



RESPONSE TO THE CITY OF YORK LOCAL PLAN EXAMINATION - MATTER 8

MULGRAVE DEVELOPMENTS LTD.

YORK LOCAL PLAN: INSPECTORS' MATTERS, ISSUES AND
QUESTIONS (PHASE 3)



RESPONSE TO THE CITY OF YORK LOCAL PLAN EXAMINATION - MATTER 8

On behalf of: Mulgrave Developments Ltd.

**In respect of: York Local Plan: Inspectors' Matters, Issues and
Questions (Phase 3)**

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1.0 Introduction

- 1.1 This Statement ('the Statement') is submitted on behalf of Mulgrave Developments Ltd. to assist the Inspectors in their examination of the City of York Local Plan ('the Plan').
- 1.2 This Statement provides specific responses to the Inspector's matters, issues and questions set out in the Schedule of Matters, Issues and Questions document ('MiQ's') ([EX/INS/37](#)) published on 1st June 2022.
- 1.3 As noted by the Inspectors within their Guidance Note, the Local Plan was submitted for examination prior to 24th January 2019. Therefore, in accordance with the Transitional Arrangements set out at paragraph 220 in Annex 1 of the National Planning Policy Framework 2021 ('the NPPF 2021'), the Local Plan will be examined against 2012 National Planning Policy Framework ('the NPPF 2012').

2.0 Response to Matter 8

Question 8.1

Can the Council explain why these are referred to in the Plan (Table 5.1 -H1, H3, H5, H6, H7, H8, H10, H20, H22, H23, H29, H31, H38, H39, H46, H52, H53, H55, H56, H58, and H59) but not made subject of any site-specific policy?

- 2.1 We have no observations to make with regard to this question and leave it for the Council to respond.

Question 8.2

If their development is to be governed by general development control policies, is this sufficient?

- 2.2 We consider that the general development control policies are sufficient to allow the Council to respond positively to applications for development proposals in respect of these sites.

Question 8.3

Are these sites deliverable?

- 2.3 We are only in a position to comment on 'H38' which is a site DPP have been promoting on behalf of Mulgrave Developments Ltd.
- 2.4 Mulgrave Developments Ltd is an award-winning housebuilder with a proven track record of delivering unique, high-quality residential properties. The company has grown to become a significant provider of quality homes throughout Yorkshire and has recently completed developments in Mount Vale, York and Holtby Lane, Holtby.
- 2.5 The site has been a draft allocation for residential development since 2013 and Mulgrave Developments Ltd/Linden Homes have been actively engaged in promoting the site for a significant length of time.
- 2.6 Additionally, the 'submission' version of the Rufforth and Knapton Neighbourhood Plan proposed to allocate the site for housing purposes (under reference 'RK H1'). The 'made' version of the Neighbourhood Plan does not include the proposed allocation but clarifies this at paragraph 9.1 by stating that the allocation is still supported by the Parish Council, but the site had to be removed from the plan as the plan needs to conform with the Green Belt boundaries as defined in the City of York Local Plan Fourth Set of Changes (2005).
- 2.7 On behalf of Mulgrave Developments Ltd, DPP have overseen the submission of full planning application (ref number **21/02661/FULM**) for the development of 21 homes, which was lodged with the Council on December 7th 2021 and validated on December 8th 2021 and at the time of writing, the application is pending determination.

2.8 The application was accompanied by the following reports.

- **Archaeological Geophysical Survey** by Phase Site Investigations
- **Archaeological and Heritage Desk Based Assessment** prepared by MAP Archaeological Practice
- **Written Scheme of Investigation** prepared by MAP Archaeological Practice
- **Archaeological Evaluation by Trial Trenching** prepared by MAP Archaeological Practice
- **Energy Statement & Regulation 25a Low or Zero Carbon (LZC) technology feasibility study** prepared by Anderson Goddard Ltd
- **Design and Access Statement** prepared by Downes Illingsworth Partnership
- **Transport Statement** prepared by Local Transport Projects
- **Phase I/II Geo-Environmental Assessment Report** - Alan Wood & Partners
- **Preliminary Ecological Appraisal** prepared by Dryad Ecology
- **Tree Survey Report** prepared by Rosetta Landscape Design
- **Arboricultural Impact Assessment** prepared by Rosetta landscape Design
- **Flood Risk and Drainage Assessment** prepared by Alan Wood & Partners
- **Swept Path analysis** prepared by Local Transport Projects
- **Odour Impact Assessment** prepared by Ensaf Consultants

2.9 As demonstrated within the above listed technical reports which accompanied the planning application all site-specific issues relating to the development of the site have been addressed. These are summarised as follows:

Layout

2.10 The below extract of the proposed layout demonstrates that a suitable layout can be achieved, which delivers a mix of 21 houses, including six on-site affordable units. The layout demonstrates that the scheme can be achieved, without giving rise to any technical harm, particularly in relation to existing trees (as discussed further in the below paragraphs) and that the proposed dwellings will not adversely affect the amenity of any neighbouring properties.



Figure 1 - Proposed Site Layout

2.11 The layout shows that the site can provide a suitable range and choice of house types and provide a policy compliant level of affordable housing.

Heritage

2.12 In relation to above ground heritage matters the Archaeology and Heritage Desk Based Assessment report undertaken by MAP Archaeological Practice Ltd confirms that owing to the distance between the site and the heritage assets, the proposed development would have a neutral impact on four listed buildings within 1km of the site.

2.13 In terms of archaeology, the Archaeology and Heritage Desk Based Assessment report undertaken is informed by a Geophysical Survey undertaken by Phase Site Investigations, which established that there is an absence of archaeological activity within the vicinity of the site and concluded that the archaeological potential of the site is considered to be low and of local to regional significance. Nonetheless, a subsequent Written Scheme of Investigation and Trial Trenching reports were undertaken to determine this.

2.14 Trial trenching work was undertaken in March 2022 and these intrusive site investigations confirm that there is an absence of significant archaeological finds and features on the site.

2.15 There are therefore no heritage or archaeology reasons which would preclude or inhibit delivery.

Trees

2.16 A Tree Survey report and Arboricultural Impact Assessment prepared by Rosetta Landscape Design confirm that the majority of vegetation on the site is to be retained, with the exception of one small, poor quality ash tree on the western boundary, identified as category C retention

value in the tree report. The document assesses the quality of existing trees on the site as generally moderate.

- 2.17 The proposed layout has had regard to the presence of the trees to be retained and their respective root protection areas.
- 2.18 The presence of trees on the site and on its boundaries also would not preclude or inhibit delivery.

Highways

- 2.19 The application was accompanied by a Transport Statement prepared by Local Transport Projects which confirms that the proposed development will not have a significant impact on the operation of the local highway. Furthermore, the vehicle movements expected to be generated will not exceed the threshold of requiring further assessment.
- 2.20 The projected modal split calculations indicate that over a quarter (26.7%) of trips generated by the development would be expected to be made by sustainable modes (pedestrian, cycle, public transport and car passenger).
- 2.21 A road casualty study showed that no Personal Injury Collisions occurred within the immediate vicinity of the site during the last 10 years. Therefore, it is considered that there are no existing road safety issues pertinent to the development of the site and the proposals should not have a detrimental road safety impact on the local highway network or on the safety of other road users.
- 2.22 The Council Highways Department has agreed with assessment in the Transport Statement and raise no objections to the proposed development.
- 2.23 There are therefore no highway constraints or safety issues with the development of the site as proposed in the planning application.

Ecology

- 2.24 A Preliminary Ecological Appraisal report, prepared by Dryad Ecology, was submitted with the application and this confirms that the site is of moderate ecological value generally with an area of low value in the northern field. The report includes recommendations to enhance the ecological value of the site. It notes that conditions for bats can be improved by adding roosting boxes and providing addition landscaping. New nest opportunities for swallows, swifts and house martins can be incorporated into any new buildings. Nest boxes suitable for small birds like blue tit and great tit can also be included in either the surrounding trees, or on building walls.
- 2.25 There are therefore no ecological reasons which would preclude or inhibit delivery.

Energy

- 2.26 An accompanying Energy Statement, by Anderson Goddard Ltd, includes measures which can be included within the scheme to ensure that it will be a low-carbon development.

Contamination

- 2.27 Phase 1 and a Phase 2 Geo-environmental Reports were prepared by Alan Wood and Partners. The reports confirm that no significant potential contaminant linkages exist at the site.
- 2.28 The site is therefore not contaminated.

Flood Risk

- 2.29 A Flood Risk Assessment for the site was prepared by Alan Wood & Partners and confirms that the site lies within Flood Zone 1. Further, the report considered a range of potential sources of flooding to the site, including fluvial, groundwater, surface water, existing sewers, water mains and other artificial sources and, overall, the report demonstrates that the flood risk associated with the site is reasonable and acceptable, and that the development of the site will not lead to flooding elsewhere.
- 2.30 Issues around flood risk and flooding would not preclude or inhibit delivery.

Drainage

- 2.31 The Drainage Strategy, again prepared by Alan Wood and Partners, confirms that ground conditions within the site are unsuitable for discharge to soakaway. However, the report notes that second preferred option, which is to discharge the surface water from the proposed development to a watercourse, is feasible. The report notes that there is a water course to the east of the site and this watercourse flows eastward out-falling into the drainage network under the jurisdiction of Ainsty Internal Drainage Board, ultimately discharging to the River Foss.
- 2.32 The report indicates that the foul water from the proposed development should be discharged to the public sewer network located to the west of the site. It is confirmed that this is unlikely to be achieved by means of gravity but rather an appropriate pump station will be required to facilitate the outfall to the public sewer.
- 2.33 The means of the disposal of foul water has been agreed with Yorkshire Water and the disposal of surface water has been agreed with the IDB and the City Council Drainage Department.
- 2.34 The report confirms that the proposed development of the site can be drained, and drainage matters would not preclude or inhibit delivery.

Odour

- 2.35 An Odour Impact Assessment undertaken by Ensafe Consultants was undertaken to establish whether there is any detectable odour around the site given the potential proximity to the pig isolation unit and stables. The survey indicated that the odours were faint and non-offensive across all survey locations.
- 2.36 The report concludes that odour impacts at proposed sensitive receptors are considered to be not significant and would not be viewed as a constraint to planning consent for the proposed development.
- 2.37 The report confirms that odour in the site's vicinity would not preclude or inhibit delivery of the proposed development.

Conclusion

- 2.38 The reports summarised above have demonstrated that there are no site-specific issues that have not been addressed or cannot be mitigated against.
- 2.39 On the basis of the above comprehensive package of technical reports we are hopeful that the planning application will be presented to planning committee in July 2022 with an officer recommendation of approval.
- 2.40 If planning permission is granted in July 2022, Mulgrave Developments Ltd hopes to be on site in October of this year and expect to deliver completions on the site around June 2023.

Question 8.4

Are there any site-specific issues relating to any of them?

- 2.41 Again, we are only in a position to comment on 'H38' and our answer to Question 8.4 is contained in our response to Question 8.3.