

**RESPONSE OF STRENSALL WITH TOWTHORPE PARISH COUNCIL  
(THE QUALIFYING BODY) & CITY OF YORK COUNCIL  
TO EXAMINER'S QUESTIONS 12 MAY 2022**

**1. The Response to Consultation refers to Representation 14 from City of York Council. Would you provide me with this representation.**

The examiner will have already seen this representation, but it accompanies this response as a separate document for the sake of completeness. The representation was numbered '14' by the Qualifying Body's (QB) consultants in line with the numbering of all other Regulation 16 representations as provided by City of York Council (CYC), for the sake of consistency and ease of reference.

**2. Policy CP2 – The first part of the policy “requires” development to provide parking to the Council’s parking standards. Whereas the second paragraph “expects” new residential development to provide parking to the Council’s parking standards. Developers cannot be asked to provide parking spaces to meet local shortfalls as proposed in the third paragraph. It is unclear which area is referred to. Is the provision of parking adequately addressed in the Council’s policies on parking? I am proposing that either the policy is deleted or if there is a need for a policy in the NP, the first paragraph retained and revised to state “should” instead of require.**

Regarding policy paragraphs 1 and 2 – the QB would first of all make the point that there is currently no adopted CYC development plan policy on parking and that when made (most likely in advance of CYC Local Plan adoption), the Neighbourhood Plan (NP) would provide the sole statutory policy provision on parking within the Neighbourhood Area. Additionally, there would appear to be no standalone parking policy in the submission CYC Local Plan. Policy T8 (Demand Management) refers to “the Council’s up-to-date Parking Standards, as contained in the ‘Sustainable Transport for Development’ SPD”. This is a non-statutory planning document. It is unclear where else parking is or will be addressed in statutory terms within the development plan and as such, the QB would not be supportive of policy deletion. That said, the QB acknowledges the inconsistency between policy paragraphs 1 and 2 and would be agreeable to the retention of paragraph 1 and the revision of ‘require’ to “should” as proposed.

Regarding policy paragraphs 3 and 4 – the QB accepts that developers cannot be asked to provide parking spaces to meet local shortfalls. It would however maintain that any new development affecting The Village (NB most likely new shops or services), as defined on the Proposals Map, is likely to create parking pressures both on and off street, over and above the new parking capacity which would be provided in line with normal parking standards. As such, it is considered that parking capacity in excess of normal standards should be provided.

The area of The Village referred to in the policy is clearly indicated as CP2-1 on the recently provided, updated and improved Proposals Map (NB QB is currently in liaison with CYC regarding how best to forward the completed plan to the council. The QB would be happy to provide it to the examiner directly via WeTransfer if that would be permissible).

**3. Policy CF1 – point 1 refers to “unacceptable planning problems”. This is considered to be vague and ambiguous. Point 2 is also unclear as to what type of development this refers to or how this is to be applied. Would the QB comment on the suggestion to revise the final paragraph to read: “Development that would result in the loss of a community facility will only be supported where:” and retain only points 3 and 4. (“Development will only be supported where” to be deleted from the beginning of point 3.)**

The QB would be agreeable to the suggested revision.

**4A. Policy CF2 Local Green Space - would the QB review the sites and amalgamate those closely associated as proposed in their response to my Procedural Note. Would they provide a updated assessment of all sites including their naming.**

Please see separate Local Green Space document accompanying this response. This sets out a revised/updated list of sites for insertion into Policy CF2. It also includes updated assessments for what are now 33 proposed sites. Please note that in the course of the review, the QB reached the conclusion that Queen Elizabeth Barracks Tennis Courts (NB original reference CF2-12) did not meet the LGS criteria and as such, it does not appear in the revised/updated policy list or in the assessments. The QB would like to propose that it be deleted from the NP.

Please note that in the course of the above review/update, a number of inaccuracies were identified in the mapping of Local Green Space sites on the updated Proposals Map. Please advise whether the Proposals Map should be further updated at this stage to assist with the conduct of the examination, to take account not only of these inaccuracies but also of necessary revisions consequent upon the review/amalgamation/re-numbering of sites.

**4B. Policy CF2 - The policy should be worded to formally designate the sites and better reflect NPPF paragraphs 101 – 103. Would the QB and LPA comment on the following proposed revision to the policy: “The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt: List of sites: XXXX**

The QB & CYC would be agreeable to the proposed revision to the policy.

In order not to lose the enhancement dimension of the policy, could the following wording be added beneath the list of sites:-

*The enhancement of a designated Local Green Space site to improve the quality or usability of the open space will be supported.*

This is wording which has proved acceptable in examiners in other made Neighbourhood Plans in Yorkshire, e.g. the Haworth, Cross Roads and Stanbury NDP.

**5. Design and Heritage – it is considered to be inappropriate to refer to the Character Appraisal by the name of the consultants “Woodhall Planning and Conservation”. It should be named after the parish. I am proposing that reference to the consultants should be deleted throughout.**

The QB & CYC would be agreeable to the proposed deletions.

**6A. Policy DH1 – what is the status of the Strensall with Towthorpe VDS? Is it approved as SPD?**

The VDS is listed on the CYC website as an ‘Approved Village Design Statement’, with the following commentary: “once a VDS is approved as planning guidance, it is used by the local planning authority, developers, architects and residents when considering all forms and scale of developments.”

**6B. Local Landmarks – para 5.3.6 refers to these as being worthy of protection but they are not identified on the Map or policy.**

The landmarks in question are referenced in the Character Appraisal at Appendix 4 (ref. A4-6 to A4-7). They are: The Queen Elizabeth Barracks Site, the Listed St Marys Church, the 2 Listed historic bridges over the River Foss and the recent pedestrian footbridge adjacent to the historic Strensall Bridge. The QB would be agreeable to these being included in Policy DH1 and identified on the Proposals Map.

**6C. Policy DH1 - It is suggested that a new section on gardens and open spaces should be created and the relevant paragraphs amalgamated.**

The QB & CYC would be agreeable to this suggestion.

**6D. Policy DH1 - Large rear gardens in area specified– has the importance of these gardens been identified in background studies? If they are to be included in the policy, the boundary of the area should be shown on the Proposals Map. This policy needs to be carefully worded so as not be overly prescriptive. How would proposals for domestic outbuildings and extensions be considered? Would the suggested revision below be sufficient without making reference to the specific area of large gardens? The fourth paragraph of the policy refers to “spatial qualities” of the area. Will the QB define what this term means. I note that VDS design guideline 19 refers to “character and visual amenities”.**

The importance of large rear gardens in the areas specified is based on the Character Appraisal included in the plan as Appendix 4. No other background studies have been undertaken. The QB accepts that the boundaries of the areas concerned should be shown on the Proposals Map.

Regarding domestic outbuildings and extensions – the QB considers that the suggested policy revision (see 6I. and 6J. below) would serve to adequately address their potential impact.

Regarding policy making specific reference to defined areas of large gardens – the QB would wish to maintain such specific reference and would be agreeable to proposed policy revision (see 6J. below).

“Spatial qualities” relates to the feeling of spaciousness which the large gardens in question provide.

**6E. Views - Paragraph 5.3.7 states that it is not considered necessary to include a policy specifically to protect the key views as the Green Belt policy will achieve this purpose. However Policy DH1 includes a section on views and they are shown on the Proposals Map. Would the QB agree that the last 2 sentences of para 5.3.7 should be deleted. Should a reference be made in this paragraph to the views in the Conservation Area appraisals?**

The QB would be agreeable both to the proposed wording deletion and reference to views in the Conservation Area Appraisals.

**6F. Policy DH1 - The policy wording on views is considered to be overly restrictive. A modification is proposed that development that may affect the views should be assessed through a Landscape and Visual Impact Assessment.**

The QB & CYC would be agreeable to the proposed modification.

**6G. Policy DH1 - It is not clear why allotments have been singled out as important open spaces when 42 sites have been selected as LGS.**

The importance of singling allotments out relates more to the provision of new, through development, rather than the management of existing. Only 2 allotment sites exist within the Neighbourhood Area.

**6H. Policy DH1 - The policy on the provision of open space as part of new development is considered to be vague. I am proposing that it should be revised to refer to the Local Plan policies and placed in Policy DH2.**

The QB & CYC would be agreeable to this proposed revision.

**6I. Policy DH1 - would the QB and LPA comment on the proposed revisions to Policy DH1 which have taken account of the various suggestions for revised wording made in the representations:**

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

**“Gardens and open spaces**

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

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

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

**“Views**

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

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

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

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

**Define the boundaries of the Character Areas more clearly on a map.**

The QB & CYC would be agreeable to the proposed revisions. The recently provided updated and improved Proposals Map defines the Character Areas more clearly.

**6J. Policy DH1 - if it is considered important/ necessary to make reference to the area of large gardens, the following should be included in the Gardens and Open Spaces section and the area shown on the Proposals Map.**

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

The QB & CYC would be agreeable to this inclusion and to the definition of garden areas on the Proposals Map.

**7. Policy DH2 I am proposing that a new section should be added on Heritage Assets and the first two points included and strengthened to better reflect national policy and make reference to national and local plan policy. I have proposed that the section on layout should be renamed Open Space and should combine elements of Policies DH1 and DH2 on the subject and make reference to Local Plan Policies. I have sought to include other revisions proposed in representations. Would the QB and LPA comment on the proposed revisions to Policy DH2.**

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

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

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

**Revise the heading “Layout” to “Open Space” and add a new paragraph as follows:**

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

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

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

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

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

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

The QB & CYC would be agreeable to the proposed revisions.

**8. Policies DH3 and DH4 Shopfronts and Signage - it is considered that the policies add no locally specific details to the Local Plan policies and in any case does not fully reflect the adopted or emerging Local Plan policies on Shopfronts and Advertisements. Would the QB and LPA agree a form of wording for these policies that better reflects the updated policy position. Does the LPA have an SPD on Shopfronts that could be referred to in the justification?**

The QB would be happy to work with CYC on improved wording for both policies and would welcome initial drafts from CYC as a first step in this process.

The Council does not currently have an SPD on Shopfronts that could be referred to in the justification (Policy ‘D12: Shopfronts’ in the Publication Draft City of York Local Plan covers shopfronts).

Policy D12: Shopfronts in the emerging Local Plan has not yet been tested in the Local Plan Examination (likely to be in Phase 4 – September), however the policy forms a good basis for revising DH3 & DH4 in the Neighbourhood Plan. Additionally, policy ‘D13: Advertising’ in the emerging Local Plan should also be considered, in support of any wording change in the Neighbourhood Plan.

Suggested re-wording of policies DH3 & DH4 combined in to one policy, as follows:

**DH3: General Shopfront Design and Signage:**

1. *“Where there is a proposal to alter, replace, or create new shopfronts, it will be permitted where:*
  - a. *the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;*
  - b. *Shopfront signage is of a scale, design, material, finish and position within the fascia, to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and*
  - c. *Lighting is fitted externally and without the use of internal box lighting.*

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

- a. *Restoration of original shopfronts will be supported, and proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.*
- b. *illumination of signage will only be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.*

[‘Historic photographs can provide evidence of previous appearance and should be used to help with the design of appropriate shopfronts’ should be moved to the policy justification.]

**9. Policies DG1 – DG3 – Area Based Development Guidance - these policies expect development within the areas of the MOD housing to respect the character and layout of the existing housing in the area. A description of the features is included in each policy. The descriptions draw on the Character Appraisal; they should not be regarded as policy requirements as this would be unduly prescriptive. They should therefore be set out in the justification or in the description under each area in the Character Appraisal.**

**It is unclear what type of development the policies are intended to manage as there are no proposals for housing development in these areas and most housing extensions would be permitted development. Would the QB explain the purpose of these policies.**

These policies relate to the QB’s desire to maintain the locally distinctive features of the three areas in question. While the examiner is correct in saying that there are no proposals for housing in these areas, the NDP has a time horizon of 2033 and who is to say what proposals may come forward over the next 10-11 years, e.g. selective redevelopment of parts of the area, development on infill/windfall plots etc..

In revisiting the policies in order to address the examiner’s question, the QB acknowledges that they could be better worded and would like to propose the following form of words for Howard Road (DG3) as a model for the revision of all three policies:

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

- *Building heights and skyline in tune with the existing area, with buildings of two storeys;*
- *Houses on the south side of the street with principal facades to the south (rear);*
- *Housing set in generous gardens with new tree planting;*
- *Rooves pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet.*
- *Multiple flue chimneys located on ridge line or located centrally within roof slope;*
- *Glazed red brick or red brick, with rooves of modern concrete tiles or pantiles;*
- *Upvc doors and window frames;*
- *Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;*
- *Variety of post and wire fencing and hedge boundary treatments;*

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

This is the type of wording which has proved acceptable to examiners in other made Neighbourhood Plans in Yorkshire, e.g. the Otley NDP estate policies. It is also consistent with the type of design codes advice being recommended by Locality, through studies undertaken on behalf of NP QBs by their retained AECOM consultants.

Please note that the QB has identified an inaccuracy in relation to the mapping of area DG3 on the updated Proposals Map. Please advise whether the Proposals Map should be further updated at this stage to assist with the conduct of the examination, to take account of this inaccuracy.

#### **10. Policies DG4-5 – Queen Elizabeth Barracks**

**I am proposing to recommend that Policy DG4 should be deleted and that Policy DG5 should be revised to include reference to the preparation of a heritage assessment (including a photographic record of the site and buildings) and clear design principles that have sufficient flexibility to be capable of use in considering the redevelopment of the site for housing or other uses.**

**If the boundary of the site is shown on the Proposals Map and referenced in the opening paragraph of the policy, point 2 would be unnecessary.**

**I would also welcome clarification on the term “commensurate facilities” in point 3 and “a good proportion” in point 10 of DG5. What is the evidence to support the housing mix?**

**Would the LPA and QB agree revisions to Policy DG5 to address these matters. To improve the clarity of the policy, it would be helpful to identify any areas (eg sports grounds) and buildings (eg Hurst Hall) that are to be retained on a map to be included in the text and on the Proposals Map. Would you also consider whether some flexibility could be included in the policy to address the replacement of these community and sports facilities?**

The QB would be agreeable to the proposed deletion and revisions detailed in paragraph 1 above.

The QB is agreeable to what is stated in paragraph 2 above.

Regarding paragraph 3 above, the phrase ‘commensurate facilities’ relates to the perceived need for on site retail facilities as part of the development. The clause could perhaps be amended to state that: “Any proposal should include local retail provision”.

Regarding paragraph 3 above, the QB acknowledges that there is no up-to-date quantitative evidence to enable clarification of ‘a good proportion’ in relation to one or two bed units. In line with the examiner’s proposed recommendation in relation to Policy DG6 (see 11. below), the QB would be agreeable to the policy referring instead to ‘a mixture of housing types in line with the latest housing needs assessment’, with the added stipulation that the assessment particularly consider the needs of the Neighbourhood Area’s aging population and the local availability of smaller properties for downsizers and first time buyers.

Regarding paragraph 4 above, the QB would be happy to work with CYC on developing wording for a revised Policy DG5 and would welcome an initial draft from CYC as a first step in this process.

The City of York Local Plan is currently in the middle of the Local Plan Examination. The Council has deleted the proposed allocation and associated policy (ST35 and SS19 respectively) of the Queen

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

At the Phase 3 Examination hearing sessions (July 2022) the site was discussed in detail. However, unfortunately there was no clear indication at this stage of the likely outcomes at the hearing sessions, of the future of the Barracks site. It is therefore considered that the best way forward is to combine DG4 & DG5 into a more generic policy, which could reasonably reflect either outcome for the site.

**DGXX: Development at Queen Elizabeth Barracks, Strensall:**

1. Development at Queen Elizabeth Barracks will be permitted where:
  - 1) *It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and*
  - 2) *Residential development, if proposed as part of development at QEB*
    - (i) *Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC.*
    - (ii) *Reflects the housing need identified in City of York Council's latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.*
  - 3) *Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or re-provision of sports and community floorspace at the site, with provision for wider community access to the newly provided facilities.*
  - 4) *The wider impacts of the development on social and community infrastructure in the locality, including education and local retail/services provision, have been assessed and mitigation secured through conditions or planning obligations.*
  - 5) *Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.*
  - 6) *It can be demonstrated that development has had regard to the following design principles:*
    - a) *the incorporation of landscaped areas;*
    - b) *the retention of mature trees where possible and supplemented by new tree planting where appropriate;*
2. A masterplan should be developed for the site reflecting the principles set out in [ new combined DG 1 -3] and should be informed by a heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and demonstrates how proposals would respond to and where appropriate incorporate these into the design of the development.

The QB would ideally like additional reference in the policy, clause 6), to the following design principles:

- consideration of an axial road layout
- building heights of generally 2 storeys but with inclusion of 2+ storey buildings subject to detailed design analysis of the site and intended locations

In order to create 'a look' back/reference to the historical barracks layout.

It is felt by CYC, however, that being specific in the actual policy about building heights and an axial road network was likely to be overly prescriptive in the policy, although it is suggested that reference to these issues might be appropriate to add to any explanatory text for the policy.

*[Suggest a diagram/ map in the plan showing the location of sports provision/ community hall but this does not need to be shown on the policies map and flexibility should be provided to ensure a reasonable design response and take into account scheme viability, if the site is to shown on policies map this should be limited to areas outside of the greenbelt as defined in the councils latest set of modifications – 2021 and the change tabled at the hearings to take in a small built area to the east of the site – a map can be supplied]*

**11. Policy DG6 - I am proposing to revise the policy to include reference to the latest housing needs assessment and to replace “private housing” with “market housing”. A local connections policy is a housing policy, not a planning policy. I am proposing that the second paragraph should be placed in the Community Actions as it is a housing policy:**

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

The QB & CYC would be agreeable to the proposed revisions.