

# *Murton Parish*

## Neighbourhood



**Neighbourhood Plan**

**Submitted Version**

**(Regulation 16)  
September 2024**

## *Plan*

**2024-2044**





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**Isobel Waddington  
Chairman, Murton Parish Council (2009-2023)**

**Richard Clancey  
Chairman, Murton Parish Council (2023- )**

# **1. FOREWORD**

Neighbourhood Planning involves making our own local decisions about what we think is important and needs protecting, and what we think needs improving.

Ten years ago, Murton Parish Council decided to find out more about new Government legislation – Neighbourhood Planning - which devolves planning powers to local communities. This in effect means that communities themselves can shape the places in which they live and work. We asked a small group to investigate the idea, and this group later evolved into the Working Party that has been taking this forward in consultation with the community.

Murton is helping to lead the way as one of 17 parishes in York creating their own Neighbourhood Plans. If our Plan is agreed, the Parish collectively can then decide what kind of planning (new buildings, community facilities, etc) we want in the future.

Throughout the process of producing the Neighbourhood Plan, the feedback revealed an overwhelming sense that the Parish is seen as somewhere which is a very desirable place in which to live, in particular how the Green Belt acts for the good, both for the Parish and for the inner City of York. This is reflected in our priorities within the Plan.

So, we now present this Submission report on behalf of the community of residents, businesses and others who have a direct interest in the Parish.

We could not have done this without a great deal of work from other organisations and individuals which we acknowledge in the Report.

Isobel Waddington Chairman, Murton Parish Council (2009-2023)

Richard Clancey Chairman, Murton Parish Council (2023- ) and Murton Parish Neighbourhood Plan Working Party

## 2. THE PLANNING FRAMEWORK

1. This section briefly explains how the new Murton Parish Neighbourhood Plan fits in to the bigger planning framework that already exists at city and national levels.

### Devolving planning powers to communities

2. The Localism Act 2011 introduced new rights and powers for communities. These added a new 'neighbourhood' layer to the planning system which is central to the package of planning reforms aimed at giving people the opportunity to shape the places in which they live and work. At the heart of this new neighbourhood layer is the Neighbourhood Plan.

### The Murton Parish Neighbourhood Plan

3. Once completed and approved, the Murton Parish Neighbourhood Plan becomes part of the statutory development plan for planning and allows our community to develop a vision and policies to shape the future development of the Parish.

### How will Murton's Plan fit into the bigger picture?

4. As well as giving Murton its own planning power, the Murton Parish Neighbourhood Plan will also be part of the larger planning framework and must reflect this in **three** ways.
5. First, it must meet the '**basic conditions**' set out in planning legislation. These are:  
*having regard to national planning policies and guidance;*
  - being in general conformity with strategic local policy;
  - achieving sustainable development;
  - not breaching EU obligations.
6. In addition, the Neighbourhood Plan must comply with human rights legislation.
7. Second, it must be guided by the National Planning Policy Framework (NPPF). The NPPF sets out three overarching objectives for achieving sustainable development, economic, social and environmental;  
**an economic objective;**  
**a social objective;** and  
**an environmental objective**

8. Third, the Murton Parish Neighbourhood Plan must also be guided by the emerging City of York Local Plan, which gives 'the strategy vision for the city'.
9. The Murton Parish Neighbourhood Plan is intended to cover the period from 2024 to the end of 2044. During this time the Parish Council will monitor the plan and consider whether any revisions are necessary.

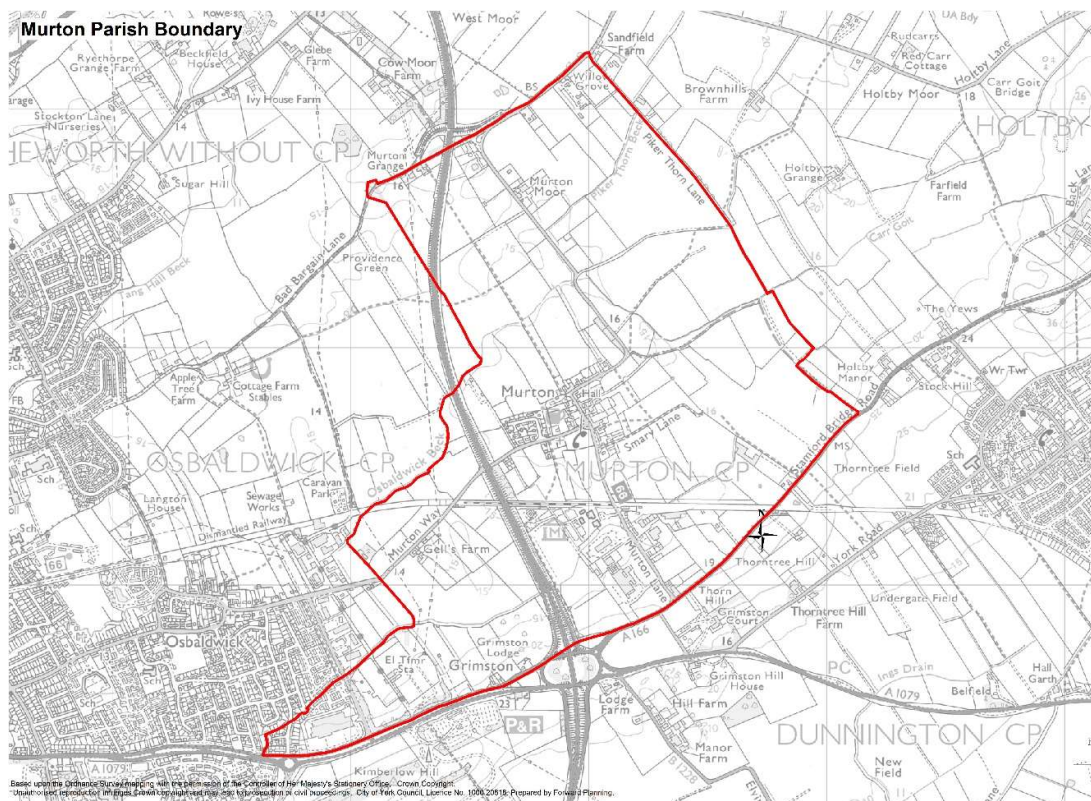


### 3. PREPARATION OF THE MURTON PARISH NEIGHBOURHOOD PLAN

#### The story so far

10. The process began when Murton Parish Council first approved the development of the Murton Parish Neighbourhood Plan. This was so that the views of residents and stakeholders would have more influence in the future over planning matters within the Parish area. The actual area to be covered by the Plan, which follows the Parish boundary, was formally approved by the City of York Council (CYC) on July 23rd 2015.

*Murton Parish: Neighbourhood Plan Boundary Designated area agreed by the City of York Council, July 23rd 2015.*



11. The Parish Council then set up a Working Party with terms of reference. The Working Party has worked with professional consultants specialising in this field and with the CYC Planning Department and with other relevant CYC Departments. The work has been part-funded through a series of grants from Locality (an organisation responsible for overseeing the allocation of funding for the development of Neighbourhood Plans) and the City of York Council.

12. Residents, local organisations, businesses and landowners in the Parish have all been involved *via* consultation in developing the Neighbourhood Plan. The Working Party has reported on its progress at the monthly Parish Council meetings. Details of all minutes, meetings, consultation questionnaires and supporting documents have been made available on the Murton Parish Council's website. A schedule of the consultation process is given in the document entitled ***Consultation Statement***.
13. In addition, environmental screening of policies and proposals within the draft Neighbourhood Plan has been carried out and are contained in two separate documents, ***The Strategic Environmental Assessment Screening Report*** and ***The Habitat Regulations Assessment Screening Report***.

## **What is happening now?**

14. The Neighbourhood Plan went through a six-week consultation process within the Parish. All residents, businesses and bodies with a direct interest in the Parish received a pamphlet which summarised the Plan and opportunities were given for study of the detailed Plan itself and all relevant papers.
15. After this consultation, we revised the Plan to take account of responses received from residents, businesses and official bodies before sending it to the City of York Council.
16. Further, we prepared, during this period, two further documents:
  - i. Basic Conditions Statement
  - ii. Consultation Statement
17. Following submission to the City of York Council further discussions took place to 'sharpen' the wording of the Policies and to align with modifications to the Local Plan following the Inspector's hearings during 2022 to 2024.

## **The final steps**

18. The City of York Council will ensure that the Plan conforms to the Neighbourhood Plan regulations and then publish the Plan for 6 weeks. This period allows all those interested to send further comments.
19. The City of York Council will then send the Plan to an independent examiner who will ensure that the Plan complies with all relevant national legislation and guidelines. This is known as the *examination*.

20. After the examination, the City of York Council Executive Members will decide if they agree with the Examiner's Recommendations and whether the Plan should proceed to a *referendum*. If it is approved by a simple majority in this referendum, the Plan will become part of the City of York's development plan to guide future planning decisions in the Parish.

## **4. OUR AIMS**

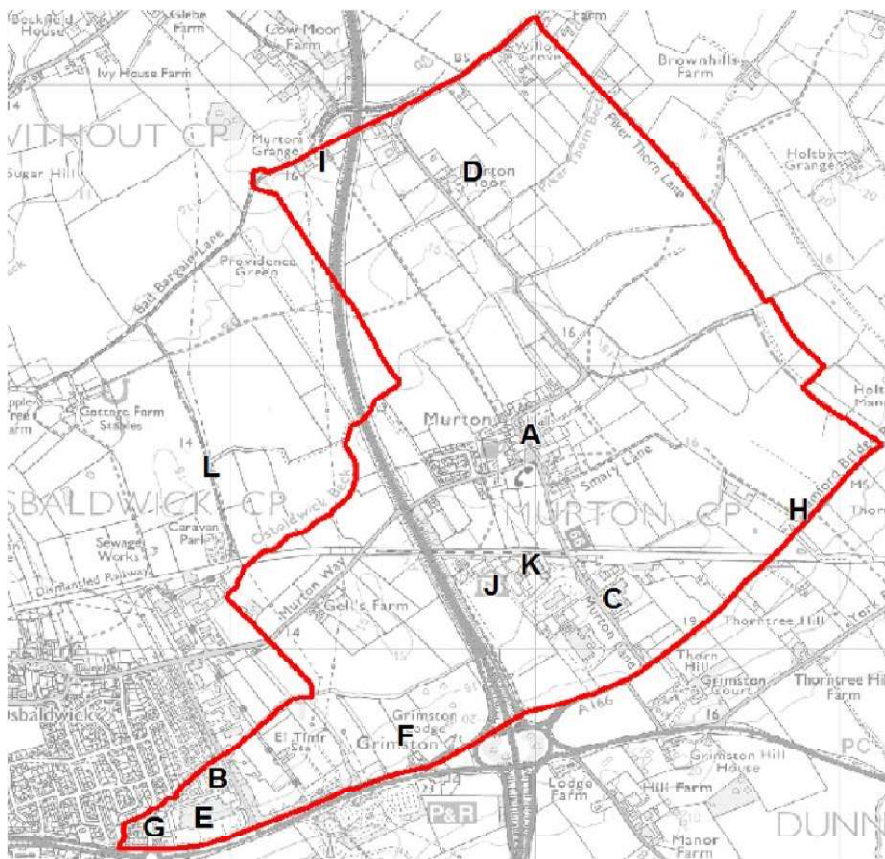
21. The Murton Neighbourhood Plan, which will guide future planning decisions, respects the requirements of national and local planning frameworks and, in particular, the wishes of residents, businesses and landowners in the Parish. The Plan is made up of a series of policies which cover important topics ranging from housing to biodiversity. These policies are all derived from four key principles or aims that ensure the Neighbourhood Plan can be an effective tool in decision making and conflict resolution.
22. These aims are to:
  1. Ensure that the Parish is a sustainable settlement, offering a balanced mix of uses, including a range of employment and community facilities;
  2. Maintain Murton's distinctive character as a rural settlement on the edge of York;
  3. Allow Murton to adapt to meet current and future needs;
  4. Ensure that any new development has a strong sense of place, creating safe, convenient and sustainable environments.

## 5. MURTON PARISH

23. This section summarises the data given in Appendix A, *The Murton Parish Neighbourhood Plan: Its Context and Data* which in turn depends heavily on the 2021 Census Data (Appendix E)

### Overview of key sites in the Parish

*Figure A - Plan showing position of key sites in the parish*



#### Key:

- A:** Murton village
- B:** Redbarn Drive, Meam Close, Moins Court
- C:** Murton Business Park
- D:** Moor Lane Business Park
- E:** B&Q and Inner Space Station garage
- F:** Grimston
- G:** Tranby Avenue and Cavendish Grove
- H:** Stamford Bridge Road
- I:** Murton Grange
- J:** Murton Park – Yorkshire Museum of Farming
- K:** Derwent Valley Light Railway
- L:** Outgang Lane

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### Size and access

24. Murton Parish covers an area of ca 340 hectares on the eastern edge of the city of York. This area sits between two main roads radiating out from the city, one going to Hull and the other to Scarborough. The Parish's western (city-side) boundary is about 3 km from the centre of York and the Minster can be seen clearly from many parts of the Parish including the village.

25. The Parish is well sited for access to other parts of the country. It is close to a major trunk road, A64, which links to the main north-south roads, M1 and A1 and thence to the east-west M62. It is also within 6 km of York railway station which provides north-south trains to London, Newcastle and Edinburgh and the east-west system to Hull, Leeds, Manchester and Liverpool.
26. The Parish lies within the proposed York Green Belt which becomes the most strategically important decision in the Local Plan to determine the issues discussed in the Neighbourhood Plan.

### **Residential settlements**

27. There are two main areas of defined settlement. One is the village at the heart of the Parish, with 139 dwellings and with a Conservation area (Figure 3). The other is adjacent to the Hull Road on the southern boundary with 119 dwellings.
28. There is a vivid contrast between the two areas. The village retains much of its eighteenth and nineteenth century built fabric and traditional form with long narrow plots and with development limited to the frontage.
29. It is bounded by fields on all sides, although the rural gap to the south is quite narrow. The boundary between the village and the surrounding fields is irregular, having been historically determined by field and plot boundaries. The view towards the village from all sides emphasises its rural nature and location. Likewise the views from the village are predominantly rural, with distant views of the Yorkshire Wolds and the North York Moors.
30. The field adjacent to the Church brings the countryside into the heart of the village. With the exception of a few houses in Murton Garth, all properties in the village have views across open countryside.
31. Historical information is given in brief in Appendix B, *A Brief History of the Township of Murton*.



*Picture: Meam Close*

32. The other settlement is on the southern boundary of the Parish, adjacent to the Hull Road which goes eastwards from York towards Hull. Many of these dwellings are in a recent (turn of the century) estate. The estate is attractively laid out and contains a mix of apartments, terrace houses and semi-detached houses and with an open space near the entrance to the area. Further towards York, some houses were built from the 1930s.

## **Resident population**

- 33. The 2021 Census gives a total of 655 inhabitants, a small reduction from the 2011 Census. The two areas described above are distinct as can be seen from the Census data with differences in age profile, ethnic distribution and country of birth, partnership status, social grades, educational attainments, health, housing types and tenure and employment activity (Appendix E).
- 34. There is a high level of satisfaction expressed by residents (Consultation Statement) living in both areas which is discussed in Section 8.
- 35. The Parish Council has a duty to ensure that the two disparate areas are considered equally when any decisions are made concerning the Parish.





*Picture: An aerial view of Murton village, 2020*

### **Businesses and agriculture**

36. The dual contemporary and traditional characters of the Parish are further reflected in the diverse portfolio of businesses it hosts. Of these, farming has played a pivotal role for centuries and continues to do so, both commercially and as a key contributor to the broader living experience valued by residents.





*Picture: Open farmland in the Parish. The photograph was taken from a Public Right of Way, Smary Lane. Much of the land is susceptible to flooding in the winter.*

37. Although many businesses are related to agriculture, the portfolio also includes the leisure, retail, food processing and recycling sectors, along with several well-established home-based entrepreneurial businesses. All these activities provide employment, taxes and support to the regional and national economies.
38. Commercial activity occurs broadly in three areas within the Parish:
  - Murton Business Park, adjacent to the A166, the York-Stamford Bridge Road (Figure A, location C), and the area close by;
  - An area along the Hull Road (Figure A, location E);
  - Moor Lane and Bad Bargain Lane. (Figure A, locations D and I).
39. Much the largest footprint, and with profound environmental consequences for the Parish, is that of the farms. The existence is integral to the overall pleasure and well-being cited by residents, and which is recognized in the Neighbourhood Plan.



*Picture: York Auction Centre plays a very important part in our economy, used by farmers from all over Yorkshire and neighbouring counties. Here you see two of the myriad of sales at the Centre*



## **6. POLICIES**

### **6.1 Introduction**

#### **(a) Policy topics**

40. There are five policy topics in the Murton Neighbourhood Plan:

1. Murton's Green Infrastructure
2. Heritage, Character and Sustainable Design
3. Employment
4. Housing and Community
5. Transport and Movement

#### **(b) Influences on the Policy topics**

41. These topics in turn contain 13 policies which have been informed by the basic conditions and the objectives and policies of the National Planning Policy Framework and the emerging City of York Local Plan.

42. Further, they have been framed to meet the comments, aspirations and concerns of the residents and local businesses of the Parish, developed during the many forms of consultation (Consultation Statement).

43. One of the forms of conciliation was a series of questionnaires that were enthusiastically answered by residents and employers, which had a large influence on the policies. The overriding impression from the consultations, and this pervades the policies, is one of enjoying living in the Parish. For example, the questionnaires asked residents about their satisfaction with the Parish as a place to live. 92% of the respondents living in the village were either very satisfied (39%) or satisfied (53%). A similar result (43% and 55%) came from respondents living on the southern periphery. Comments endorsing these views included:

- Really lovely area to live
- Quiet, friendly
- I'm happy where I live
- Nice family area
- The area is very nice
- Have been happy to live here for 40 years
- Perfect for family life

44. However, respondents also raised two major problems which are addressed in other parts of the Neighbourhood Plan:
- the speed and density of traffic
  - anti-social behaviour, principally the noise and litter generated by the large student population living in Houses of Multiple Occupancy (HMOs).

**(c) Murton Parish and the York Green Belt**

45. 'Murton Parish is a wonderful place to live but its Green Belt needs to be protected from encroaching development which would destroy its rural character'.
- This is a typical free-response answer within the consultations, which showed concern for the preservation of the Green Belt and the importance of preventing coalescence of the village with the industrial area and with Osbaldwick. Indeed, this concern was expressed by 94% of the respondents in the village questionnaire and 98% of those answering the questionnaire designed for the households on the southern periphery of the Parish.
46. In one appeal decision<sup>1</sup>, concerned with the boundary between the village and the Murton Business Park, the Planning Inspector wrote:
- "I consider that the proposal has reduced the openness of this part of the Green Belt. I therefore concur with the parties that the proposal is inappropriate development. Accordingly, I give substantial weight to the harm to the Green Belt arising from the inappropriateness of the proposal."*
47. In another appeal<sup>2</sup>, concerning the centre of the village, the Planning Inspector wrote:
- 'Moving to the effect on the character and appearance of the area, the fundamental aim of Green Belts is to keep the land permanently open. In this context, a public footpath crosses the site linking Murton Lane/Moor Lane to the open land and public access opportunities to the east. A little more to the east there are two further public footpaths, from which the site is clearly visible. One runs roughly from the north-west to the south-east and the other*



*Field in the centre of the Village, adjacent to the Village Green and Church*

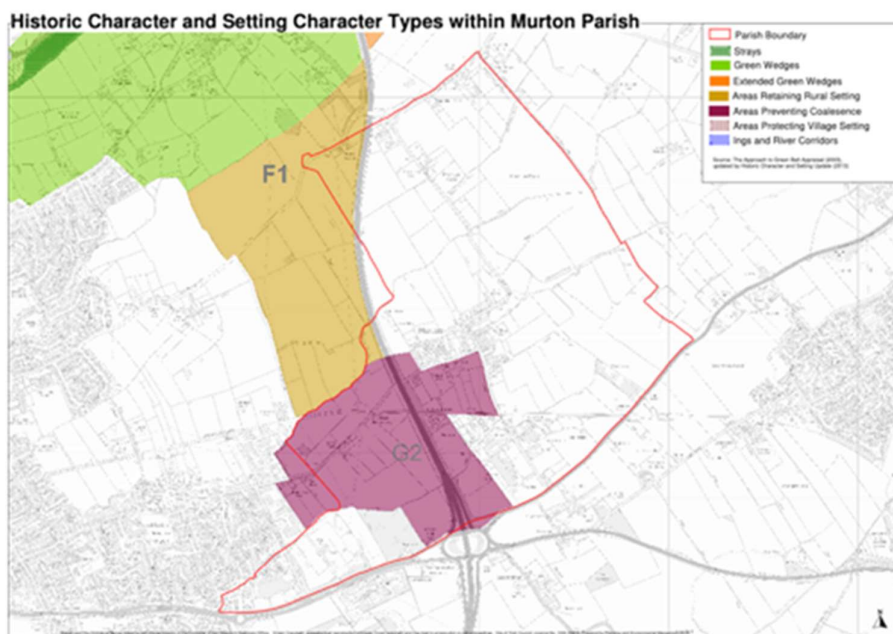
<sup>1</sup> APP/C2741/A/09/2119021 March 30th 2010.

<sup>2</sup> APP/C2741/A/14/2221021 April 13th 2015



*is an extension to Smary Lane. Further still to the east, there is a public bridleway from which the appeal site can also be seen, especially bearing in mind the elevated vantage point for those on horseback. Thus, the openness of the site and its appreciation would be severely compromised by the appeal scheme. In addition, this project would extend the built envelope of the village into the open countryside, utilising agricultural land, albeit lower grade. This would be significantly harmful to the character and appearance of the area and this itself constitutes a very strong objection’.*

48. Indeed, the York Green Belt provides the fulcrum of the entire Neighbourhood Plan. Its influence is all-pervading as it included the whole Parish except for two closely defined area for businesses (Figure A, locations C and E).
49. Assuming adoption of the emerging City of York Local Plan, applications for development in the Parish will be assessed against the emerging Local Plan Policy SS2 (The Role of York’s Green Belt) and the Local Plan’s Chapter 10 - Managing Appropriate Development in the Green Belt (Policy GB1). In particular, *‘New building in the Green Belt is inappropriate unless it is for one of the exceptions set out in policy GB1’.*
50. The emerging Local Plan also defines areas (see plan below) which will maintain the openness of the Green Belt in terms of:
  - (i) Areas retaining rural setting
  - (ii) Green wedges and
  - (iii) Areas preventing coalescence.



*Murton Parish:  
Historic  
character and  
Setting character  
types*

51. An area on the southern boundary is defined, in CYC's document 'Historic character and setting technical paper update June 2013, as an area preventing coalescence: *'.....the site forms part of the wider views of the City, rising significantly towards Grimston Bar Roundabout and Hull Road. There is particular concern about the land adjacent to Grimston Bar Roundabout because it is very prominent due to its rising topography and the narrowness of the area in relation to the Ring Road.....There is also evidence of ridge and furrow (Linear remains of Medieval agriculture) in the fields to the north of the area'*



*Picture: Murton Way, linking Murton with Osbaldwick. The photo shows the success of the policy of preventing coalescence between the two villages. In the foreground there is A, St James's Church, on the left and B, Fern View on the right. Further down, on the right, is Murton Garth and on the left, C, Anvil Cottage, D, Prospect Farm House and E, Buff and Red Cottages.*

52. This is contiguous with an area between Osbaldwick and Murton on either side of Murton Way (defined as an area preventing coalescence) and stretching to the north, west of the A64 (defined as an area retaining rural setting). This in turn runs into a green wedge. Thus Murton Parish is clearly defined in terms of a rural area and there can be no coalescence between Murton village and Osbaldwick. Furthermore, the Green Belt boundary for the Murton Business Park is tightly drawn so that there cannot be coalescence between it and the village.

53. In spite of the restrictions imposed by the Green Belt, new development proposals were nevertheless looked at very carefully. The succession of site allocation proposals for the emerging City of York Local Plan was examined together with other initiatives put forward in Working Party discussions. In each case, we were limited by the overarching proposal in the emerging City of York Local Plan that we are deemed to be in the Green Belt

**(d) How the policies are developed in this Section**

54. To aid the reader, the following Sections are arranged in terms of the objectives in the National Planning Policy Framework. Sections 7.2 and 7.3 cover the **environmental** objectives. Sections 7.4 and 7.5 address the **economic** and **social** objectives, respectively. Section 7.6 surveys Transport and Movement.
55. As a further aid to the reader, the policies are described below using the following structure where possible:
1. **The purpose of the section** – a summary of what it aims to achieve
  2. **Justification for the policies** - the evidence for why the policies are needed - based on
    - (i) The National Planning Policy Framework (NPPF)
    - (ii) The emerging City of York Local Plan
    - (iii) Responses from consultations
    - (iv) Where applicable, other information
  3. **The Policy** – the official wording of the policy
  4. The interpretation of the Policy – how it will be used.

## 6.2 Murton's Green Infrastructure

### Purpose

56. To identify, protect and enhance Murton's rural environment and green spaces (Figures 1 and 2).

### Justification for Policies ENV1 and ENV2

57. As the NPPF acknowledges, we should protect and enhance valued landscapes and sites of biodiversity and recognize the '*intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services*'. We depend on the farming community to provide and maintain much of our green infrastructure which enhances the conditions in which we live, and which is so often wrongly taken for granted. This cannot be overemphasised.
58. The emerging City of York Local Plan already designates the churchyard at St James's as open space but there are other opportunities to enhance the environment, including through Local Green Spaces. Based on the criteria in the NPPF, and following consultation with the local community, four sites in policy ENV1 have been identified as local green space.

#### Policy ENV1 Local Green Space

Local Green Spaces as identified below and shown within figures 1a and 1b (Annex 1) should remain as open space and their community value must be maintained or enhanced. These are:

The village pond, off Moor Lane  
The village green, Murton Way  
Allotments, Moor Lane  
The Grassed area, off Osbaldwick Link Road

Development proposals that would result in the loss of, or have a significant adverse effect on, an identified Local Green Space will not be supported.

### Interpretation of Policy ENV1

59. By protecting community value and the Parish's open character, the policy precludes most development in Local Green Spaces for the benefit of residents and openness.



A possible exception may be a small-scale development that directly supports the community value of the space but without compromising its open character.

60. Development proposals affecting the setting of areas of local green space should consider issues of noise, visual impact, access and overshadowing. Appendix G contains details of the local green spaces.

### **Policy ENV2 Green Infrastructure**

Development proposals will be supported where they are designed to respect the natural environment of Murton Parish and do not cause harm to its integrity and longevity. Development proposals should take particular account of the following elements of the natural environment:

- Local hedgerows (figure 2, Annex 1)
- Significant green spaces
- Community, wildlife, amenity space and other values are preserved or enhanced, and particular regard must be made in avoiding harmful impacts on hedgerows and trees.

Development proposals will not be supported where harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site, adequately mitigated or, as a last result compensated for.

### **Interpretation of Policy ENV2**

61. The policy seeks to protect the natural environment of the Parish which includes, in particular, the rural character of the Parish and the landscape setting of the village. Whilst the policy cannot identify every element of green infrastructure in the Murton neighbourhood area it might otherwise include trees, woods, hedges, ditches, green field margins, flora and fauna.
62. Modern conservation principles towards flora and fauna should be encouraged to retain as much green area and as many existing trees as possible in order to maintain a continued abundance of wildlife. This includes the protection of hedgerows, tree species and verges. The planting of native trees and shrubs, together with the reintroduction of hedges both within and on the periphery of the village should be encouraged as part of any landscape scheme to support wildlife, screen noise and maintain the natural landscape. Development proposals should be designed to retain trees and hedgerows of good arboricultural, ecological or amenity value.

63. There are, further, hedges, described in Appendix F, which have 4 or 5 species of shrubs of interest and which play an important role in assisting breeding of many species. Where sites are not of a quality warranting designation, CYC's emerging Local Plan notes that their 'retention and good management are critical to retaining York's biodiversity' and will provide the source for enhancement and expansion of the resource. As para. 9.11 of the emerging City of York Local Plan says:
64. 'Trees and hedgerows provide a range of far-reaching environmental benefits; they contribute to biodiversity, the wellbeing of humans, the amenity of York's green infrastructure, and landscapes both rural and urban. It is therefore important that hedgerows, trees and overall tree cover are retained where they are of significant landscape, amenity, nature conservation or cultural value.'
65. However, in general, hedges and fields listed are in need of careful management. The hedges are protected under the Hedgerow Regulations, 1997 and require planning consent for removal as approved by the City of York Council. There are also several fields which are good examples of the farming methods of the Middle Ages, where there is distinct ridge and furrow.
66. Trees are a recognised heritage asset and, as noted in the Council's draft Local Plan, *'form an important element of the authority's green infrastructure'*. However, neither the village nor the surrounding areas is well endowed with large trees, as noted in the Village Design Statement. The few large trees within the village boundary are important to the visual impact of the village. Efforts will be made to plant more trees of an appropriate heritage. The Parish Council will encourage the Local Authority to implement TPOs where appropriate.

### **6.3 Heritage, character and sustainable design**

#### **Purpose**

67. To ensure that development is well-designed, sustainable, and respects the unchanged village lay-out and contributes to the distinctive character of Murton Parish, complementing its historic and rural character.

#### **Justification for Policies ENV3 – ENV7**

68. The NPPF states that that:  
*'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in*

*identifying the special qualities of each area and explaining how this should be reflected in development’.*

69. Further:  
*‘Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’.*
70. Protection of the Green Belt may lead to changes in buildings. This will create, in turn, pressures on the buildings in the Parish which are of heritage value. Chapter 16 of the NPPF is clear that these heritage assets which *‘range from sites and buildings of local historic value to those of the highest significance’* are *‘an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’*. It points out further that the strategy to be adopted in planning should take account of *‘the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring’*.
71. The Murton Conservation area (City of York No 34) was designated in October 2005 and covers much of the older part of the village (Appendix C). Any development proposals must adhere to Policy D4 (Conservation Areas) in the emerging City of York Local Plan. All designated heritage assets are shown in Figure 3 in Annex 1.
72. The village itself is built on slightly raised ground between Osbaldwick Beck to the north and east and a smaller beck to the south. However, much of the Parish is flat and low-lying, and the water table is high and drainage is poor. This means that significant parts of the Parish are liable to flood. The Foss Internal Drainage Board has advised on the inadequacy of local surface watercourses and indicated that any increase in surface water discharges from new or redevelopment may cause problems. There must, therefore, be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years.

### Policy ENV3 Historic Environment

Development proposals will only be supported that preserve or enhance the historic character of the Parish and setting of the historic village through high-quality, creative, site-specific design in line with the Murton Village Design Statement.

Particular regard must be to avoid impacts on key features of the village and their settings which are shown below and identified on Figure 4(Annex1). Collectively these must be preserved to maintain the Murton village conservation area.

(i) The following buildings are Grade II listed:

- The Church of St James and churchyard, ca 1200
- Murton Hall, Late 18th century with 19th century additions
- The coach house to Murton Hall, Late 18th century
- The garden wall and gazebo to Murton Hall, Late 18th century

(ii) The following are identified in the Murton Village Design Statement for their positive contribution to the historic character of the village. The VDS suggests that 'Development must also preserve or enhance [the following] buildings and their setting':

Red and Buff Cottages

Rose Farm

Fern View

Anvil Cottage

Prospect Farm

The Villa

Lilac Tree House and Cottage

Jasmine Cottage

The Bay Horse

The Old Smithy

Cherry Tree House (formerly Lornik House)

Pear Tree Farm House

South View

### Interpretation of Policy ENV3

73. The village and its conservation area contain a relatively large number of buildings and spaces that must be protected from harmful development. Although this policy enables creative design and should not be interpreted to imply stylistic imitation, it is essential that development be based on an analysis of the local context and be informed by that analysis.

74. Development that impinges on the open character of village streets, the churchyard, village green or landscape setting of the pond would be harmful to the historic character of the parish, so contrary to the policy.
75. A note on the building characteristics used in the village is given in the Village Design Statement and this should be adhered to throughout the Parish. Of particular note, the garth style of layout in the centre of the village must be respected.
76. Valuable heritage also exists in other forms within the Parish. Hidden away on a large flat field east of Outgang Lane on the edge of the Parish boundary is some more recent heritage in the form of a World War 1 landing ground for the No 76 (Home Defence) Squadron, stationed to intercept German Zeppelin raiders over York. The unit had a complement of 6 or 7 airplanes for night patrols.



*Main Street, Murton.*

**A:** *The Villa;*  
**B:** *Lilac Tree House and Lilac Tree Cottage;*  
**C;** *The Bay Horse;* **D:** *South View;*  
**E:** *Murton Hall;*  
**F:** *Jasmine Cottage;*  
**G:** *Cherry Tree House;*  
**H:** *Pear Tree Farm House;*  
**I:** *Public Right of Way 11 leading to Public Right of Way, 10.*

### **Policy ENV4 Design**

New development will only be supported where the design of the development, its landscaping and planting create an attractive, locally distinctive and well-functioning environment, with a sense of place appropriate to Murton Parish. The development must:

- Comprise creative, site-specific design solutions, responding to topography and other contextual features, and complementing the established character in terms of scale, massing, height, garden provision, and degree of set-back from the highway;
- Use high quality materials, to complement those used in the surroundings;
- Use permeable ground surface materials;
- Use sustainable and implement low carbon or carbon neutral techniques and materials; and
- A landscaped buffer zone must be provided to screen new development from any existing and adjacent housing and amenities.

### **Interpretation of Policy ENV4**

77. Policy ENV4 should be read in conjunction with other policies including HAC 1 and applies to all kinds of development in the Parish, including residential and employment although it is recognised that, because of the Green Belt opportunities for new development are very limited. High quality planting and landscaping should include native species of hedgerow and broadleaf trees. Advice from the City of York Council should be sought.
78. The policy for development avoids any kind of stylistic prescription. Indeed, creative and innovative design solutions are encouraged. These will be the heritage of the 21st century. In particular, designs that incorporate low or zero carbon use are also encouraged.
79. Where traditional materials are used, they should be authentic and compliment those in nearby traditional buildings and avoid poorer quality imitations. Modern materials may be used where they allow a high standard of detail and finish and they form part of a high-quality architectural solution. Use of reclaimed materials is encouraged.
80. Planning applications should include scale-drawings, which show proposed development in relation to its immediate context including neighbouring properties. Elevations should include sufficient detail, including larger scale sections, to ensure attention to detail appropriate to the rural and historic setting.

## **Policy ENV5 Alterations and extensions**

Alterations to buildings must take account of their architectural and building characteristics and use appropriate and authentic materials. Original features, such as chimney-stacks, must be retained. Reinstatement of missing historical features is encouraged and would be supported.

Extension to buildings will be supported where they are designed and landscaped to complement, and not over-dominate, the original building.

Where buildings are proposed for conversion to new uses, evidence of their former historic use should be retained, as part of the scheme.

### **Interpretation of Policy ENV5**

81. Alterations should use authentic materials, profiles and constructional techniques, based on analysis of those used in the existing building.
82. To prevent new extensions dominating the existing building, the extension should be of lesser scale and set back from the building line. With extensions there is scope for similar or contrasting styles, providing they are carefully designed and subservient to the original building. Indeed, using lighter and more transparent construction can be a way of minimising impacts on traditional buildings.
83. Close attention should be paid to the quality of materials and finishes and the relationship between new and old parts of the building. Authentic traditional materials or very high quality modern materials (such as glazing) could be used, but 'imitation' traditional materials such as concrete roof tiles or uPVC timber replacements would not be appropriate.
84. As discussed above, the landscaping and planting must be of high quality and should include native species of hedgerow and broadleaf trees where appropriate, and advice from the City of York Council should be sought.





*An example of a satisfactory change of use of agricultural buildings in our Parish is the conversion of two derelict barns in Prospect Farm into houses. The photograph is taken from the churchyard, the barns are in the centre, Prospect Farm itself is on the right.*

#### **Policy ENV6 Flood risk management**

Development should not increase the risk of flooding and/or exacerbate existing drainage problems.

Development proposals must consider their impact on surface water management and, where appropriate, demonstrate that they have a surface water management plan, which shows that the risk of flooding both on and off site is minimised and managed. The management of surface water run-off from new development should incorporate sustainable drainage techniques and should be designed to deliver wildlife benefits, where possible.



## Interpretation of Policy ENV6

85. Flooding is of concern to residents as evidenced in consultation responses. A particularly serious harmful impact on the environment of the Parish, most flooding occurs in fields due to it being low-lying with a high water table and poor drainage. Figure 4 shows areas of flood risk. It is very important that the advice given by the Foss (2008) Internal Drainage Board is strictly adhered to.
86. The City of York Council Strategic Flood Risk Assessment (2013) assessed the different levels of flood risk in the York Unitary Authority area. This document should be referred to in planning applications to ensure that flood risk issues are taken into account in a sustainable manner.

### Examples of Flooding in fields within Murton



## **Policy ENV7 Murton Park**

Development proposals at Murton Park (figure 5, Annex 1) will be supported where:

- They maintain and / or complement the existing educational use of the site; and
- They are compatible with relevant Green Belt policy.

### **Interpretation of Policy ENV7**

87. Murton Park is located in the Green Belt, to the north of the York Auction Centre, between the A64 and the existing industrial estate, off Murton Lane. It is an important heritage asset for the village, and for York and beyond. It contains the open-air Yorkshire Museum of Farming, which illustrates the development of farming practices across the ages, and provides an educational and heritage facility. It also accommodates a host of local historical re-enactment societies. Additionally, it includes the Derwent Valley Light Railway, providing rides on a small section of the former DVLr, running to the east of York.
88. Murton Park has become a significant heritage and tourist attraction on the area, since it opened in 1982. It is important to allow the facility to continue to meet the needs of visitors and provide new attractions, in keeping with the principles of the development, and in line with its Green Belt status. Any new development therefore, must accord with Green Belt policy, whilst maintaining its openness and not conflicting with the purposes of including land within the Green Belt.



*Pictures: Murton Park contains many attractions for visitors of all ages. It includes replica Roman and Viking villages. Another attraction is the Derwent Light Railway at Murton Park Station which provides a wonderful evocation of steam trains that used to pass through Murton on their way from York into the old East Riding of Yorkshire.*



## 6.4 Employment

### Purpose

89. To continue to create a sustainable settlement with a balanced mix of uses, including employment opportunities within, and compatible with, a rural environment and to encourage, where possible, businesses already flourishing in the Parish.

### Justification for Policy EMP1

90. The National Planning Policy Framework emphasises the importance of creating and maintaining a prosperous rural economy. Among the planning policies enumerated that enable this are:
- *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
  - *the development and diversification of agricultural and other land-based rural businesses;*
  - *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*
91. A key objective in this Neighbourhood Plan is to meet these objectives by encouraging employment that is compatible to the rural environment of the Parish, but within the constraints imposed by the emerging City of York Local Plan which does not allow for any increase in the space allocated for employment.
92. These constraints are in keeping with the wishes of the vast majority of the residents in the village who are adjacent to the only area which could accommodate more land for employment. Indeed, 96% and 94% of those answering the second questionnaire (Consultation Statement) do not want any erosion of the gap with the industrial estate on Murton Lane or with the village of Osbaldwick, respectively. This sentiment can best be expressed in this comment from a questionnaire response:

*‘Murton is a very special little pocket of peace and tranquillity and it needs protecting at all levels to remain special and unspoilt in order to protect its individuality’.*

### **Policy EMP1: Employment**

New commercial and industrial development will only be supported in the following locations and where they help the rural economy:

- The established industrial estate (Figure 6, Annex 1)
- Urban brownfield sites
- Reuse of existing agricultural buildings

They should also seek to address impacts from traffic congestion and highway safety, neighbouring residential amenity, and not unduly impact on neighbouring businesses.

Where appropriate, development will also be subject to Green Belt policy.

### **Interpretation of Policy EMP1**

93. The policy enables development on employment sites outside of the proposed York Green Belt thus allowing local employment and supporting sustainable live- work patterns.
94. Suitable employment in the rural area includes functions involving use of open land, such as a horse-related business subject to compliance with Green Belt policy.
95. The scale and height of any new-build development must take account of the rural setting and proximity to housing, having regard to the design policies in the Murton Village Design Statement (Appendix D) and policy ENV4.
96. There are two main areas devoted to businesses and industry. These are:
  - (i) the Murton Business Park, an area adjacent to the A166, the York-Stamford Bridge Road (Figure 6, Annex 1); and
  - (ii) an area occupied by two businesses (B&Q and Inner Space Station in 2024) along the Hull Road, adjacent to one other.
97. Two smaller areas have businesses, one along Moor Lane at Moor Farm and the second further on the lane at Murton Grange. Both of these sites are within the Green Belt.
98. Policy EMP1 will enable employment-related development, appropriate to the rural environment of the Parish, and support sustainable live/work patterns including home working. The proximity to excellent road and rail transport connections may lead to a significant growth of home-based small businesses in the Parish.

99. There must be safeguards for the residential and associated amenities which are in close proximity to noise, disturbance, traffic movement, visual impacts, dust, vibrations and other sources of serious inconvenience. There must, too, be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years.
100. It is possible that the pattern of retailing will radically alter during the lifetime of the Neighbourhood Plan, and sites of employment may well be amenable to a mixed retail/housing development. The Plan has therefore been designed to allow the flexibility to accommodate these potential changes.
101. Farming, by area, is the dominant business in the Parish. It is also this countryside that gives so much pleasure and interest to its inhabitants and those who visit the Parish. It is protected by the Green Belt and is at the heart of the wish that the Parish plays its full part *'in preserving the identity of the settlements and villages around York. The relationship of York to its surrounding settlements is an important aspect of the city's character'* (para.3.5 City of York emerging Local Plan).



*Picture: The industrial estate on Murton Lane. The farm leading to the boundary is devoted to livestock. In the foreground on the right of the road is Murton Park Station of the Derwent Valley Light Railway and Murton Park which contains the Yorkshire Farming Museum. Beyond them are the ABP Food Group abattoir and the York Auction Centre. The buildings on the left include William Thomson (York) grain depot and L Clancey and Sons recycling centre.*

## 6.5 Housing and community

### Purpose

102. To enable housing development (including Houses in Multiple Occupation) to meet local needs and to ensure that the Parish is served by local community facilities.

### Justification for Policies HAC1 and HAC2

103. The emerging City of York Local Plan emphasises the importance of a Green Belt in order to *'preserve the setting and special character of York, while assisting in safeguarding the countryside from encroachment'*. Further, the Local Plan is adamant in its desire for each parish to avoid coalescence within the parish itself and with adjacent parishes.
104. Thus any new building has to be within these boundaries and there is a further constraint, that of 'openness', a concept emphasised in the emerging City of York Local Plan.
105. Planning for new housing in the Parish, like new employment opportunities, is complex as the extent of the Green Belt drastically circumscribes the ability of the Parish to propose any significant increase in housing and this accords with the wishes of the Parish (Consultation Statement). There must, too, be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years.
106. The questionnaire for those living in the rural part of the Parish showed that 92% were either very satisfied or satisfied with living in the village. The same question in the questionnaire for those living in the southern part of the Parish elicited an even higher satisfied response, 98% (Consultation Statement). Nevertheless, there is a serious problem with residents in some HMOs, perceived or real, which needs to be addressed by the City of York Council in collaboration with the Parish Council, as discussed below.



### **Policy HAC1 Housing Development**

Housing development will only be supported in the following locations:

- Redevelopment of housing within the built-up area of the village;
- Change of use of former agricultural buildings;
- Urban brownfield locations as part of a mixed-use scheme.

This is subject to:

- Causing no significant adverse impact on traffic congestion and safety;
- Causing no significant adverse impact on the amenities of nearby residents;
- Being an appropriate use within the Green Belt; and
- Not compromising rural employment or operations of local farms and agricultural businesses

### **Interpretation of Policy HAC 1**

107. The policy allows for very limited housing growth through redevelopment, building conversions and urban brownfield locations as part of a mixed use scheme. It will be noted that in-fill in the village is not included. In recent years attempts to build in the open spaces in the village have been resisted by recommendations of the Parish Council, using the VDS as a main source of evidence, by decisions taken by the City of York Council and ultimately by the Planning Inspectorate.
108. Policy HAC1 identifies additional opportunities within Murton to deliver some new homes without developing in the proposed Green Belt. The Policy also reflects the opinion of the residents in the village where the vast majority of those answering their questionnaire do not want any erosion of the gap with the Murton Business Park on Murton Lane or that with the village of Osbaldwick.





*Example of sensitively converted barns at Prospect Farm*

109. The development of existing industrial sites is subject to considering impacts of commercial and industrial uses. This is intended to avoid any situation where occupiers of new housing could then be affected by noise or other disturbance from established industrial or commercial uses. Planning permission should not be granted where this would be a likely consequence. Local need is not dependent on this.

### **Policy HAC2 Houses in Multiple Occupation**

Within the part of Murton parish covered by the Article 4 Direction (Figure 7, Annex 1) proposals for a change of use to a house in multiple occupation will only be supported where:

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

Applications for change of use from a HMO to a conventional dwelling house would be encouraged.

### **Interpretation of Policy HAC2**

- 110. There is no doubt a) that there is a transient population which is housed in HMOs in this area, and b) that the City Council records that this area has more than the recommended number of HMOs.
- 111. The City of York Council designated an Article 4 Direction, which came into force on 20<sup>th</sup> April 2012, within the built up part of the City (including part of the Murton Parish at its south western corner, near Hull Road), to provide planning control over the development of HMOs. This is reflected in Local Plan policy H8 (Houses in Multiple Occupation). The boundary is shown at Figure 7 (Annex 1).
- 112. Policy HAC2 is to ensure that the emerging City of York Local Plan Policy H8 is strictly enforced in the Parish, and indeed wherever possible the number of HMOs in any one area is reduced to the maximum allowable under the emerging City of York Local Plan's policies for this type of housing.
- 113. Proposals for the conversion of HMOs back to traditional dwellings do not need planning permission. However, the Plan would encourage and support such proposals.
- 114. Whilst the City of York Council has made an Article 4 Direction that restricts home owners' permitted development rights to use their property as HMOs, consultations show clearly that residents want to support this position and reinforce the Article 4 Direction. This is particularly important for Murton Parish, given its close proximity to the University, should the City of York Council withdraw or relax this Direction.
- 115. With the possibility of future expansion of the University of York and whilst pressure, generally, on available affordable housing continues in York, this policy seeks to maintain a 'balanced community' within the Murton Parish by adding weight to the existing CYC Article 4 Direction.

### **Justification for Policy HAC3**

- 116. The NPPF supports planning policies which aim to promote social interaction and community cohesion.
- 117. There is a paucity of community facilities in the Parish. At present there is only one community space, space@stjames, created in 2016 by the village in collaboration with the Osbaldwick and Murton PCC and the Murton Parish Council. It is available for a wide variety of activities, organized by a committee mainly drawn from the village.

118. The much-loved pub, the Murton Arms (formerly the Bay Horse), is, at the moment, closed by the new owner and is threatened for permanent closure. It provided a beating heart of the village and the Parish Council is trying to keep the building as a pub and/or a community centre with drinking facilities.
119. There are no community facilities at all for the households on the southern boundary of the Parish and it is there that there is the greatest demand with many good ideas which are not possible to implement for a lack of suitable space. The suggestions include clubs (book exchange, cake club, running club, craft classes, exercise classes, group dog walking) and ideas for occasional events (bonfires, picnics, fetes, walks). One mentioned a general feeling of being left out and wanting opportunities for mothers and babies to meet and activities for children and the elderly (Consultation Statement).

### **Policy HAC3: Community facilities**

The Parish Council will work with the City of York Council to help in the development of existing community facilities providing that the community value of the facilities is retained or enhanced. New community facilities will be supported, subject to:

- Causing no significant adverse impact on traffic congestion and safety; and
- Causing no significant adverse impact on the amenities of nearby residents.

### **Interpretation of Policy HAC3**

120. This policy allows and enables new community facilities to be developed, or existing community facilities to adapt to changing needs. Any loss of existing facilities and amenities would be resisted by the policy.

*Picture: The new welcome lobby to the 13<sup>th</sup> century St James's Church. The handmade local brick used blends in with the brick used in the conservation area of the village. The village raised over £60 000 for this work.*



## 6.6 Transport and Movement

### Purpose

121. To ensure that new development is supported by sustainable transport options and takes account of safety, road capacity and the impact of transport infrastructure on local character.

### Justification for Policy TRA1

122. Among the planning policies in the NPPF which concern Murton Parish are those relating to transport (paragraph 110), that:
- support ‘an appropriate mix of uses across an area, and within larger scale sites, to minimize the number and length of journeys needed for employment, shopping, leisure, education and other activities’;
  - ensure that there is ‘active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned’;
  - ‘identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development’;
  - ‘provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)’.
123. The village in the centre of the Parish is served by three roads, Murton Way (from Osbaldwick), Murton Lane (from the A166 York- Stamford Bridge Road) and Moor Lane (from Holtby, Stockton on the Forest and York). All three are narrow roads, previously single track with passing places and now, due to heavy traffic, with eroded borders which allows fast traffic. The houses on the southern periphery are served by the A1079 York-Hull Road with two roads leading off it, Tranby Avenue and the Osbaldwick Link Road.
124. Replies to the questionnaires indicate that the volume and speed of traffic is arguably the most contentious issue for residents in both areas of the Parish. 95% of the village resident response showed concern about speeding along Murton Way and 92% in the village itself. The free responses, where residents could add further comments to their answers, may be even more indicative of this concern. 51% cited traffic speed and 36% chose other traffic issues. Likewise, traffic dominated the concerns of residents of dwellings on the southern periphery. For example, 80% of the residents in Tranby Avenue are highly concerned or concerned about speeding

traffic and well over half the whole population in this area is concerned about speeding along the Hull Road.



*Picture: A new signpost, part of a Murton Parish Council scheme to improve signage. It is at the junction of Holtby Lane and Sandy Lane/Moor Lane, the latter being one of three lanes which converge on the village*

125. While these specific concerns are outside the competence of this Plan, they are returned to in Section 8: Community Actions. Nevertheless, these concerns are pertinent to development and thus this Plan. Although the Parish is not itself contributing significantly towards increasing the housing stock in York, the Parish abuts two significant developments, Land East of Metcalfe Lane (ca 845 dwellings) (ST7) and Land adjacent to Hull Road (ca 211 dwellings) (ST4). To give some perspective, the former has about six times the number of dwellings in the village and three times of that of the whole Parish, which will inevitably lead to increased traffic in the Parish. The development East of Metcalfe Lane will be the more significant, with vehicular access 'planned from Stockton Lane to the north of the site and/or Murton Way to the south of the site with a small proportion of public transport potentially served off Bad Bargain Lane. Access between Stockton Lane and Murton Way will be limited to public transport and walking/cycling links only'.
126. There are statements that 'high quality, frequent and accessible public transport services through the whole site will be sought enabling upwards of 15% trips to be undertaken using public transport'. It is the other 85% that concerns the Murton Parish Neighbourhood Plan. Although the impact on the Parish will be less than on neighbouring parishes, it will provide severe added strain on the village roads in the Parish, principally Murton Way and Murton Lane. In a Planning Inspectorate report in 2016, in which traffic was of major concern, the Inspector's report notes that the

data produced by the City of York Council on traffic flows along Murton Way are both sparse and old (dating back to 2003).'

127. It is not possible to comment further in any meaningful way as the precise access points from the proposed developments are not indicated as the emerging City of York Local Plan simply says that they '*will need to be assessed in more detail*'. Further, it is noted that '*Travel planning measures may reduce the motor vehicle trip generation but adequate transport links will need to be in place to make such measures effective*'. This is against a background in which the village has only 3 buses a day into York except for Sundays when there are none. If access were to be from Murton Way, substantial improvements would be needed, as noted in City of York Local Plan Annex 19 Site Selection Paper, to the road for the safety of cyclists and pedestrians and in the interests of local residents. Its increased use will then have grave implications for the wider network of rural roads in the area.
128. The viability of the larger development (ST7) depends on a *robust and independent*<sup>3</sup> transport assessment in relation to this site. Indeed, the survey must address the potential impact on the wider network of rural roads on the east side of York before any decision about this site can be made. The problem crystallizes when the authors of the emerging City of York Local Plan write that '*...level of improvement required, including the associated improvements/upgrades to junctions, carriageways and footpath widths etc.*' will be informed by a traffic assessment. And with that, the rural vision for our Parish disappears.
129. The emerging Local Plan also recognises that Murton is on a cycle route, heavily used by leisure cyclists, runners and commuters although two of the three narrow rural roads to and from the village do not have footpaths and the third has a width that only allows walking in single file. At peak times there is a heavy and constant flow of traffic. This conflicts with pedestrians, runners and cyclists (and horse riders) and much of the road system is derestricted.

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<sup>3</sup> APP/C2741/W/15/3135274

### **Policy TRA1: Traffic and Movement**

New developments must not have any significant detrimental impact on traffic safety and congestion on rural lanes in Murton Parish. This includes impacts on the following, existing pressure points:

- Murton Way;
- Murton Lane; and
- Moor Lane and Bad Bargain Lane.

Where highway upgrades are proposed as part of development to address capacity or safety issues, and the development will cause significant harm to the Parish and in particular to the rural and historic character of the village and its setting, any harm should as far as possible be mitigated. If development cannot be mitigated, it should be resisted.

### **Interpretation of Policy TRA1**

130. This policy highlights existing capacity problems due to the restricted rural highway network. The policy requires consequential change to the highway network to take into account the historic and rural character of the Parish. If such improvements were to harm historic or rural character, and development depended on such improvements, then the development in question would be unsustainable.



## 6.7 Developer Contributions

### Purpose

131. To alleviate the consequences of development on the infrastructure of the Parish.

### Justification for Policy DC1

132. Planning obligations (known as Section 106 agreements and the Community Infrastructure Levy) require developers to make a payment to the City of York Council based on the size and type of development that is proposed. The conditions are clearly set out in paragraph 57 of the National Planning Policy Framework.
133. Development within the Parish will be very limited during the time frame of this Neighbourhood Plan. Large developments are much more likely in areas adjacent to it which may detrimentally affect the Parish. These developments can bring significant benefits to the City as a whole, including new homes and jobs, but they will also have a serious negative impact on this Parish, for example, where additional demand is placed on facilities and services that are already at or near capacity, in our case, the road system.
134. The Section 106 and Community Infrastructure Levy funds are thus available to City of York Council to mitigate the negative impact on the Parish.

### Policy DC1: Developer Contributions

The Parish Council will prioritise the use of financial contributions, Section 106 or Community Infrastructure Levy funds to mitigate negative impacts due to development in the Parish, or adjacent to the Parish, and to improve and enhance community facilities.

### Interpretation of Policy DC1

135. The Parish will expect to receive a substantial part of the financial contributions paid to the City of York Council to help with improvements to traffic management to help alleviate the impact of the development on the Parish roads and, where appropriate, to enhance local green spaces, footpaths and cycle ways and other facilities deemed to be needed by the Parish Council.

## 6.8 Enforcement

136. The policies above are only useful if they are accepted as rational and for the common good. If they are, it is important that when they are flouted by a very small minority, that they are enforced so that the majority are not disadvantaged and the system suffers disrepute.
137. The National Planning Policy Framework has a very important guideline at paragraph 59:  
*Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area.*
138. The enforcement plan should set out how the City Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and take action where appropriate.
139. We believe that the Parish Council should work closely with the City of York to take enforcement action where appropriate and that this appropriateness should be a shared view but if there is a divergence of view, it should be clearly stated, with reasons.

## 7. Community Actions

140. The focus of our consultations was on ‘planning’, the core rationale for a Neighbourhood Plan. However, discussions with residents and the responses written in the questionnaires highlighted some issues that extend beyond this remit. These are nevertheless very important to the everyday lives of residents in the Parish.
141. Among the most important issues that most concern residents are
- Traffic through the Parish
  - Anti-social behaviour

### 7.1 Traffic through the Parish

#### Justification for Community Actions CA1 and CA2

142. A discussion of the effect of traffic in the Parish on the lives of residents is given in Section 6.7. In the questionnaire for the residents of the village, respondents cited both speeding along Murton Way and in the village as very concerned or concerned. 77% were also concerned about large vehicles coming through the Parish. Answers to these same questions from residents on the periphery of the Parish were 72% and 71% (Consultation Statement). The residents in this area were particularly exercised about the speed of traffic along the Hull Road (80%) and Tranby Avenue and Osbaldwick Link Road both with 20 and 30 mph speed limits respectively (86%).
143. We took particular notice of comments made in free response questions as these take much more effort to answer than Lickert-type questions. Of these free response questions in the questionnaire for the village, the two on traffic attracted easily the most replies (51%). A further 36% commented on some aspect of traffic in the final free response question, ‘Other Issues’, when problems such as being used as a ‘rat run’ and ‘relentless increase of traffic through the village’ were raised.
144. In a Planning Inspectorate report<sup>4</sup> in 2016, in which traffic was of major concern, the Inspector was critical about the figures produced by the City of York Council for traffic flows in the Parish. One example concerns Murton Way where he was given traffic flows along Murton Way that had been produced 13 years earlier.
145. Before viable plans for mitigating the impact of the present and future traffic can be discussed by the Parish Council with the City of York Council, an up-to-date traffic census and an independent traffic assessment are required.

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<sup>4</sup> Planning Inspectorate Report APP/C2741/W/15/3135274

146. Although there appears to be a reduction in horse riding in recent years, the number of cyclists using Moor Lane and Murton Way appears to have increased considerably over the last few years. The two lanes were used in the Tour de Yorkshire in 2015 and this no doubt encouraged others to use these roads. Cyclists are in some peril in particular along Moor Lane as it has much traffic at times negotiating its several blind corners.

#### **CA1 Traffic calming**

The Parish Council will work with the Highways Authority and other relevant authorities to give active consideration to traffic speed calming through the Parish. Any forms of traffic control should be in character with the local environment.

#### **CA2 Safer routes for cyclists and pedestrians**

Opportunities will be sought to create improved and safer routes for cyclists and pedestrians.

#### **Interpretation of Policies CA1 and CA2**

147. The Parish Council, which has endeavoured over many years to engage the relevant authorities, should seek a detailed traffic census which encompasses Murton Lane, Moor Lane, Murton Way and Osbaldwick Link Road. Traffic calming in the village is a contentious issue amongst residents and a further detailed questionnaire may elicit the best way forward. For example there are strong views, both for and against, about 'speed bumps' being installed in or near the village and it is important that all residents are given further opportunities to consider the implications.
148. With increased use of the lanes in the Parish by cyclists and their use by horse riders, the traffic calming measures for all the lanes should also be sought by the Parish Council in collaboration with other Parish Councils in the City of York and with the City of York Council. This work should include the re-routing Cycle Route 66 off Murton Lane and Murton Way on to the strip of land parallel to the disused Derwent Valley Railway land, which has been purchased by Sustrans for this purpose.

## 7.2 Parking

### Justification for Community Action CA3

149. Parking in the roadway or on grass verges is also a serious issue for many residents. 76% and 68%, respectively, of those living on the southern periphery see them as a concern. The figures for those living in the village are 75% and 60% (Consultation Statement).

#### CA3 Parking

The Parish Council should initiate a discussion with the residents and businesses on viable ways to reduce the parking of cars in the roadway and on grass verges.

### Interpretation of Policy CA3

150. Similar to the solution of other traffic problems, there are strong views for and against a more vigorous campaign to reduce parking in the street and on verges and it is important that all residents can express their views.

## 7.3 Anti-social behaviour

### Justification for Community Action CA4

151. In the answers to the questionnaires, there was considerable concern about fly-tipping, litter, dog fouling and other anti-social behaviour. For example, 81% and 90% answering a questionnaire produced for those who lived in the village and nearby, were very concerned or concerned about the litter and fly-tipping and 74% about dog fouling. The figures from residents along the southern periphery were 73%, 57% and 74%, respectively.
152. It is apparent that all the fly-tipping comes from 'outsiders' driving through the Parish but much of the litter along the southern periphery appears to be self-inflicted by the short-term residents (Consultation Statement).
153. The City of York Council is generally efficient at removing the fly-tipping and the Parish Council has been active in keeping the Parish tidy, organising litter picks and reports fly-tipping immediately.
154. While identifying similar problems to those identified above, the answers to the questionnaire designed for the households on the southern boundary cited concern about anti-social behaviour by a small minority of residents. This is anecdotal in the sense that there are no quantitative data, but residents in two areas identified

‘youths and teenagers’ who misbehave and others thought that there were ‘too many students’ and ‘too many short-term tenants’. In one area, over half the residents brought up this problem in free response questions. There were many statements along the lines of ‘Noisy students.... Litter everywhere’, ‘inconsiderate students’, ‘Happy with almost all aspects but too many students’.

155. However, this misbehaviour by a small minority of students should not detract from the overall social good that the Universities generate through the advance of knowledge, their support for organisations and industries throughout the country and indeed internationally, and the prestige, the generation of wealth and for employment opportunities they provide for the City of York.
156. It must also be emphasized that there are longer term tenants in rented property, many of which are owned by Housing Associations. One Housing Association reported that many of their tenants (and indeed the Association itself) were extremely satisfied with the area.

#### **CA4 Anti-social behaviour**

The Parish Council should continue its programme, in collaboration with the City of York Council:

- to reduce the litter left by fly-tipping , and
- to work with residents and landlords to improve the results of poor behaviour by some residents.

#### **Interpretation of Policy CA4**

157. The Parish Council will continue its regular checks with groups of residents picking up litter and reporting to the City of York Council the fly-tipping that occurs frequently in the Parish.
158. The Parish Council will seek help from the City of York Council to ensure that landlords take responsibility for the behaviour of the residents in, and the tidiness of, their HMOs.

## **7.4 Signage, Lighting, Street Furniture, Tidiness and other amenities**

#### **Justification for Community Action CA5**

159. In the emerging City of York Draft Local Plan, Policy D2: ***Landscape and Setting*** states:

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

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

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

160. Further there is a document published by the City of York Council, *City of York Streetscape: Strategy and Guidance* which should be applied to all of the City not just the centre. Part three is more specific and provides analysis and guidance on street furniture, surfacing, signs, and use. In some cases, specific approved products such as seats and bollards are listed. Anyone involved in adding street furniture or contemplating using streets and spaces for events should examine this section. Highway engineers should also review the sections on surfaces and materials.
161. Road signage is prominent in two of the four areas of employment:
- 1) that on the Hull Road, which contains a large national DIY store and a busy independent petrol station and convenience shop, has signage generally used on main roads and are urban in nature and take little account of the housing nearby;
  - 2) the largest area is the business area on Murton Lane, the Murton Business Park which has a myriad of signage adjacent to the road.
- The third and fourth are on Moor Lane and have few signs. The Parish Council has been replacing unsightly and inappropriate street signs screwed on top of two wooden stakes with signs mounted on local stone. Similarly, they have been renewing seating, for example on the Village Green and pond.
162. The Parish Council has, in recent years, invested in street lighting using 5 m poles with swan-like fitting to give discreet lighting adjusted to the lowest level of illumination commensurate with a rural environment. These have been installed throughout the Conservation area and adjoining residential areas.





*Street signage in Murton Parish  
CLOCKWISE FROM TOP LEFT: a  
light installed by Murton PC at  
the gate to St James's Church;  
signpost on the Village Green; a  
streetlight with a swan fitting;  
a bench on the Village Green; a  
planted street sign tidiness*

163. The Parish Council receives many comments from residents about tidiness in both areas of housing in the Parish. Some are due to anti-social behaviour but there are other aspects, such as keeping verges along the lanes tidy, the state of the village pond and the grass cutting of areas such as the village green. In recent years, the Parish Council has found that the grass cutting service provided by the City of York Council has been inadequate, as it is often done at times that are not suitable because of inclement weather and the Parish has assumed responsibility for it. The Parish Council is also actively funding and looking after boxes of flowers in the village, in sowing bulbs in the verges and is producing a substantial verge with wildflowers. It intends to put all these activities on a wider scale for the whole Parish.

### CA5 Signage, Street Furniture, Lighting and Tidiness in the Parish

Where signage or street furniture is proposed it should seek to reflect local materials and features evident in the immediate surrounding area.

Where lighting is proposed it should be designed to avoid intruding into areas where darkness is a characteristic of the Parish and minimise impacts on adjacent rural habitats and wildlife.

The Parish Council should enlarge its work to keep the Parish tidy.

#### Interpretation of Policy CA5

164. **Signage and road markings:** Road markings should be shown to be effective and commensurate with a rural setting. Street signs in rural areas should be appropriately mounted (for example using stone blocks and troughs). The key is visual consistency.



*Murton village may only have a few buses a day but it boasts some of the best signage in York!*

165. **Signage and advertising:** Whilst advertisements play an important role in promoting economic vitality, and where well designed, they can make a positive contribution to the street scene, a proliferation of signs can be unsightly, distracting and damaging to the appearance of the area. Business owners will be encouraged to rationalize advertising or signage and to use designs appropriate to the Parish environment. The signage should be low key in colour, size and lighting.

166. **Lighting:** Lighting should respect the rural area and particularly the Conservation Area, maintaining dark skies and minimising light pollution.  
Any lighting along rural lanes should avoid harming the dark sky appropriate to the area. The lighting should continue the present practice of heights and fittings.
167. **Street furniture and fittings:** Street signs in rural areas should be appropriately mounted (for example using stone blocks and troughs). A consistent and high-quality design theme for street lamps, waste bins, benches, etc. should be maintained throughout the Parish. Seating and other street furniture (for example boxes for plants) should be of good quality, using natural materials where possible, and be appropriate to the Parish environment. These preferences will be communicated to the City of York Council. Wherever practicable, opportunities taken to remove existing overhead wires and new ones should be avoided.
168. **Tidiness:** The Parish Council should ensure that their work on keeping the Parish tidy and the programme of grass cutting and planting wild flowers continues. It is sometimes not appreciated how important the state of the fields is on approaching the village and that they should be kept tidy and in good order.
169. **Overall:** Care should be taken to ensure that all street furniture, signage and lighting are appropriate to their setting and that the principles advocated in the City of York's publication *City of York Streetscape: Strategy and Guidance* are adhered to.

## 7.5 Maintenance and enhancement of Public Rights of Way

### Justification for Community Action CA6

170. Answers to the questionnaires showed that Public Rights of Way, where known, were appreciated and are well used. Nearly half of the 'rural residents' knew of their existence and over 20% used them regularly. Nevertheless both the City of York Council (Policy HW7) and the Parish Council should promote their use and where appropriate extend them. All Public Rights of Way should be clearly defined, kept free from obstruction, and their distinctive character maintained. It would be helpful if there were maps of the Rights of Way exhibited in the Parish.
171. There is a persuasive case for an extension of the Public Right of Way network which should be urgently investigated by the Parish Council<sup>5</sup>, in concert with the farmers

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<sup>5</sup> One correspondent argued persuasively that the PROW network should be enhanced. When footpaths were designated as Public Rights of Way in the parish there were some surprising omissions and there is now only a

and others interested in the use of PROWs. There was also an interesting suggestion that a circular route for walkers, joggers and horse riders should be promoted to help them enjoy the Parish without having to use roads they consider to be dangerous. These proposals are in line with the City of York Local Plan Policy HW7: Healthy Places.

172. The emerging City of York Local Plan encourages the provision of safe, easy to navigate and attractive public footpaths between dwellings to encourage physical activity. In questionnaires for the village, 77% were happy with the footpaths, whereas the number of households on the southern edge were less so, 67%, because they were overgrown in places with branches and weeds and with bulky telecommunication boxes (Consultation Statement).
173. However, an important and well-used footpath between Murton and Osbaldwick has become significantly narrower with fast traffic passing closely and rendering the footpath difficult and very uncomfortable to use. Opportunities to improve this situation are being sought. There were a notable number of respondents who pointed out that a footpath was needed to connect the village with the Business Park so that they could walk to the Farming Museum and the Auction Centre. Opportunities to provide this will be discussed with the local authority.

#### CA6 Public Rights of Way Footpaths and Cycle ways

The following should be actively sought by the Parish Council:

- Improvements in the maintenance of the existing Public Rights of Way and other footpaths
- Extensions to the network
- Making the lanes safer for cycling, running and horse riding

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limited time period available to rectify that. The most obvious omission was the full footpath from the Stamford Bridge Road to Bad Bargain Lane. This is clearly shown on all maps from the 18<sup>th</sup> century to the early 20<sup>th</sup> century. The first section, Vengeance Lane, from the Stamford Bridge Road to the Osbaldwick Beck is a Public Right of Way and much used, particularly as it links to the path to Murton village. The middle section, called Millfield Lane in some 19<sup>th</sup> century documents, no longer exists. The third section from the end of Hammonds Lane and the beginning of the path to Holtby Lane is still called Piker Thorn Lane even though it is not a PROW. It is shown on all maps back to the 18<sup>th</sup> century. It was certainly in use well into the 20<sup>th</sup> century. Its re-instatement as a Public Right of Way would greatly enhance the parish footpath network.

Hammonds Lane is not a Public Right of Way although is much used and has always been accessible for well over 50 years at least. The ownership of it appears to be unknown and unclaimed, thus there may be no opposition to it being designated.

The footpaths from the north end of the village by South View to Murton Grange and Bad Bargain Lane are dangerous and not usable as there are no safe ways across the A.64. There is no gap in the central barrier. It seems that no proper provision was made for these two footpaths when the York by-pass was built.

## **Interpretation of Policy CA6**

- 174. The Policy supports the implementation of improvements in the network of Public Rights of Way and other footpaths.
- 175. All Public Rights of Way should be legally defined, kept free from obstruction and their character maintained. Where applicable, Public Rights of Way should provide a valuable link with surrounding countryside.
- 176. Given the support of residents for the Public Rights of Way, it is incumbent on the Parish Council to ensure their integrity with annual inspections and close collaboration with the Public Right of Way team at the City of York Council. The Parish Council should also consider promotion of the PROWs with a noticeboard devoted to them in the village.

## **7. 6 Allotments**

### **Justification for Community Action CA7**

- 177. As noted earlier, policy GI5 of the emerging Local Plan encourages the provision of 'allotments and productive land, to encourage local food production, and its benefits to education and healthy living'.
- 178. Our questionnaires showed that nearly one-fifth of households in the Parish would welcome the chance to have an allotment.
- 179. At present, the Parish Council has two allotments, area *ca* 0.3 ha which appear to be under-used and have potential for wider community use (Figure 1). Moreover, there are also several small parcels of land which are owned by the Parish Council along Moor Lane, of total area of *ca* 0.8 hectares and about half of these could serve as allotments if a water supply could be provided.

#### **CA7 Allotments**

The Parish Council should ensure that the present provision is being used effectively and undertake a survey of residents' wishes. If there is sufficient demand, they should work in collaboration with the City of York Council to provide more allotment space.

### **Interpretation of Policy CA7**

180. The small parcels of land available are not readily convertible into allotments being far from a water supply. A fundamental reappraisal of land available for allotments is necessary and a detailed survey carried out to ascertain the wishes of prospective allotment holders.

## **7.7 Communications with the Parish Council**

### **Justification for Community Action CA8**

181. There was a disappointing response to questions about the way the Parish Council communicates with residents. In the questionnaire for the village, 19% frequently read about its work on the noticeboard whereas 29% never do so. The figures were even more disappointing for using the website, 4% and 63% respectively.
182. The figures for households on the southern edge must be read in the context that one part (Redbarn Drive, Meam Close and Moins Court) does not have a noticeboard. Nevertheless 11% occasionally read about the Parish news on one of the two noticeboards and over half the households would like one. The houses in Tranby Avenue and nearby do have a noticeboard. 90% say that they read it frequently or sometimes.

#### **CA8 Communications with the Parish Council**

The Parish Council will work with residents to improve communications through notice boards and the website.

### **Interpretation of Policy CA8**

183. The Parish Council will arrange for a noticeboard to be placed in the Redbarn Drive area. It is already improving the website and will take further steps to make the site better known.

## 7.8 Public transport

### Justification for Community Action CA9

184. Residents along the southern border of the Parish are well served by buses to the City. Indeed, some nominate this as one of the most attractive features of living in this area of York.
185. The frequency of bus services along the Hull Road, Tranby Avenue and Osbaldwick Link Road is in stark contrast to that in Murton village, whose bus service is restricted to 3 buses to York and 4 from the city each day, except Sundays when there is no service. Thus few residents use the service even once a week (13%) with no one claiming to use it on a daily basis. A more frequent service would entice 43% of households to use it at least once a week. Even this is hardly an attractive commercial proposition, so Murton becomes resigned to a restricted service and relies almost entirely on using cars. Nevertheless, the Parish Council should begin to consider longer term plans for the time when the population ages further and engage in discussions with all organisation involved in the provision of some form of public transport.

#### CA9 Public Transport

Reducing reliance on cars requires an improved public transport system serving Murton village, and is particularly relevant if the age profile increases. The Parish Council, in collaboration with the City of York Council and other authorities and organisations, must keep this under review in order to meet any future demand.

### Interpretation of Policy CA9

186. To ensure the long term sustainability of the village, and to help tackle climate change, improved public transport links between the village and York are considered vital. The likely ageing population, need to reduce reliance on private vehicles and increased centralisation of services (for example, healthcare) all suggest that there is a need to provide improved public transport provision to the city. Further dialogue with the City of York Council and public transport providers is essential.



# Annex 1: Detailed Policy Plans

## Policy ENV1: Local Green Space

Figure 1a – Local green spaces around village

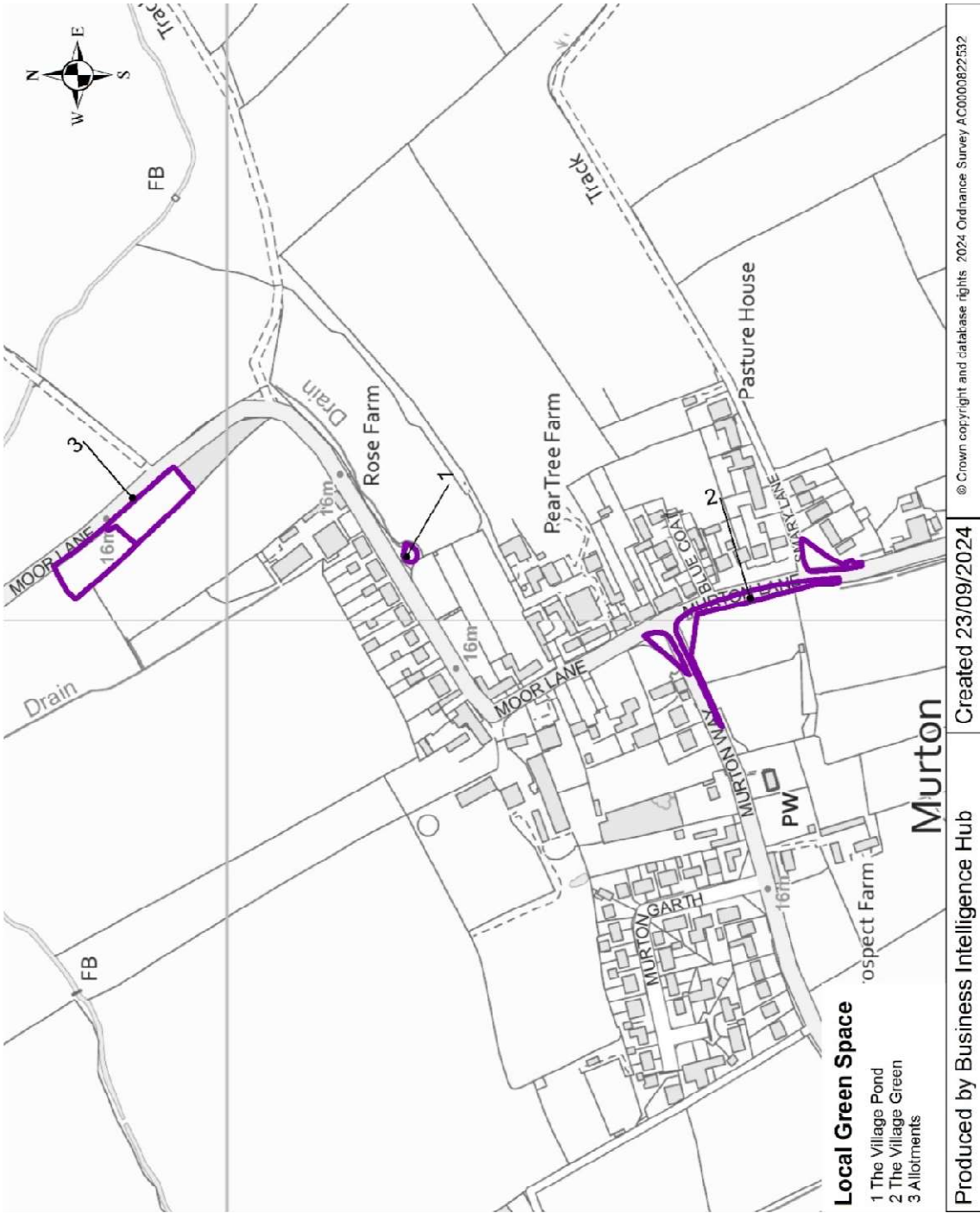
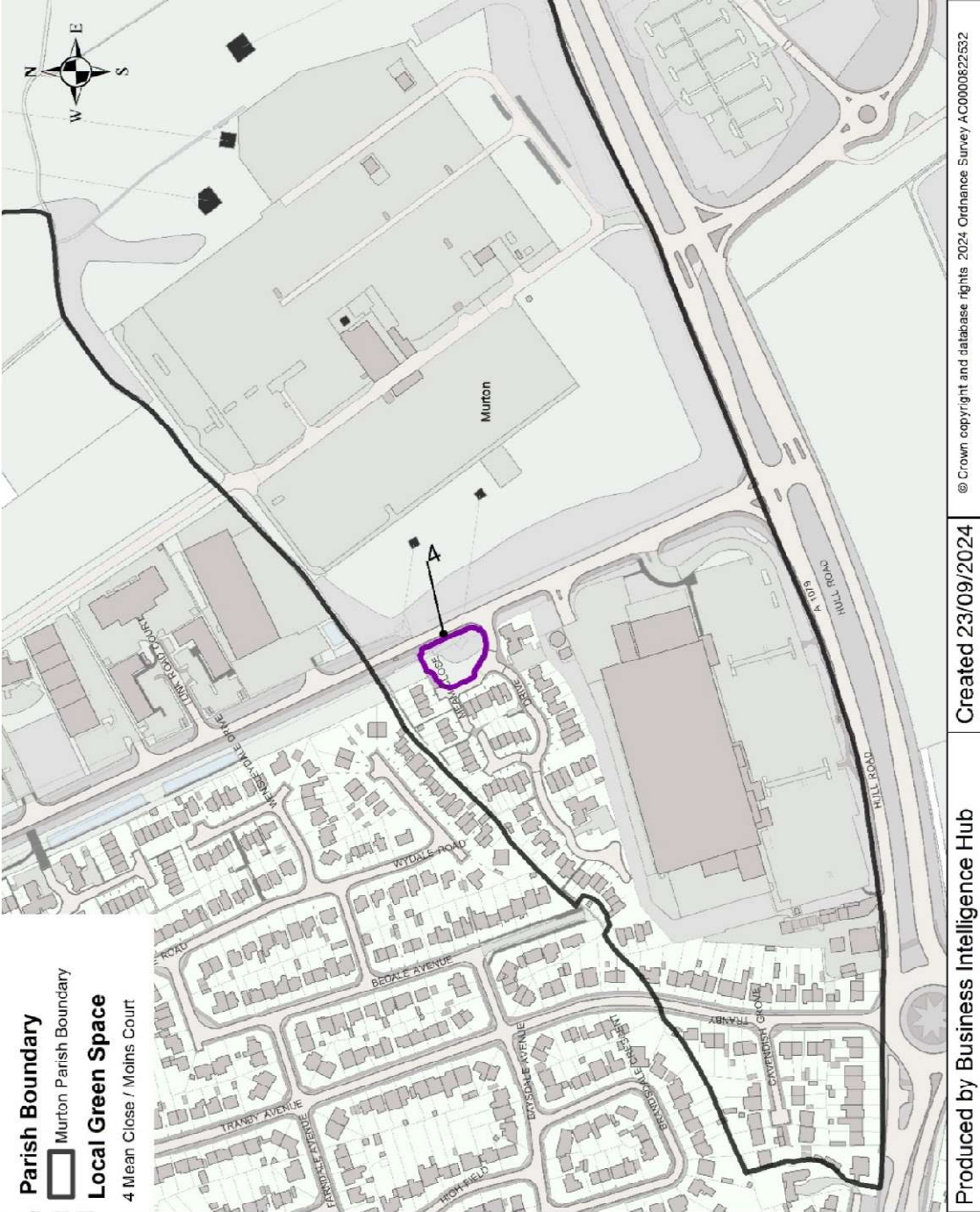
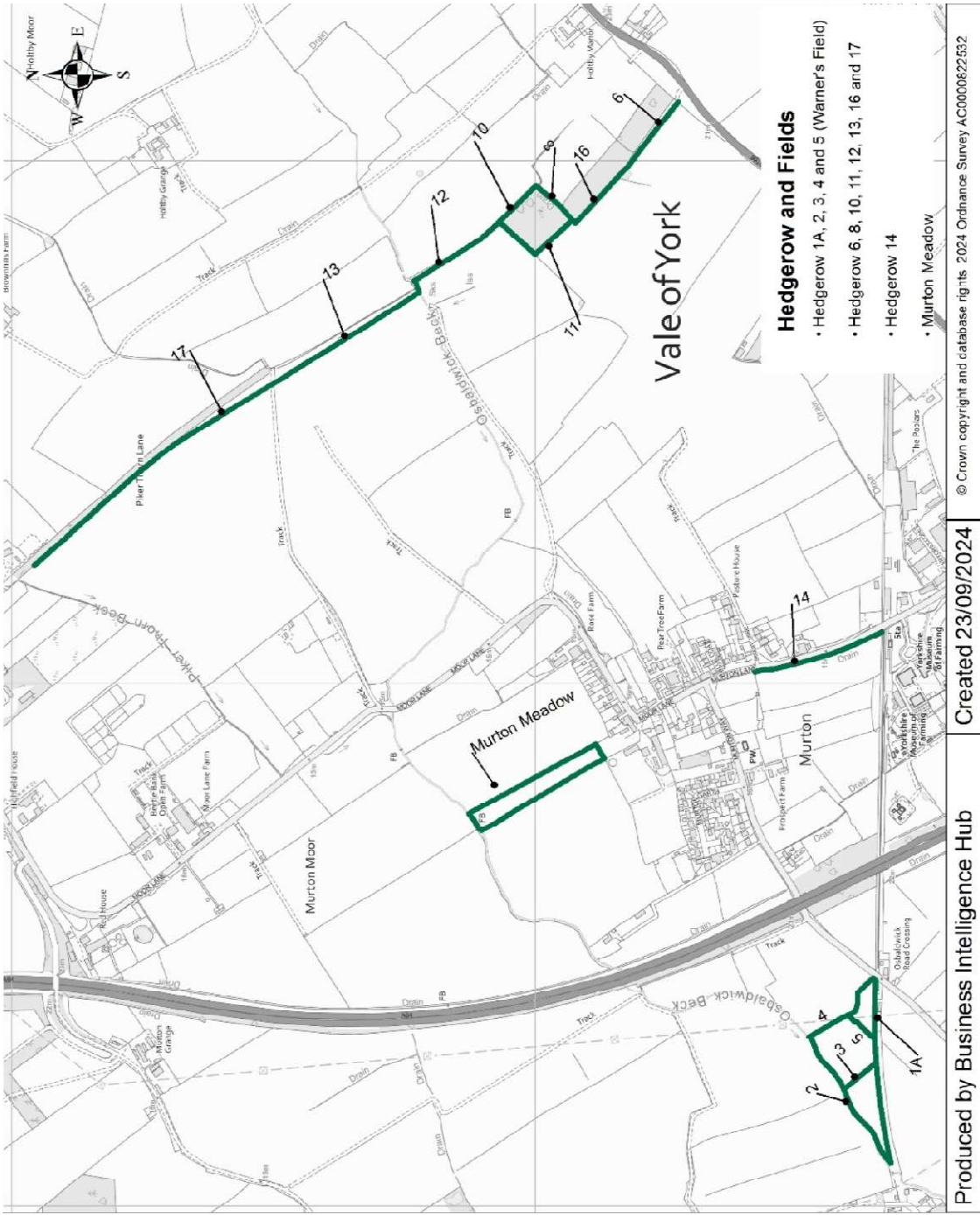


Figure 1b – Local green space in south west area of parish



Policy ENV2: Green Infrastructure

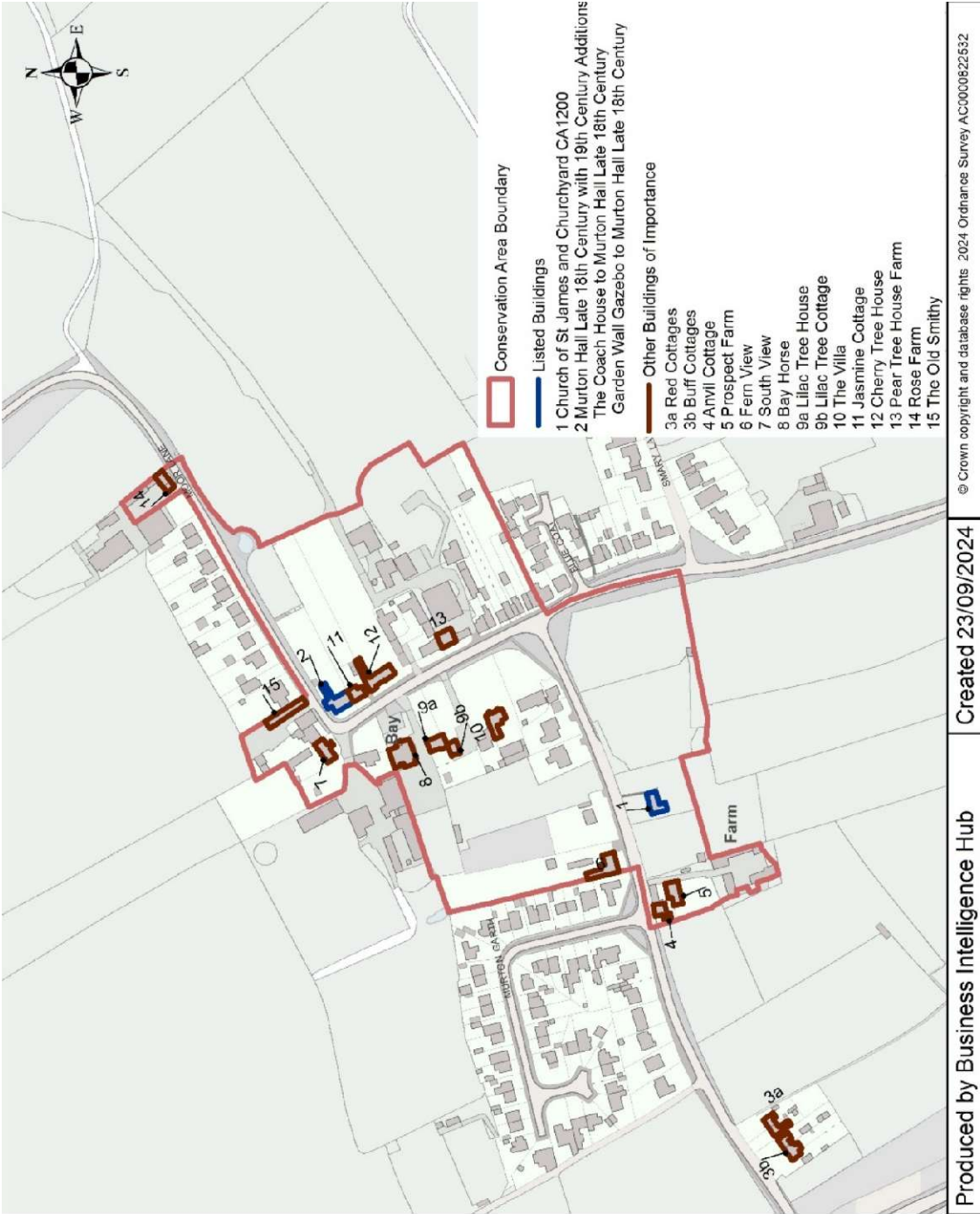
Figure 2 - Hedgerows





Policy ENV3: Historic Environment

Figure 3 – Conservation area, listed buildings and other buildings of importance



Policy ENV6: Flood Risk Management

Figure 4 – Flood zones



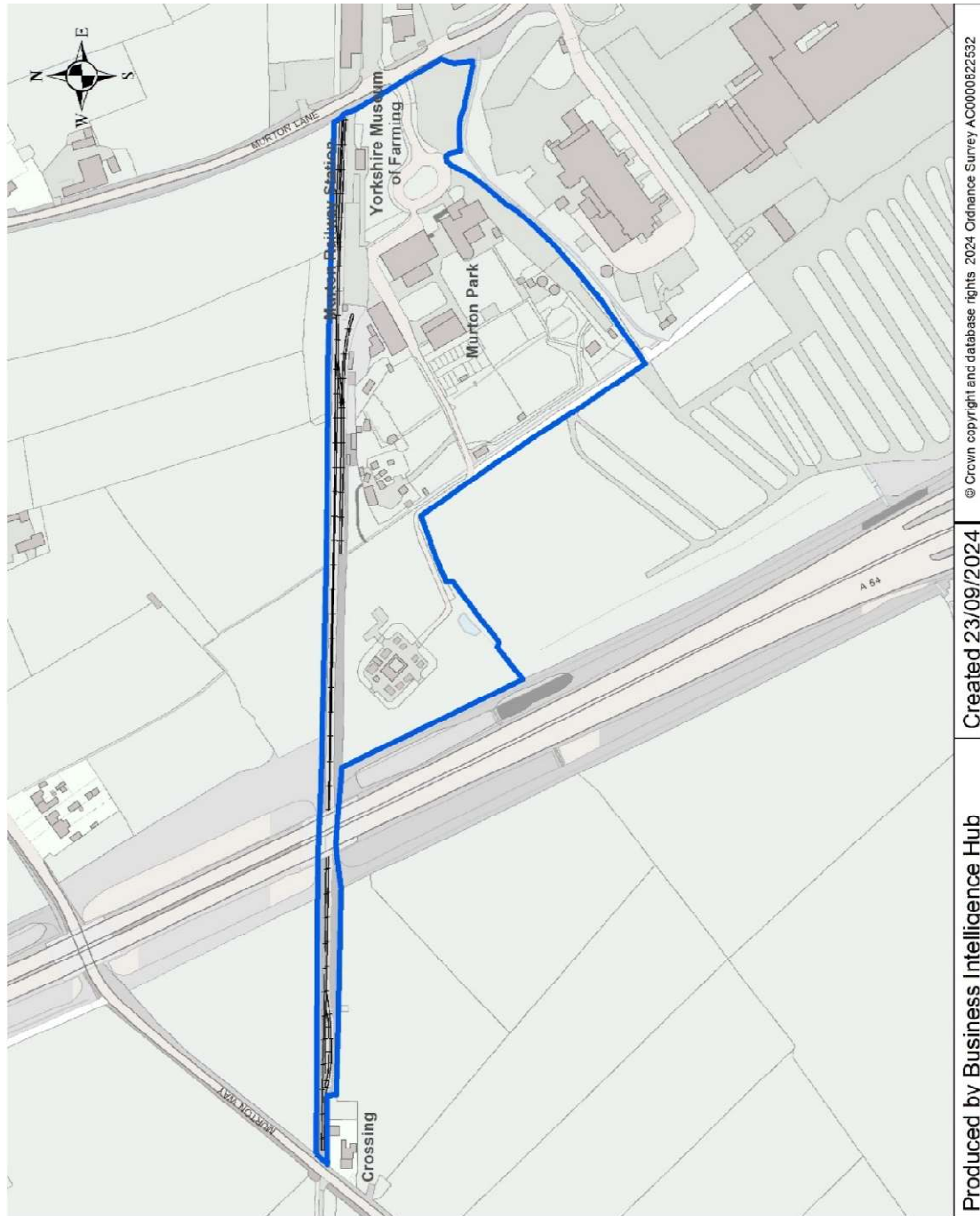
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## Policy ENV7: Murton Park

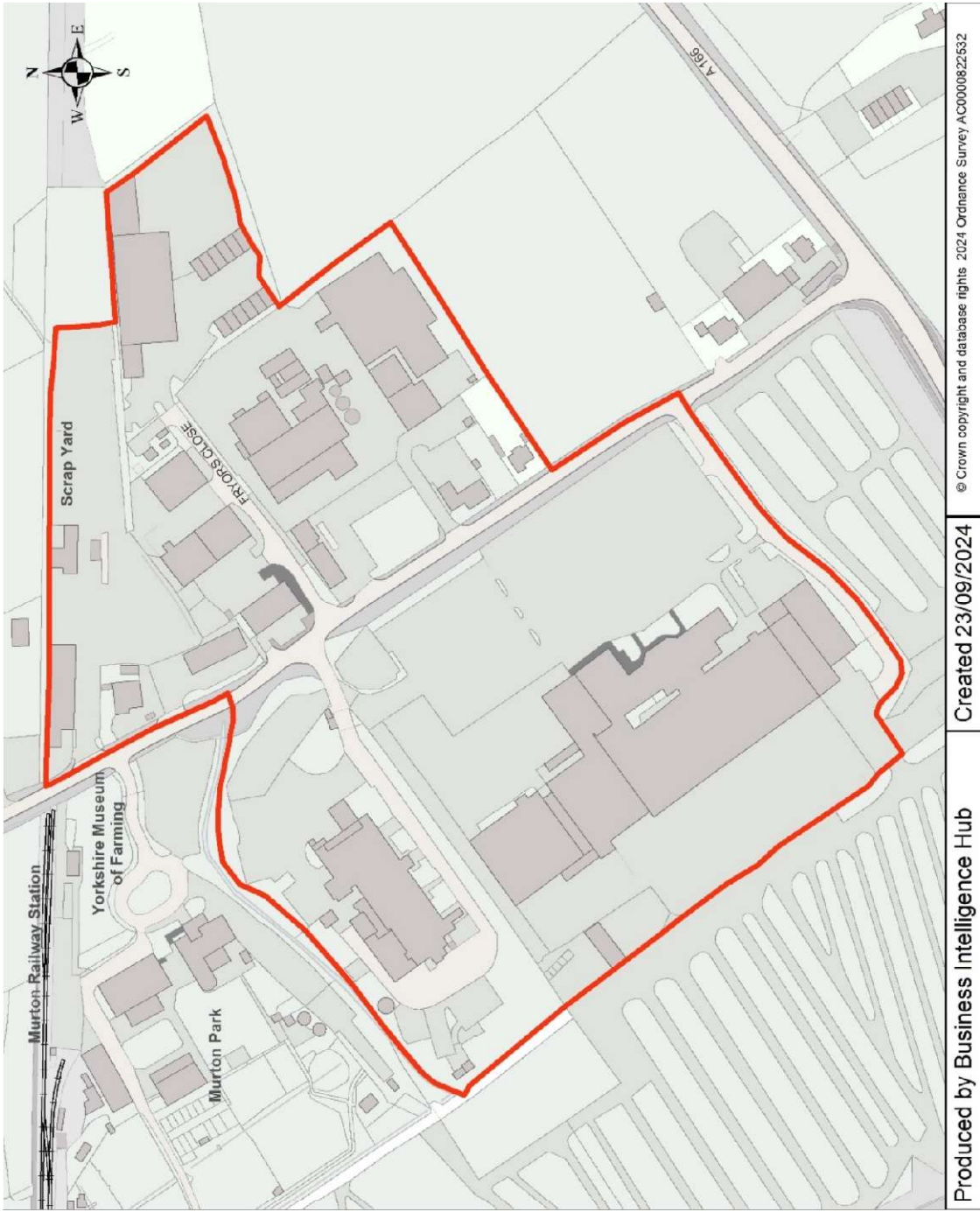
**Figure 5 – Murton Park including Derwent Valley Light Railway**





Policy EMP1: Employment

Figure 6 – Murton Industrial Estate and Auction Centre





**Figure 7 – City of York article 4 direction area**

