Strensall with Towthorpe Neighbourhood Plan

Zoom meeting with members of Neighbourhood Plan Steering Group and City of York Councillors – Thursday 17th September 2020

The session opened at 11.30.

Present: Anna Pawson & Alison Cooke (CoYC), Tony Fisher, Keith Marquis, John Chapman (Steering Group) and Kathryn Jukes (Consultant).

Anna Pawson was thanked for arranging the meeting and suggested that Alison provided an update on the progress of the CoYC Local Plan then discuss the suggested alterations to the submission documents provided earlier this year.

In connection with the progress of the Local Plan, Alison advised that in June 2020 the council had received correspondence from the Inspectorate concerning the section dealing with the Green Belt boundary. The inspector thought the submitted item was too complicated in the original submission and also raised concerns about the effects of developments on protected sites and in particular Strensall Common. The Inspector suggested that consideration be given to withdrawing the current version of the submitted plan and re-submit a revised version. This aspect was thought not to be the best way forward and had undertaken clarification of some parts of the plan.

In July 2020 a further communication from the Inspectorate requested whether there was any meaningful change to the data on the projections of housing supplied by G.L. Hearn.

The initial indication from the technical evidence is that the housing figures consulted on and discussed in 2019 of 790 per annum increased to 822 per annum (to meet shortfalls) were still considered correct. The Council will confirm their response to the inspector’s letter shortly.

In addition, the 2020 version of the Habitats Regulation Assessment (HRA) requires changes to the Local Plan to ensure that an identified uplift of 6% recreational pressure on Strensall Common is taken into account and developers must take account of these changes when considering developing sites in the Northern area of the Local Plan Area. Officers now have access to the MoD survey of leisure activity affecting Strensall Common. Shadow HRA and mitigation strategy as submitted as part of their December 2019 hearing statement affecting Strensall Common, which have been used to inform the revised HRA outcomes.

This latest version of the HRA also will require a new section dealing with windfall developments within 5½ Km of the Common.

Modifications to the HRA had been compiled and were being examined by Natural England and are expected to be in the public domain in the near future. Modifications as a result of the HRA will form part of the proposed modifications to be submitted to the inspectors in due course. The Council will be undertaking a joint statement between City of York Council, Natural England and the Defence Infrastructure Organisation following release of the HRA.

Tony Fisher advised the Officers that since the start of lockdown in March 2020 the leisure use of Strensall Common had increased by 200%. Alison Cooke requested the Parish Council pass this information to CoYC and Keith Marquis requested that this be an agenda item at the next Parish Council meeting.

Alison Cooke promised to supply a link to the above information once available in the public domain.

Anna Pawson then discussed the documents which had been examined and said the Neighbourhood Plan and associated documents were well written.

The main amendments required will be the effects of the 2020 HRA on the Neighbourhood Plan.

**STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITAT REGULATIONS ASSESSMENT SCREENING DETERMINATION**

* The last paragraph in Section 1 will require to be updated with reference to a revised date of the determination.
* On Page 4 Anna indicated the following: “Thjs screening report should refer to the decision at the Court of Justice of the European Union (CJEU) in the matter of People Over Wind and Sweetman v Coillte Teoranta (C- 323/17, which confirmed that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.

Keith Marquis asked if the footnote on Page 32 of the same document was sufficient to indicate that the court decision had been taken into account. Alison Cooke will check and respond.

* Any amendments arising from the HRA.
* Advice required about whether there should be a reference to the boundaries of the NP where Green Belt will flow into neighbouring authorities such as Ryedale and Hambleton. Alison also indicated that the North Yorkshire and York Joint Minerals and Waste Plan be referenced. (Anna to send wording on neighbouring plans to Kathryn Jukes).

**BASIC CONDITIONS STATEMENT**

* Paragraph 1.5 on Page 2 comment by Anna: Paragraph 1.5 of the SwT Basic Conditions Statement refers to Paragraph 8 (2) of Schedule 4B. Suggest that the following wording from Paragraph 8 (1) is included which states:

Paragraph 8 (1) states that the examiner must consider the following:

1 whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2))

2 whether the draft neighbourhood development plan complies with the provision made by or under sections 61E (2), 61J and 61L, as amended by s38C(5)(b)

3 whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates and

4 such other matters as may be prescribed.

* Paragraph 2.1 on page 3 requires the date of the designation of the NP Area to be amended from January 6th 2016 to January 7th 2016 which is the Executive for Planning and Transport Decision Session date.
* Paragraph 3.1 on Page 3 requires the NPPF date to be amended from July 2018 to February 2019. Also, on Page 4 the heading for Table 1 requires the same date amendment.
* Paragraph 6.3 on last page requires reference to the European Court of Justice decision – People over Wind ruling referred to in Screening Document above.

**STRENSALL WITH TOWTHORPE NEIGHBOURHOOD PLAN**

* Not discussed at meeting but for clarity Paragraph 1.3.5 on Page 8 requires the additional words “Neighbourhood Plan” to be inserted between final and version in the penultimate sentence.
* Policy CP1 on Page 22 and Policy CF1 on Page 25 will require amendment as the Use Classes have been amended by Central Government.
* In Section 5.4 on Page 33 the following paragraphs will require amendment caused by the 2020 HRA – 5.4.2, 5.4.3, 5.4.4 and 5.4.7 also on Page 35 5.4.14, on Page 36 paragraph 5.4.16.
* After meeting question for Anna Pawson – there are references to NPPF in the body of the document so will these need to be amended to NPPF 2019? (Reply from Anna is that all NPPF references should be to the 2019 version)

Keith Marquis the asked what was expected from the Steering Group to ensure progress of the NP continues.

Alison stated that items which may affect the NP will be discussed at the next Local Plan Working Group Meeting due to take place on 22nd October 2020 and details of the agenda items will be available in advance of this meeting as normal. In the meantime, the HRA 2020 effect should be known so can be considered and that she will continue to liaise with the group.

As the current pandemic does not allow referendums to take place before May 2021 it is hoped that any amendments required can be inserted into the relevant documents and then submitted to CoYC for their attention in the submission process to allow the NP to meet this deadline.

The meeting closed at 12.30.