

Annex A

# **STRENSALL WITH TOWTHORPE NEIGHBOURHOOD PLAN Submission Draft Version**

**A report to City of York Council  
into the examination of the  
Strensall with Towthorpe Neighbourhood Plan  
by Independent Examiner, Rosemary Kidd**

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## 1.0 Summary

- 1.1 The Strensall with Towthorpe Neighbourhood Development Plan has been prepared to set out the community's wishes for the villages of Strensall and Towthorpe and the surrounding countryside. The parish lies to the north of York and north east of Haxby,
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
- Combining Policies DH3 and DH4;
  - Combining Policies DG4 and DG5;
  - The deletion of the Queen Elizabeth Barracks Tennis Courts from Policy CF2 and the amalgamation of other sites;
  - Clarification of the wording of policies and the supporting text; and
  - The improvement of clarity of the Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Strensall with Towthorpe Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

## 2.0 Introduction

### Background Context

- 2.1 This report sets out the findings of the examination into the Strensall with Towthorpe Neighbourhood Plan.
- 2.2 The plan area covers the parish of Strensall with Towthorpe and a small area of the parish of Stockton on the Forest. Strensall with Towthorpe is situated to the north of the city of York and north east of Haxby. At 2011 the parish had a population of 6,047. The plan area includes Strensall Common which is a Special Area of Conservation, an example of lowland heathland habitat. Part of the area is also a Site of Special Scientific Interest.

### Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Strensall with Towthorpe Neighbourhood Plan (STNP) by City of York Council (CYC) with the consent of Strensall with Towthorpe Parish Council in January 2022. I do not have any interest in any land that may be affected by the STNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

### Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
  - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.

2.5 An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

### **The Examination Process**

2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.

2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.

- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the STNP.
- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

### Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Strensall with Towthorpe Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Section 1 of the Basic Conditions Statement confirms that Neighbourhood Plan area was designated by CYC on 14 June 2018 and that there are no other neighbourhood plans covering this area.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is up to 2033.
- 2.15 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.16 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the STNP policies are compliant with this requirement.
- 2.17 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the STNP satisfies all the legal requirements set out in paragraph 2.4 above.

## The Basic Conditions

### Basic Condition 1 – Has regard to National Policy

- 2.18 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.

- 2.19 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”
- 2.20 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.21 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019. Paragraph 3.1.1 of the STNP refers to the NPPF of February 2019. Quotations and paragraph numbers should be checked and updated before the final plan is published.
- 2.22 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.23 Table 1 of the Basic Conditions Statement includes comments on how the policies of the STNP have taken account of relevant sections of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

**Recommendation 1: Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.**

## **Basic Condition 2 - Contributes to sustainable development**

- 2.24 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.25 An informal sustainability assessment has been prepared in order to take account of the need for the Neighbourhood Plan to contribute to the achievement of sustainable development. The sustainability assessment assesses each of the plan’s fourteen policies against twelve benchmark criteria derived from the plan’s aims and objectives and covering the three dimensions of sustainability, namely environmental, social and economic. The assessment ‘scores’ the impact of each policy against the

criteria, on a scale from 'significant positive impact' through 'some positive or negative impact' or 'no overall impact/non-applicability' to 'significant negative impact'. It also records uncertainty as to impact.

2.26 Table 4 in the Basic Conditions Report summarises:-

- The impact/contribution of policies as a whole in relation to the twelve individual benchmark criteria;
- The impact/contribution of individual policies on sustainability/benchmark criteria as a whole.

It shows that there will be positive impacts overall, in terms of policies and benchmark criteria collectively. It further shows no negative impacts in relation to either individual policies or benchmark criteria.

2.27 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

### **Basic Condition 3 – is in general conformity with strategic policies in the development plan**

2.28 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area.

2.29 There is currently no adopted Local Plan for the City of York. The City of York Draft Development Control Local Plan incorporating the 4th set of Changes (April 2005) is currently a material consideration for development control decisions. A new Local Plan is in course of preparation. Two public consultations on the Preferred Sites Consultation (2016) and the Pre-Publication Draft Consultation (August 2017) have provided a reference for the strategic policies of the emerging Local Plan. At the time of the examination of the STNP, the Phase 2 Hearings for the new Local Plan had commenced in May 2022.

2.30 In the absence of a formally adopted Local Plan, the City of York Publication Draft Local Plan (2018), together with the Local Plan Proposed Modifications (2019) and the composite Modifications Schedule 2021, define the strategic and detailed policies of the emerging Plan and as such can reasonably be used as the vehicles against which to assess the general conformity of the Strensall with Towthorpe Neighbourhood Plan. Table 3 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies conform to the relevant planning policies in these documents.

2.31 CYC has commented that the STNP should be updated to refer to the latest position in the Local Plan. They have proposed revisions to paragraphs 3.2.1 - 3.2.2 in section 3 to set out the status of the Local Plan; these may need further updating to ensure that the STNP reflects the latest position when the plan is finalised. I have included these as recommendations under later sections of my report.

- 2.32 The LPA has confirmed that the strategic Policies SS1 and SS19 (Queen Elizabeth Barracks site) are relevant to the STNP. The latter policy sets out the key principles for developing the Queen Elizabeth Barracks site. However, due to a proposal to remove the site from the Local Plan, Policy SS19 is proposed to be removed by PM13/PM14 (Proposed Modifications June 2019). The site is proposed to be removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC). The City of York Local Plan is currently at Examination, therefore, the status of the site will only be confirmed once the examination is complete.
- 2.33 The LPA has confirmed that a new Policy GI2a (Strensall Common Special Area of Conservation (SAC)) has been proposed in the Council's Composite Modifications Schedule (April 2021): PM70 – New Policy GI2a and PM71 – New Policy GI2a Justification. This was subject to public consultation from 25 May 2021 to 7 July 2021. The policy is a bespoke one for Strensall Common to ensure that adverse effects as a result of development are mitigated. This proposed modification complies with the outcomes of the HRA (2020) for consistency.
- 2.34 CYC has stated that Policy GI2a may be relevant to a number of policies listed in Table 3 of the Basic Conditions Statement: DH1 (Promotion of Local Distinctiveness), DH2 (General Design Principles), DG1 (Strensall Park), DG2 (Alexandra Road), DG3 (Howard Road), DG4 (Queen Elizabeth Barracks) and DG5 (Development Brief for the redevelopment of Queen Elizabeth Barracks).
- 2.35 Additionally, CYC has proposed to amend the Green Belt boundary along the eastern side of Strensall, so that the proposed Green Belt boundary should follow the edge of the densely developed site. (PM101 / City of York Local Plan Proposed Modifications – April 2021). This proposed boundary change has superseded PM39 (June 2019). A modification to paragraph 3.3.4 is recommended in section 3 of my report to clarify the text concerning this amendment.
- 2.36 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

#### **Basic Condition 4 – Compatible with EU obligations and human rights requirements**

- 2.37 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.38 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment (SEA) is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (CYC) that the plan is not likely to have “significant effects.”

- 2.39 A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) preliminary screening opinion was prepared by the parish council for the draft Pre-Submission Neighbourhood Plan.
- 2.40 The preliminary screening opinion was updated in order to take account of policy wording amendments made in response to comments received during the statutory Regulation 14 consultation period. None of these amendments were considered to be material or to have any implications for the original assessments. The final assessment is set out in the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report January 2021.
- 2.41 It was determined that the Submission draft STNP would not have a significant effect on the environment because the policies were found to have either minor or no impacts on the environmental criteria set out in Schedule 1 to the Environmental Assessment Regulations. Where minor impacts were considered likely these were largely found to be positive. (Table 3.2 of the SEA preliminary screening report)
- 2.42 The assessment in Tables 3.1 and 3.2 indicate a range of possible minor positive environmental effects as a result of the draft plan policies. The report concluded that *"No likely significant environmental effects have been identified."*
- 2.43 Consultation was carried out with the statutory environmental bodies on the SEA Screening Report in July 2019. All three organisations concurred with the findings.
- 2.44 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan's implementation.
- 2.45 Paragraph 7.1 of the screening report concludes that *"The assessment undertaken in section 6 of this report concludes the draft NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects. This was the preliminary view reached prior to consulting Natural England. Feedback from the consultees received has resulted in changes and updates to the HRA screening work but the overall conclusions remain the same."*
- 2.46 Consultation with Natural England on the HRA screening opinion was carried out in August 2019. They responded to say that they welcomed the conclusion of the screening opinion.
- 2.47 CYC has commented that they updated the HRA Screening Opinion in June 2021. CYC has stated that the conclusion of the HRA review has found no compelling reason to disagree with the conclusion of the Strensall with Towthorpe Parish Council HRA. The STNP HRA review also concludes: *"There is no credible possibility of the Plan adversely affecting the integrity of any European sites and, consequently, this review is able to recommend that the City Council may give effect to the Plan"*. It is recommended that the HRA screening opinion is updated to reflect the latest position.

- 2.48 I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.
- 2.49 Section 6 of the Basic Conditions Statement addresses Human Rights and states that: “*The Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR).*”
- 2.50 From my review of the Consultation Statement, I have concluded that the consultation on the STNP has had appropriate regard to Human Rights.
- 2.51 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the STNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

**Recommendation 2: Update the HRA Screening Opinion to accord with the latest update in 2021.**

**Consultation on the Neighbourhood Plan**

- 2.52 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.53 The designated area was approved by the Executive for Planning and Transport Decision Session on 7 January 2016 following consultation between 16 November and 14 December 2015.
- 2.54 The Consultation Statement sets out a full account of the consultation process, the method of consultation and the responses received at each stage. Consultation during the preparation the plan was carried out as follows:
- A questionnaire was hand delivered to every residence and business within the designated Neighbourhood Plan Area in March 2016. Responses were required to be returned by 16 April 2016.
  - On 7 November 2016 the Ministry of Defence announced the closure of several military sites to allow the sale of land for development. City of York Council Local Plan Working Group announced a revision to the emerging local plan which recommended the inclusion of sites at Queen Elizabeth Barracks and Towthorpe Lines for housing and commercial use respectively.
  - The City of York Council consulted on their emerging local plan in 2017 which included three sites added to take account of the land available from the MoD disposal.
  - The NP steering group decided to amend the original plan which contained small plots on MoD land in order to include support for the development of the MoD sites as in the emerging local plan. However, the steering group were concerned

about the potential increase in the volume of traffic that might be generated by the developments at both Queen Elizabeth Barracks and Towthorpe Lines.

- It was believed that if the designated neighbourhood plan area were to be extended to include the whole of Towthorpe Moor Lane, plus the junction with the A64 at Hazelbush crossroads, then an alternative safe route to access the A64 could be accommodated.
- An application to amend the designated area for Strensall with Towthorpe Neighbourhood Plan was submitted to City of York Council on 25 March 2017. Consultation was arranged by the local authority to take place between 28 March 2018 and 11 May 2018 with an executive decision taken on 14 June 2018.
- Consultation on a draft neighbourhood plan was the subject of a consultation with residents, statutory and non-statutory consultees between 1 June and 15 July 2018.
- CYC announced on 23 February 2019, a number of modifications to the submitted local plan. The modifications included the removal of the housing sites (H59 at Howard Road, Strensall and ST35 at Queen Elizabeth Barracks, Strensall). The decision to remove the sites came about from a joint initiative between Natural England and CYC as the former were concerned that large developments could have an adverse effect on Strensall Common which is designated as a Special Area for Conservation (SAC) and a Site of Special Scientific Interest (SSSI).
- CYC published the Proposed Modifications to the submitted local plan (May 2018) which also included an amendment to the Green Belt within the designated area.
- Subsequently, amendments to the wording of the neighbourhood plan and its policies were agreed by the steering group. Regulation 14 Consultation on the policies within the Pre-Submission Draft Plan was held between 1 July 2019 and 26 August 2019. An extended period of 8 weeks for this consultation was chosen due to the overlap with school holidays.

- 2.55 The consultation on the Regulation 14 STNP was communicated via the parish magazine to residents within the designated Neighbourhood Plan Area. A questionnaire on the policies was included within the Outreach magazine. Most statutory and non-statutory consultees were advised of the consultation electronically and invited to visit the web site to access the documents. The small number of consultees, without access to electronic means, were sent a questionnaire and a copy of the documents via Royal Mail.
- 2.56 Consultation on the Regulation 16 Submission draft Plan was carried out by CYC from 15 November 2021 and 7 January 2022. In total 14 responses were received.
- 2.57 I am satisfied that from the evidence presented to me in the Consultation Statement that adequate consultation has been carried out during the preparation of the STNP.
- 2.58 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

### 3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that “*a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area*”. I will consider this requirement as I examine each policy.
- 3.5 The STNP is a reasonably well presented plan that identifies policies on car parking, community facilities, local green spaces, design principles and affordable housing. The introductory sections of the Plan set out the background to the preparation of the plan, a spatial portrait of the area and the planning policy context.
- 3.6 The STNP makes no provision for future housing development other than identifying a site that is under consideration for allocation in the submission draft York Local Plan which is currently at the hearing stage. The PPG states that “*Neighbourhood plans are not obliged to contain policies addressing all types of development.*”
- 3.7 I consider that the lack of policies on housing in the STNP accords with national guidance which does not require neighbourhood plans to include the topic.
- 3.8 I have made recommendations to improve the clarity of the wording of the policies to ensure that they can be interpreted consistently by decision makers.
- 3.9 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. The justifications to the policies set out the background to the policies and the strategic context.
- 3.10 The Policies Map has been produced at a scale that makes it very difficult to read. I have asked the QB to prepare more detailed map(s) so that the boundaries of sites and properties can be clearly identified so as to enable decision makers to use the map in a consistent manner. The Proposals Map includes a number of Community

Actions. As these sites are not included in the planning policies of the Plan they should not be included on the Proposals Map. They may however be shown on a separate map to be included in the text of the STNP.

- 3.11 There are a number of references in policies and the justification to work undertaken by the consultants “Woodhall Planning and Conservation”. These references to the consultants are unnecessary and should be deleted.

**Recommendation 3: Improve the clarity of the Proposals Map so that the boundaries of sites and properties referred to or designated in the Policies of the STNP can be clearly identified. Delete the Community Actions from the Proposals Map and include them on a figure within the text.**

## The Neighbourhood Plan

### Policy Context

- 3.12 CYC has recommended revisions to paragraphs 3.2.1 - 3.2.2 and 3.3.5 to provide greater clarity on the status of the City of York Development Plan. There is no need to include reference within the STNP to other neighbourhood plans as they do not affect the STNP area.
- 3.13 CYC has suggested a revision to paragraph 3.3.4 to improve its clarity. Paragraph 1.4.3 should also be reviewed and updated as necessary. The QB has agreed to the revisions to these paragraphs.

**Recommendation 4: Revise paragraphs 3.2.1 – 3.2.2 as follows:**

***“The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York’s Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.***

***“The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.***

***“The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:***

***a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);***

***b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and***

***c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).***

***“The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.”***

***“Subsequent to the submission of the Publication Draft Local Plan to the Secretary of State in May 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.***

**Revise paragraph 3.3.4 to read: “City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the *village Green Belt Boundary to follow Ox Carr Lane*. This boundary change was included.....”**

**Paragraphs 1.4.3 and 3.3.5 - Add further updates on the progress with the emerging Local Plan.**

### **Vision and Objectives**

- 3.14 The Plan includes seven aims rather than a Vision statement and five objectives. The objectives of a Plan should be used to drive the development of the policies. There is no information to demonstrate that the objectives underpin the plan’s policies. The first objective refers to the Plan contributing to meeting York’s Objectively Assessed Housing Need. This should be revised to refer to the housing requirement.

**Recommendation 5: Revise the first objective to read: “To contribute to meeting York’s housing requirement.”**

### **Policy CP1: Safeguarding Existing Car Parking**

- 3.15 The policy seeks to safeguard car parking provision provided in association with places of employment, schools, shops public houses and a range of community facilities. Development that would result in the loss of existing parking should provide alternative provision in the locality or demonstrate that parking is not required.
- 3.16 Following a survey of car parking in the plan area and concerns expressed in the consultations about the limited availability of on-street parking, the plan makers have introduced the policy to ensure that the limited amount of car parking in the village is

maintained so that residents from this rural area can easily access shops, school, workplaces and community facilities.

- 3.17 CYC has suggested revisions to the wording of Policy CP1 to improve its clarity and to ensure that it is unambiguous which the QB has supported.
- 3.18 CYC has suggested that reference should be added to paragraph 5.1.3 to refer to Local Plan Policy T8 and the proposed SPD on Sustainable Transport for Development. However, the latter document has not yet been published for consultation.
- 3.19 CYC has suggested that reference should be added to paragraph 5.1.6 to state that the level of on-street parking is set by the local highway authority through a separate process to planning. I agree that this may be helpful to understanding the process.

**Recommendation 6: Revise Policy CP1 to read:**

***“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be safeguarded.***

***“Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”***

***Add the following to the end of paragraph 5.1.6: “The level of on-street parking is set by the local highway authority through a separate process to planning.”***

**Policy CP2: Increased Public Car Parking**

- 3.20 The first part of the policy “requires” development to provide parking to the Council’s parking standards. Whereas the second paragraph “expects” new residential development to provide parking to the Council’s parking standards. The first paragraph relates to all forms of development and therefore includes residential development.
- 3.21 Parking standards in York are maximum and there is some flexibility depending on the local circumstances. The policy should provide some flexibility and should not be worded as a requirement; it should be framed as “Development *should* include provision for...”. CYC has noted that the 2005 parking standards do not make provision for visitor parking. I have not recommended the deletion of visitor parking from the policy as the parking standards may be reviewed in the future and include this type of parking.
- 3.22 The third paragraph of the policy expects development proposals in and around The Village to incorporate additional parking to address any deficiencies in off street parking in the area. The Council’s Parking Standards are framed to set out requirements for the development proposal itself. Developers cannot be asked to

provide parking spaces to meet local shortfalls. As the policy cannot be applied, it is recommended that this paragraph is deleted.

**Recommendation 7: Revise Policy CP2 as follows:**

**Revise the first paragraph to read: “Development *should* include provision .....**”

**Delete the second and third paragraphs and site CP2.1. Delete the site from the Proposals Map.**

**Policy CF1: Protection of Community Facilities and Services**

- 3.23 The policy seeks to safeguard community facilities – including the library, the church, community halls, the school and three public houses - for the benefit of the community.
- 3.24 A representation has been made concerning Hurst Hall (site CF1-11). It is stated that it is shown on the Proposals Map in the wrong location; and that it is not necessary or appropriate for the property to be identified as both an Asset of Community Value and a community facility protected under Policy CF1.
- 3.25 The QB has confirmed that Strensall Explore Library, St Wilfred’s Church and Hurst Hall Community Centre have been registered as Assets of Community Value. Designation as an Asset of Community Value does not place any planning policy safeguards on the property. It is considered that the identification of Hurst Hall under Policy CF1 is complementary to its listing as an Asset of Community Value.
- 3.26 The following modifications are recommended to improve the clarity of the policy.
- a. The title should refer to Safeguarding of Community Facilities. Services are usually provided within the buildings.
  - b. The first paragraph should be worded to safeguard the community facilities listed and shown on the Proposals Map. The map needs to be improved so that the boundaries of the properties can be clearly identified.
  - c. The paragraph under the table should be included in the justification as it sets out a definition of the use classes of community facilities and is not a policy.
  - d. The final paragraph should be worded to refer to “Development that would result in the loss of the community facility” and the subsequent clauses should be revised appropriately. The term “unacceptable planning problems” in point 1 is vague and ambiguous.

**Recommendation 8: Revise Policy CF1 as follows:**

**Revise the title of the policy to “Safeguarding of Community Facilities.”**

**Revise the first paragraph to read: “The community facilities listed below and shown on the Proposals Map should be safeguarded for the benefit of the community.”**

**Move the paragraph beneath Table F to the justification.**

**Revise the final paragraph of the policy to read: “Development that would result in the loss of a community facility will only be supported where:**

**Delete points 1 and 2**

**Retain points 3 and 4. Delete “Development will only be supported where it can be demonstrated that” from point 3.**

**Correct the location of CF1-11 on the Proposals Map.**

## **Policy CF2: Local Green Space**

- 3.27 The policy seeks to designate 42 sites as Local Green Spaces. An assessment of the areas is included in Appendix 2 to the Plan which identifies the sites in accordance with the Local Plan typology and does not explain why the site is demonstrably special. The QB has provided me with a review of the small areas of Amenity Green Space. As part of this review they have requested that some of the sites should be amalgamated where they are adjacent to other areas. This is particularly the case where children’s play areas sit within areas of amenity green space, e.g. sites CF2-31/2-16, CF2-28/2-22, CF2-29/2-23 and CF2-26/2-24.
- 3.28 Subsequently, the QB has reviewed and updated the Local Green Space Assessment and amalgamated some of the sites to reduce the number to 33 sites in total. As part of the review the QB concluded that the Queen Elizabeth Barracks Tennis Courts (originally referenced CF2-12) did not meet the LGS criteria and they have asked that it should be deleted from the list of sites in the policy. During the review of sites, the QB has identified a number of mapping inaccuracies which require correction on the Proposals Map.
- 3.29 A representation has been made that objects to the designation of the following areas as Local Green Space. It is argued that the assessment does not demonstrate that the areas are demonstrably special to the local community.
- CF2-6: Howard Road Natural / Semi Natural
  - CF2-10: Howard Road Playing Field (Outdoor Sports)
  - CF2-11: Sports Ground (Located QEB)
  - CF2-12 Tennis Courts (Located QEB)
  - CF2-36: St Wilfrid’s Garrison Church, St Wilfrid’s Road.
- 3.30 I am satisfied from my site visit and the revised assessment that the sites (except for the Queen Elizabeth Barracks Tennis Courts) meet the criteria for designation as Local Green Space.
- 3.31 A representation has been made that objects to the designation of site CF2-3 Land between River Foss and Westpit Lane as Local Green Space. It is stated that the area is privately owned land with no public access.

- 3.32 From my site visit it is clear that part of this area is private gardens, most, but not all, are being maintained to enhance their wildlife potential. They provide an attractive backdrop to the riverside footpath walk. Paragraph: 019 Reference ID: 37-019-20140306 of guidance on Local Green Spaces states that Local Green Spaces do not need to be in public ownership. I am satisfied that the revised assessment demonstrates that the designation of the area as a Local Green Space is justified. Its designation will not prevent the residents in the area enjoying their gardens.
- 3.33 The NPPG advises that *“If land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community.”* Paragraph: 010 Reference ID: 37-010-20140306
- 3.34 The QB has noted that 14 of the proposed sites are within or mainly within the 2005 Green Belt. However, the Green Belt boundary is being reviewed through the emerging Local Plan. Only 3 sites would be within or largely within the revised Green Belt boundary, if this is agreed through the examination.
- 3.35 In view of the uncertainties of the current review of the Green Belt boundary I have not taken this into account in considering whether sites should be designated. I have considered whether the Local Green Space designation could help to identify areas that are of particular importance to the local community.
- 3.36 The policy should be revised to make it clear that development on the LGS should be managed in a way that is consistent with that for Green Belts.

**Recommendation 9: Revise Policy CF2 as follows:**

**“The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt. Inappropriate development on them that would be harmful to the open space should not be approved except in special circumstances.**

**List of sites: Revised as follows**

**Delete site CF2-12 Queen Elizabeth Barracks Tennis Courts.**

**Renumber and rename sites in accordance with the revised LGS Assessment submitted in August 2022 as follows:**

**CF2-1: *Land at Strensall Bridge***

**CF2-2: The Heath**

**CF2-3: Foss Bank - Westpit Lane**

**CF2-4: *Wild Haven (Ash Walk/Pasture Close)***

- CF2-5: Lakeside Gardens**
- CF2-6: Howard Road**
- CF2-7: *Strensall* Bowling Green**
- CF2-8: *Strensall Sports and Recreation Ground***
- CF2-9: Robert Wilkinson *Playing Field***
- CF2-10: Queen Elizabeth Barracks Sports Ground**
- CF2-11 Strensall Park Playing Fields**
- CF2-12: Northfields/The Village 'Green'**
- CF2-13: Hallard Way**
- CF2-14: Pasture Close**
- CF2-15: Land West of Knapton Close**
- CF2-16 *Foss Bank/Chaldon Close/Woodleigh Close***
- CF2-17: West Pit Lane**
- CF2-18: *South of Lynwood* Close**
- CF2-19: *Land at York Road/Toby Court***
- CF2-20: Hollis Crescent**
- CF2-21: Strensall Park '*Green*'**
- CF2-22: Littlethorpe Close**
- CF2-23: Northfields Allotments**
- CF2-24: New Lane Allotments**
- CF2-25: Strensall and Towthorpe Cemetery**
- CF2-26: St Mary the Virgin Churchyard**
- CF2-27: St Wilfrid's Garrison Churchyard**
- CF2-28: Ox Carr Lane/Flaxton Road/Lords Moor Lane Verges**
- CF2-29: Newton Way/Knapton Close**
- CF2-30: Southfields Road**
- CF2-31: South of Middlecroft Drive**
- CF2-32: Westpit Lane Hedge**

### **CF2-33: River Foss – South Bank**

**Revise the second sentence of the policy to read: “*The enhancement of a designated Local Green Space to improve its value for amenity, recreation and / or biodiversity will be supported.*”**

**Revise the boundaries of the areas and numbering on the Proposals Map.**

**Update Appendix 2 to include the revised LGS Assessment submitted in August 2022.**

### **Design and Heritage**

- 3.37 This section of the Plan contains four policies that set out design principles to be applied throughout the plan area and four area specific policies. The policies build on the Village Design Statement which was approved by CYC in 2015 and the Character Appraisal of the settlements which was prepared by independent consultants in 2018.
- 3.38 There are a number of references in policies and the justification to the Character Appraisal as the “Woodhall Planning and Conservation Character Appraisal”. These references to the consultants are inappropriate and the study should be renamed as the Strensall with Towthorpe Character Appraisal. References to the named consultants should be deleted from the policies and justification.
- 3.39 Representations have been made concerning the robustness of the Character Appraisal and stating that the boundaries of the Character Areas are imprecise. The QB has agreed to update the map to show the boundaries more clearly.
- 3.40 It is noted that CYC has approved Conservation Area Appraisals for the three conservation areas in the plan area which include information on building design and important features in the villages. It would be helpful to plan users to include a reference to them in the introduction to this section of the Plan.
- 3.41 Paragraph 5.3.6 refers to a number of local landmarks identified in the Character Appraisal and states that they are worthy of recognition and protection to ensure the character of the settlements is not undermined. The landmarks identified are the Queen Elizabeth Barracks and the listed buildings of St Mary’s Church and two bridges. The recent pedestrian footbridge adjacent to the historic Strensall Bridge is also identified. The future of the Queen Elizabeth Barracks is addressed in other policies in the plan; national and strategic policies address the conservation of listed buildings. It is suggested that the local landmarks are listed in paragraph 5.3.6. There is no need to show them on the Proposals Map as this paragraph is descriptive only.
- 3.42 Paragraph 5.3.7 states that it is not considered necessary to include a policy on Key Views. However as this matter is included in Policy DH1, the QB has agreed that the last two sentences of paragraph 5.3.7 should be deleted.

**Recommendation 10: Revise paragraph 5.3.6 to read:**

***“In addition, the Character Appraisal identified the following local landmarks: Queen Elizabeth Barracks, the listed buildings of St Marys Church and the two historic bridges over the River Foss. The design of the recent pedestrian bridge is also noted. These landmarks are of interest as they are intrinsic.....”***

**Delete the last two sentences of paragraph 5.3.7.**

**Add the following after paragraph 5.3.7:**

***“Conservation Area Appraisals have been approved by CYC for each of the three conservation areas in the plan area. They provide further information on the significance of the conservation areas, heritage features, landmarks, gateways, views and landscaping.”***

**Delete reference to “Woodhall Planning and Conservation” throughout the SWTNP.**

**Update the maps in Appendix 4 to show the boundaries of the Character Areas more clearly.**

**Policy DH1: Promotion of Local Distinctiveness**

- 3.43 The policy includes a mixture of descriptive text that repeats matters in the justification and policy which means that the policy is unclear. The first paragraph is phrased negatively using the phrase “will be resisted”. A modification is proposed to phrase the policy positively.
- 3.44 The second paragraph refers to development “preserving or enhancing” the positive character of the plan area. The NPPF in paragraph 197 uses the term “sustaining and enhancing the significance of heritage assets” in point a) and “new development making a positive contribution to local character and distinctiveness” in point c). A modification is proposed to better reflect the NPPF. Representations have been made about the use of this term.
- 3.45 Representations have been made to the wording of the sections on gardens. I have proposed modifications to the policy to improve the clarity of this section of the policy.
- 3.46 The paragraph on views is considered to be overly restrictive. A modification is proposed that development that may affect the views should be assessed through a Landscape and Visual Impact Assessment.
- 3.47 Those parts of the policy on highways and rights of way are set out as requirements using the word “must”. This can only be applied where there is a legal requirement. It is usually recommended that the word “should” is used to give some flexibility. There is legal provision to divert public rights of way if necessary for development.

- 3.48 The first paragraph on open spaces highlights the importance of open spaces, in particular allotments. It is recommended that a new section on gardens and open spaces is created to combine the sections under Character Areas and Spaces.
- 3.49 It is considered that the policy that relates to the provision of new open space within new development is vague and imprecise. It is recommended that reference should be made to the relevant local plan policies and the types of open space that should be provided, including allotments. Policy DH2 repeats these requirements. It may be more appropriate to place the policy on new open spaces in Policy DH2 which concerns the design of new development.
- 3.50 No changes are proposed to the sections on Signage and Strensall Common SAC/SSSI.

**Recommendation 11: Revise Policy DH1 as follows:**

***“Development proposals should have regard to the Strensall with Towthorpe Village Design Statement and Strensall with Towthorpe Character Appraisal. Development should be laid out and designed to make a positive contribution to the local character and distinctiveness of the character area. It should respect the following matters:***

***“Gardens and open spaces***

***“Gardens and open spaces between buildings that contribute to the rural and visual character of the neighbourhood plan area should be retained. Development that would result in the sub-division of gardens should not harm the local character, distinctiveness and visual amenity.”***

**The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. Proposals should not impact on rural and visual amenity or road safety.**

***“The openness of the large gardens in Strensall village along the west side of Moor Lane/Princess Road, both sides of Lords Moor Lane (to the north of York Golf Club) and along the north side of The Village shown on the Proposals Map should be maintained.”***

***“Open spaces, particularly those designated as Local Green Spaces, should be safeguarded and enhanced.”***

***“Views***

***“The impact of development proposals on the key views identified on the Proposals Map should be assessed through a Landscape and Visual Impact Assessment. Development should be designed to incorporate views over adjacent countryside, where appropriate.***

**Highways and Rights of Way – change “must” to “should”.**

## Policy DH2: General Design Principles

- 3.51 Paragraph 5.3.11 states that *“the purpose of the policy is to help inform the design of development proposals to ensure the appearance of Strensall and Towthorpe is respected by referencing key design features in order to reinforce the character”*.
- 3.52 The first section refers to development in the conservation areas and adjacent to or within the setting listed buildings. The policies are considered to be vaguely worded and do not reflect national and Local Plan policies on heritage. A modification is proposed to include the setting of a conservation area and other designated and non-designated heritage assets and to refer to national and local plan policies. The Conservation Area Appraisals should be referred to in the justification.
- 3.53 In my response to Policy DH1, I propose that a new section should be added to Policy DH2 on the design on open spaces in new development. Reference should be made to the requirements set out in the City of York Local Plan.
- 3.54 The third paragraph of Scale and Massing refers to development “preserving or enhancing” the positive key characteristics of the plan area. The NPPF in paragraph 197 uses the term *“sustaining and enhancing the significance of heritage assets”* in point a) and *“new development making a positive contribution to local character and distinctiveness”* in point c). A modification is proposed to better reflect the NPPF.
- 3.55 Representations have been made that parts of the policy are prescriptive and propose amendments to the sections on Layout, Boundary Treatment and Roof form to give some flexibility. A suggestion is made that the policy should include support for outstanding contemporary designs. The QB has indicated that they are agreeable to the suggestions proposed.

### Recommendation 12: Revise Policy DH2 as follows:

**Include a new heading “Heritage Assets” and include the first two points of Scale and Massing revised as follows:**

***“Development within or affecting the setting of Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas, Listed Buildings and other designated and non-designated heritage assets should respect the significance of the heritage asset and make a positive contribution to the conservation of the heritage asset. Proposals will be considered in accordance with national and Local Plan policies and will take account of the Conservation Area Appraisals and significance of the heritage assets.”***

**Revise the third paragraph second line of Scale and Massing to read: “...and make a positive contribution to local character and distinctiveness of the character area as identified in the *Strensall with Towthorpe* Character Appraisal. If appropriate....” Add the following to the end of this paragraph: ***“Buildings of an outstanding contemporary design will be supported.”*****

**Revise the heading “Layout” to “Open Space” and include the following:**

***“Open spaces shall be provided on site as part of development proposals in accordance with the requirements of the City of York Local Plan. Open spaces should be designed to provide an attractive feature to enhance the appearance of the development as well as provide areas for children’s play, sports and allotments.***

**Include the two paragraphs from Layout in the Open Space section. Add “where appropriate” at the beginning of the first paragraph of “Layout”.**

**Revise the second sentence of “Boundary Treatments” to read: “Where appropriate, front boundaries should be defined....”**

**Add the following to the end of the first paragraph on “Roof Form”: “.....or modern materials with a similar appearance.”**

**Replace the second paragraph on Roof Form with “Roof forms and materials are expected to match desirable local characteristics, particularly in conservation areas. Plan depth should be sympathetic to desirable existing village plan forms so as to generate familiar pitched roof geometries and roof heights.”**

**Add the following to the justification: “Conservation Area Appraisals for the Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas provide an assessment of the character of the conservation areas and identify suggestions for future management improvements.”**

### **Policy DH3: General Shopfront Design**

### **Policy DH4: Shopfront Signage**

- 3.56 It is considered that Policy DH3 does not fully reflect the Local Plan policies on Shopfronts. Draft Local Plan (2005) Policy GP16 calls for new and replacement shopfronts to respect the “scale, proportion, materials and architectural style” of the building and area and the publication emerging Local Plan (2018) Policy D12 uses the terms “design, scale, material and colour”. No locally specific details are set out in the policy. The final paragraph of the policy is guidance and should be included in the justification.
- 3.57 It is considered that Policy DH4 does not fully reflect the Local Plan policies on Advertisements in draft Local Plan (2005) Policy GP21 or emerging Local Plan (2018) Policy D13. No locally specific details are set out in the policy.
- 3.58 It is recommended that the policies should be combined and revised. The QB has agreed the following revised wording with CYC

### **Recommendation 13: Combine Policies DH3 and DH4 as follows:**

- “1. Where there is a proposal to alter, replace, or create new shopfronts, it will be supported where:**

***a. the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;***

***b. Shopfront signage is of a scale, design, material, finish and position within the fascia, to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and***

***c. Lighting is fitted externally and without the use of internal box lighting.***

**2. *Within Strensall and Towthorpe Conservation Areas, and on buildings identified as heritage assets:***

***a. Restoration of original shopfronts will be supported. Proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.***

***b. Illumination of signage will be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.”***

**Move the final paragraph of Policy DH3 on historic photographs to the justification.**

### **Policy DG1: Strensall Park**

### **Policy DG2: Alexandra Road**

### **Policy DG3: Howard Road**

3.59 The three areas of housing have retained their original design and character and reflect typical housing designs of their period of the 20<sup>th</sup> century as they have been in the single ownership of the MOD.

3.60 These policies expect development within the areas of the MOD housing to respect the character and layout of the existing housing in the area. A description of the features is included in each policy. The descriptions draw on the Character Appraisal; and identify key design and layout features for each estate which should be considered in the framing of proposals for new development. The QB has proposed revisions to the wording of Policy DG3 to state that development proposals should demonstrate how they will reinforce the locally distinctive features as defined in the remainder of the policy. I am recommending that Policies DG1 and DG2 should be revised in a similar manner.

3.61 The area of Policy DG3 is not shown on the Proposals Map.

- 3.62 Paragraphs 5.4.19 – 20 refer to a potential housing allocation in the emerging Local Plan which at the time of this examination had been considered unsuitable due to its proximity to Strensall Common SAC/SSSI. The proposal has been discussed at the Local Plan hearing in July 2022, however, at the time of the STNP examination, no decision had been made on the proposal. It is recommended that the text should be updated to reflect the latest position when the plan is finalised.
- 3.63 I have taken into account a number of representations concerning the detail of these policies.

**Recommendation 14:**

**Revise Policy DG1 as follows:**

***“To be supported, development within the Strensall Park area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:***

- a. Buildings of two storeys;
- b. Houses laid out around a narrow highway, with grass verges and trees. The central grassed area with mature trees provides a focal point to the estate and is a key feature;
- c. Housing set in generous gardens;
- d. Roofs pitched parallel to street. Flanking walls incorporated with mono-pitched flat roof garage;
- e. Multiple flue chimneys located on ridge line and at gable ends;
- f. Constructed of red brick, rendered and painted white, with roofs of modern clay pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Low brick boundary walls and gate piers with stone coping detail. Metal gates at driveway and footpath entrances.

**Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”**

**Revise Policy DG2 as follows:**

***“To be supported, development within the Alexandra Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:***

- a. Buildings of two storeys and semi-detached;
- b. Houses on the south side of the street with principal facades to the south (rear);
- c. Housing set in generous gardens;

- d. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet;
- e. Multiple flue chimneys located on ridge line or located centrally within roof slope;
- f. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Variety of post and wire fencing and hedge boundary treatments;

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise Policy DG3 as follows:

*“To be supported, development within the Howard Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:*

- a. Buildings of two storeys;
- b. Houses on the south side of the street with principal facades to the south (rear);
- c. Housing set in generous gardens with mature trees;
- d. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet.
- e. Multiple flue chimneys located on ridge line or located centrally within roof slope;
- f. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Variety of post and wire fencing and hedge boundary treatments;

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise paragraphs 5.4.19 – 5.4.20 to reflect the latest position agreed at the Local Plan Examination on these sites.

#### **Policy DG4: Queen Elizabeth Barracks – Design**

#### **Policy DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks – Master Planning / Planning Principles**

- 3.64 Queen Elizabeth Barracks is a significant site within the plan area and the policies seek to set out design and masterplan principles to govern the redevelopment of the site if this is approved in the Local Plan.
- 3.65 A representation from the MOD's agents states that it is proposed that the site should close in 2024 and that they are promoting the site for housing development through the Local Plan. The suitability of the site for housing development is being tested at the Local Plan examination.
- 3.66 CYC has informed me that a new Policy GI2a has been proposed in Proposed Modification 70 on Strensall Common Area of Conservation (SAC) and has been included in the Composite Modifications Schedule (April 2021). This policy proposes an exclusion area set at 400m and a zone of influence between 400m and 5.5km linear distance from the SAC boundary. The exclusion zone covers almost all of the Queen Elizabeth Barracks. If the policy is adopted, it would mean that permission would not be granted for a development that would result in a net increase in residential units. Non-residential development would be required to undertake a Habitats Regulation Assessment to demonstrate that proposal would not harm the integrity of the SAC.
- 3.67 CYC has commented that paragraph 5.4.22 should be updated to refer to Proposed Modification 70 and the latest position on proposals for the site. I agree that this would be helpful in clarifying the background to the site.
- 3.68 Representations on behalf of the MOD have made a number of points on the policies. In summary they are concerned that:
- There should be flexibility in the policies if the site is allocated in the Local Plan or a planning permission is granted.
  - The site is not shown on the Proposals Map.
  - The site has no special historic or architectural value; no background evidence has been submitted to support the assertions that there is any.
  - It is inappropriate and unjustified to require future redevelopment to respect the existing character and layout of the site; that would result in inappropriate low density development; restriction to 2 storey building height is not justified as there are higher buildings on site at present.
  - The objective should be to facilitate the most beneficial use of the site to support sustainable growth objectives.
- 3.69 The QB has commented that they would be agreeable to the preparation of a heritage assessment as part of any redevelopment proposals to provide a historical record of the site prior to redevelopment and to identify any buildings that could be retained as landmark or gateway features to help reflect the previous use of the site.
- 3.70 The City of York Local Plan is currently in the middle of the Local Plan Examination. At the Phase 3 Examination hearing sessions (July 2022) the site was discussed in detail. The Council has proposed the deletion of the allocation and associated policy (ST35 and SS19 respectively) of the Queen Elizabeth Barracks, due primarily to

issues of adverse impacts on Strensall Common SSSI, as highlighted in the Habitat Regulations Assessment (February 2019).

- 3.71 However, at the time of the examination on the neighbourhood plan, there was no clear indication of the likely outcomes at the hearing sessions and of the future of the Barracks site. CYC and the QB have put a proposal to me of a way forward to combine Policies DG4 and DG5 into a more generic policy which would set out design considerations for the development of the site, if it were to come forward.
- 3.72 The QB have asked for additional matters to be included in the revised policy on:
- a. consideration of an axial road layout;
  - b. building heights of generally 2 storeys but with inclusion of 2+ storey buildings subject to detailed design analysis of the site and intended locations in order to create 'a look' back/reference to the historical barracks layout.
- 3.73 I have concerns that stipulating an axial road layout and prescribing building heights would be overly prescriptive and would not reflect the design and layout of the existing development on the site. It would introduce new elements to the policy that were not part of the policies in the submission plan. The revised policy requires a Heritage Assessment and a photographic record to be made which will be available to inform the design and layout of any future development.

#### **Recommendation 15: Delete Policy DG4.**

##### **Retitle Policy DG5: Development at Queen Elizabeth Barracks, Strensall**

##### **Revise the Policy to read:**

***"1. Development at Queen Elizabeth Barracks will be permitted where:***

- A. It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and***
- B. Residential development, if proposed as part of development at QEB:***

***(i) Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC; and***

***(ii) Reflects the housing need identified in City of York Council's latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.***

- C. Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or reprovision of sports and community***

*floorspace at the site, with provision for wider community access to the newly provided facilities.*

- D. The wider impacts of the development on social and community infrastructure in the locality, including education and local retail/services provision, have been assessed and mitigation secured through conditions or planning obligations.*
  - E. Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to the design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.*
  - F. It can be demonstrated that development has had regard to the following design principles:
    - i. the incorporation of landscaped areas; and*
    - ii. the retention of mature trees where possible and supplemented by new tree planting where appropriate.**
- 2. A masterplan should be developed for the site reflecting the principles set out in revised Policies DG 1 -3 and should be informed by a Heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and demonstrate how proposals would respond to and where appropriate incorporate these into the design of the development.”**

**Include a diagram within the text to show the location of sports provision and the community hall at the Barracks. These only need to be shown on the Proposals Map where they are referenced under other policies.**

**Show the site on the Proposals Map in accordance with that shown on the Updated Proposals Maps May 2022, renamed from DG4 & DG5 to Policy DG5.**

**Update paragraph 5.4.22 to reflect the outcome of Local Plan examination.**

## **Policy DG6: Affordable Housing**

- 3.74 This policy is a general statement that the mix of housing types and tenures should be made in accordance with national and local planning policy. It seeks to apply a local connections policy which is set out in Appendix 3. The justification refers to the affordable housing needs assessment which was carried out in 2008 and the CYC's Strategic Housing Market Assessment and Addendum of 2016. Reference to these in paragraph 5.5.1 should be deleted and reference should be made instead to the latest findings from the City of York's Local Housing Needs Assessment (2021). It is recommended that the policy should make reference to "the latest housing needs assessment". In addition, reference to "private housing" should be amended to "market housing".

- 3.75 CYC has commented that they do not recognise that the three properties in the rear gardens of 5/6 Northfields referred to in paragraph 5.5.6 as being “affordable housing”. It is recommended that this reference should be deleted.
- 3.76 A representation has been made that the policy is unnecessary as provision will be made in accordance with emerging Local Plan policy. It is considered acceptable for neighbourhood plans to set out a policy on affordable housing for their community where there is no adopted strategic policy.
- 3.77 A local connections policy is a housing policy and not a planning policy. It is recommended that reference to it should be included as a community action.

**Recommendation 16: Revise Policy DG6 as follows:**

**Revise the first paragraph of the policy to read: “.....a mix of affordable and market housing .....understanding of local housing need within the Parish in accordance with the latest strategic or local housing needs assessment.”**

**Delete the second paragraph. Add a new Community Actions: “The Parish Council will seek to ensure that affordable housing is made available to those with a local connection to the Parish in the first instance, in accordance with the local connections criteria set out in Appendix Three.”**

**Revise paragraph 5.5.5 to refer to latest data on housing need. Delete paragraph 5.5.1.**

***“5.5.5: The City of York Council’s Local Housing Needs Assessment (2022) sets out the latest evidence of the property size and tenure needs across the City. It confirms, for example, that the focus of affordable home ownership and affordable rented provision should be on 2-bed properties. However, the mix applied to individual development sites should also be informed by the nature and character of the area, along with understanding of the existing mix and turnover of properties within the Parish.”***

**Delete “and 3 properties in the rear gardens of 5/6 Northfields” from paragraph 5.5.6.**

**COMMUNITY ACTIONS**

- 3.78 This section sets out three community actions concerning highway improvements, the designation of rights of way and the designation of assets of Community Value. The introduction to the section explains that they are matters not related to planning policy.
- 3.79 CYC has commented that CA1 should refer to Policies Local Plan T1 and T5. This is a Community Action setting out the community’s aspirations for highway improvements. It is not a planning policy. It is not necessary to cross reference to the emerging policies but may be included if it is considered that it would be helpful to plan users.

- 3.80 A representation has been received that supports the creation of a public right of way by the River Foss between Haxby Moor Road and Towthorpe Road. (CA1-5).
- 3.81 A representation has been received objecting to CA2-7 stating that the land is privately owned with no permission for public access. The QB has commented that this is an aspiration to pursue formal public right of way of this route.
- 3.82 A representation states that CA3 needs to be corrected as Hurst Hall is already an Asset of Community Value.

## COMMUNITY INFRASTRUCTURE LEVY

- 3.83 This section sets out suggestions of projects that may be funded through CIL in the Plan area. It is recommended that the text is updated.

### **Recommendation 17: Revise the text in section 7 to read:**

***“7.1 The Community Infrastructure Levy (CIL) Regulations were introduced in 2010 by the government to help pay for infrastructure to support development. In June 2022, the City of York Executive agreed to move forward with a CIL for York.***

**Paragraph 7.2 unchanged**

***“7.3 The Community Infrastructure Levy Regulations 2010 (as amended) makes clear that 15%, or up to a maximum of £100 per new house, of any CIL collected by a local planning authority must be paid to the Parish Council in the area in which development takes place. Following adoption of a neighbourhood plan, the amount to be paid to the Parish Council increases to 25% (uncapped) of the levy revenues.***

***“7.4 This money can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area. This means Strensall with Towthorpe Parish Council is free to spend the money on projects that will directly benefit the neighbourhood area as long as the money supports growth of the settlements.***

**Delete first sentence of paragraph 7.5 and add the second sentence: “Through the current consultation, the Parish Council would like to understand priorities for improvements to infrastructure and what community priorities exist for improvements to the village.” to paragraph 7.4.**

**Delete paragraphs 7.6, 7.7 and 7.71.**

**7.8 and 7.8.1 unchanged.**

## Appendix 2 Local Green Space

**Recommendation 18: Replace with the revised Local Green Space Assessment submitted in August 2022. The Appendix should also include clear maps to show the boundary of each site and photographs where available.**

## Appendix 3 Local Connections Criteria For Affordable Housing

3.84 The Local Connections Criteria is not a planning policy and is not therefore part of Policy DG6. CYC has suggested a number of amendments to the text in the Appendix which the QB has agreed to. I include them here for completeness.

**Recommendation 19: Revise Appendix 3 as follows:**

***“Remaining in perpetuity for local people *notwithstanding any statutory provisions such as the Right to Buy or Right to Acquire.*”***

***“In support of meeting local affordable housing requirements, any new affordable housing is expected to be allocated to those with *an assessed housing need* and local connection to Strensall or Towthorpe in the first instance.”***

***Make the family connection more explicit: “Has a close family member (mother, father, adult son, adult daughter, adult brother, adult sister): currently residing in the partnership area and who has been a resident for the last 5 years and with whom they have an established close relationship.”***

***Make ‘other special circumstances more explicit: “Have an essential need to live close to another person, who currently lives in the area, and who has been resident for the last 5 years, to provide or receive essential daily care or support.”***

## 4.0 Referendum

- 4.1 The Strensall with Towthorpe Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;
  - is in general conformity with the strategic policies contained in the Development Plan for the area; and
  - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to City of York Council that the Strensall with Towthorpe Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by City of York Council on 14 June 2018.

## 5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Strensall with Towthorpe Neighbourhood Plan up to 2033 Submission Draft Version including Appendices, June 2021
- Strensall with Towthorpe Neighbourhood Plan Basic Conditions Statement January 2021
- Strensall with Towthorpe Neighbourhood Plan Consultation Statement January 2021
- Strensall with Towthorpe Neighbourhood Plan SEA and HRA Screening Opinions January 2021
- Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas Conservation Area Appraisals 2011
- Strensall with Towthorpe Character Appraisal 2018
- Strensall with Towthorpe Village Design Statement 2015
- Strensall with Towthorpe Local Green Space Assessment revised July 2022
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- The City of York Local Plan Publication Draft 2018, together with the Local Plan Proposed Modifications (2019),
- The City of York Draft Development Control Local Plan incorporating the 4th set of Changes (April 2005)

## 6.0 Summary of Recommendations

**Recommendation 1:** Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.

**Recommendation 2:** Update the HRA Screening Opinion to accord with the latest update in 2021.

**Recommendation 3:** Improve the clarity of the Proposals Map so that the boundaries of sites and properties referred to or designated in the Policies of the STNP can be clearly identified. Delete the Community Actions from the Proposals Map and include them on a figure within the text.

**Recommendation 4:** Revise paragraphs 3.2.1 – 3.2.2 as follows:

*“The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York’s Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.*

*“The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.*

*“The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:*

*a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).*

*“The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.”*

***“Subsequent to the submission of the Publication Draft Local Plan to the Secretary of State in May 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.***

**Revise paragraph 3.3.4 to read: “City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the *village Green Belt Boundary to follow Ox Carr Lane*. This boundary change was included.....”**

**Paragraphs 1.4.3 and 3.3.5 - Add further updates on the progress with the emerging Local Plan.**

**Recommendation 5: Revise the first objective to read: “To contribute to meeting York’s *housing requirement*.”**

**Recommendation 6: Revise Policy CP1 to read:**

***“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be safeguarded.***

***Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”***

**Add the following to the end of paragraph 5.1.6: “*The level of on-street parking is set by the local highway authority through a separate process to planning.*”**

**Recommendation 7: Revise Policy CP2 as follows:**

**Revise the first paragraph to read: “Development *should* include provision .....**

**Delete the second and third paragraphs and site CP2.1. Delete the site from the Proposals Map.**

**Recommendation 8: Revise Policy CF1 as follows:**

**Revise the title of the policy to “Safeguarding of Community Facilities.”**

**Revise the first paragraph to read: “The community facilities listed below and shown on the Proposals Map should be safeguarded for the benefit of the community.”**

**Move the paragraph beneath Table F to the justification.**

**Revise the final paragraph of the policy to read: “Development that would result in the loss of a community facility will only be supported where:**

**Delete points 1 and 2**

Retain points 3 and 4. Delete “Development will only be supported where it can be demonstrated that” from point 3.

Correct the location of CF1-11 on the Proposals Map.

Recommendation 9: Revise Policy CF2 as follows:

“The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt. Inappropriate development on them that would be harmful to the open space should not be approved except in special circumstances.

List of sites: Revised as follows

Delete site CF2-12 Queen Elizabeth Barracks Tennis Courts.

ReNUMBER and rename sites in accordance with the revised LGS Assessment submitted in August 2022 as follows:

CF2-1: *Land at Strensall Bridge*

CF2-2: The Heath

CF2-3: Foss Bank - Westpit Lane

CF2-4: *Wild Haven (Ash Walk/Pasture Close)*

CF2-5: Lakeside Gardens

CF2-6: Howard Road

CF2-7: *Strensall Bowling Green*

CF2-8: *Strensall Sports and Recreation Ground*

CF2-9: Robert Wilkinson *Playing Field*

CF2-10: Queen Elizabeth Barracks Sports Ground

CF2-11 Strensall Park Playing Fields

CF2-12: Northfields/The Village ‘Green’

CF2-13: Hallard Way

CF2-14: Pasture Close

CF2-15: Land West of Knapton Close

CF2-16 *Foss Bank/Chaldon Close/Woodleigh Close*

CF2-17: West Pit Lane

- CF2-18: *South of Lynwood Close*
- CF2-19: *Land at York Road/Toby Court*
- CF2-20: *Hollis Crescent*
- CF2-21: *Strensall Park ‘Green’*
- CF2-22: *Littlethorpe Close*
- CF2-23: *Northfields Allotments*
- CF2-24: *New Lane Allotments*
- CF2-25: *Strensall and Towthorpe Cemetery*
- CF2-26: *St Mary the Virgin Churchyard*
- CF2-27: *St Wilfrid’s Garrison Churchyard*
- CF2-28: *Ox Carr Lane/Flaxton Road/Lords Moor Lane Verges*
- CF2-29: *Newton Way/Knapton Close*
- CF2-30: *Southfields Road*
- CF2-31: *South of Middlecroft Drive*
- CF2-32: *Westpit Lane Hedge*
- CF2-33: *River Foss – South Bank*

Revise the second sentence of the policy to read: *“The enhancement of a designated Local Green Space to improve its value for amenity, recreation and / or biodiversity will be supported.”*

Revise the boundaries of the areas and numbering on the Proposals Map.

Update Appendix 2 to include the revised LGS Assessment submitted in August 2022.

**Recommendation 10: Revise paragraph 5.3.6 to read:**

*“In addition, the Character Appraisal identified the following local landmarks: Queen Elizabeth Barracks, the listed buildings of St Marys Church and the two historic bridges over the River Foss. The design of the recent pedestrian bridge is also noted. These landmarks are of interest as they are intrinsic.....”*

Delete the last two sentences of paragraph 5.3.7.

Add the following after paragraph 5.3.7:

*“Conservation Area Appraisals have been approved by CYC for each of the three conservation areas in the plan area. They provide further information on*

*the significance of the conservation areas, heritage features, landmarks, gateways, views and landscaping.”*

Delete reference to “Woodhall Planning and Conservation” throughout the SWTNP.

Update the maps in Appendix 4 to show the boundaries of the Character Areas more clearly.

**Recommendation 11: Revise Policy DH1 as follows:**

*“Development proposals should have regard to the Strensall with Towthorpe Village Design Statement and Strensall with Towthorpe Character Appraisal. Development should be laid out and designed to make a positive contribution to the local character and distinctiveness of the character area. It should respect the following matters:*

*“Gardens and open spaces*

*“Gardens and open spaces between buildings that contribute to the rural and visual character of the neighbourhood plan area should be retained. Development that would result in the sub-division of gardens should not harm the local character, distinctiveness and visual amenity.”*

The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. *Proposals should not impact on rural and visual amenity or road safety.*

*“The openness of the large gardens in Strensall village along the west side of Moor Lane/Princess Road, both sides of Lords Moor Lane (to the north of York Golf Club) and along the north side of The Village shown on the Proposals Map should be maintained.”*

*“Open spaces, particularly those designated as Local Green Spaces, should be safeguarded and enhanced.”*

*“Views*

*“The impact of development proposals on the key views identified on the Proposals Map should be assessed through a Landscape and Visual Impact Assessment. Development should be designed to incorporate views over adjacent countryside, where appropriate.*

Highways and Rights of Way – change “must” to “should”.

**Recommendation 12: Revise Policy DH2 as follows:**

Include a new heading “Heritage Assets” and include the first two points of Scale and Massing revised as follows:

***“Development within or affecting the setting of Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas, Listed Buildings and other designated and non-designated heritage assets should respect the significance of the heritage asset and make a positive contribution to the conservation of the heritage asset. Proposals will be considered in accordance with national and Local Plan policies and will take account of the Conservation Area Appraisals and significance of the heritage assets.”***

Revise the third paragraph second line of Scale and Massing to read: ***“...and make a positive contribution to local character and distinctiveness of the character area as identified in the Strensall with Towthorpe Character Appraisal. If appropriate....”*** Add the following to the end of this paragraph: ***“Buildings of an outstanding contemporary design will be supported.”***

Revise the heading “Layout” to “Open Space” and include the following:

***“Open spaces shall be provided on site as part of development proposals in accordance with the requirements of the City of York Local Plan. Open spaces should be designed to provide an attractive feature to enhance the appearance of the development as well as provide areas for children’s play, sports and allotments.***

Include the two paragraphs from Layout in the Open Space section. Add ***“where appropriate”*** at the beginning of the first paragraph of “Layout”.

Revise the second sentence of “Boundary Treatments” to read: ***“Where appropriate, front boundaries should be defined....”***

Add the following to the end of the first paragraph on “Roof Form”: ***“.....or modern materials with a similar appearance.”***

Replace the second paragraph on Roof Form with ***“Roof forms and materials are expected to match desirable local characteristics, particularly in conservation areas. Plan depth should be sympathetic to desirable existing village plan forms so as to generate familiar pitched roof geometries and roof heights.”***

Add the following to the justification: ***“Conservation Area Appraisals for the Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas provide an assessment of the character of the conservation areas and identify suggestions for future management improvements.”***

**Recommendation 13: Combine Policies DH3 and DH4 as follows:**

- “1. Where there is a proposal to alter, replace, or create new shopfronts, it will be supported where:
  - a. the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;******

***b. Shopfront signage is of a scale, design, material, finish and position within the fascia, to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and***

***c. Lighting is fitted externally and without the use of internal box lighting.***

**2. *Within Strensall and Towthorpe Conservation Areas, and on buildings identified as heritage assets:***

***a. Restoration of original shopfronts will be supported. Proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.***

***b. Illumination of signage will be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.”***

**Move the final paragraph of Policy DH3 on historic photographs to the justification.**

**Recommendation 14:**

**Revise Policy DG1 as follows:**

***“To be supported, development within the Strensall Park area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:***

- j. Buildings of two storeys;***
- k. Houses laid out around a narrow highway, with grass verges and trees. The central grassed area with mature trees provides a focal point to the estate and is a key feature;***
- l. Housing set in generous gardens;***
- m. Roofs pitched parallel to street. Flanking walls incorporated with mono-pitched flat roof garage;***
- n. Multiple flue chimneys located on ridge line and at gable ends;***
- o. Constructed of red brick, rendered and painted white, with roofs of modern clay pantiles;***
- p. Upvc doors and window frames;***
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;***
- r. Low brick boundary walls and gate piers with stone coping detail. Metal gates at driveway and footpath entrances.***

**Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”**

Revise Policy DG2 as follows:

***“To be supported, development within the Alexandra Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:***

- j. Buildings of two storeys and semi-detached;**
- k. Houses on the south side of the street with principal facades to the south (rear);**
- l. Housing set in generous gardens;**
- m. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet;**
- n. Multiple flue chimneys located on ridge line or located centrally within roof slope;**
- o. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;**
- p. Upvc doors and window frames;**
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;**
- r. Variety of post and wire fencing and hedge boundary treatments;**

**Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”**

Revise Policy DG3 as follows:

***“To be supported, development within the Howard Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:***

- j. Buildings of two storeys;**
- k. Houses on the south side of the street with principal facades to the south (rear);**
- l. Housing set in generous gardens with mature trees;**
- m. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet.**
- n. Multiple flue chimneys located on ridge line or located centrally within roof slope;**
- o. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;**
- p. Upvc doors and window frames;**
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;**
- r. Variety of post and wire fencing and hedge boundary treatments;**

**Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”**

Revise paragraphs 5.4.19 – 5.4.20 to reflect the latest position agreed at the Local Plan Examination on these sites.

**Recommendation 15: Delete Policy DG4.**

**Retitle Policy DG5: Development at Queen Elizabeth Barracks, Strensall**

Revise the Policy to read:

**“1. Development at Queen Elizabeth Barracks will be permitted where:**

**C. It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and**

**D. Residential development, if proposed as part of development at QEB:**

**(i) Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC; and**

**(ii) Reflects the housing need identified in City of York Council’s latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.**

**G. Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or reprovision of sports and community floorspace at the site, with provision for wider community access to the newly provided facilities.**

**H. The wider impacts of the development on social and community infrastructure in the locality, including education and local retail/services provision, have been assessed and mitigation secured through conditions or planning obligations.**

**I. Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to the design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.**

**J. It can be demonstrated that development has had regard to the following design principles:**

**iii. the incorporation of landscaped areas; and**

**iv. the retention of mature trees where possible and supplemented by new tree planting where appropriate.**

**2. A masterplan should be developed for the site reflecting the principles set out in revised Policies DG 1 -3 and should be informed by a Heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and**

*demonstrate how proposals would respond to and where appropriate incorporate these into the design of the development.”*

Include a diagram within the text to show the location of sports provision and the community hall at the Barracks. These only need to be shown on the Proposals Map where they are referenced under other policies.

Show the site on the Proposals Map in accordance with that shown on the Updated Proposals Maps May 2022, renamed from DG4 & DG5 to Policy DG5.

Update paragraph 5.4.22 to reflect the outcome of Local Plan examination.

**Recommendation 16: Revise Policy DG6 as follows:**

Revise the first paragraph of the policy to read: *“.....a mix of affordable and market housing .....understanding of local housing need within the Parish in accordance with the latest strategic or local housing needs assessment.”*

Delete the second paragraph. Add a new Community Actions: *“The Parish Council will seek to ensure that affordable housing is made available to those with a local connection to the Parish in the first instance, in accordance with the local connections criteria set out in Appendix Three.”*

Revise paragraph 5.5.5 to refer to latest data on housing need. Delete paragraph 5.5.1.

*“5.5.5: The City of York Council’s Local Housing Needs Assessment (2022) sets out the latest evidence of the property size and tenure needs across the City. It confirms, for example, that the focus of affordable home ownership and affordable rented provision should be on 2-bed properties. However, the mix applied to individual development sites should also be informed by the nature and character of the area, along with understanding of the existing mix and turnover of properties within the Parish.”*

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neighbourhood plan, the amount to be paid to the Parish Council increases to 25% (*uncapped*) of the levy revenues.

***“7.4 This money can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area. This means Strensall with Towthorpe Parish Council is free to spend the money on projects that will directly benefit the neighbourhood area as long as the money supports growth of the settlements.***

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