

Joanne Fisher
Clerk to the Council
Earswick Parish Council
24 Lock House Lane
Earswick
York
YO32 9FT

Date: 5 February 2018
Our ref: 50730/02/MHE/PJ/15381852v1
Your ref:

Dear Joanne

Earswick Neighbourhood Plan: Pre Submission Draft Version 2

Introduction

We are writing to you on behalf of our client Bellway Homes PLC as part of the consultation by Earswick Parish Council in regards to the Earswick Parish Neighbourhood Plan Pre Submission Draft Version 2 (November 2017).

The Earswick Neighbourhood Plan sets out the vision and objectives of the Earswick Parish community from 2017 to 2037, identifying the approach to development within the Parish.

National Context

Neighbourhood Planning has had a significant impact on development across England and, in many areas, has ensured that development is shaped and influenced by local people. The process is fully supported by the Government and take up continues to be high across the country. Impacts so far have been mixed - some of the positive local planning envisaged has taken place but too often the process has been used as a tool to prevent or frustrate much needed development or cause unintended confusion and uncertainty where Local Plans have either been slow in being prepared or where they have failed to provide clarity.

The fundamental principle of Neighbourhood Plans should be a means of positively shaping and accommodating development in an area in line with the relevant local authority's strategic policies and, as made clear in the National Planning Policy Framework (NPPF), should not be used as a means of obstructing or preventing development.

The NPPF (Paragraph 184) is clear on where Neighbourhood Plans should sit within the plan hierarchy:

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan...Neighbourhood Plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies."

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City of York Local Plan

Bellway Homes is currently promoting land to the 'East of Strensall Road, Earswick' for residential development of approximately 350 houses. The previous assessment of the site from the City of York Council within 'Further Sites Consultation Appendix 6: Safeguarded Land Assessment June 2014' confirms:

"The site presents an opportunity to consider the longer term size and shape of Earswick and the possibility of enhancing/reinforcing service provision in the village".

The recommendation by the Council in the Assessment was *"to include this site as safeguarded land within the Local Plan... [and]...could potentially be considered as an allocation for years 1-15 of the Plan".*

As highlighted within paragraph 27 of the Earswick Pre-Submission Neighbourhood Plan (Version 2), the draft City of York Council Preferred Options Local Plan proposed:

"81 hectares (210 acres) of draft Green Belt farmland to the east of the Parish be 'safeguarded' by removing it from the York draft Green Belt and allocating it for future housing development of up to 2,000 houses beyond 2030 with the proviso that if access and sustainability issues could be overcome part of this development of around 1,000 houses could be brought forward into the plan period."

We note that the Earswick Neighbourhood Plan Pre-Submission Draft Version 2, and in particular the justification set out within the 'Housing Development' section of the Plan, directly discourages all residential development as unsustainable within Earswick, and contradicts the efforts to match the projected economic and residential growth targets for both Earswick and the City of York as set out in the Council's emerging Local Plan. As such, we request that the land to the 'East of Strensall Road, Earswick' be allocated within the Earswick Neighbourhood Plan as a site for housing development, or alternatively it is designated as Safeguarded Land for future development.

The City of York Local Plan Pre-Publication Draft (November 2017) set out the vision and spatial strategy to guide development in York over the plan period from 2017 to 2032/33. The housing requirement set out in the Pre-Publication Draft, which was recently consulted upon by the City of York Council set out a housing requirement that was insufficient to accommodate the economic and population growth of the City and therefore should be increased.

As such, our Client's land interest in Earswick was previously designated as Safeguarded Land in earlier iterations of the draft Plan by the City Council; and it is our Client's view that the land to the East of Strensall Road, Earswick represents one of the most appropriate site options on the northern periphery of York, which will ensure the Plan allocates sufficient sites to deliver the housing requirement as set out by the Local Plan.

The Council's Pre-Publication Draft of their Local Plan currently has a number of aspects that do not align with national planning policy, including:

- a lack of a clear spatial strategy and framework for the future development of the City of York;
- the Objective Assessment of Housing Need (OAN) does not accord with guidance set out in the NPPF and Planning Practice Guidance; and
- the housing supply set out in the draft Plan is not justified, nor is it consistent with national policy. The Council has not produced a detailed housing trajectory or a detailed assessment of the deliverable 5-year supply position and developable sites for years 6-10 as required by the NPPF.

In the context of the above, it is not possible to consider the suitability of the portfolio of sites set out in the Draft Plan, as there is no evidence that they are deliverable or developable when considered against the definitions set out the NPPF, which is a key requirement of the national policy in relation to planned housing land supply.

The City of York Council continues to progress with their Local Plan, however, uncertainty in relation to when a Local Plan is to be in place continues. It is noted that on 25 January the Council's Local Plan Working Group met with Councillors to progress with this version of the Local Plan, but Councillors voted against the new housing allocations which were proposed for inclusion in the City's draft Local Plan.

Within the ongoing uncertainty and lack of clarity with the Council's Local Plan, it is absolutely vital that the Neighbourhood Plan for Earswick is flexible and adaptive to reflect the content of the Local Plan as it progresses. The implementation and successful delivery of the Earswick Neighbourhood Plan must be underpinned by effective monitoring, to ensure it is responsive in aligning itself to the overarching strategic policies set by the Council's Local Plan once finalised.

Housing Requirement

Housing sites are required to ensure the City of York's Local Plan and subsequent Neighbourhood Development Plans deliver the full objectively assessed housing needs to ensure Plans are positively prepared, justified, effective and consistent with national planning policy. Identifying safeguarded land to ensure that the Green Belt boundary has permanence beyond the plan period is essential as part of the plan-making process, as set out clearly in the NPPF (paragraph 83).

Land East of Strensall Road should be allocated for housing or at the very least identified as safeguarded land as the Site is deliverable within the definition of paragraph 47 of the National Planning Policy Framework (NPPF); and represents an appropriate site to meet the full objectively assessed housing needs of the City.

The development of this site will enable the delivery of new homes for everyone and first time buyers in the area, who would love to buy a home. Whilst there will be second-hand homes available many of these houses are old, energy-inefficient, and in need of constant maintenance and updating. In contrast the new homes are highly efficient and fully-fitted to a high standard. Running costs are therefore minimal and predictable. Additionally, unlike with second-hand homes, buyers of these new homes qualify for the Government's Help to Buy scheme which enables them to buy a home with a low deposit and reduced mortgage payments. This allows them to get a first foot on the housing ladder.

The Site

The land to the 'East of Strensall Road' contains no designated heritage assets, nor are there any in near proximity. There is no suggestion that the site has any archaeological significance and provides no role in the historical significance of the city.

In relation to ecological and environmental impacts of any proposed development, the development would be in close proximity to the existing development to the West of Strensall Road, so would be in keeping with its surroundings. The site boundaries are lined with hedgerows. The vegetation surrounding the site will be maintained and enhanced to ensure ecological sustainability and an attractive setting for the proposed development.

There are a range of amenities in close proximity to the site, including six primary schools (currently functioning under capacity so would benefit from additional pupils. There are also two secondary schools around half an hours walk from the site.

The nearest retail centre is at the Huntington Parade, which includes a Post Office and pharmacy approximately 1.3km from the Site. The Monks Cross retail centre and Clifton Moor retail centre are 3.5km and 4.5km respectively from the Site; with York City Centre only 6km from the Site. Other local services and facilities all within 2km proximity to the Site include:

- Huntington Memorial Hall

- Blacksmiths Arms Public House
- Huntington Sports and Social Club
- All Saints Church
- Huntington Doctors Surgery

Public transport connections to and from the site are very good. Bus stops are located approximately 160m from the site accesses. Nearby stops provide services linking the proposed development to the closest secondary schools and also provide wider connections to retail centres and to York city centre. These are within the 400m suitable walking distance to a bus stop for a site to be considered 'sustainable'. York rail station is around 6.3km away, and is accessible by bus, providing direct services to Leeds, London and Edinburgh.

It is clear that the site is a suitable location and site for housing development. It will result in the creation of a high quality, sustainable and inclusive community. It can and will deliver the infrastructure needed and will significantly reduce the need to travel by private car.

Additional Benefits


It should also be noted that 350 new homes at the site will result in a New Homes Bonus (NHB) payment from the Government to the Council of approximately £3.0m. When complete the new homes at the site will deliver approximately £700,000 of additional Council Tax every year.

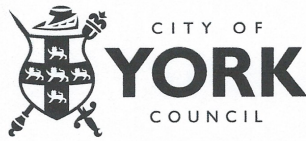
Conclusion

As part of our representations to the City of York Council's consultation on their Pre-Publication Draft Local Plan, we prepared a Vision Document which encapsulates the economic, environmental and social benefits of our Client's site that have been summarised within this representation. This document is appended with this representation for the Parish Council's information.

Lichfields is grateful to the Parish Council for the opportunity to comment on the Earswick Parish Neighbourhood Plan Pre Submission Draft Version 2, as part of this consultation process, and requests the opportunity to provide further comment on the policies referred to within this correspondence and any other policies which are included in future consultations on further iterations of the Plan. The opportunity to engage positively in the emerging development proposals at the site will be reciprocated, as it is Bellway's intention to engage with the Parish Council, local community and other stakeholders to ensure the development maximises the benefits of the area.

Yours sincerely





Strategic Planning
Economy and Place
City of York Council
West Offices
Station Rise, York
YO1 6GA

(01904) 551667
neighbourhoodplanning@york.gov.uk

Date: 5th February 2018

Dear Mr Jones,

Earswick Neighbourhood Plan Pre Submission Draft

Thank you for the opportunity to comment on Version 2 of the pre submission Earswick Neighbourhood Plan.

We appreciate the amount of hard work that the Parish Council has put into this process to produce a locally representative document, detailing the issues which affect Earswick.

We also recognise that the absence of an up-to-date adopted York Local Plan and the timing of the emerging Local Plan may have proved problematic for you and we appreciate work undertaken in this respect.

We would like to continue to work closely with you to move this Plan forward in tandem with the production of our Local Plan resulting in the creation of two sound plans that fit together and serve the best interests of the people, environment and economy of Earswick and York as a whole.

We appreciate that you have taken on board the comments that we submitted in May 2017 in response to your draft submission documents and we are satisfied that this repeated pre-submission consultation has been undertaken in line with the Neighbourhood Planning (General) Regulations 2012 (as amended).

As stated previously, we concur with the conclusion in your SEA Screening Report that the plan is unlikely to have significant environmental effects and therefore does not require Strategic Environmental Assessment.

We appreciate that you have also incorporated screening for Habitat Regulation Assessment following our previous advice. We note that the conclusion from this is that no Habitat Regulation Assessment is required and that Natural England concur with this view through their previous consultation response. Whilst we concur with this conclusion, we would welcome a discussion regarding the presentation of this screening assessment to ensure alignment with the Habitats Directive.

If you would like to discuss any of the comments made in this letter, please do not hesitate to contact me using the details in this letter.

Date: 05 February 2018
Our ref: 232130



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Electra Way
Crewe
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CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Derek Jones

Earswick Neighbourhood Plan Pre-submission draft and Strategic Environmental Assessment and Habitats Regulations Screening consultation

Thank you for your consultation on the above dated 22 November 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish Councils where they consider our interests would be affected by the proposals made..

Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plans

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance . The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that

may be affected by this plan, before determining whether an SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Habitats Regulations Assessment

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

Natural England welcomes the screening report and concurs with the conclusions reached.

Draft Neighbourhood Plan

Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact Merlin Ash at merlin.ash@naturalengland.org.uk. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Yorkshire and Northern Lincolnshire Team
Natural England

Pre-Submission Consultation on the Earswick Draft Neighbourhood Plan

S

Stockton on the Forest Parish Council <StocktonPC@outlook.com>

Tue 12/12/2017, 20:20

Dear Mr Jones

Stockton-on-the-Forest thank you for the information and wish you good luck with your endeavours

Kind Regards

Parish Clerk
Stockton-on-the-Forest PC

RE: Earswick Neighbourhood Plan - Pre-Submission Consultation

P

Planning <planning@yorkconsort.gov.uk>

Tue 12/12/2017, 09:13

Dear Sir / Madam

Many thanks for the opportunity for the Internal Drainage Board to participate in this consultation process.

The Board's position is that it is always seeking that, wherever possible, the risk of flooding should be reduced and that, as far as is practicable, surface water arising from a developed site should be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. This should be considered whether the surface water arrangements from the site are to connect to a public or private asset (watercourse or sewer) before out-falling into a watercourse or, to outfall directly into a watercourse in the Board area.

The Board believes that, in an area where drainage problems could exist, development should not be allowed at any location until the Planning Authority is satisfied that surface water drainage has been satisfactorily provided for. And any approved development should not adversely affect the surface water drainage of the area and amenity of adjacent properties.

In addition the Board does not consider that development within Flood Zone 3 is desirable or sustainable in the longer term.



Fwd: Pre-Submission Consultation on the Earswick Draft Neighbourhood Plan

C

cprecraven@me.com

Wed 22/11/2017, 13:00

We are delighted to have received your recent letter regarding your Neighbourhood Plan 2017-37

CPRENY are particularly supportive of the following:

6. In order to achieve these aims, the Plan includes a number of development related policies that seek to:

- ☐ Protect the draft Green Belt
- ☐ Ensure that development is carefully controlled and takes place on sustainable brownfield sites;
- ☐ Protect the countryside and special landscape;
- ☐ Protect open spaces that are important to the community and/or wildlife;
- ☐ Ensure that development is of a type and scale appropriate to the character and infrastructure provision;
- ☐ Encourage development that meets local needs;

Where we can support and assist your PC we shall do our very best to do so.

Regards

CPRENY

from the Chairman CPRE North Yorkshire Branch

Neighbourhood Planning Team City of York Council Planning & Sustainable Development West Offices Station Rise YORK YO1 6GA	Our ref: RA/2012/121344/OR-05/ IS1-L01 Your ref: Earswick NP Date: 30 January 2018
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Dear Neighbourhood Planning Team

Earswick Neighbourhood Plan

Thank you for consulting the Environment Agency regarding the above mentioned proposed Neighbourhood Plan. We have reviewed the information submitted and we wish to make the following comments

Strategic Environmental Assessment

We note that the City Council has a responsibility to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. You are seeking our views in order to inform the Council's decision on this matter. We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest.

Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.
We have no further comments to make in this instance.

Neighbourhood Plan

We note that the Plan will influence design and layout of any new development in Earswick through policy requirements and guidance.

We are Environment impact tacked into account through flood risk in Policy ENP1: Windfall Housing and policy ENP3 Flood Risk and climate change which will Developments this will prevent any new houses being flooded. Also developments preventing destruction of biodiversity and Ecology in Policy ENP 6 Ecology and Biodiversity.

Having considered the nature of the policies in the Plan as currently written, we consider that it is unlikely that significant negative impacts on environmental characteristics but prove to have more positive outcomes, that fall within our remit and interest will result through the implementation of the plan.

You could also help your community save money through sustainable construction. Neighbourhood planning is an opportunity for communities to encouraging efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.

Should you require any additional information, or wish to discuss these matters



Historic England

YORKSHIRE

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24 Lock House Lane,
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Our ref: PL00231302
Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

5 February 2018

Dear Mr. Jones,
Earswick Neighbourhood Plan
Pre-submission Consultation Response

Thank you for consulting Historic England in connection with the draft Neighbourhood Plan prepared for Earswick Parish Council.

Earswick Neighbourhood Plan Area is situated 6.5 Km/4 miles to the north east of York. It contains 1 grade II listed buildings. Earswick may also include buildings, sites and areas which are of local historic interest.

We note the content of the draft Neighbourhood Plan. We would suggest that consideration be given to identifying any Local Heritage Assets or Areas, which may be worthy of including in a Local List, or for designation as new Conservation Areas by York City Council, should the Parish choose to recommend this.

Historic England Advice Note 7 (HEAN 7) "[Local Heritage Listing](#)" provides advice on the identification and selection of Local Heritage Assets. With regards to the Local Heritage Areas (LHA's), we would suggest that Historic England's Advice Note 1 (HEAN 1) "[Conservation Area Designation, Appraisal and Management](#)" is cited, and each LHA should briefly highlight the elements of the area which warrant their identification as an LHA.

We hope this advice is of assistance, but if you require clarification, please do not hesitate to contact us.



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.

