



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
2017-2033**

PHASE 4 HEARINGS

MATTER 5: Green Infrastructure

CITY OF YORK COUNCIL STATEMENT

Matter 5 – Green Infrastructure

5.1 Is the general approach of Policy GI1 to green infrastructure sound?

- 5.1.1 Policy GI1 plans positively for the creation, protection and enhancement of green infrastructure. It sets out five objectives which encapsulate the plan's overarching approach to green infrastructure delivery that development proposals are required to be consistent with.
- 5.1.2 The objectives expressed in the policy establish an appropriate framework that support and align with the plan's spatial strategy, which recognises the importance of green infrastructure as a positive contribution to the historic character and setting of York (Strategic Principle 7, TP1 Green Belt Addendum [EX/CYC/59] (p38)). The objectives are expanded upon in the following policies within the Plan's Green Infrastructure chapter.
- 5.1.3 The policy recognises the multifunctional role green spaces play in providing nature conservation, recreational and landscape benefits consistent with paragraphs 99, 109 and 114 of the NPPF (2012). It recognises that issues interact at different scales and appropriately acknowledges the role of the Leeds City Region Green Infrastructure Strategy along with the Council own emerging work (criterion i).
- 5.1.4 The policy is justified and derives from wide array of base studies including the Open Space and Green Infrastructure [SD086A] report and subsequent 2017 update [SD085], TP Paper on Green Corridors [SD088], Biodiversity Audit [SD089], regional strategy devised by for York and the wider Leeds City Region [SD087].
- 5.1.5 NPPF (2012) states that "Local planning authorities should: set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure" (paragraph 114). The Local Plan addresses this expectation and Policy GI1 is an appropriate policy response to this.
- 5.1.6 Policy GI1 is considered effective by the Sustainability Appraisal (SA) [CD008]. The SA recognises that the delivery of integrated Green Infrastructure has the potential to yield a range of significant benefits to York with resultant positive assessments against a range of the SA Objectives (p.153). Table J.6 in Appendix J of the SA [CD009C] shows Policy GI1 to have a significant positive effect in relation to SA objective 8 which seeks to 'conserve or enhance green infrastructure, biodiversity, geodiversity, flora and fauna for accessible high quality and connected natural environment' pp. 98-99)

- 5.1.7 Two modifications to Policy GI1 are proposed and included at Appendix 1 to provide clarity and effectiveness, in accordance with NPPF (2012) paragraph 15:
1. Reference to the latest version of the Leeds City Region Infrastructure Strategy, 2018; and,
 2. To acknowledge that it is not reasonable to expect all development proposals to be consistent with the policy objectives, it is made clear that this is required only where appropriate. The modification also recognises that other specific policy requirements will also need to be demonstrated.

5.2 Does Policy GI2 deal with biodiversity and access to nature in a reasonable way?

- 5.2.1 Yes, the Policy sets out the approach to ensure the retention, enhancement and appropriate management of York's ecological assets including avoiding loss or significant harm to SINC's, exploring potential of buffer zones, and maintaining and enhancing strays for wildlife. The approach is derived from the City of York Local Biodiversity Action Plan (2017) [SD080], which sets key conservation actions for priority species and habitats, ensure local wildlife and habitats are not lost in York. Policy GI2 is consistent with the NPPF (2012) and its promotion of biodiversity enhancement in paragraphs 109, 117 and 118.
- 5.2.2 The Policy suggests the use of buffer zones as an approach to manage York's ecological assets where required; this has been explored and implemented as part of (new) Policy GI2a to protect Strensall Common SAC (Refer to 5.3.1).
- 5.2.3 Proposed modifications to Policy GI2 (included at Appendix 1) ensure appropriate distinctions are made between different levels in a hierarchy of nature sites in accordance with paragraph 113 of the NPPF (2012) and in response to consultation responses from Natural England. The Policy also mandates for the increase of access to open spaces, recognising that this makes an important contribution to health and wellbeing of communities, as per paragraph 73 of the NPPF (2012).
- 5.2.4 Biodiversity Net Gain (BNG) requires development that leaves biodiversity in a better state than before. In accordance with paragraph 9, 11 and 152 of the NPPF (2012), Policy GI2 seeks to embed BNG across any development.
- 5.2.5 The policy criterion related to net gain is proposed to be modified, to strengthen and align with the Environment Act and the mandatory requirement (due to come in to force in November 2023, but still subject to secondary legislation) for development to deliver at least a 10% biodiversity net gain. Associated explanatory text at paragraph 9.6 is proposed to be modified to reflect these changes.

- 5.2.6 The Policy sets the requirements to maintain and enhance river and water quality, working in tandem with Policy ENV4. The Environment Agency has been engaged in all stages of policy development, all outstanding areas of disagreement around the Plan's appropriate consideration of the Water Framework Directive have been overcome [EX/SOCG/9].
- 5.2.7 To ensure Policy GI2 provides appropriate protections for all habitats and is in accordance with national policy, a further modification is proposed to provide protection to 'irreplaceable habitats', including ancient woodland and veteran trees as per paragraph 118 of the NPPF (2012).
- 5.3 Will (new) Policy GI2a and the associated text be effective in protecting Strensall Common SAC?**
- 5.3.1 Yes, the (new) Policy GI2A will be effective in protecting Strensall Common SAC. There is an 'exclusion zone' set at 400m linear distance from the SAC boundary. In this area, permission will not be granted for development that results in a net increase in residential units, on the basis that the HRA (2020) EX/CYC/45 and associated appendices in EX/CYC/45a, cannot rule out adverse effects.
- 5.3.2 The HRA 2020 does not suggest that adverse effects are happening on the SAC now but that it is not possible to rule out that increasing levels of recreational pressure could lead to harm arising. It is noted current uses of the barracks includes an element of ancillary residential accommodation (including single living accommodation and transit bedspaces). New Policy GI2A, the content of which is endorsed by NE, allows for replacement residential to the level which currently exists as it would deliver no net increase.
- 5.3.3 Furthermore, Policy GI2A is clear that, subject to appropriate assessment, non-residential uses may be acceptable. for non-residential uses (where it is easier to control occupants, and arguable more aligned with existing employment type use of the barracks); this would be similar to the approach adopted at Towthorpe Lane (Site Allocation E18, which has been allocated for employment use).
- 5.3.4 A modification to the supporting text is proposed included to make this clear at for completeness and to identify the quantum of existing residential development within this boundary. These changes are to enhance the effectiveness of the policy and ensure that it is clear for decision making purposes in line with NPPF 2012 paragraph 154.

5.4 Is Policy GI3 sufficient to protect or enhance the city's Green Infrastructure Network?

- 5.4.1 Yes, Policy GI3 is sufficient to protect, enhance and manage the extensive Green Infrastructure Network throughout York and those which transcend administrative boundaries of neighbouring authorities in accordance with paragraphs 99, 109, 113 and 114 of the NPPF (2012).
- 5.4.2 In accordance with paragraph 75 of the NPPF, policy GI3 seeks to protect and enhance the amenity and biodiversity value of existing rights of way and open access land.
- 5.4.3 The Policy will enhance the existing nature capital by improving green infrastructure networks which have been mapped to provide understanding of their importance in influencing the plan's development strategy and to assist identifying areas of uneven distribution across the City. This mapping is derived from the the Green Corridors Technical Paper (2011), Base Study: Open Space and Green Infrastructure (2014) [SD086A] and Update (2017) [SD085], Local Biodiversity Action Plan (2017) [SD080] and the SINC Review [SD081]. Policy GI3, alongside other Green Infrastructure policies, HW7 and D2 will protect and enhance the distribution of green infrastructure across the city.
- 5.4.4 A modification is proposed to make clear in the explanatory text that these studies, which form part of the Plan's evidence base, informed the green infrastructure network as shown on figure 3.2 of the Plan.

5.5 Will Policy GI4 offer appropriate protection to trees and hedgerows?

- 5.5.1 Policy GI4 acknowledges trees and hedgerows make a positive contribution to surrounding biodiversity, the setting of conservation areas and supports developments where existing tree cover and hedgerows are protected.
- 5.5.2 The Policy supports retaining trees and hedgerows which make a positive contribution to amenity and supports developments which will provide protection to 'trees worthy of retention'. While not explicitly mentioned in Policy GI4, veteran trees and ancient woodlands are valued for their ecological, visual and cultural value (p. 11, Environment Agency (2022), p. X, Nature Capital Committee (2013) and (p.50, NPPF, 2012)).

5.6 Does Policy GI5 offer proper protection to open space and playing fields?

- 5.6.1 Yes, the policy provides clarity on how both open space and playing fields will be protected against loss. It is consistent with paragraph 74 of the NPPF and the limited circumstances in which development of open space, sports and recreational buildings and land should be found acceptable:
- Where an assessment shows the open space, buildings, or land to be surplus to requirements; or

- Where the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- Where the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

5.6.2 The operation of the policy is supported by the delineation of open spaces on the policy map, which relate to the following as taken from the Local Plan Evidence Base Study: Open Space and Green Infrastructure (2014) and 2017 Update [SD086A and SD085]:

- Children's play area
- Outdoor Sports Facility
- Amenity Greenspace
- Natural and semi natural
- Allotments
- Young Person's Facility
- Local Park
- City Park
- Cemeteries
- Civic Spaces

5.6.3 The explanatory text refers to the policy map, but the policy itself does not deal only with the protection of these delineated spaces. Rather, it applies to any open space with 'environmental/recreational importance', recognising that other open space may be created during the plan period which is worthy of protection through this policy.

5.6.4 The Council is working with Sport England and the National Governing Bodies of Sport to develop a Playing Pitch Strategy which covers the period of the Local Plan up until 2033. Policy GI5 will support the implementation of the emerging strategy by enhancing the quality of existing pitches and ensuring that any new pitches or reallocation are designed and implemented to the appropriate standards.

5.7 Is the approach of Policy GI6 to the provision of new open space sound?

5.7.1 Yes, the policy identifies that all proposed residential development is expected to contribute proportionally to the provision of open space for recreation and amenity. It draws on the policy's underpinning evidence for the calculation of required provision in development proposals – namely Base Study: Open Space and Green Infrastructure (2014) [SD086A] and Update (2017) [SD085].

5.7.2 Modifications are proposed to clarify the application of local open space standards and the on-site preference to its delivery in association with residential development. The clause relating to delivery on strategic sites is

to be removed from the list and positioned separately as it does not relate to 'off-site' provision.

- 5.7.3 Policy GI6 also responds positively to the Plan's evidence of open space needs across the City, recognising deficiencies [as presented in SD085 and SD086a]. It provides a planned approach to new provision associated with strategic sites, which will provide benefit to new residents and existing communities. It is an approach that will help minimise the need to travel and contributes to the plan's objective of supporting modal shift to cycling and walking.
- 5.7.4 New open space identified as OS1, OS2 and OS5 relate to approved schemes that are being brought forward separately to the sites allocated in the Local Plan for housing. The open space at OS6 forms part of the site at Heworth Croft, also allocated for student accommodation (SH1) and will be brought forward in association with that development.
- 5.7.5 The Sustainability Appraisal (SA) [CD008] notes that while there is approximately 480 hectares of parks and open spaces, it is not distributed in a uniform manner across the City" (p.68). Policy GI6 is effectively addressing the deficiencies by encouraging the provision of new open spaces for their environmental, social and health functions, making it consistent with paragraphs 73, 89 and 156 of NPPF (2012).
- 5.7.6 The policy will operate alongside policies GI1-3, D2, D4, HW7, SS1 and those specific to strategic sites which necessitate the creation of new open space. The policy is justified and consistent with national policy, including paragraph 74 of NPPF (2012).
- 5.7.7 Modifications are proposed and presented in Appendix 1, which seek to improve clarity and the policy's effectiveness.

5.8 Does Policy GI7 deal with burial and memorial grounds in a reasonable manner?

- 5.8.1 Yes. Burial and memorial grounds form part of the City's green infrastructure. Policy GI7 sets a criteria-based approach to the assessment of burial and memorial ground proposals, recognising that land is likely to be required during the plan period (City of York Local Plan Burial Grounds and Cemeteries Report, 2017 [SD082]).
- 5.8.2 The criterion clearly set out the development considerations and, together, they provide an appropriate assessment basis for decision makers. Policy GI7 is justified, effective and consistent with the NPPF's aim of promoting social sustainability and meeting community's needs (paragraph 7).

Appendix 1 – Proposed Mods

Section 9: Green Infrastructure

- 9.1 In planning positively for the creation, protection, enhancement and management of York's networks of green infrastructure it is essential that the Local Plan conserves and enhances York's landscapes, geodiversity, biodiversity and natural environment, recognising the important role of green infrastructure.

Policy GI1: Green Infrastructure

York's landscapes, geodiversity, biodiversity and natural environment will be conserved and enhanced recognising the multifunctional role of green infrastructure in supporting healthy communities, cultural value, a buoyant economy and aiding resilience to climate change. This will be delivered as part of the Council's Green Infrastructure Strategy and subsequently through the following:

- i. the delivery of the aspirations of partner strategy documents and action plans, including the Leeds City Region Green Infrastructure Strategy (2010~~8~~) any other current regional strategies, any other plans formally approved in the future by the Council as part of the Green Infrastructure Strategy;
- ii. the protection and enhancement of existing recreational open space in York, and through increasing provision in areas where a deficiency has been identified;
- iii. maintaining the integrity of existing green corridors and their role in the green infrastructure network and enhancing and extending it where possible through major new development;
- iv. recognising the role that common land, village greens and other important local green spaces play in protecting and enhancing the historic character of York as well as providing important recreational and nature conservation benefits to the city; and
- v. increasing appropriate access to nature and open spaces to cater for the recreational and well-being needs on an increasing population and mitigating a growing pressure on natural habitats and the wildlife and flora it supports.

~~Where appropriate, development proposals will be expected to demonstrate that they are consistent with the above objectives and meet other specific policies below on green infrastructure considerations have been taken into account, in line with the criteria above.~~

See also Policy GI2, GI3, GI4, GI5, GI6, GB1, CC1 and ENV4

Explanation

- 9.2 Green infrastructure is the term used for the overarching framework related to all green assets. Traditionally, environmental planning has looked at the functions of these assets in isolation, such as biodiversity, open space provision or public realm design. Whilst we should not devalue the benefits of looking at these issues individually, a green infrastructure approach considers how together these assets form an overall 'system' that is greater than the sum of its parts.

9.3 York's approach is to both continue to protect, enhance and extend where possible biodiversity habitats and landscapes; and also to support the multifunctional benefits of green infrastructure. These include opportunities for sport and recreation, creating safe and attractive walking, cycling and equestrian routes; the provision of ecosystem services such as improvements in air and water quality; cultural value; mitigation and adaptation to climate change, particularly in terms of flood storage in York; an enhanced backdrop and landscape to aid business and attract inward investment and boost the economy; to maintain York as an attractive place to live and promote well-being; and, of course, to maintain and enhance biodiversity. York's network of green spaces could work like a connected park, linking the historic city centre to the city's neighbourhoods and countryside through a series of extended strays for walking and cycling, and making use of rivers. Better green infrastructure and cross-connections through York's neighbourhoods should also be encouraged. The Council will deliver a Green Infrastructure strategy in line with Policy GI1 and adopt this as a Supplementary Planning Document (SPD).

Delivery

- Key Delivery Partners: City of York Council; developers; Natural England; Environment Agency, Historic England, Public Health England and community groups.
- Implementation: Green Infrastructure Strategy; planning applications; and developer contributions

Policy GI2: Biodiversity and Access to Nature

In order to conserve and enhance York's biodiversity, any development should where appropriate:

- i. assess potential effects on International Sites in accordance with the statutory protection which is afforded to the site. Proposals will be determined in accordance with statute
- ii. demonstrate that proposals will not have an adverse effect on a National Site (alone or in combination). Where adverse impacts occur, development will not normally be permitted, except where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites.
- iii. demonstrate that where loss or harm to a National site cannot be prevented or adequately mitigated, as a last resort, provide compensation for the loss/harm. Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for.
- iv. avoid loss or significant harm to Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs), whether directly or indirectly. Where it can be demonstrated that there is a need for the development in that location and the benefit outweighs the loss or harm the impacts must be adequately mitigated against, or compensated for as a last resort;
- v. Retain irreplaceable habitats, including ancient woodland and veteran trees. Development resulting in the loss, deterioration and/or fragmentation of irreplaceable habitats will not be supported unless there are wholly exceptional reasons and a suitable compensation plan exists.

- ii-v. ensure the retention, enhancement and appropriate management of features of geological, or biological interest, and further the aims of the current Biodiversity Audit and Local Biodiversity Action Plan;
- iii-vi take account of the potential need for buffer zones around wildlife and biodiversity sites, to ensure the integrity of the site's interest is retained;
- iv- vii. ~~result in net gain to, and help to improve, biodiversity;~~ achieve net gain in biodiversity in accordance with regulations and national policy, contributing to the recovery of priority species and habitats and new habitat creation;
- iv- viii. enhance accessibility to York's biodiversity resource where this would not compromise their ecological value, affect sensitive sites or be detrimental to drainage systems;
- vi- ix. maintain and enhance the rivers, banks, floodplains and settings of the Rivers Ouse, Derwent and Foss, and other smaller waterways for their biodiversity, cultural and historic landscapes, as well as recreational activities where this does not have a detrimental impact on the nature conservation value;
- vii- x. maintain water quality in the River Ouse, River Foss and River Derwent to protect the aquatic environment, the interface between land and river, and continue to provide a viable route for migrating fish. New development within the catchments of these rivers will be permitted only where sufficient capacity is available at the appropriate wastewater treatment works. Where no wastewater disposal capacity exists, development will only be permitted where it can be demonstrated that it will not have an adverse effect on the integrity of the River Derwent, Lower Derwent Valley and Humber Estuary European Sites;
- viii-xi. maintain and enhance the diversity of York's Strays for wildlife; and
- ix- xii. ensure there is no detrimental impact to the environmental sensitivity and significant Lower Derwent Valley and its adjacent functionally connected land which whilst not designated, are ultimately important to the function of this important site.

See also Policy D1, GI1, GI3, GI4, GI5, GI6, GB1, CC1 and ENV4

Explanation

- 9.4 The policy seeks to conserve and enhance all sites and areas of biodiversity value in York. This supports the national approach of a hierarchy of sites as defined in the National Planning Policy Framework. City of York Biodiversity Audit (2010) and Local Biodiversity Action Plan (2017) identify the special sites and define their specific value and the best approach to retaining and enhancing this value. These documents should be used alongside Policy GI2 to determine planning applications that could potentially affect any site of biodiversity value.
- 9.5 Although the protection of individual sites is essential, such sites do not occur in isolation as discrete, self contained habitats, but influence and are influenced by their surroundings. The surrounding area can therefore be as important to the interest of the site as the feature itself, and changes to it could affect the integrity of that interest. In order to fully protect the site or interest, there may be a requirement to establish a suitable buffer area around it. The extent of that buffer could vary depending on the site, the type and value of the habitat present and the proposed change. In addition, whilst recognising the benefits to people provided from access to nature, where appropriate developments will be required to fully assess and mitigate for the impact of recreational disturbance on SSSIs, SACs and SPAs.

9.6 Bio-diversity mitigation and enhancement should be provided on site. Only in very exceptional circumstances, where the proposed development clearly outweighs the nature conservation value of the site and the impact on biodiversity is unavoidable, appropriate mitigation or compensation will be required. This should be achieved through planning conditions and obligations. Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for residual adverse impacts arising from a development after mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity.

The Environment Act sets out a mandatory requirement for development to deliver at least a 10% biodiversity net gain. The provisions of the Act are subject to secondary legislation and development will need to comply with the regulations once it comes into force (expected November 2023).

Net gains in biodiversity can be delivered by almost all development, by following the principles of the mitigation hierarchy and understanding the ecological constraints and opportunities from the early stages of design. Net gain should deliver genuine additional improvements for biodiversity by creating or enhancing habitats in association with development. Improvements should go beyond any required mitigation and/or compensation measures following the application of the mitigation hierarchy

9.7 River and stream corridors encompass a diverse range of wildlife habitats, which add to the diversity and interest of the city's natural environment. These can easily be damaged by development either on the banks of the river or stream or on adjacent land or through channelling or culverting of the watercourse. New development will be expected to give careful consideration to minimising its potential impact and, where possible, achieving benefits for nature conservation or the landscape. The use of York's watercourses for recreational purposes is also of great value but the balance between this and the nature conservation value needs to be addressed. The impact of waste water arising from new developments on water quality in the catchments of the River Derwent and Ouse must be addressed. This will avoid uncertainty and delays to the delivery of development. Although only the River Derwent is designated as a SAC for migratory species, they must also use the Ouse, downstream, to gain access to the Humber and the sea. As such, water quality in both the River Ouse and River Derwent must be maintained. The extent of the catchment areas of both rivers is shown at Figure 2 and 3 of the Strategic Flood Risk Assessment (2013).

9.8 The Lower Derwent Valley is the section of the River Derwent corridor between the villages of Kexby to the north and Wressle to the south. City of York Council, East Riding of Yorkshire Council, North Yorkshire County Council and Selby District Council share responsibility for different sections of the Lower Derwent Valley. It is an area of environmental significant in terms of its importance for biodiversity and landscape and includes sites that are internationally, nationally and locally important for wildlife, plant and animal species and are protected though the planning system by statutory designations. The four local authorities have worked collaboratively, alongside Natural England and Yorkshire Wildlife Trust to prepare guidance to be

used in preparing and determining applications and will be adopted by the Council as an SPD. Applicants of proposals within approximately 1 kilometre of the Lower Derwent Valley are encouraged to seek pre-application advice to help establish the potential impact of a development proposal on the Lower Derwent Valley. This has been identified as the core area within which development proposals could impact on the Lower Derwent Valley, although it is important to recognise that development beyond the 1km also has potential to affect a feature of a statutory designated site and impact on functionally connected land. The emerging SPD seeks to provide more detailed guidance for developers on this, provide a cross-boundary approach to conservation, and identify the enhancements which could be delivered through the planning system to ensure new development protects and enhances the Lower Derwent Valley.

Delivery

- Key Delivery Partners: City of York Council; developers; Natural England; and community groups.
- Implementation: Green Infrastructure Strategy; planning applications; and developer contributions

GI2a: Strensall Common Special Area of Conservation (SAC)

Development not directly connected with or necessary to the management of the SAC will only be permitted where it will not adversely affect the integrity of the Strensall Common SAC, either alone or in combination with other plans or projects.

Proposals will be determined in accordance with the following principles:

- a) There is an 'exclusion zone' set at 400m linear distance from the SAC boundary. Permission will not be granted for development that results in a net increase in residential units within this zone. Proposals for non-residential development within this zone must undertake Habitats Regulation Assessment to demonstrate that they will not harm the integrity of the SAC.
- b) There is a 'zone of influence' between 400m and 5.5km linear distance from the SAC boundary.
 - i. Where new residential development is proposed within the zone of influence on allocated housing sites SS9/ST7, SS10/ST8, SS11/ST9 and SS12/ST14, provision of open space must include or secure access to areas of suitable natural greenspace secured by way of mitigation prior to any occupation of new dwellings and secured in perpetuity.
 - ii. Proposals for other housing development which are not within plan allocations will not be permitted unless it can be demonstrated that they will have no adverse effects on the integrity of the SAC, either alone or in combination with other plans or projects. Any necessary mitigation measures may be sought through planning contributions and must be secured prior to the occupation of any new dwellings and secured in perpetuity. Open space provision must also satisfy policy GI6.

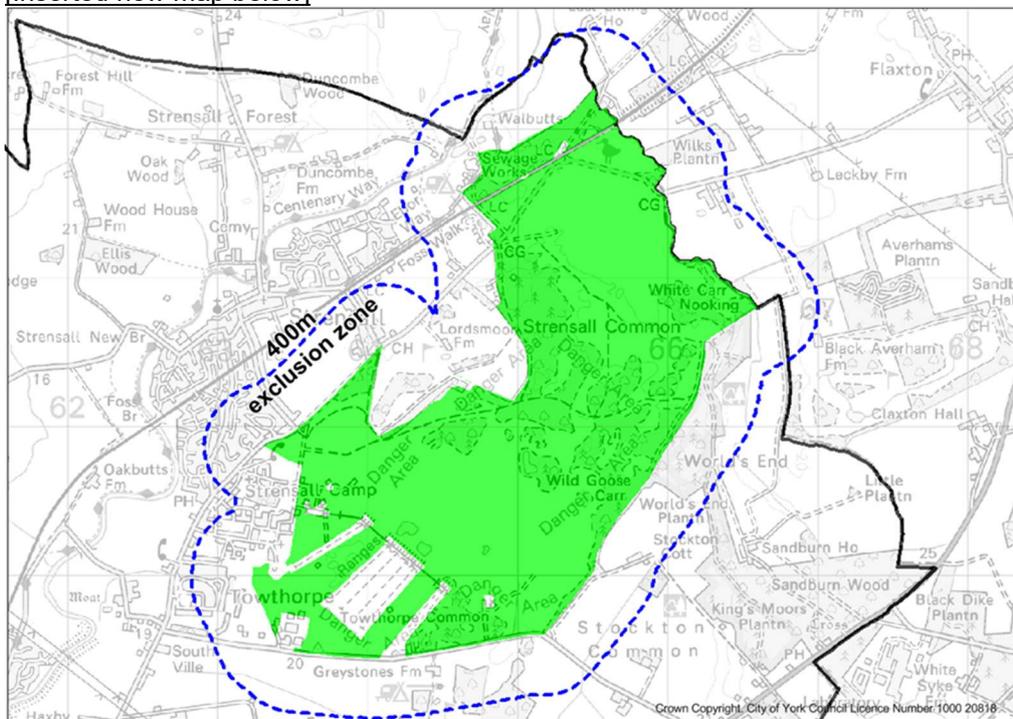
Justification

- 9.8a Strensall Common is designated as a Special Area for Conservation (SAC) and Site of Special Scientific Interest (SSSI). It also has biodiversity value above its listed features in the SSSI/SAC designations that will need to be fully considered.
- 9.8b At over 570ha, it supports one of the largest areas of lowland heath in northern England. Extensive areas of both wet and dry heath occur and form a complex habitat mosaic with grassland, woodlands/scrub and ponds. Grazing, by sheep and cattle is the key management tool with stock typically present during summer and autumn. The heathland supports a diverse flora and fauna including such characteristic (and vulnerable) species such as nightjar, woodlark, marsh gentian, pillwort, pond mud snail and dark bordered beauty moth, with Strensall Common representing the only site for this species in England.
- 9.8c Strensall Common is managed by the Yorkshire Wildlife Trust and Ministry of Defence (MOD) who operate an extensive training facility and firing range within and adjacent to the European site.
- 9.8d The heath is subject to considerable recreational pressure from visitors, especially those with dogs. Although an established network of paths and periodic closures of part of the heath by the MOD (to facilitate training activities) can influence visitor behaviour. However, both the dry and wet heath habitats are particularly vulnerable to trampling, erosion and vandalism such as fire, fly-tipping, pollution and other activities associated with visitor pressure. Although the common is already under intense recreational pressure, there are birds of conservation concern amongst other species and habitats which could be harmed by the intensification of disturbance.
- 9.8e In 2021 all of Strensall Common SSSI was considered by Natural England to be in favourable condition. However, the corresponding Site Improvement Plan identifies a number of threats including, inter alia, public pressure and air pollution. Natural England's Supplementary Advice (2019) highlights the threat posed to the maintenance of the grazing regime by the worrying and subsequent disturbance of livestock by dogs brought by visitors.
- 9.8f In addition, the heathland habitat is vulnerable to changes in the hydrological regime and air quality, which will need to be considered and assessed in detail for any proposed development.
- 9.8fi The is 'exclusion zone' set at 400m linear distance from the SAC boundary because the Habitat Regulation Assessment informing this Plan could not rule out adverse effects associated with residential development in this proximity. The Queen Elizabeth Barracks on site, within this zone, accommodates XXX bedrooms as part of XX single living accommodation and XX bedspaces as part of communal accommodation within this exclusion. The occupancy rates have fallen over time since [date] to XX % at [date]; the Defence Infrastructure Organisation plans to vacate the site.
- 9.8g The Habitat Regulation Assessment (2020) has established that adverse effects on the integrity of the common cannot be ruled out without mitigation. The HRA

suggests that residential development allocations (in Policy H1) within 5.5km of the common are likely to lead to an increase in recreational pressure which will require mitigation in the form of suitable natural greenspace and such other measures as may be considered necessary to prevent an adverse effect on the integrity of the SAC. Relevant policies/sites include strategic sites SS9(ST7), SS10 (ST8), SS11(ST9), SS12(ST14), SS15(ST17) and Policy H1 (allocation H46). The delivery of appropriate recreational open space on these sites will also need to be considered in line with policy GI6. The HRA also anticipates that unallocated windfall development may come forward, although it is not possible at this stage to predict precisely where it will be proposed. To ensure that it does not cause any adverse effect on the integrity of the SAC, the HRA recommends the following policy controls: (1) no net additional dwellings will be permitted within 400m of the SAC, as it is not considered possible to prevent adverse effects from development in such close proximity to the SA; (2) where windfall development is proposed between 400m and 5.5km from the SAC, permission will not be granted unless it can be demonstrated that the proposals will not have an adverse effect on the integrity of the SAC, both in respect of the proposals themselves and in combination with other development; (3) any necessary measures which avoid or reduce such effects must be provided before first occupation and established in perpetuity. The Council will have to consider whether planning obligations will be required, including financial contributions to secure such measures. Proposals must also comply with Policy GI6 which requires that all residential proposals contribute to the provision of open space, in particular helping to address deficiencies in the area surrounding a proposed development.

Applicable 400m development exclusion zone

[Inserted new map below]



Policy GI3: Green Infrastructure Network

In order to protect and enhance York's green infrastructure networks any development should where relevant:

- i. maintain and enhance the integrity and management of York's green infrastructure network, including its green corridors and open spaces;
- ii. protect and enhance the amenity, experience and surrounding biodiversity value of existing rights of way, national trails and open access land;
- iii. ensure the protection of the hierarchy and integrity of York's local, district and regional green corridors; and
- iv. create and/or enhance 'stepping stones' and new green corridors that improves links between existing corridors including those in neighbouring authorities, nature conservation sites, recreational routes and other open space.

See also Policy GI1, GI2, GI4, GI5, GI6, GB1, CC1 and ENV4.

Explanation

9.9 Corridors are a fundamental element of green infrastructure as they form linkages between assets making green infrastructure a network as opposed to a collection of segregated sites. This has the potential to improve the porosity of the urban area to wildlife and provide an attractive access network and environment. York's green infrastructure network is shown on figure 3.2, which is informed by the Green Corridors Technical Paper (2011) and Base Study: Open Space and Green Infrastructure (2014) and Update (2017) prepared as part of the Local Plan's evidence base.

9.10 Regional and district corridors will foster connections between York and other towns/villages in the region which adjoin the green corridors. This will provide a common boundary to a designated area which will allow easier access to and from York, enhance existing routes; create stronger theoretical linkages through association; and reinforce linkages through as common duty to, and benefits received from, the protection and enhancement of the green corridor(s) in question.

Delivery

- Key Delivery Partners: City of York Council; developers; Local Nature Partnership and community groups.
- Implementation: Green Infrastructure Strategy; planning applications; and developer contributions.

Policy GI4: Trees and Hedgerows

Development will be **supported** **permitted** where it:

- i. recognises the value of the existing tree cover and hedgerows, their biodiversity value, the contribution they can make to the quality of a development, and its assimilation into the landscape context;
- ii. provides protection for overall tree cover as well as for existing trees worthy of retention in the immediate and longer term and with conditions that would sustain the trees in good health in maturity;
- iii. retains trees and hedgerows that make a positive contribution to the character or setting of a conservation area or listed building, the setting of proposed development, are a significant element of a designed landscape, or value to the general public amenity, in terms of visual benefits, shading and screening.
- iv. does not create conflict between existing trees to be retained and new buildings, their uses and occupants, whether the trees or buildings be within or adjacent to the site; and
- v. supplements the city's tree stock with new tree planting where an integrated landscape scheme is required.

See also Policy GI1, GI2, GI3, GI5, GI6, GB1, CC1 and ENV4

Explanation

- 9.11 Trees and hedgerows provide a range of far-reaching environmental benefits; they contribute to biodiversity, the well being of humans, the amenity of York's green infrastructure, and landscapes both rural and urban. It is therefore important that hedgerows, trees and overall tree cover are retained where they are of significant landscape, amenity, nature conservation or cultural value.
- 9.12 Trees and hedgerows can constitute a major component of a designed landscape or streetscape, which is of aesthetic, historic or cultural significance. In such instances it is not only the value of an individual tree or hedge that is to be considered but the value of the overall landscape feature of which it plays a part. Development will be supported where such features, and the existing and future public appreciation of them, are substantially protected or enhanced, with an aim to perpetuate the feature.
- 9.13 In exceptional circumstances, where the benefits of the development substantially outweighs the retention of significant trees within the site and there are absolutely no feasible alternatives, appropriate mitigation and compensatory tree planting will be required within the site boundary.

Delivery

- Key Delivery Partners: City of York Council; developers; and community groups.
- Implementation: Green Infrastructure Strategy; Tree Strategy; planning applications; and developer contributions.

Policy GI5: Protection of Open Space and Playing Fields

Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced in the area of benefit and in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost.

Where replacement open space is to be provided in an alternative location (within the area of benefit) the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped.

Development proposals will be supported which:

- provide allotments and productive land, to encourage local food production, and its benefits to education and healthy living;
- protects playing pitch provision except where a local area of surplus is indicated in the most up to date Playing Pitch Strategy;
- improves the quality of existing pitches and ensure that any new pitches are designed and implemented to a high standard and fully reflect an understanding of the issues affecting community sport; and
- meets the deficit of pitches in geographically appropriate and accessible way. This could be rectified through re-designation of any current surplus facilities in the area of benefit.

See also Policy GI1, GI2, GI3, GI4, GI6, GB1, CC1 and ENV4

Explanation

- 9.14 Open spaces, regardless of ownership, make a significant contribution to the character of York. These areas are also valuable in terms of supporting health and well-being, flood risk mitigation and helping to mitigate against climate change. It is therefore essential that these spaces are protected while allowing improvements to their recreational capacity and/or environmental value.
- 9.15 Open spaces protected under this policy include areas that are designated as open space on the ~~proposals~~ policies map. The Local Plan Evidence Base Study: Open Space and Green Infrastructure (2014) and Update (2017) (or the most up to date study) includes an assessment of sites identified on the ~~proposals~~ policies map. It also identifies those wards with deficiencies in open space provision.
- 9.16 There is a presumption against the loss of open space of environmental or recreational importance. However, there may be circumstances where development proposals can enhance the character, use and visual amenity of open space, and provide ancillary recreational facilities or materially improve the recreational or biodiversity value of the site. Such proposals will be determined on a case-by-case basis on their merits and how they conform to sustainable development. Only proposals that respect the character of these areas and improve amenity, enhance

biodiversity, improve sports facilities and/or increase public access will be supported.

- 9.17 Loss and replacement sites/facilities should not increase any identified deficiencies in open space in the area of benefit where the original site is located and consideration should be demonstrated as part of the planning process. Consideration should also be given to how they link with the wider ecological network and enhance biodiversity. As part of any planning application involving the loss or replacement of an outdoor sports site/facility, the results of any relevant planning tools provided by the relevant statutory organisation for sport or national sports association should be provided to support the planning proposal.
- 9.18 In addition, the Active York Playing Pitch Strategy (2014) or any future updates of the study should be used to assess and guide the need for new provision and improvement of pitches across York. It should be noted that the under utilisation of playing pitches should not be considered as an opportunity to dispose of sites without first considering the potential value of such sites for pitch rotation, alternative sport and recreation uses, or most importantly the reasons for under use and whether these can be addressed. For example, the Strategy identifies a surplus of senior football pitches and it concludes that these could be re-designated as junior pitches, where a deficiency has been identified.

Delivery

- Key Delivery Partners: City of York Council; developers; and Sport England.
- Implementation: Planning applications; and developer contributions.

Policy GI6: New Open Space Provision

All Residential development proposals should contribute to the provision of open space for recreation and amenity in accordance with current local standards and using the Council's up to date open space assessment.

The successful integration of open space into a proposed development should be considered early in the design process. The precise type of on-site provision required will depend on the size and location of the proposal and the existing open space provision in the area. Where there are deficiencies in certain types of open space provision in the area surrounding a proposed development, the Council will seek variations in the component elements to be provided by the developer in order to help to overcome them. Requirements will be calculated using the Council's up to date open space assessment and will be in line with the Council's Green Infrastructure Strategy.

The Council will encourage on-site provision where possible but off-site provision will be considered acceptable in the following circumstances:

- i. if the proposed development site would be is of insufficient size in itself to make the appropriate provision (in accordance with the Council's standards) feasible within the site; or

- ii. in exceptional circumstances, if taking into account a site's characteristics including but not limited to the accessibility/capacity of existing open space sites/facilities and the circumstances of the surrounding area the open space needs in the context of a up to date Playing Pitch and Built Sports Facility Strategy, it can be is demonstrated that of the proposed residential development provision can be met more appropriately by providing either new or enhanced provision off-site;

On strategic sites, it may be appropriate for where through strategic green infrastructure masterplanning agreements that provide for green infrastructure approaches which to make accessible provision beyond the allocated site boundaries. Open space standards as set out in the most up to date open space evidence base document should still be used as a guide to overall provision.

New open space is identified on the proposals policies map at:

- OS1: Land North of Manor Church of England Academy
- OS2: Land to North of Poppleton Juniors, Millfield Lane, Poppleton
- OS5: Germany Beck
- OS6: Land abutting the River Foss at Heworth Croft

Indicative new significant areas of open space have been identified in connection with the following strategic sites, as shown on the proposals policies map:

- OS7: Land at Minster Way at ST7
- OS8: New Parkland to the East of ST8
- OS9: New Recreation and Sports Provision to the south of ST9
- OS10: New Area for Nature Conservation on land to the South of A64 in association with ST15
- OS11: Land to the East of ST31
- OS12: Land to the East of ST35

This new open space will be complemented by further on-site provision of local green and open space (as required in this and other relevant sections of the plan), and both should be planned cohesively in order, where appropriate, to:

- manage impacts on the city's historic character and setting;
- mitigate and compensate for ecological impacts, and provide for ecological enhancement;
- meet open space requirements arising from new development;
- accommodate drainage infrastructure, flood storage and attenuation;
- retain and enhance landscape and heritage features; and
- frame pedestrian and cycle linkage.

The precise delineation and extent of the new open space will be set through detailed masterplanning and the planning process. The areas indicated on the proposals map are a guide to general extent based on current understanding of site and other conditions.

See also Policy GI1, GI2, GI3, GI4, GI5, GB1, CC1 and ENV4

Explanation

9.19 Previously designated sites have been revisited and reassessed in the Local Plan Evidence Base Study: Open Space and Green Infrastructure (2014) and Update (2017). All open space has been audited which has resulted in new sites being identified. These are all shown on the ~~proposals~~ policies map.

9.20 Proposals that require the delivery of open space through new development should explain how the proposed on-site provision and off-site contributions comply with the Open Space standards shown in the Local Plan Evidence Base Study: Open Space and Green Infrastructure (2014) and Update (2017) and the City of York Commuted Sum Payments for Open Space in New Developments – A Guide for Developers (updated 1 June 2014) and any further updates of these studies.

Delivery

- Key Delivery Partners: City of York Council; developers; and Sport England
- Implementation: Planning applications; and developer contributions

Policy GI7: Burial and Memorial Grounds

Planning permission for the use of land as a burial/memorial ground will be granted provided that:

- i. there is an identified local need;
- ii. the site is accessible by public transport;
- iii. surface water drainage is adequate and there is no threat to groundwater quality;
- iv. the proposal would not have an adverse impact on the landscape quality nearby, the historic character and setting of York or residential amenity; and
- v. the proposal includes a land management and maintenance programme.

See also Policy ENV4 and T1

Explanation

9.21 Some cemeteries and burial grounds are near to capacity in a number of locations within the Authority area. During the lifetime of the Plan there may be a shortage of burial spaces and we should be aware that as the local population ages the demand for further provision for burial grounds will increase. It is important that burial grounds are accessible and do not **adversely** affect the amenity of local residents.

Delivery

- Key Delivery Partners: City of York Council; Parish Councils; and Charitable Trusts.
- Implementation: Planning Applications; Parish Funding; and Private Donations.