



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

(01904) 552255

neighbourhoodplanning@york.gov.uk

Date: 7th January 2022

Dear Sir/Madam,

**Strensall with Towthorpe Neighbourhood Plan Neighbourhood Plan up to 2033
(Submission Version)**

Thank you for the opportunity to comment on the Strensall with Towthorpe Parish Neighbourhood Plan Submission Version.

We appreciate the amount of hard work and dedication that the Neighbourhood Planning Group has put into this process to produce a locally representative document, detailing the issues which affect Strensall with Towthorpe. This is particularly appreciated in light of its development in the absence of an up-to-date Local Plan and the ongoing work on the emerging Local Plan.

We would like to continue to work closely with you to move this Plan forward in tandem with the production of our Publication Draft 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 Strensall with Towthorpe and York as a whole.

Enclosed with this letter is Appendix 1 which highlights those issues that we feel will provide a more robust approach to the Neighbourhood Plan and its prospective implementation through the development management process. Within Appendix 1, we comment on the need for the policy wording to be positive, clear and unambiguous in line with paragraph 16 of the National Planning Policy Framework (NPPF) 2021. Many of the policies in their current format would be difficult to implement. Our recommendation is that this aspect is addressed and improved during the examination process.

Please note we attach the HRA Review of the Strensall with Towthorpe Neighbourhood Plan (17 June 2021) and highlight the conclusions within the report which states "There is no credible possibility of the Plan adversely affecting the integrity of any European sites and, consequently, this review is able to recommend that the City Council may give effect to the Plan".

Director: Neil Ferris

www.york.gov.uk

The Strensall with Towthorpe Parish Neighbourhood Plan Submission Version is considered to be in general conformity with the Publication Draft Local Plan (2018) and the Local Plan Proposed Modifications document (June 2019) and (May 2021).

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Neil Ferris', written in a cursive style.

Neil Ferris
Corporate Director of Place

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

Page	Policy/ Para./Section/Table/ Map ref	CYC January 2022 Response
General Comments – Policy Language		<p>Policy wording is required to be positive, clear and unambiguous in line with paragraph 16 of the National Planning Policy Framework (NPPF) 2021. Many of the policies in their current format would be difficult to implement and do not meet the requirements of paragraph 16. The following modifications for Policy DH1 Character Area are suggested as an example. Much of the text is deleted so that the remainder reads as policy to be implemented with the deleted text deemed suitable for inclusion within support text and or justification.</p> <p>Example - Policy DH1 Character Area.</p> <p>Strensall with Towthorpe is situated in a rural setting. All development should preserve or enhance the positive character of the neighbourhood plan area. An assessment of the neighbourhood plan area found there to be 21 character areas, which are presented under Appendix Four prepared by Woodhall Planning and Conservation. Any development within the character areas <u>identified in the Village Design Statement and the Character Appraisal, will be supported where they</u> are expected to preserve or enhance the positive identified key characteristics of the particular character area.</p> <p>Gardens and open spaces between buildings that contribute to the rural charm of the neighbourhood plan area should be retained. Subdivision of these spaces <u>gardens and open spaces between buildings</u> as a result of development will only be supported where it does not harm the character, openness, and visual amenity <u>of the neighbourhood plan area</u>.</p> <p>Within Strensall village specifically there are a number of large rear gardens which are considered important to the spatial qualities of Strensall and Towthorpe, and are worthy of retention. There are a number of large rear gardens 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. Their loss to development will be resisted where development would interfere with the existing spatial qualities of the area.</p>

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

General Comment – Policy Justification	There should be a justification after each policy. For example reference to the Village Design Statement and the Character Appraisal within Policy DH1 and DH2 would be well placed within a justification section.	
General Comment - NPPF	The document needs to be updated throughout to make reference to the 2021 NPPF as the most up to date National Policy.	
General Comment – Local Plan Proposed Modification May 2021	The document needs to be updated throughout to make reference to the Local Plan Proposed Modifications and Evidence Base Consultation held between 25 May and 7 July 2021.	
General Comment – HRA Review June 2021	A HRA review of the Strensall and Towthorpe Neighbourhood Plan was undertaken and shared with the Parish Council at the same time the Parish Council submitted the Neighbourhood Plan to the City of York Council (Spring / Summer 2021). Consequently, the Parish Council have reviewed but not reflected comments in this document. The conclusion of the HRA review has found no compelling reason to disagree with the conclusion of the Strensall with Towthorpe Parish Council HRA. The Strensall and Towthorpe Neighbourhood Plan HRA review also concludes: “There is no credible possibility of the Plan adversely affecting the integrity of any European sites and, consequently, this review is able to recommend that the City Council may give effect to the Plan”.	
1	Map A and Map B	It is suggested that these maps should be clearer. CYC can assist produce clearer maps of the Strensall with Towthorpe Boundary and Revised Neighbourhood Plan Area (June 2016) if required.
2	Paragraph 1.4.3	It is suggested that the discussion of the Local Plan would sit better under section 3.2 Local Planning Policy, however the last sentence in this paragraph remains necessary and it is suggested this sentence should read “ <i>Should this <u>the examination of the Publication Draft Local Plan</u> bring forward any changes.....</i> ”
3	Paragraph 3.1.1	It is suggested that the following changes are made to make reference to the newly published NPPF 2021:

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		<p><i>“The latest version of the NPPF was published in February 2019 2021 and replaced the previous iterations that were published in February 2019, July 2018 and March 2012.”</i></p>
<p>4</p>	<p>Paragraph 3.2.1</p>	<p>It is suggested that this paragraph would benefit from greater clarity regarding the City of York Development Plan. The status of the City of York Development Plan can be found below.</p> <p>The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York's Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt. It also includes the Upper and Nether Poppleton Neighbourhood Plan which was adopted in October 2017, the Rufforth with Knapton Neighbourhood Plan which was adopted in December 2018, the Earswick Neighbourhood Plan adopted in June 2019 and the Huntington Neighbourhood Plan, adopted in July 2021. In accordance with The Neighbourhood Plan (General) Regulations 2012, these Neighbourhood Plans will be used when determining future planning applications within the identified Upper and Nether Poppleton, the Rufforth with Knapton, the Earswick and Huntington Neighbourhood Areas.</p> <p>The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.</p> <p>The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:</p> <ol style="list-style-type: none"> a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF). The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.
5	Paragraph 3.2.2	It is suggested that reference to subsequent consultations of the Regulation 19 Local Plan is made as follows: <u>“Subsequent to the submission of the Publication Draft to the Secretary of State in May 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.</u>
6	Paragraph 3.3.4	It is suggested that the following is included for clarity: “City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the <u>village Green Belt Boundary</u> to the centre of <u>follow</u> Ox Carr Lane. This boundary change was included as part of the June 2019 consultation on modifications following the proposed deletion of sites (i.e. ST35 (Queen Elizabeth Barracks) and H59 (Howard Road)), from the sites to be allocated for development during the Local Plan period.”
7	Paragraph 3.3.5	It is suggested this paragraph is updated to include reference to the Publication Draft Local Plan May 2021 consultation and confirm the Neighbourhood Plan is in general conformity with this proposed modifications document 2021.
8	Objectives of the Plan and Paragraph 4.2.1	It is noted that all objectives have a duplicated “to” when read with the preceding sentence. This duplication should be removed. Objective 1 should be changed to “To contribute to meeting York’s Objectively Assessed Housing Need <u>housing requirement</u> ”.
9	Paragraph 5.1.3	It is suggested this paragraph is updated to reference the NPPF 2021 and associated paragraph references replacing paragraph 105 for paragraph 107. It is also suggested that policy would benefit from reference to Policy T8: Demand Management and the forthcoming

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		development of an up to date parking standards contained in a ‘Sustainable Transport for Development’ SPD.
10	Paragraph 5.1.6	It is suggested that this paragraph references that the level of on-street parking is set by the local highway authority through a separate process to planning. The use of planning conditions and obligations to amend on-street parking is feasible in combination with amending traffic regulation orders.
11	Policy CP1	<p>The following wording is suggested to improve the policy structure to ensure it is positive, clear and unambiguous with reference to the relevant use classes moved to be included as explanatory text.</p> <p><u>“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be protected. Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”</u></p>
12	Policy CP2	<p>It is suggested that this policy is updated to ensure clarity. The policy and supporting text should acknowledge that development has to accommodate its own requirements and you cannot require a development proposal to correct existing problems. Where the development site creates problems, additional provision could be encouraged.</p> <p>The policy should also be updated to reflect that City of York Council’s Development Control Local Plan Appendix E: Car and Cycle Parking Standards (2005) does not make provision for visitor parking.</p> <p>It is also suggested that the wording around the acceptability of visitor car parking and additional parking associated with development adjacent to CP2-1 The Village area as shown on the Proposals Map will be considered acceptable where it is demonstrated it would positively enhance the sense of place and local sustainability and mitigate harmful impacts. Where it is proposed in a</p>

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		Conservation Area it would need to demonstrate it is compatible with the character and appearance of the Conservation Area.
13	Policy CF1	It is suggested this policy is updated to improve clarity. It is suggested the policy is seeking to resist the loss of community facilities and as such, it is suggested this policy is re-phrased to identify planning considerations where the loss of community facilities would be acceptable and to place the onus on the applicant to demonstrate conformity with the policy.
14	Policy CF2	It is suggested for clarity and ease of use of the document, that this section (and / or Appendix 2) make reference to the specific evidence base for the Local Plan, namely the Open Space and Green Infrastructure Update (September 2017).
15	Policy DH1	<p>It is suggested this policy would benefit from referencing Policy GB2 of the Publication Draft Local Plan which considers Development in Settlements in the Green Belt as Towthorpe is within the Green Belt and not inset from the Green Belt like Strensall.</p> <p>The following amendments are also suggested to assist ensure policies are positive, clear and unambiguous:</p> <p>Character Area Gardens and open spaces between buildings that contribute to the rural <u>character</u> charm of the neighbourhood plan area should be retained. Subdivision of these spaces as a result of development will only be supported where it does not harm the character and visual amenity.</p> <p>Spaces In the first paragraph relating to spaces: “In particular allotments areas are to be”</p> <p>The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. This will be controlled by <u>an assessment of appropriateness including impact on rural character as well as road safety condition</u> in relation to new development.</p>

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		<p>The Publication Draft Local Plan Policy GI6 (New Open Space Provision) states that “All residential development proposals should contribute to the provision of open space for recreation and amenity”. As such it is suggested the following wording is deleted and the policy used to describe the forms of open and green space that are acceptability in the character context of the plan area. Whilst the City of York Local Plan expects all development to provide green space, the Neighbourhood Plan is concerned to ensure larger schemes (over 10 units or 1000 sq m) provide open space as part of development.</p>
16	Policy DH2	<p>It is suggested that this policy and / or supporting text references the protections within the NPPF with regards to heritage assets.</p> <p>Roof Form. As stated in CYC’s 2019 Schedule of comments, this section seems very prescriptive, where it refers to within the Conservation Area new buildings up to a 7m span should be designated with a minimum roof pitch of 40 degrees. If it is extremely consistent it might justify this level of prescription but this must be justified. The following amendments are suggested to support use of positive, clear and unambiguous policies.</p> <p>Roof form suggested wording “<u>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.</u>”</p>
17	Policy DH3 / Policy DH4	<p>It is suggested these policies read more like guidance than policy and should be updated as stated in the general comments section. Updates should include a provision to identify if lighting is required.</p>
18	Policy DG4	<p>The title of DG4 should be amended to: ‘Queen Elizabeth Barracks – Materials and Design’. It is suggested the description of the existing form of the barracks is not policy and should be removed from policy and used as background and / or justification information and therefore an update to the policy references is required.</p>

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

19	Paragraph 5.4.22	It is suggested that supporting information needs to reference Proposed Modification 70 – New Policy GI2a within City of York Local Plan Composite Modifications Schedule (April 2021) (EXCYC58). Policy GI2a directs residential and non-residential development to accord with an ‘exclusion zone’ and ‘zone of influence’ around the Strensall Common Special Area of Conservation (SAC).
20	Paragraph 5.5.1 and 5.5.5	It is suggested that reference to the local survey by The Rural Housing Trust and the City of York Council in October 2008 is deleted from paragraph 5.5.1 and that paragraph 5.5.5 is deleted as this evidence base does not constitute an up to date evidence base.
21	Paragraph 5.5.6	CYC does not recognise the 3 properties in the rear gardens of 5/6 Northfields as being ‘affordable housing’ and as such this information should be checked for accuracy.
22	Section 5.5 Affordable Housing	It is suggested that this section recognise change to affordable housing need since the SHMA 2016 and include reference to conformity with forthcoming supplementary planning guidance on housing and updates to evidence base as they become material.
23	Policy CA1	It is suggested this policy is updated to make reference to, and comply with Policy T1 (Sustainable Access) and Policy T5 (Strategic Cycle and Pedestrian Network Links and Improvements) of the Publication Draft Local Plan.
24	Section 7.0 COMMUNITY INFRASTRUCTURE LEVY	It is suggested that this section is updated to make reference to The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.
25	Appendix 2 Local Green Space Designation	It is suggested the map showing the Local Plan Open spaces and Local Green Space Designations be made clearer to read including the copyright.
26	Appendix 3: Local Connections Criteria for affordable housing	Appendix 3 is important for Policy DG6 and could be inserted into a justification under the policy in the main Neighbourhood Plan document. It is also suggested that the following changes are made:

Appendix 1: Schedule of CYC Comments on the Strensall with Towthorpe Neighbourhood Plan Submission Version

		<p>“Remaining in perpetuity for local people <u>notwithstanding any statutory provisions such as the Right to Buy or Right to Acquire.</u>”</p> <p>“In support of meeting local affordable housing requirements, any new affordable housing is expected to be allocated to those with <u>an assessed housing need and</u> local connection to Strensall or Towthorpe in the first instance.”</p> <p>Make the family connection more explicit such as: <u>“Has a close family member (mother, father, adult son, adult daughter, adult brother, adult sister): currently residing in the partnership area and who has been a resident for the last 5 years and with whom they have an established close relationship.”</u></p> <p>Make ‘other special circumstances more explicit such as: <u>“Have an essential need to live close to another person, who currently lives in the area, and who has been resident for the last 5 years, to provide or receive essential daily care or support.”</u></p>
--	--	--