

Customer Response Form - Call # 18290517 (Earswick Neighbourhood Development Plan

Jones, Simon <Simon.Jones@highwaysengland.co.uk>

Tue 22/11/2016, 12:02

Dear Derek

Many thanks for having sent through the latest consultation regarding the Neighbourhood Development Plan.

As you are aware we are working closely with the Local Authorities across the area in regards to potential future development and growth in Yorkshire & Humberside and as such I am engaged closely regarding the emerging Local plans.

Whilst I have no formal comments at this point in regards to the Earswick proportion of the wider picture on behalf of the Secretary of State for Transport, I would like to offer my thanks again for sending this through and keeping in touch.

All the best with the future consultation rounds and please don't hesitate to contact me personally in the future.

Kindest regards

Simon Jones, Asset Development Manager

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The Coal
Authority



200 Lichfield Lane
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Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr D Jones

York City Council

[By Email: earswickclerk@aol.com]

14 December 2016

Dear Mr D Jones

Earswick Parish Draft Neighbourhood Plan

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Protecting the public and the environment in mining areas

Date: 05 January 2017
Our ref: 201883



Derek Jones
Chairman, Earswick Parish Council
derek-jones@hotmail.co.uk

Hombeam House
Crewe Business Park
Electra Way
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Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Derek

Pre-Submission Consultation on the Earswick Draft Neighbourhood Development Plan

Thank you for your consultation on the above dated 18/11/2016.

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/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

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 Elisa Neame on 02082-256-852. For any further consultations on your plan, please contact consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Elisa Neame
Yorkshire & Northern Lincolnshire Area Team

Neighbourhood Planning Team
City of York Council
Planning & Sustainable Development
West Offices
Station Rise
YORK
YO1 6GA

Our ref: RA/2012/121344/OR-02/PO1-L01
Your ref: Earswick
Date: 19 December 2016

Dear Sir/Madam

Earswick Parish Draft Neighbourhood Plan

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

Local Biodiversity

We are supportive of policy ENP5: Ecology and Biodiversity and the possible enhancements of these sites. Our Biodiversity team would be happy to give any advice to help with the enhancements (contact Erica Adamson, Tel: 02030256465 or email Erica.adamson@environment-agency.gov.uk). This could be funded through local development as a building condition.

WFD

The Environment Agency measures and reports on the condition of rivers and streams conditions, through the European Water Framework Directive or 'WFD' for short. Under WFD rivers are assessed in terms of water quality, ecology and their physical nature (such as weirs or culverts). We measure various parameters of the river to see if they meet or fail the relevant WFD standard.

Although the Waterbodies in this area have a status of good it might be useful to all policies to keep it at this level.

More information can be found at airerivertrust.org.uk/ & <http://www.ywt.org.uk/tags/aire-rivers-trust-0>

Green Spaces/Countryside

We support to see Policy ENP4: local green spaces - G2 that this will be kept as Earswick Public open space as this is in FZ3.

Planning for Climate

The National Planning Practice Guidance refers planners, developers and advisors to the Environment Agency guidance on considering climate change in Flood Risk Assessments (FRAs). This guidance was updated in February 2016 and is available on Gov.uk

Climate change is something you may wish to look at and see how this will

affect the area in the future.

Flood Risk

There is no flood Risk policy's within the draft plan. As the River Foss runs along the boundary of the plan area, which has this and surrounding area in FZ3, we suggest some policies are put in place. Although it has been said in the Green Spaces policy that this area should remain as a greenspace. Also. Huntingdon and Stockton Drain is within the site area which FZ3 is around this.

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.

Yours sincerely

Ms CLAIRE DENNISON
Sustainable Places - Planning Advisor

Direct dial 02030256425

Direct fax

Direct e-mail claire.dennison@environment-agency.gov.uk

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

Harrogate - Planning
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HG1 1JX
T: 01423 523423
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Your ref:
Our ref: SC/ENP 01

07 January 2016

Dear Sirs

**EARSWICK PARISH DRAFT NEIGHBOURHOOD PLAN
PUBLIC CONSULTATION NOVEMBER 2016**

We are writing on behalf of our client Silvercrest Estates Limited in respect to the public consultation on the draft Earswick Parish Neighbourhood Plan.

POLICY BACKGROUND

Firstly, it is considered important to set out the planning policy framework that will influence our specific comments to the Draft Earswick Neighbourhood Plan (ENP). The National Planning Policy Framework (NPPF) sets out the requirements for the preparation of neighbourhood plans. The guidance set out in the NPPF is supplemented by Planning Practice Guidance (PPG).

Paragraph 16 of the Framework sets out the important role that neighbourhood plans should have in supporting and meeting the development needs of their local area. It states that:

"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:

- *Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan"*

Paragraph 184 and 185 of the NPPF to provide further guidance on the relationship between Neighbourhood Plans and the strategic policies within the Council's Local Plan. The paragraphs state:

"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. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies.

Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the

strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation".

Paragraph 065 of PPG makes clear that only a neighbourhood plan that meets each of the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 can proceed to a referendum. The basic conditions are:

- a) "Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order.
- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained with the development plan for the area of the authority
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations
- g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan."

The PPG goes on to provide specific guidance in respect to the interpretation and implementation of the basic conditions. As it currently stands, we have significant reservations that the draft ENP does not comply with a number of these basic conditions and therefore there is a significant risk that it will be found 'unsound' at the subsequent public examination.

GENERAL COMMENTARY

Relationship with Existing and Emerging York Local Plans

The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved in April 2005. Whilst the 2005 York Draft Local Plan does not form part of the statutory development plan, its policies are considered to be capable of being material considerations and should be given due regard in the formation of the ENP.

Equally, the emerging Local Plan has reached a relatively advantaged stage of preparation and therefore its policies should also be given due consideration in the formulation of the ENP. Paragraph 009 of the PPG makes clear that the "reasoning and evidence" informing the Local Plan process is likely to be relevant to the consideration of the emerging neighbourhood plan. Paragraph 009 of PPG goes on to state that "for example up-to-date housing needs evidence is relevant to the question of whether a housing land supply in a neighbourhood plan or Order contributes to the achievement of sustainable development".

The Draft ENP is explicit in that its principal objective is to prevent any development in the Green Belt and instead only seeks to allow modest development on brownfield sites. The document goes on to state that the Parish is not a sustainable location for future development. It appears that the only justification given for this approach is to protect the semi-rural character of the village and the "character and openness" of the surrounding countryside. However in the same token there is a wish to meet local housing needs and rebalance the housing stock within the village.

We consider that this approach is not consistent with the strategic policies within both the existing and emerging Local Plan and is contrary to the national planning objective of boosting significantly the supply of housing. The 'basic conditions' set out in the PPG make it clear that neighbourhood plan policies should align with the requirements of the NPPF and the wider strategic policies for the area set out in the Council's Local Plan.

The NPPF is also clear that neighbourhood plans should not introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the NPPF or meet the basic conditions set out in paragraph 065 of the PPG.

Neither the existing nor emerging Local Plan seek to restrict development coming forward within Earswick. The City of York's Strategic Housing Market Assessment identifies that there is a significant level of housing need with the City with a requirement to deliver 841 dwellings per annum from 2012 to 2032. It is clear that the Preferred Sites Consultation Document is proposing to remove a number of sites from the Green Belt within the villages surrounding the city and allocate them for housing. As such, the approach of preventing any planned development coming forward within the parish of Earswick to meet a proportion of the housing needs of the city would be contrary to the housing supply policies within the emerging Local Plan and would fail to align with the strategic development needs and priorities of the wider local area contrary to paragraphs 16 and 184 of the NPPF as well as the basic conditions for neighbourhood planning (e).

The parish of Earswick clearly operates as part of the city of York and forms part of the Housing Market Area. The residents of Earswick are likely to work, go to school, shop and spend a significant amount of their leisure time within the city. There is a range of services and facilities within a 30 minutes' walk of the centre of the village including sports facilities, public houses, a church, retail opportunities, a doctor's surgery, and a primary and secondary school. The accessibility of the parish is clearly recognised within section 2 of the ENP.

Furthermore, there are no environmental, ecological or landscape designations that would justify Earswick not meeting a proportion of the housing needs of the city. As a result, there is no justification for the Earswick Neighbourhood Plan not to plan positively to meet the development needs of the wider area and city which it clearly forms part of. The PPG makes clear that a blanket policies restricting housing development in some settlements and preventing others from expanding should be avoided unless it is supported by robust evidence (paragraph 001). No such evidence has been provided to support such an approach being adopted in the draft ENP.

Due to the current status of the emerging York Local Plan and the uncertainty about the level of growth that the Council may need to accommodate, we would question the Parish Council's ability to progress with a Neighbourhood Plan at this time and recommend that work on the Neighbourhood Plan is delayed to allow for the emerging Local Plan to be tested by an Planning Inspector appointed by the Secretary of State. Whilst it is acknowledged that the PPG indicates that Neighbourhood Plans can come forward before an up-to-date Local Plan is in place, we would strongly question the ability to progress a Neighbourhood Plan within this vacuum. In order to meet the requirements of the Framework and the 'basic conditions', Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. When a Local Plan is emerging and has not yet been found 'sound' at public examination as in the case of York, there will be a lack of certainty over what scale of development a community must accommodate and therefore the correct approach the policies in the Neighbourhood Plan should take.

SPECIFIC COMMENTS

The Vision and Objectives

The draft ENP would constrain the delivery of the important national planning policy objective of significantly boosting the supply of housing and would fail to contribute to achieving sustainable development for this reason. The Vision for the Parish states that it wishes for Earswick to continue to *"thrive as a vibrant and distinctive Parish"* and be a *"desirable place for all residents to live"*. The objectives of the neighbourhood plan seeks to ensure *"on-going improvements to public transport facilities and road... conditions"* as well as *"maintain and improve local facilities for all residents"*. Furthermore, the draft ENP goes on to recognise that the delivery of a choice of high quality homes is essential to support sustainable mixed and inclusive communities.

The Draft ENP should recognise that the provision of housing is important to delivering the Vision and Objectives in terms of supporting the sustainability of the village. The PPG recognises that rural housing is essential to ensuring that rural communities continue to thrive and to maintain the viable use and retention of local facilities and deal with issues of affordability (paragraph 001). This clearly has been the case historically in Earswick with the development of the local pig farm in the 1990s delivering the vast majority of the community facilities in the village such as the village hall, tennis courts and bowling green / scented garden.

The current approach of seeking to restrict development coming forward would only serve to weaken local services and exasperate issues of housing affordability, choice and the lack of a diverse house stock. As a result, the draft ENP would fail to contribute to the achievement of sustainable development contrary to basic conditions for a neighbourhood plan (paragraph 065).

Policy ENP 1: Windfall Housing Development

We consider that there is no planning basis for this policy and it is inconsistent with both local and national guidance. We would dispute that there will be new development opportunities on brownfield sites or infill developments within the village. As recognised within the draft ENP the majority of the housing within the Parish dates from the post war era, which was generally built to a density and layout that precludes this type of development coming forward. The few remaining opportunities have now largely been exhausted and would be further reduced by criteria h of Policy ENP 1 which seeks to restrict infill development within gardens. The ENP suggests that on average under one new dwelling a year comes forward through these routes. This level of growth is clearly insufficient to meet the significant housing needs within the parish and the wider area.

The PPG makes clear that policies within a neighbourhood plan should be appropriately justified by evidence and must be sufficiently clear to be capable of being interpreted objectively by applicants and decision makers. We have a number of specific concerns about Policy ENP 1 in respect to:

- Criterion a) - there is no justification for attempting to restrict development proposals to small scale single dwellings schemes;
- Criteria b) – the Parish Council has not carried out a local need survey to determine the level of housing need within the Parish. However the evidence set out in the draft ENP suggests there is a significant level of housing need i.e. significantly ageing population, disproportionately high levels of home ownership, and lack of choice in respect to house tenure and size especially in relation to smaller houses. Nevertheless Earswick effectively operates as part of the City of York and therefore should help meet the significant housing needs of the wider area;
- Criteria c) – comments to follow;
- Criteria d) – no comments;
- Criteria e) – no comments;
- Criteria f) – the landscape and countryside surrounding Earswick is not designated and therefore does not warrant 'special' protection. There is no justification for the introduction of a test above and beyond that established in national planning policy. We would politely remind the Parish Council that the green belt is not a landscape designation;
- Criteria g) – no comments;
- Criteria h) – whilst we do not object to this criteria, it should be acknowledged that this would effectively stop the very few remaining development opportunities within the village coming forward; and
- Criteria I & J) – no comments.

Policy ENP 2: Housing Mix

We welcome this policy and its intention to widen the choice of housing within the village. However there is a clear contradiction between the aspiration of widening the choice of housing within the village and then seeking to severely restrict the amount of housing coming forward within the village. Furthermore no evidence has been produced which shows what the preferred housing mix should be within the Parish. The City of York has produced a Strategic Housing Market Assessment (SHMA) which identifies the housing needs across the city. However clearly if the preferred housing mix in SHMA is to be used in the context of ENP, then this is an

acknowledgment that the Parish of Earswick operates as part of the wider York Housing Market Area and therefore should be accommodating a proportion of the development needs of the city.

The supporting text to Policy ENP 1 clearly acknowledges that the level of housing growth is likely to be restricted to less than 1 new dwelling a year and as previously set out we have significant reservations whether even this level of development will come forward in the future. As a result, we would question the purpose of the policy given by the Parish Council's own acknowledgement that sites of 5 or more dwellings will be unlikely to be coming forward within the Parish.

There is no realistic mechanism to enforce a housing mix policy on sites of below 5 units. Instead developers/landowners will naturally seek to maximise the value of their land by creating a property as large as possible proportionate to the size of the plot. Therefore the ENP would only serve to exacerbate the existing housing and demographic imbalances within the Parish and would fail to contribute to sustainable development for this reason.

Policy ENP 4: Local Green Spaces

We have reservations about the proposed designation of Site G1 'The Garden Village Green' and G5 'Land to the front of 6 Northlands' as Local Green Space. We are unsure of the planning function of this land and would question whether it should be allocated as Local Green Space. Paragraph 77 of the NPPF makes clear that a Local Green Space designation is not appropriate for most green areas or open spaces and should only be used where the greenspace is demonstrably special to the local community and holds a particular local significance.

CONCLUSION

We have significant reservations about the approach adopted within the draft ENP and consider that it does not meet the basic conditions set out in paragraph 065 of the PPG in respect to aligning with the strategic approach and policies of the Local Plan, conforming to national policy and contributing to sustainable development. We consider that progress on the ENP should be delayed until the York Local Plan has been subject to examination.

If you have any queries or require any further information in relation to any of these matters, please do not hesitate to contact me.

Yours sincerely



Stephen Courcier MRTPI
Associate

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Forward Planning
Planning & Environmental Management
City of York Council
West Offices
Station Rise, York
YO1 6GA

(01904) 552255
neighbourhoodplanning@york.gov.uk

Date: 6th January 2017

Dear Mr Jones,

Earswick Neighbourhood Plan Pre-Submission Consultation Draft

Thank you for the opportunity to comment on 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.

This letter highlights those issues that we feel are fundamental to the success of the Neighbourhood Plan. We would like to work in partnership with you to address these issues ahead of the Plan's submission. Two schedules identifying further comments/ recommended amendments for the main document and the SEA are enclosed with this letter.

Green Belt

We appreciate that this is a complicated issue in the context of the emerging York Local Plan and emerging Neighbourhood Plans.

We need to ensure that the terminology used when referring to the Green Belt in the context of the 2005 draft Local Plan, Regional Spatial Strategy, emerging Local Plan and emerging Neighbourhood Plan is clear and consistent across the Neighbourhood Plan and associated documents such as the SEA.

In addition, we believe that it is important to ensure that the terms/definitions of Green Infrastructure and Green Belt in the Plan are clear and consistent with terminology used elsewhere. For clarity we recommend that the following terminology is used as part of your Neighbourhood Plan:

Green Infrastructure: *Green infrastructure is the physical environment within and between cities, towns and villages. It is a network of multifunctional open spaces including formal parks, gardens, woodlands, green corridors, waterways, street trees, nature reserves and open countryside.*

Draft Green Belt: *It is the responsibility of the emerging Local Plan to set the detailed Green Belt boundaries for York. Until such time as these are adopted through the Local Plan, reference should be made in all documents to York's "draft Green Belt".*

Whilst the general extent of the draft Green Belt was identified in the former RSS and is retained as applicable policy for York, these RSS policies require that the detailed inner and outer boundaries are defined in the Local Plan. Therefore the Local Plan will set the detailed York Green Belt boundaries for the first time. It is the purpose of the Local Plan process therefore to ensure that the Green Belt endures by allocating sufficient suitable sites for development, which meet York's growth requirements over the next 20 years and establish the principles acceptable for any development.

Strategic Environmental Assessment

Please see the schedule attached to this letter for comments on the SEA. In particular, we recommend further careful consideration of your policies against the criteria to provide more detail in relation to potential impacts, specifically in relation to the windfall policy and possible uncertainties that may arise from this.

Subject to the amendments set out, we concur with the conclusion that the plan is unlikely to have significant environmental effects and therefore does not require Strategic Environmental Assessment. Furthermore, we do not consider that there will be significant effects on Statutory Nature Conservation Sites and therefore Habitat Regulation Assessment is not required.

We appreciate the significant amount of work and progress made by the Parish Council and we would welcome the opportunity to work with you to address the comments made in this response and any other responses received as part of the pre-submission consultation. We would like to invite you to a meeting to help us move forward together to produce a sound, deliverable Plan for Earswick. Please contact me to arrange a suitable date at your earliest convenience.

Kind Regards,

Rebecca Harrison
Development Officer

Schedule of CYC Comments on the Pre-Submission Draft Earswick Neighbourhood Plan

Main Document

Page	Para/Table/Map ref	Comments
All		It is advised that paragraph numbers should be inserted throughout the document for clarity.
All	Throughout	Reference to York's Green Belt should be clarified throughout the document. See our comments re: page 26 and 27 for further detail. All references to York's Green Belt should be 'draft Green Belt' as the emerging Local plan will establish these boundaries for the first time. We consider the final paragraph on page 26/page 27 which sets out the role of the saved policies in the otherwise revoked RSS should be moved to the planning context section as it is fundamental to many of the NP policies.
5	Para 1	Typo '20016'
9	Figure 1	It appears that this map has been stretched to fit the page. We suggest that the landscape orientation might fit better. As this is a CYC map, it must state our licence number as follows: 'Crown Copyright. City of York Council Licence Number 1000 20818'.
26	4 th Para	Please reference the core principle paragraph number – paragraph 17, point 5.
26	Policy ENP3	Whilst we understand the aim of this policy we are concerned with its deliverability and consistency with the NPPF. We would be happy to clarify and discuss this with you further. In summary, our concern relates to deliverability of the policy and ensuring it does not go beyond national policy, by in effect banning all development in 'the countryside' other than that which can demonstrate special circumstances. Very special circumstances relate, in national policy, to development within the Green Belt. Paragraph 87 and 88 state: <i>87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.</i> <i>88. When considering any planning application, local planning authorities should ensure that substantial</i>

Schedule of CVC Comments on the Pre-Submission Draft Earswick Neighbourhood Plan

Main Document

		<p>weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p>Paragraphs 89 and 90 go on to state the exceptions to inappropriate development.</p> <p>In addition, there may be a number of case in which 'permitted development' rights would apply.</p> <p>Also, the extent of the 'countryside' as defined by the Neighbourhood Plan would need to be shown on a proposals map.</p>
27	3 rd para	<p>For further clarification regarding York's Green belt, please see below.</p> <p>It is our view that as a matter of principle neighbourhood plans cannot define GB boundaries, it is however within the scope of a neighbourhood plan to set an interim green belt boundary pending the Local Plan. Within this context the inspector for a neighbourhood plan would have to assess whether the neighbourhood plan is in line with the appropriate strategic policies i.e. the saved policies of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) (the RSS).</p> <p>Please be advised that it is only the emerging Local Plan which can set the detailed Green Belt boundaries and that this document, when adopted, will be establishing the boundaries for York for the first time. All references to York's Green Belt prior to adoption should refer to York's 'draft Green Belt'.</p> <p>In addition for the avoidance of doubt it should be noted that until a Local Plan for York is adopted, development management decisions relating to proposals falling within the general extent of the Green Belt have and will be made on the basis that the land in question should be treated as Green Belt.</p> <p>Within the context described if a neighbourhood plan sets an interim boundary before the City of York Local Plan is adopted, the neighbourhood plan would effectively give way once the City of York Local Plan comes forward because its the role of this document to set the green belt boundary. In addition it should be noted that the City of York Local Plan would not be reviewing the green belt but would be establishing it for</p>

Schedule of CYC Comments on the Pre-Submission Draft Earswick Neighbourhood Plan
Main Document

		the first time as any neighbourhood plan would only fix an interim green belt. It should be stressed that in coming to a view on the final delineation of Green Belt boundaries in the City of York Local Plan careful consideration will be given to the interim boundaries within any neighbourhood plan. This recognises the amount of technical work and consultation underpinning the neighbourhood planning process. Please amend this paragraph in light of the above information.
29	Figure 2	It appears that this map has been stretched to fit the page. Suggest that the landscape orientation might fit better. As this is a CYC map, it must say 'Crown Copyright. City of York Council Licence Number 1000 20818'.
31	Policy ENP5	As these sites are not recognised in the CYC Biodiversity Audit as SINCs (Sites as Importance for Nature Conservation) or SLIs (Sites of Local Interest), we consider that the policy may not be strong enough if you delegated a lower tier of nature conservation sites. The CYC Ecologist suggests that you might want to designate them as Local Green Space along with the other sites that you propose under policy ENP4 as these will be protected for their amenity value even if they are not protected for nature conservation reasons. We would be happy to discuss this with you further.
33	Policy ENP6	By specifically identifying 'view D1', we are concerned that you are discounting other significant views. We consider that the policy would be best if left more generic unless an evidence base document which assesses significant views is produced. It would also be useful to include a representation of this view on a map for clarity.
35	Policy ENP8	We acknowledge your proposal to designate the Earswick signage as a heritage asset for the village. We would be happy to discuss this designation further with you and our Conservation Team. In addition, Historic England has produced an advice note on local heritage listing which you may find useful. https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/

Schedule of CYC Comments on the Pre-Submission Draft Earswick Neighbourhood Plan

Main Document

39	Policy ENP11	We acknowledge and welcome the opportunity to explore ways to enhance connectivity between Earswick and wider York. We would be happy to discuss with you how to take forward proposals in the plan including feasibility of any proposed schemes.
40	Policy ENP11	We suggest amending policy ENP11 as follows: e) <i>Ensuring that any applications for development identify and consider the additional level of traffic that they are likely to generate and mitigate the impacts of this; and</i>
41	Policy ENP14 and supporting text.	Please be advised that S106 would remain in place alongside CIL. However, no more than five 106 contributions can be pooled. Also CIL/S106 can not be charged for the same piece of infrastructure/infrastructure type (to avoid double charging). We would be happy to discuss our S106 and emerging CIL charging with you to aid clarity.
42	Policy ENP14	We have agreed the CIL contribution to the CYC Earswick Neighbourhood Plan as follows: 1000
43	Policy ENP14	We have agreed the CIL contribution to the CYC Earswick Neighbourhood Plan as follows: 1000
44	Policy ENP14	We have agreed the CIL contribution to the CYC Earswick Neighbourhood Plan as follows: 1000