- d) Preparation of a transport masterplan, where a site is to be developed incrementally, showing links to adjacent sites and the surrounding area.

Development proposals will be particularly supported where they deliver any of the following:

- e) Less visually intrusive, safer and less polluting alternatives to the current traffic calming chicanes, which also take into account the needs of the disabled;
- f) Curtailed traffic pressure on the main village roundabout by Heslington Hall;
- g) Creation of safe school drop-off points;
- h) Improvements on Heslington Lane, Field Lane and University Road to provide well-designed, safe and fully-integrated cycleways, avoiding impractical cycle/pedestrian sharing;
- i) Improved frequency of *Park & Ride* services from Grimston Bar to the University and the village;
- j) Inclusion of Heslington within citywide safe cycle routes scheme; and
- k) Secure, unobtrusive cycle parking.

**Interpretation**

The policy seeks to ensure that development proposals incorporate choice of modes of transport, including sustainable options.

The purpose of a transport masterplan for sites that are being developed incrementally is to ensure that sustainable transport is properly considered for the wider site and each development then fits in to that wider framework.

The Policy endorses NPPF (2019) paragraph 110 which states:

*“Applications for development should:*

- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for*

*bus or other public transport services, and appropriate facilities that encourage public transport use;*

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.”*

The policy should be applied with careful consideration of other policies in this plan, in particular design and natural environment policies.

**Policy HES: 16    Vehicular and pedestrian traffic**

**Development proposals will be supported where access to the strategic allocation sites is provided to safely accommodate the traffic generated and avoid additional movements through Heslington village. Achieving this would involve:**

- a) Providing the principal vehicular and pedestrian access from ST15 (Land West of Elvington Lane) to the A64; and**
- b) Avoiding motor vehicle, cycle and pedestrian connections to local roads through Heslington village or to the access roads south of Heslington.**

**Interpretation**

This policy seeks to ensure that the strategic allocation housing site (ST15) is fully served by a new principal access road to A64, bypassing the village and immediate locality to avoid any significant increase in traffic, which could cause significant harm in terms of road safety, congestion, local character and residential amenity, including the Tillmire SSSI.

Local roads that should not be linked in any way to the new strategic allocation sites include: Low Lane, Ox Close Lane, Common Lane, Long Lane and Langwith Stray. Full access from these existing roads to existing residents and visitors, businesses and farms must continue. These roads, which are narrow with limited passing places, must be kept clear of any major increase in vehicular or pedestrian traffic that would interfere with local businesses and farming activities.

**Policy HES: 17      Traffic in Heslington Conservation Area**

**Development proposals will be supported where;**

- a) Increase in traffic would cause no significant harm to the character or appearance of the Heslington Conservation Area, taking account of parking, movement and disturbance; and
- b) Associated highway improvements within the Heslington Conservation Area, preserve or enhance and cause no significant harm to the character or contribution made by the area.

**Interpretation**

This policy seeks to protect the Conservation Area status, road safety and amenity of residents without compromising the provision of flexible, sustainable transport solutions.

Where a development proposal will lead to significant harm, it must be demonstrated that substantial public benefit clearly outweighs that harm.

**Policy HES: 18 Paths and Other Rights of Way**

**Development proposals will be supported where they:**

- a) Do not obstruct or impinge on public footpaths, bridleways, cycleways or byways; and**
- b) Preserve or enhance the distinctive character of nearby public footpaths, bridleways, cycleways and byways.**

**Interpretation**

This policy protects the route of footpaths, bridleways, cycleways and byways. It seeks to reinforce bridleways, which are available only to walkers, cyclists and horse riders. It also ensures that the impacts of adjacent or nearby development proposals are carefully considered.

## 15 University of York

### 15.1 Purpose

- To enable the ongoing sustainable development of the University of York as a major educational, cultural, social and economic asset
- To support exceptional design and environmental quality, creating an environment with a distinctive sense of place, helping to attract students nationally and internationally
- To reconcile the development of the campuses with protection of the character, setting and amenities of Heslington village

### 15.2 Rationale and Evidence

#### 15.2.1 Location

Situated approximately 2 miles south east of York city centre, the University of York is a strategically important site within the City of York, the North of England and internationally. Since it was founded in 1963, the University of York has become one of the UK's most successful universities. It comprises two campuses that occupy a 197 hectare parkland site on the edge of York, together with a number of properties in both York City centre and the village of Heslington which abuts the campuses. Outline planning permission for Heslington Campus East, 116 hectares, was approved in 2007 after a Public Inquiry.

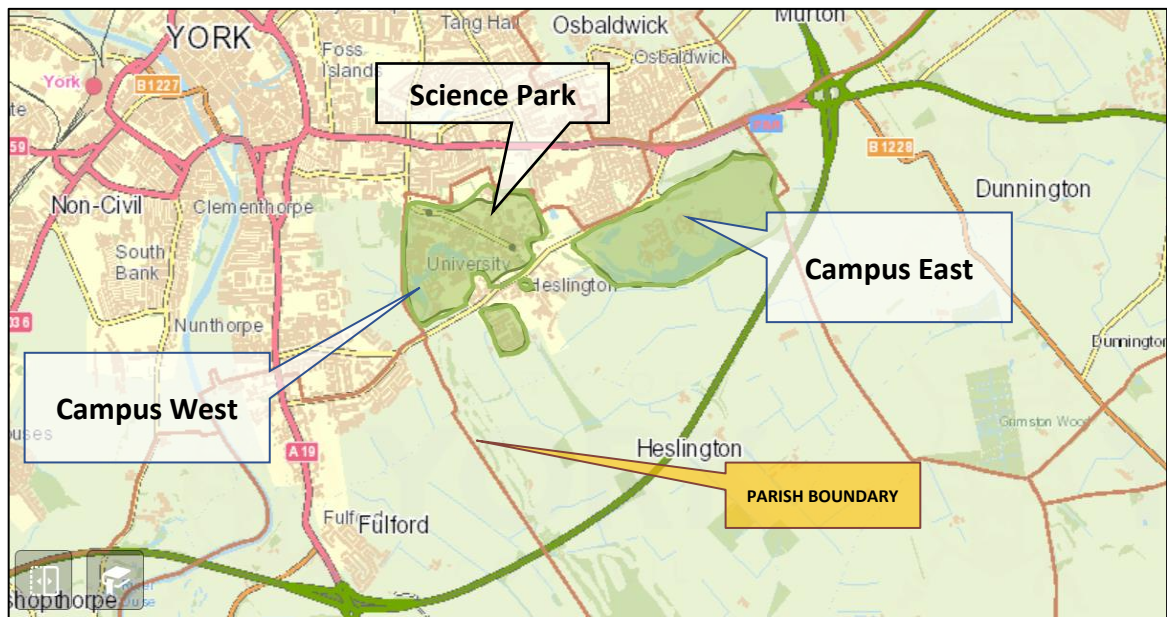


Figure 10 University of York Campuses

#### 15.2.2 Campus functions/uses

A range of higher education and related uses are permitted on the two University campuses. The York Draft Local Plan<sup>32</sup> confirms planning permission exists for the following:

<sup>32</sup> York Draft Local Plan SECTION: 7 EDUCATION Para 7.1-12

- academic, teaching, research and continuing professional development uses
- housing for staff and students
- arts, cultural, sports and social facilities ancillary to higher education uses
- conferences
- knowledge based businesses including research led science park; and any other uses ancillary to the university including support services for the uses identified above

Also in the York Draft Local Plan consultation documents, it states that any development proposals for **Campus West** will be allowed within the following parameters:

- the developed footprint (buildings and car parking only) shall not exceed 23% of the total site area, unless for an agreed temporary period during the implementation of proposals;
- the heights of buildings shall be appropriate to their surroundings and not exceed the height of any adjacent mature tree canopies unless a greater height can be justified in relation to a proposed iconic or landmark building;
- the landscape is conserved and enhanced;
- general car parking (excluding accessible parking spaces) shall not exceed 1,520 spaces;
- maintenance of an adequate internal cycle and pedestrian network , which links to entrance points and bus stops; and
- the level of student housing capacity is retained at no less than 3,586 bed spaces unless the spaces are re-provided on Campus East.

In the York Draft Local Plan consultation documents, continuing development of University of York **Campus East** is supported alongside the expansion site at ST27 (University of York Expansion). Development will be permitted in accordance with the following parameters:

- the developed footprint (buildings, car parking and access roads) shall not exceed 23% of the 65ha area allocated for development;
- total car parking shall not exceed 1,500 spaces subject to reserved matters approval by the Council;
- the maintenance of a parkland setting;
- additional student housing shall be provided to cater for expansion of student numbers, which is clearly evidenced in terms of demand. Any additional student housing provision on Campus West (over and above the existing 3,586 bed spaces) shall be taken into account when assessing need; and
- an annual student accommodation survey shall be submitted to the Council.

Campus East and ST27 will, across both sites, deliver up to 25ha of B1b knowledge-based businesses, including research led science park uses identified in the existing planning permission for Campus East.

15.2.3 Key statistics<sup>3</sup>

A member of the Russell Group of UK Universities, the University plays a significant role in the economic and cultural life of the city and the region, generating around 2,780 direct University jobs and 3,700 indirect jobs (based on 2011/12 figures). (The latest figures from the University of York detailed in response to the Pre-Submission Consultation are 4,200 and 6,600).

In addition, the University contributes some £240m annually to the York economy. It continues to perform well, and is consistently one of the highest ranked universities nationally for teaching quality and research.

There are now over 30 academic departments and research centres and enrolment has expanded to over 20,000 students.

15.2.4 Future strategy<sup>33</sup>

The University Strategy 2014-2020 states:

*“We see ourselves as operating in a global environment, with important local and national responsibilities...”*

**Key objectives**

To be a world leader in research

To offer outstanding teaching and learning

To offer all our students an outstanding and valuable experience

**Enabling objectives**

To be sufficiently large to be excellent, resilient and financially sustainable

To be organised in the most efficient and effective way

To work effectively with other organisations and stakeholders

## 15.2.5 Landscape setting

Both University campuses play an important part in the local environment and green infrastructure.

Campus East lake and grounds, also known as Heslington East (Site 1, para. 13.5) are essentially a parkland setting with extensive open spaces and lakes managed as an informal nature reserve and wildlife conservation area. Large parts of it enjoy significant public access, as do the modern sports centre and velodrome.

Campus West lake and grounds (Site 2, para. 13.5) is based around a central lake with associated green spaces running down to it and alongside it. This provides a pleasant working environment, green, permeable pedestrian and cycle routes between University Departments and Colleges and quiet paths and corners for relaxation and recreation. It also includes a number of properties in the Heslington village area and extensive sports facilities along Main Street [West]/Heslington Lane.

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<sup>33</sup> <https://www.york.ac.uk/about/mission-strategies/universitystrategy2014-2020/>



#### 15.2.6 Heritage assets

The University has an important role in managing the City's heritage assets. Of particular note are:

- Heslington Hall, Grade II\* listed and its associated building structures originally constructed in 1568. Historic England List Entry Number: 1148497
- Central Hall. Historic England List Entry Number: 1456551
- Siwards How (an Anglo-Saxon burial mound) south east of the water tower on Heslington Hill. Historic England List Entry Number: 1015690.

#### 15.2.7 Transport and access

The University enjoys good access from major routes, is well-served by local bus connections and has an extensive cycle network. In addition to developing a Sustainable Transport plan the University carries out an annual survey of local traffic and parking surveys.

UoY Annual Transport Survey 2017 summary key points:

- Increase reported in the level of pedestrian, cycle and vehicle movements and bus trips, when compared to the 2016 data
- good pedestrian and cycle network within the campus and surrounding areas provides good connectivity
- The Sustainable Travel plan provides a commitment to reducing their impact upon the environment and local community underlined by numerous initiatives such as car sharing schemes, cycle and pedestrian schemes, free shuttle buses and discounted travel including rail
- 2017 survey data noted that the level of University-related traffic travelling through three key junctions identified that actual movement was higher than those predicted within the traffic model during both peak hours, therefore mitigation measures are required
- Analysis shows that the Grimston Bar/A64 junction has seen a particularly large increase in 2017 when compared to previous years. This will require further monitoring and if the mitigation threshold is exceeded during the 2018 then action would be required under Planning Condition 7 for the Campus East planning consent
- The on-street parking survey also identified that of the 13 zones surveyed, 9 breached the mitigation level

15.3 University of York Policy

<b>Policy HES: 19      University of York</b>
<p><b>Development proposals for the campuses will be supported, subject to:</b></p> <ul style="list-style-type: none"> <li><b>a) The green open space ‘buffer zones’ protecting the landscape settings of Heslington village and Badger Hill remaining undeveloped (see Figure 5 Green Open Space ‘buffer zones’ (Landscape Reserved Matters Boundary); and</b></li> <li><b>b) Implementation of good practice development principles (see paragraph 15.4)</b></li> </ul>
<p><b>Interpretation</b></p> <p>This policy and supporting text seeks to ensure the continued development of the University meets outline permissions and good practice standards, whilst ensuring the village identity is not lost.</p>

15.4 University of York Good Practice Development Principles

## 15.4.1 Masterplanning

Development of the University sites should be guided by a comprehensive masterplan, which is likely to be reviewed and updated as necessary during the lifetime of this Neighbourhood Plan. This work should include consultation with the local community and when complete should accompany planning applications to help ensure that development is undertaken in a coordinated way.

## 15.4.2 Existing planning conditions

All reserved matter developments or new developments should adhere to the principles laid down in the conditions associated with the Secretary of State’s decision dated 24<sup>th</sup> May 2007 reference 04/01700/OUT (and subsequently amended March 2016).<sup>34</sup> In addition to complying with the above permission, individual proposals should reference the Masterplan for Campus East and the Development Brief for Campus West where relevant.

## 15.4.3 Character

New development should complement the existing characters of the University campuses. The building, landscape and urban design character is based on the following positive aspects:

- a) Extensive landscape setting, including lakes and water-courses;

<sup>34</sup> [https://www.york.gov.uk/downloads/file/2550/decision\\_296961pdf](https://www.york.gov.uk/downloads/file/2550/decision_296961pdf)

- b) Grouping of buildings to create enclosed courtyards;
- c) Free-standing buildings with a strong sculptural quality (such as Central Hall);
- d) Good pedestrian permeability, which may include access through building complexes and courtyards; and
- e) Buildings with a diversity of styles representing the different periods in which they were built.

Development should complement the high quality landscape and water setting, including retention and incorporation of landscape, trees and plants, and wildlife habitats. Where appropriate, Sustainable Urban Drainage Systems should be incorporated into development.

#### 15.4.4 Historic buildings

Development should complement the existing historic buildings and their setting. Where appropriate, new development should complement, but not imitate, these historic buildings. Imitation is especially harmful to the setting of listed buildings, which must retain distinctive and individual identity.

#### 15.4.5 Permeability and movement

Pedestrian convenience and safety should be a priority in the design of new development. The masterplan should indicate footpaths through and around the campuses and ensure that new development provides a safe, attractive, permeable and convenient environment for pedestrians. This should include easy access to surrounding public transport facilities.

Cycle facilities should be provided, with secure cycle parking and good links to the surrounding neighbouring areas. Bus services and highways should be carefully integrated into the campuses, recognising that they are not just about transport, but also form part of the public realm.

Vehicular traffic resulting from University growth and other developments should be routed to avoid adversely impacting on the Heslington Conservation Area or any residential streets in the immediately locality.

#### 15.4.6 Design quality

Achievement of superior, well-designed solutions will be welcomed in particular, in line with Paragraphs 124-131 of the NPPF (2019), and whilst stylistic preferences are subjective, there are ways of assessing architectural quality. These include:

- a) An understanding of the underlying principles of the architectural language being used, rather than just imitation of surface features;
- b) Use of durable and authentic materials, traditional or modern (e.g. not plastic or synthetic versions of traditional materials);
- c) Attention to detail. This is not necessarily about applied or decorative detail, but the rigour and attention paid to the design and form of the construction, building elements, joints between materials and finishes;
- d) Active frontages, to create a positive interaction between the building and the surroundings;
- e) Bespoke, site-specific design, with particular encouragement to distinctive, creative or innovative design solutions; and

- f) Design review arrangements, which if used as early as possible in the evolution of schemes, are of particularly benefit for significant projects. Design of developments can be improved by engaging the local community as well as independent design advice and review processes.

#### 15.4.7 Design and Access Statement

Design and Access Statements supporting future planning applications should set out how development proposals address the requirements of the policy, including these Good Practice Development Principles.

## 16 Community Actions

Community actions are designed to complement the HPNP policies and address matters raised in the consultation which are not covered within the remit of land-use planning.

### HES: CA1 Signage, Street Furniture and Lighting in the Conservation Area

Where new signage or street furniture is proposed it should seek to:

- a) Reflect local materials and features evident in the immediate surrounding area.

Where new lighting is proposed it should be designed to:

- b) Avoid intruding into areas where darkness is a characteristic of the village; and
- c) Minimise impacts on adjacent rural habitats and wildlife.

#### Interpretation

- All road and business signage should be of a type that blends into the environment and is sensitive to the Conservation Area, consistent with statutory requirements and the need to reinforce the current village landscape
- A consistent and high quality design theme for street lamps, waste bins, benches, etc. should be maintained throughout the village
- Any advertising or signage should respect the context of the village. It should be low key (colour, size and lighting) and in keeping with a rural Conservation Area
- Care should be taken in the siting and design of bus shelters to ensure that they are appropriate to the historic setting
- Whilst advertisements play an important role in promoting economic vitality, and where well designed, they can make a positive contribution to the street scene. A proliferation of signs can be unsightly, distracting and damaging to the appearance of the area
- Lighting should respect the rural area and particularly the Conservation Area, maintaining dark skies and minimising light pollution. See: Institute of Lighting Professional Guidance: <https://www.theilp.org.uk/documents/obtrusive-light/>
- Obtrusive and excessive security lighting should not be permitted

The York Draft Local Plan Policy D2: **Landscape and Setting** states:

*“Development proposals will be encouraged and supported where they:*

- *conserve and enhance landscape quality and character and make a positive contribution to the character of streets, spaces and other landscapes*

*Elements such as street layout, architecture, materials, gardens, forecourts, verges, incidental spaces, village greens, boundary treatments, trees and other vegetation, **lighting and street furniture** can considerably influence landscape quality.”*

### HES: CA2 Building and Landscape Character

A policy for long-term planting of trees, where appropriate, should be encouraged to replace those that will eventually become too old and unsafe.

Access for walkers, bird watchers, horse riders and those who appreciate the countryside should be maintained.

#### Interpretation

The York Draft Local Plan Policy D2: **Landscape and Setting** states:

*“Development proposals will be encouraged and supported where they:*

- *conserve and enhance **landscape quality** and character and make a positive contribution to the character of streets, spaces and other landscapes*

*Elements such as street layout, architecture, materials, gardens, forecourts, verges, incidental spaces, village greens, boundary treatments, **trees and other vegetation**, lighting and street furniture can considerably influence landscape quality.”*

### HES: CA3 Elvington Airfield

Future development proposals for the airfield and operations at Elvington should not be consented to by CYC, or even considered, without there first being in place a masterplan or design statement for any airfield operations development. This should set any proposal in its wider context and identify its long-term objectives so that it can be subjected to a public consultation process.

#### Interpretation

Large parts of the airfield are designated within York Draft Local Plan Policy SS13: Land West of Elvington Lane.

However should an adopted Local Plan not include Policy SS13 then the above will apply.

## 17 Glossary of terms

### 17.1 Acronyms

CYC	City of York Council
ha	Hectare
HCCA	Heslington Conservation Area Appraisal
HMOs	Houses in Multiple Occupation
HPNP	Heslington Parish Neighbourhood Plan
LDV NNR	Lower Derwent National Nature Reserve
LTP3	Local Transport Plan (for York, 2011-2031)
NP	Neighbourhood Plan
NPPF (2019)	National Planning Policy Framework February 2019
OAN	Objective Assessment of Housing Need
Ramsar	Wetland site of international importance
RSS	Regional Spatial Strategy
SAC	Special Area of Conservation
SBD	Secured by Design
SHMA	Strategic Housing Market Assessment
SINC	Site of Importance for Nature Conservation
SPA	European Special Protection Area
SSSI	Site of Special Scientific Interest
UoY	University of York
VDS	Heslington Village Design Statement
YSPL	York Science Park Ltd.

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