

# ***Murton Parish***

## ***Neighbourhood***



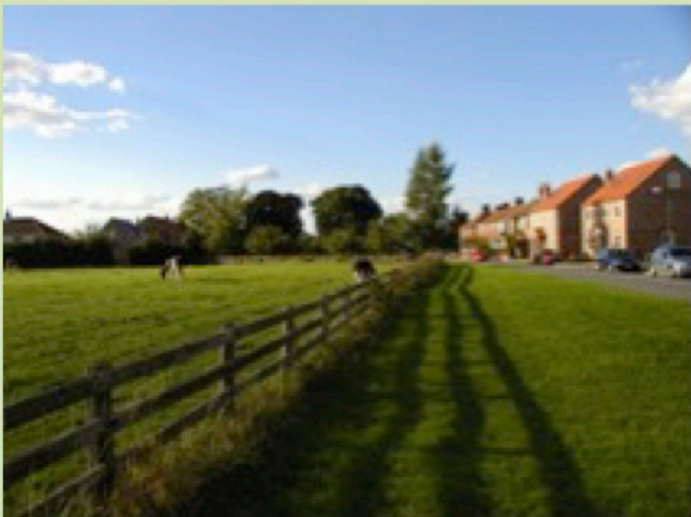
**Strategic Environmental  
Assessment Screening Report**

**Submission Version**

**(Regulation 14)  
April 2022**

## ***Plan***

**2022-2033**





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## 1. Introduction

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- 1.1 Strategic Environmental Assessment (SEA) is a systematic and comprehensive process for evaluating the environmental effects of a plan in order to ensure that environmental implications are taken into account before any decisions are made. The Murton Parish Neighbourhood Plan (MPNP) SEA has been prepared in line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations) which transpose into national law the EU Strategic Environmental Assessment (SEA) Directive<sup>1</sup>
- 1.2 Under this Directive, Neighbourhood Plans may require SEA but this is very much dependent upon the content of the plan. For plans that *'determine the use of small areas at local level'* or are *'minor modifications'* to existing plans, the Directive only requires SEA where they are likely to have significant environmental effects. The expressions 'small area' and 'local level' are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan. Screening is needed to determine whether such plans are likely to have significant environmental effects.
- 1.3 Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans and to be used in a screening exercise. The findings of the exercise must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.
- 1.4 This Screening Report is an assessment as to whether the Draft Murton Parish Neighbourhood Plan, requires a Strategic Environmental Assessment in accordance with the Directive.
- 1.5 A Neighbourhood Plan may also require a Habitats Regulations Assessment (HRA) in accordance with Articles 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended). A HRA is required when it is deemed likely that there will be significant adverse effects on Designated European Sites (Natura 2000)<sup>2</sup> as a result of the implementation of a plan/project. Sites within 10km of the MPNP area boundary, together with any additional downstream sites that may be hydrologically linked to the plan's zone of influence are included and considered to be a suitably precautionary starting point for the assessment of the plan. This is consistent with the draft HRA prepared for the

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<sup>1</sup> Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

<sup>2</sup> Natura 2000 is a network of core breeding and resting sites for rare and threatened species, and some rare natural habitat types which are protected in their own right. It stretches across all 27 EU countries, both on land and at sea. The aim of the network is to ensure the long-term survival of Europe's most valuable and threatened species and habitats, listed under both the Birds Directive and the Habitats Directive (European Commission [https://ec.europa.eu/environment/nature/natura2000/index\\_en.htm](https://ec.europa.eu/environment/nature/natura2000/index_en.htm)).

emerging City of York (CYC) Local Plan.

- 1.6 Within the Murton Parish there no Nationally Significant Nature Conservation sites but four have been considered as Sites of Importance to Nature Conservation (SINC) (Annex 1).<sup>3</sup>.
- 1.7 The MPNP sets out clear policies to protect the countryside, Local Green Spaces, ecology and biodiversity as well as woods, hedges and hedgerows, ditches and grass field margins within the Parish. There are no sites allocated for development.
- 1.8 Where it is relevant to the MPNP policies, issues impacting on the following are considered:
  - historic environment and landscape (including listed buildings and scheduled monuments)
  - population and community including health and wellbeing
  - local facilities,
  - transportation (including cycling walking, public rights of way), and
  - employment.

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<sup>3</sup> Murton Parish Neighbourhood Plan. Appendix D. Hedgerows and Fields, p5

## 2. Legislative Background

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The SEA Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)<sup>4</sup>.

2.1 The Planning and Compulsory Purchase Act 2004 requires local authorities to produce Sustainability Appraisals (SAs) for all Development Plan Documents in order to meet the requirement of the SEA Directive and it is considered best practice to incorporate the requirements of this Directive into a Sustainability Appraisal (National Planning Policy Framework (NPPF), paragraphs 165-7). As a neighbourhood plan is not a Development Plan Document, it does not legally require a Sustainability Appraisal. However, there are instances where a SEA would need to be undertaken in order to meet the requirements of the SEA Regulations.

2.2 Consequently, to establish whether this Neighbourhood Plan might give rise to significant environmental effects, it is necessary to screen the Plan.

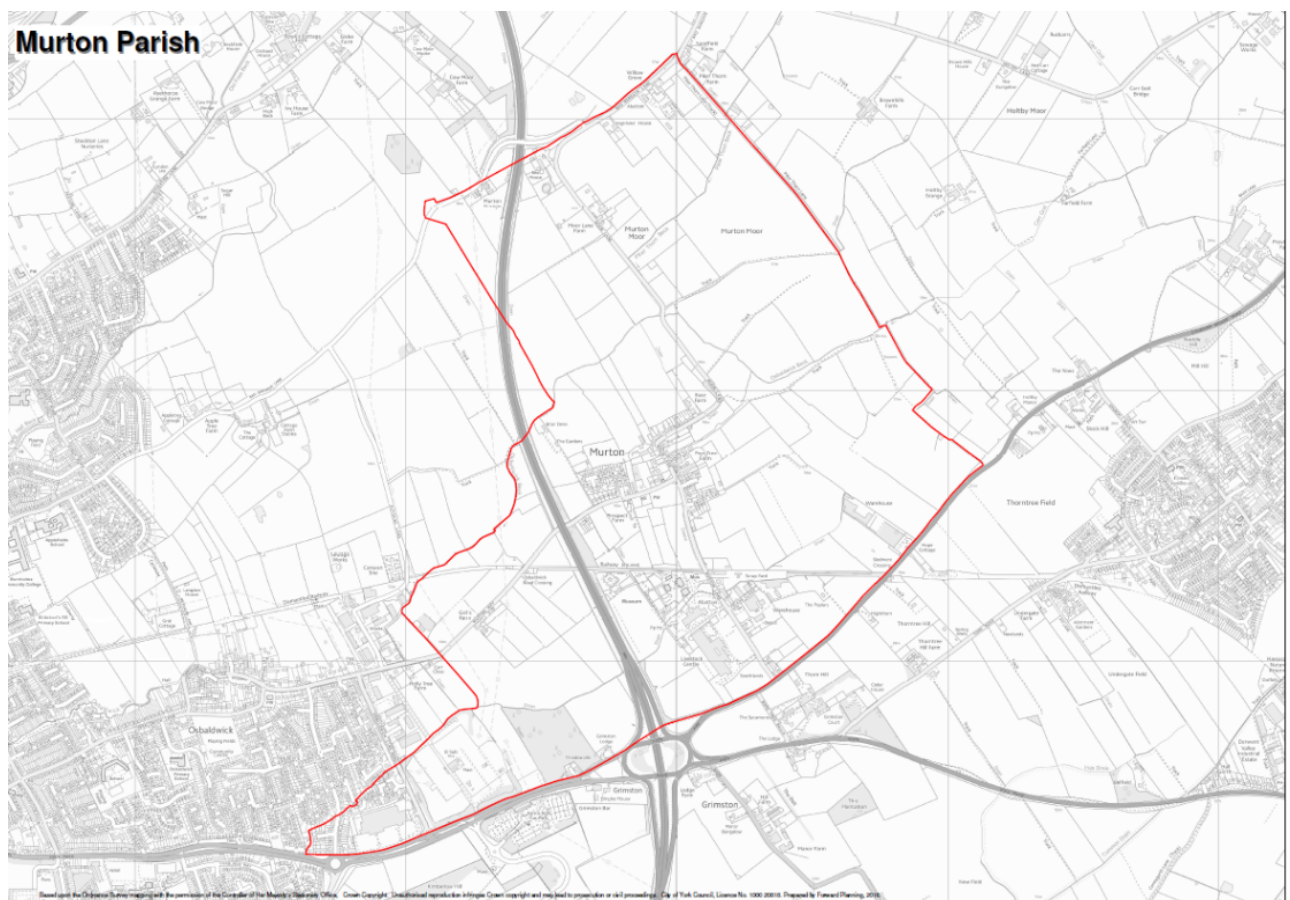
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<sup>4</sup> Detailed guidance on these regulations can be found in the Government publication, *A Practical Guide to the Strategic Environmental Assessment Directive* (ODPM 2005).

### 3. Murton Parish Neighbourhood Plan

3.1 Murton Parish Neighbourhood Plan (MPNP) area was designated on July 23<sup>rd</sup> 2015. A map showing the area that is subject to the SEA screening process is shown below. The designated area specified in the MPNP consists of the whole of the Parish area.

3.2 The purpose of the MPNP is to provide a set of statutory planning policies to guide development within the Parish over the period to 2033 and has been prepared by the Murton Parish Neighbourhood Plan Working Party on behalf of the qualifying body, Murton Parish Council.



**Figure SEA1 Murton Parish Neighbourhood Plan: Designated area agreed by the City of York Council, July 25<sup>th</sup> 2015.**

- 3.3 The aim of the Plan is to influence change in Murton Parish, not to prevent it. By working with residents and other local stakeholders, future developments will be welcomed but need to be sympathetic and protect the historic character and rural environment of the area.
- 3.4 The Neighbourhood Plan sets out a clear direction for the Parish that has been developed by the people and businesses and other interested organisations in the area.



3.5 The aims of the Murton Neighbourhood Plan are to:

1. ensure that the Parish is a sustainable settlement, offering a balanced mix of uses, including a range of employment and community facilities.
2. maintain Murton's distinctive character as a rural settlement on the edge of York.
3. allow Murton to adapt to meet current and future needs.
4. ensure that any new development has a strong sense of place, creating safe, convenient and sustainable environments.

3.6 In order to deliver these aims, the Plan sets out a number of Parish-wide policies. These indicate how new development proposals will be assessed in order to ensure that the development is sustainable and does not have a detrimental impact upon the Parish. Policies also provide protection to important environments and natural assets, including Local Green Spaces, as well as supporting the provision of community infrastructure.

3.7 It is a requirement of the Localism Act 2011 that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Murton lies within the City of York and must therefore be in general conformity with the emerging City of York Local Plan Screening Process.

## 4. The Screening Process

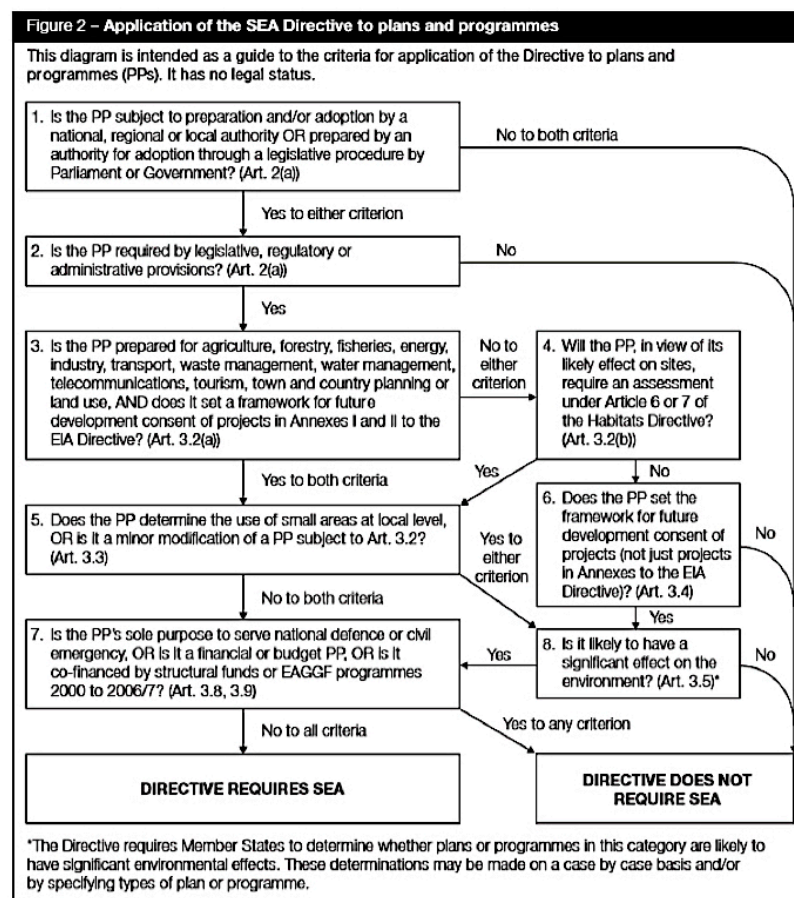
4.1 It is the purpose of this report to assess whether the policies in the MPNP are likely to have '*significant environmental effects*'. This screening assessment has been undertaken in two parts:

- i) Assessment as to whether the Neighbourhood Plan requires SEA in accordance with the flow chart set out below.
- ii) Consideration as to whether the Neighbourhood Plan is likely to have a significant effect on the environment, using criteria set out in Schedule 1 of the EU SEA Directive and the Environmental Assessment of Plans and Programme Regulations 2004.

4.2 Government guidance, as set out in '*A Practical Guide to the Strategic Environmental Assessment Directive*', identifies the following approach to be taken in determining whether a SEA is required:

### 4.3 SEA Directive Criteria for Application to Plans and Programmes

Figure SEA 2 is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.)



**Figure SEA2 Application of the SEA Directive to plans and programmes**

- 4.4 The process in Figure SEA2 has been followed and the findings are set out in the table below:

**Table 1: Establishing the Need for Strategic Environmental Assessment**

Criteria	Y/N	Reason
1. Is the plan or programme (PP) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Neighbourhood plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which, in the case of Murton Parish Neighbourhood Plan is Murton Parish Council. It is subject to examination and referendum. If the Plan receives 50% or more 'Yes' votes at referendum, it will be 'made' by the local planning authority (City of York Council).
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The preparation of a neighbourhood plan is optional. However, once 'made', it will form part of the statutory Local Plan for the area and will be used in the determination of planning applications. It is therefore considered necessary to answer the following questions to determine further if a SEA is required.
3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the Environmental Impact Assessment (EIA) Directive? (Article 3.2 (a))	Y	This Neighbourhood Plan has been prepared for Town and Country Planning and land use and sets out a framework for future development in Murton Parish. Once 'made', it will form part of the statutory development plan and will be used when making decisions on planning applications that could include development that may fall under Annexes I and II of the EIA directive.
4. Will the PP, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the	N	Local European Designated Sites have been identified using data from Natural England.

Criteria	Y/N	Reason																		
Habitats Directive? (Article 3.2(b))		<table border="1"> <thead> <tr> <th>Site name</th><th>Designation</th><th>Closest Distance (approx. km)</th></tr> </thead> <tbody> <tr> <td>Strensall Common</td><td>SAC</td><td>4.3 km</td></tr> <tr> <td></td><td></td><td></td></tr> <tr> <td>River Derwent</td><td>SAC</td><td>3.8km</td></tr> <tr> <td>Lower Derwent Valley</td><td>SAC, SPA, Ramsar</td><td>8.5km</td></tr> <tr> <td>Humber Estuary</td><td>SAC, SPA, Ramsar</td><td>Approximately 30km downstream via River Ouse</td></tr> </tbody> </table> <p>The River Derwent is the closest designated European Designation. Given that the MPNP does not allocate sites for housing, other forms of development, amend existing or introduce Limits to Development or have any direct connectivity with the SAC it is unlikely that it will have a significant adverse effect upon any European sites. Furthermore, the Plan actively seeks to protect and enhance the environment and supports the York Draft Local Plan designation of Green Belt within the Parish. Additionally, the Murton Parish Neighbourhood Plan HRA screening report identifies that no individual or cumulative likely significant (adverse) effects will arise as a result of the plan. The conclusion is that it is not necessary to continue to the next stage of the HRA process, an Appropriate Assessment, as part of the MPNP preparation. The MPNP HRA Screening Report gives further details</p>	Site name	Designation	Closest Distance (approx. km)	Strensall Common	SAC	4.3 km				River Derwent	SAC	3.8km	Lower Derwent Valley	SAC, SPA, Ramsar	8.5km	Humber Estuary	SAC, SPA, Ramsar	Approximately 30km downstream via River Ouse
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5. Does the PP determine the use of small areas at local level OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)	Y	This Neighbourhood Plan determines the use of small sites at the neighbourhood level. For example, it designates some small areas of land as Local Green Spaces. The Plan also reflects the broader spatial framework laid out in the emerging City of York Local Plan York Draft Local Plan																		
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)	Y	The MPNP will form part of the emerging City of York Local Plan and will be used in the assessment of planning applications and so sets the framework for future developments at a local level. It seeks to provide applicants/decision makers with a clear indication of how to react to a development proposal to ensure, for example, that local																		

Criteria	Y/N	Reason
		character is protected, for example ENV2 Green Infrastructure, ENV4 Historic Environment ENV6 Alterations and Extensions. These provide a framework to consider planning applications for housing related development.
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	N	MPNP does not have a sole purpose that falls within any of these categories.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	<p>It is not considered likely that the proposals in the MPNP will have a significant adverse effect on the environment.</p> <p>The vast majority of the Parish is in the draft Green Belt (the final boundaries of which will be set through the emerging City of York Local Plan) and this severely constrains development. This designation (which the Plan supports) is intended to protect the open rural character of the landscape from development that is harmful to Green Belt, wherein openness is a key characteristic.</p> <p>There are no sites of Ancient Monuments, or national archaeological and geological interest within MPNP area.</p> <p>There are 4 Listed Buildings which lie within the Conservation Area (Sections 4.6 and 6.4, MPNP).</p> <p>These are recognised in the Plan and measures have been included to protect these structures and their setting and where possible, enhance them.</p> <p>The plan seeks to protect Green Infrastructure, including through designation of local green space and ensure that the mitigation hierarchy is used should development have a potentially harmful impact.</p> <p>The MPNP does not allocate housing; does not amend or introduce Limits to Development. An individual SEA screening</p>

Criteria	Y/N	Reason
		assessment of the MPNP is included (Section 5).

## 5. Screening Assessment

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- 5.1 The results of the preceding assessment process could indicate that, depending upon the content of a neighbourhood plan, a Strategic Environmental Assessment may be required. For this reason, neighbourhood plans should be assessed individually in order to determine their likely significant effects on the environment.
- 5.2 The criteria for determining significant effects referred to in Article 3 (5) of Directive 2001/42/EC are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations.
- 5.3 The proposals within individual neighbourhood plans will need to be assessed against these criteria:
- i) The characteristics of plans and programmes having regard, in particular, to:
    - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources
    - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy
    - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development
    - environmental problems relevant to the plan or programme
    - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to wastemanagement or water protection)
  - ii) Characteristics of the effects and of the area likely to be affected having regard, in particular, to:
    - the probability, duration, frequency and reversibility of the effects
    - the cumulative nature of the effects
    - the trans-boundary nature of the effects
    - the risks to human health or the environment
    - the magnitude and spatial extent of the effects
    - the value and vulnerability of the area likely to be affected due to:
      - ☐ special national characteristics or cultural heritage
      - ☐ exceeded environmental quality standards or limit values

- ☐ intensive land-use
- ☐ the effects on areas or landscapes which have a recognised national, community or international protection status

5.4 The policies set out in the MPNP have been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or the introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

5.5 The table below sets out the assessment of policies in the MPNP in relation to the criteria outlined earlier.

**Table 2: Assessment of the Likelihood of Significant Effects on the Environment**

**Colour Key to the Screening Assessment:**

No likely significant environment effect (NLSE)

Likely significant environmental effect (LSE)

Uncertain whether it is NSLE or LSE

Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	NLSE	The MPNP supports, and is in general conformity with, the implementation of the emerging City of York Local Plan. It sets a local policy framework for development proposals that the community and stakeholders consider are important to the sustainable development of the Parish and on which the Plan can have the greatest impact. The plan does not seek to allocate sites for development but does include shaping policies to influence how development will be brought forward. In particular, there will be positive influence for local green infrastructure and protection for the historic environment and design.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	NLSE	The MPNP is in conformity with the York Draft Local Plan. It therefore supports the implementation of higher tier policies at the neighbourhood level and, as such, is not considered to have a significant influence on

Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
		other plans and programmes.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	NLSE	The MPNP contributes to the achievement of sustainable development at the neighbourhood level. The policies set out in this Plan protect assets of local environmental value and provide locally distinct planning policies to protect them. The likelihood of significant effects on the environment is, therefore, minimized.
Environmental problems relevant to the plan or programme.	NLSE	<p>There are no significant environmental problems within the Parish to address. However, there are some environmental impacts that the Plan includes measures to address. These are notably in relation to protecting important Local Green spaces as well as conserving nature conservation sites and heritage assets (designated and non-designated).</p> <p><i>Policies ENV1: Local Green Space and ENV2: Green infrastructure</i> seek to protect these areas as green space.</p> <p>Given that the Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and where possible enhance the built and natural environment, it is likely to have a positive but not significant effect, and unlikely to have a significant adverse impact, on the environment.</p>
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	NLSE	The MPNP is in conformity with higher-level plans that comprise the emerging City of York Local Plan. This has been developed with regard to European Community legislation on the environment.
The probability, duration, frequency and reversibility of the effects.	NLSE	It is considered that the policies in relation to the natural environment and heritage assets (designated and non-designated) will, in conjunction with the emerging City of York Local Plan, have a positive environmental effect. The vast majority of the Parish is within the proposed Green Belt. The amount of land available for



Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
		<p>windfall development is restricted to small-scale development such as the re-development use of existing buildings compatible with Green belt policy at local and national levels.</p> <p>The Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies and provisions to protect and where possible enhance the built and natural environment. Examples of policies that help are <i>ENV1 Local Green Space</i>, <i>ENV2 Green Infrastructure</i>, <i>ENV4 Historic Environment</i>, <i>ENV5 Design and Sustainability</i></p>
The cumulative nature of the effects.	NLSE	<p>The cumulative effects of the Plan's policies, as well as those of the emerging City of York Local Plan, are likely to be positive, but not significant. The Plan does not allocate land for housing or other forms of development but helps to shape development should it be proposed. Further, it does not amend or introduce defined Limits to Development and has proposed a suite of policies and provisions to protect, and where possible enhance, the built and natural environment. It is therefore considered that the plan is likely to have a positive impact and unlikely to have a significant adverse effects.</p>
The trans-boundary nature of the effects.	NLSE	<p>The policies in the MPCP relate to land uses within the Parish. It is unlikely that the policies set out will have trans-boundary effects due to the nature of their content being specific to Murton Parish. Moreover, <i>Policy ENV4 Historic Environment</i> seeks to conserve the historic setting of the village. This is likely to have a wider positive impact on the character and history of York as this supports CYC evidence base wherein the village is surrounded by an area of historic character and setting pertaining to retaining the rural character of the city. The policies in the MPNP are therefore likely to have a positive impact and unlikely to have significant adverse environmental impacts on neighbouring areas.</p>

Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
The risks to human health or the environment (e.g. due to accidents).	NLSE	The plan aims to shape development should it come forward and positively affect stakeholders through policies to conserve and enhance the environment. No significant risks to human health or the environment as a result of the Plan's policies have been identified. The Plan is likely to improve human health by improving access to green spaces and the countryside, as outlined in <i>Policies ENV1 Local Green Space and ENV2 Green Infrastructure</i> having a positive effect.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	NLSE	Data (Section 4 in the MPCP and its Appendix C indicate that when compared to other areas in York and in the country as a whole there is little deprivation in the MPNP area. One indicator is health where 86.5% in the village and 93.3% of the modern housing on the southern periphery categorize themselves as healthy compared to 83.9% and 81.1% in York and the UK, respectively. Another indicator is housing where there is only one dwelling of the 258 in the Parish classified in Band A for Council Tax. <i>Policy ENV4 Historic Environment</i> seeks to conserve the historic setting of the village. This is likely to have a wider positive impact on the character and history of York as this supports CYC evidence base wherein the village is surrounded by an area of historic character and setting <sup>5</sup> pertaining to retaining the rural character of the city. Overall, potential environmental impacts from the MPNP are likely to be minimal and limited to the Plan area.
The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>• special natural characteristics or</li> </ul>	NLSE	The Neighbourhood Plan area is generally rural in character with one Site of Importance to Nature Conservation (SINC) being considered. Policies in the plan relating to Local Green

<sup>5</sup> TP1: Green Belt Topic Paper (2018) City of York Council: Approach to Defining York's Green Belt

Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
<p>cultural heritage</p> <ul style="list-style-type: none"> <li>• exceeded environmental quality standards or limit values</li> <li>• intensive land use</li> <li>• the effects on areas or landscapes which have a recognised national, Community or International protection status</li> </ul>		<p>Space (ENV1) and Green Infrastructure (ENV2) help to support these aspects in the Parish. Further, the Habitats Regulations Assessment screening report completed for this plan has concluded that there are no likely significant effects as a result of the plan. It is therefore not anticipated that the plan will have a significant effect on the environment.</p> <p>Murton has a Conservation Area in the village with 4 Grade II listed buildings. It also has an array of unlisted but architecturally interesting buildings that make a positive contribution to the Conservation Area.</p> <p>The MPCP is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. The plan aims to enhance the natural and cultural assets of the area through the support it provides for the natural and built environment in <i>Policies ENV4 Historic Environment, ENV5 Design and Sustainability and ENV6 Alterations and Extensions</i>.</p> <p>Listed buildings and Conservation Areas are already protected through national legislation but other buildings identified as important, as well as the Parish as a whole, will be supported by the policies. It is therefore considered that the plan may have an overall positive effect but will not have significant effects as a result of these policies.</p> <p>The Parish as a whole with its large expanse of Green Belt contributes to the setting of York in the rural landscape, contributing to Green Belt purposes set out in NPPF, and should be retained. Given the plan does not allocate sites but aims to shape development should it come forward, this will have a positive effect on retaining this landscape setting.</p> <p>Furthermore, given the Plan does not allocate sites for development, impacts of</p>

Criteria for determining the likely significance of effects	Environmental effect?	Justification for Screening Assessment
		<p>windfall development on any vulnerabilities are likely to be minimized through application of the MPCP policies and provisions together with associated policies in the emerging City of York Local Plan. It is not considered that the scale and type of housing windfall development that will come forward will be significant.</p> <p>In addition, the emerging Local Plan conserves areas of historic character and setting as part of the spatial strategy for locating development.</p>

## 6 Consultation

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6.1 Consultation is an important part of SEA to ensure that the process is robust and supports the plan development process. The SEA Regulations require that: *“When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies”*. In England, the consultation bodies are the Environment Agency, Historic England and Natural England. Other stakeholders may also be included in this process.

6.1 The responses received through consultation and how issues raised have been addressed have been taken into account in producing the Murton Parish Neighbourhood Plan and the 4 other papers (Appendix 25, Consultation Document).

6.3 Neighbourhood planning documents that went out to consultation may be viewed via CYC Neighbourhood Plan webpage on [www.murtonneighbourhoodplan.org.uk](http://www.murtonneighbourhoodplan.org.uk)

## 7 Conclusion

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7.1 On the basis of the SEA Screening Assessment set out in the Table 2 above, the conclusion is that the Murton Parish Neighbourhood Plan is unlikely to have any significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations and therefore does not need to be subject to full SEA.

7.2 The main reasons for this conclusion are:

- Whilst the Murton Parish Neighbourhood Plan is consistent with the policies in the emerging City of York Local Plan, neighbourhood plans are a lower tier plan in the hierarchy of planning documents for the area and therefore have limited influence on other plans or programmes.
- The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic
- The Plan does not allocate land for housing or other forms of development and does not amend or introduce defined Limits to Development
- Through its policies, the Murton Parish Neighbourhood Plan seeks to avoid or minimise negative environmental effects and has proposed sustainable policies and provisions to conserve and where possible enhance the built and natural environment, whilst catering for the needs of existing and future resident groups and businesses

## Annex 1 Possible Sites of Importance for Nature Conservation (SINC) in Murton Parish

No Sites of Importance for Nature Conservation have been assigned. However, four sites have been suggested over the last 10 years by the City of York officers<sup>6</sup>



**Figure SEA3** An aerial view of hedgerows in Murton village (for more information refer to the hedgerows listed in Appendix D of the Neighbourhood Plan).

### Murton Meadow

SINC Citation 2010

Site Code : 55

GR : 648529

Last Surveyed: 14 Aug 2008

Principal NVC community: MG1

Approx. Area : 0.9 Ha

This is a narrow strip field on old Ridge (Rigg) and Furrow to the east of Murton and is aligned NW-SE. The field is 3 ridges wide with 2 furrows with the NE hedge in the 3<sup>rd</sup> furrow whilst the SW hedge is on a ridge. The ridges are reasonably prominent suggesting limited ploughing. The field and ridges are bounded by tall, well-structured but overgrown hedges. These hedges are dominated by Hawthorn and Blackthorn but also with some Ash, Apple, Crack willow and Elm.

<sup>6</sup> North Yorkshire SINC Surveys 2010 and 2020

The grassland appears to be relict MG5 grassland on ridges, particularly at the northern end of the field, with patches of fine leaved grass sward. Elsewhere the sward is becoming rank *Arrhenatherum* grassland with *Deschampsia* in the furrows.

Where MG5 is still extant, then the sward is moderately diverse with knapweed and birds foot trefoil locally abundant and great burnet frequent. Other sps such as *Anthoxanthum* and Meadow Vetchling are reasonably distributed throughout the grassland, though on a more occasional basis.

The site is currently unmanaged and is badly in need cutting and grazing.

**Assessment :**

The site scores 7/8 under guideline Gr4 for neutral grassland on the limited assessment so far undertaken and as such is proposed for designation pending further survey work.

**Threats :**

The main threat to the site is lack of management which, if allowed to continue, is likely to lead to further reduction in floristic diversity.

**Designation :**

The site was proposed for designation as a Site of Importance for Nature Conservation under Criteria Gr4 for sps rich neutral grassland pending further survey work in 2010.

## **Murton Moor Lane Ditch**

**SINC Citation 2010**

**Site Code 259**

Area 0.05 ha 111m length

Murton Moor Lane ditch, is a site of local interest. It is described as:

‘Strip of old moderately species rich neutral grass between a ditch and the roadside hedge. Hedges are diverse. Rank *Arrhenatherum* grassland but with frequent Knapweed and *filipendula*. *Lathyrus* occasional and Birds Foot Trefoil rare. Patches of *Phalaris*. Adjacent hedges are of interest with abundant Dogwood and Field Maple.

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## **Grimston Villa Fields**

**SINC Citation 2010**

**Site Code 157**

Area 3.90 ha

Faint Ridge (Rigg) and furrow with sps  
poor grassland

Adders ongue Fern/Hairy Sedge, *C.flacca*, Yarrow

Also old orchard, ant hills, possibly G C Newts



## **Warner's Field**

### **SINC Citation 2020**

This is a moderately species rich meadow adjacent to the old railway line. It is a relict grassland that has survived improvement because of the construction of the line isolating it from the rest of the field system. As such it also retains its old Ridge and Furrow system. It is bordered to the north by a small beck that forms the old parish boundary with Osbaldwick.

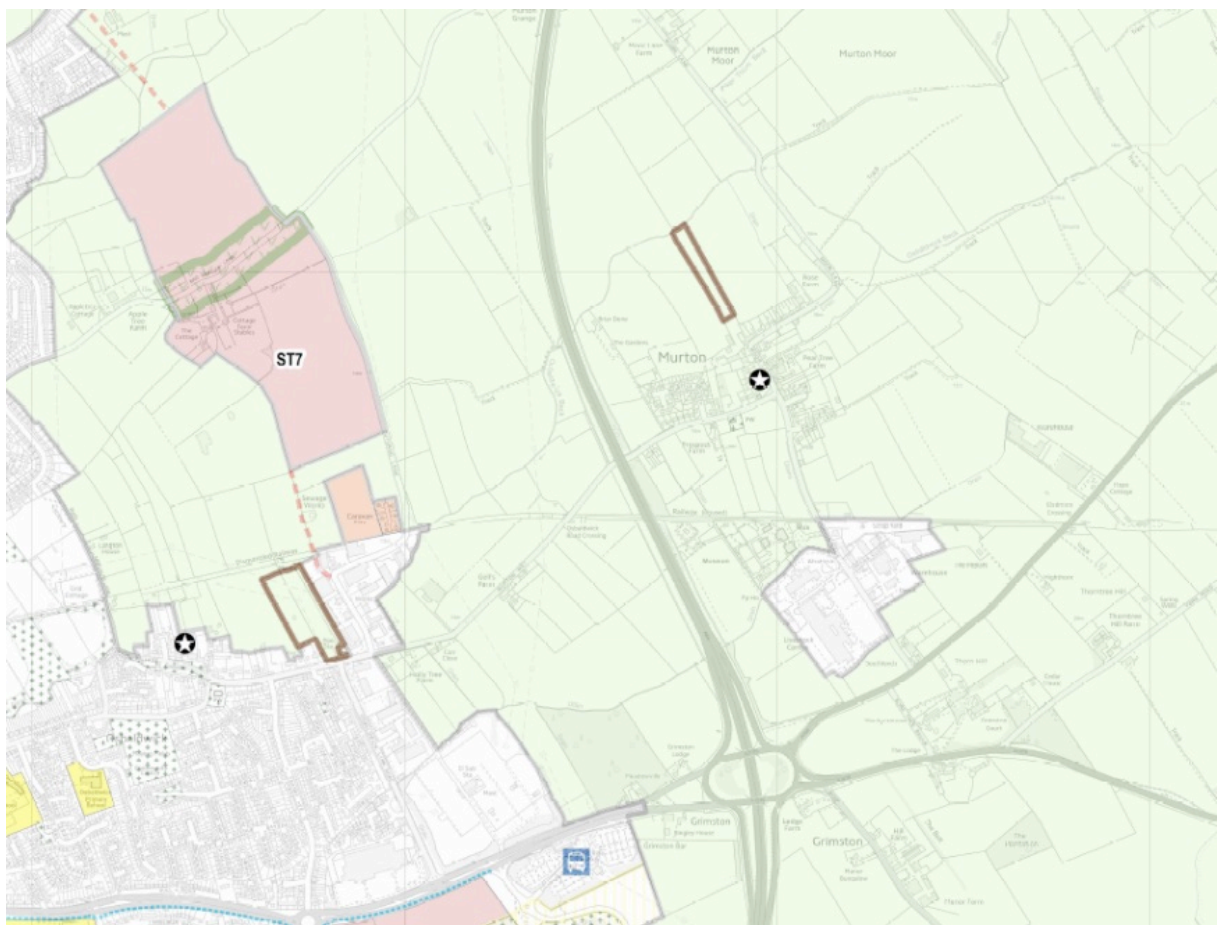
Species include Knapweed, Meadowsweet, Meadow Vetch, Hoary Plantain, Ribwort Plantain, Birds Foot Trefoil, Pignut, Meadow Woodrush, Meadow Buttercup and Creeping Buttercup.

Species highlighted are species used in identifying sites of wildlife interest. 8 are usually required to identify a proposed SINC site.

Additional surveys may well find more species of interest and this meadow would be worth further assessment.

## Annex 2: The emerging City of York Local Plan proposed strategic site allocation

There are no strategic site allocations for Murton in the submitted City of York Local Plan. However, ST7, Land East of Metcalfe Lane<sup>7</sup> (Figure SEA4) which is contiguous to the Parish, will have a considerable impact on the infrastructure of the Parish, particularly with an inevitable increase in traffic on the country lanes and on the Osbaldwick Link Road which leads to the main York to Hull (and Bridlington) road which already is overburdened with traffic, leading to unacceptable delays at the Grimston intersection with the A64. The consequences are discussed in Section 7 of the Murton Parish Neighbourhood Plan



**Figure SEA4: Emerging City of York Local Plan Site allocation ST7 Land east of Metcalfe Lane**

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<sup>7</sup> Policy SS9 City of York Local Plan Pre Publication Draft Regulation 18 Consultation pages 45-47 September 2017

## **Annex 3: Murton Conservation Area**

### **Introduction and scope of Conservation Area**

Murton Conservation Area was designated on 4th October 2005. It encompasses the older parts of the main village. Along Murton Way the boundary starts at Anvil Cottage and Prospect Farm on the south side and Fern View on the north side and runs to the junction of Murton Lane. Two fields either side of St James's Church and one field between Greenacres and Lieway are included. The boundary then runs north along Murton Lane from the adjoining field on the west side and from No1 Murton Lane on the east side to the junction of Moor Lane. At this junction the boundary runs east from South View to Rose Farm on the north side (though excludes Rose Villa to No.8 Moor Lane) of Moor Lane and from Murton Hall to the duck Pond on the south side. This description should be viewed in conjunction with the conservation area map.

### **History**

Typically for such a small village, historical sources are limited though it is probable that in common with most settlements within the Vale of York that it originated in the Saxon and Viking periods, which preceded the Norman Conquest of 1066. If current academic thought is correct it is also likely that the basic linear form of the village was laid out shortly after the Conquest in the late 11th and 12th centuries AD. This layout is still evident today at the eastern side of Main Street where farmsteads and houses front the roadside with a line of 'garths' (private gardens or enclosures) behind. Murton Hall suggests a location for a manor house typically placed at one entrance to the village.

It is probable that the village has always been a small settlement. Existing field boundaries do not show the signs of a shrunken village; St James's Church has remained a simple chapel, maintaining the same scale from its construction in the 12th century. 19th century maps and trade directories show a very small settlement, predominately engaged in agriculture. A number of 'gentlemen' are described as living within the village, which explains two 19th century villas along Main Street; The Villa and Lime Tree House. It is probable that these larger houses were in some way connected with the training of race horses within the parish.

### **Important Buildings**

The Church of St James's is listed Grade II\*(sic) and dates from around 1200AD. Despite extensive repair work in the early 20th century the building has maintained its original form not undergoing the long phases of rebuilding typical of most parish churches. Murton Hall is listed Grade II and a fine example of a late 18th century farmstead complete with boundary wall and coach-house. Of the unlisted buildings within the village, Southview is a good

example of another 18th century farmhouse, whose plan form suggests earlier origins. Cherry Tree House, Lilac Tree House and The Villa are substantial houses displaying some status in their quality of design and materials. Murton Chapel is a simple 19th century Methodist chapel.

NOTE Alas, we believe the church to be Grade II, not II\* <https://historicengland.org.uk/listing/the-list/list-entry/1149131>

## **Character**

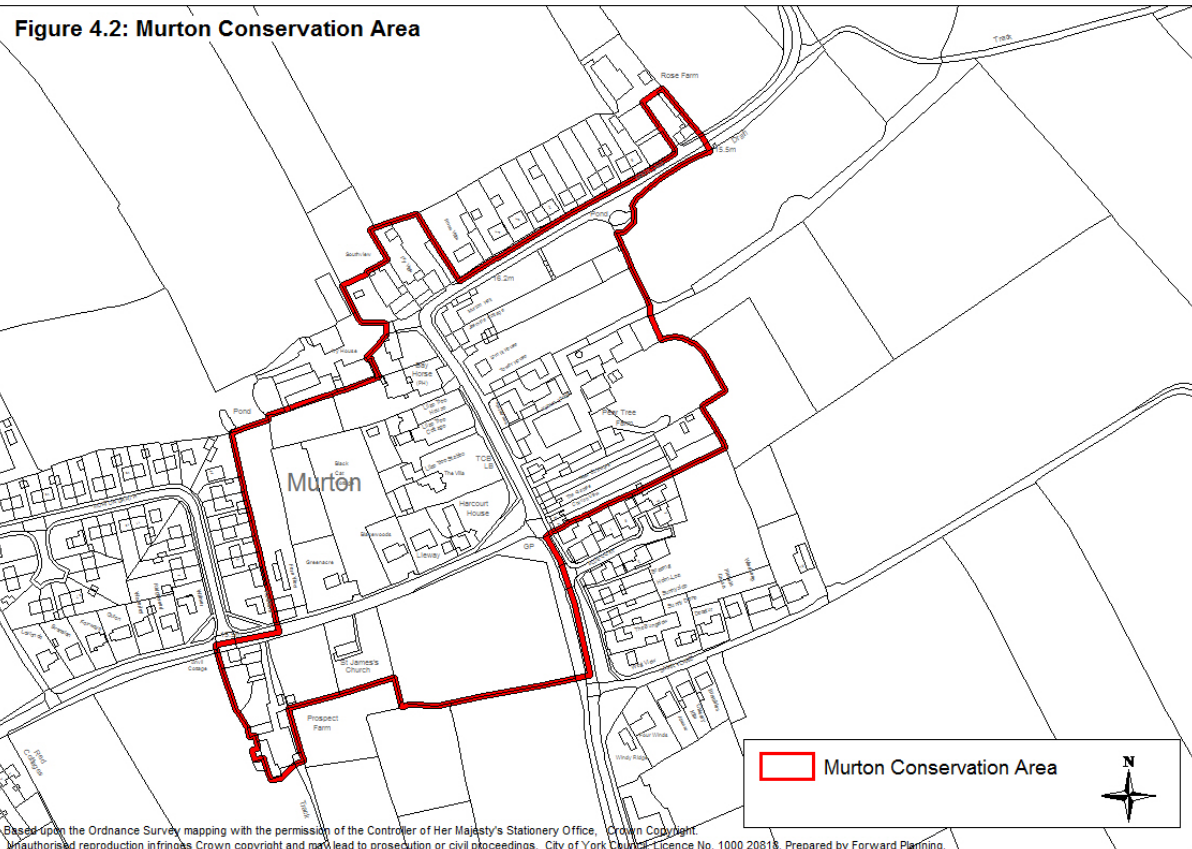
The character of the conservation area is focused on Murton Lane where the typical village linear layout of two opposing building lines is found. Farmsteads and houses predominate with farm buildings and outbuildings found to the rear. At the eastern side a line of garths has been preserved. Development to the east and north of the area is located close to the road, either directly so or separated by small front gardens bounded by low walls and railings or hedgerows. At the western side, the building line is recessed from the roadside producing a more separate aspect, reflecting the non-agricultural, residential and at times higher status nature of development in this area.

Moving northeast the boundary follows part of the Moor Lane to pick up the boundary wall of Murton Hall, duck pond and Rose Farm. The boundary continues southeast to cover St James's Church, Fern View, Anvil Cottage and Prospect Farm. This group presents a strong traditional appearance equal to the centre of the village. This area also includes open fields either side and opposite of Murton Chapel. These fields help bring the open countryside into the heart of the village and to maintain its small-scale.

Apart from St James's Church, the chief building materials are local brick and slate or pantile roofs. Hedgerows and railings are important features. Trees are not a strong feature of the village though a few notable specimens are located within gardens to the west of Main Street.

The main elements of the character and appearance of the area are: -

- (1) A typical Vale of York village that is nonetheless individual and distinct and presents a traditional and rural character.
- (2) The quality of many of its historic buildings.
- (3) The small scale of the village and its close relationship with the surrounding countryside.
- (4) Shared characteristics of building materials, layout and scale.



**Figure SEA5: Murton Conservation Area**

## **Annex 4: Murton Parish Neighbourhood Plan Policies**

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Source: Murton Parish Neighbourhood Plan (Submission version)

### **1. Murton Parish and the Proposed City of York Green Belt**

#### **Purpose of the policy**

The policy seeks to protect the countryside in Murton and prevent it from sprawl or from merging into the main urban mass of York. In doing this, it also protects the rural setting and character of the historic village centre and encourages development in more sustainable locations.

#### **MGB1 Proposed York Green Belt**

The general extent of the York Green Belt within the Parish of Murton, is shown on the RSS Key Diagram. The Green Belt will be defined through the Local Plan process. This policy shall apply to land included within the Green Belt boundary that is defined under the adopted Local Plan.

Decisions on whether to treat land as falling within the Green Belt for development purposes in advance of the adoption of the Local Plan will be taken in accordance with the decisions made in the judgement for *Wedgewood v City of York Council* [2020] EWHC 780 (admin), taking into account the RSS general extent of the Green Belt, the draft Local Plan (April 2005), the emerging Local Plan and site specific features in deciding whether land should be regarded as Green Belt in advance of the adoption of the Local Plan.

Within the general extent of the Green Belt inappropriate development will not be supported except in very special circumstances. New buildings are regarded as inappropriate development and will not be supported other than in the circumstances identified in the National Planning Policy Framework.

Development proposals for the following uses will be supported provided that they preserve the openness of the general extent of the Green Belt and do not conflict with the purposes of including land in the Green Belt:

Minerals extraction;

Engineering Operations;

Local Transport Infrastructure that can demonstrate a requirement for a Green Belt location;

The re-use of buildings provided that the buildings are of permanent and substantial construction; and

Development brought forward under a Community Right to Build Order.

### **2. Murton's Green Infrastructure and Landscape**

#### **Purpose of the Policies**

To protect and enhance Murton's rural environment and green spaces.

#### **ENV1 Local Green Space**

Local Green Spaces must remain as open space and their community value must be maintained or enhanced. These are:

The village pond, off Moor Lane;

The village green, Murton Way;

Allotments, Moor Lane;

The Copse, Moor Lane, and Moor Lane verge;

The Churchyard of St James's Church; and

The Grassed area, off Osbaldwick Link Road.

Development proposals that would result in the loss of, or have a significant adverse effect on, an identified Local Green Space or adjacent to one will not be supported.

#### **ENV2 Green Infrastructure**

Small size development proposals will only be supported if they meet all of the following:

- The open and green character of the Green Space is not compromised, and they provide facilities to support the community use of space; and
- Community, wildlife, amenity space or other values are preserved or enhanced, and particular regard must be made to avoiding harmful impacts on hedgerows and trees and Public Rights of Way.

Where harmful impacts on the environment cannot be avoided, they must be mitigated and, as a last resort, must be compensated.

#### **ENV3 Edges of the village**

Development which harms the character and approach to the village of Murton will not be supported. Care must be taken to keep the fields, where not cultivated, in good order.

### **3. Heritage, Character and Sustainable Design**

#### **Purpose of the Policies**

To ensure that development is well-designed, sustainable, and contributes to the distinctive character of Murton Parish, complementing the historic and rural character.

#### **ENV4 Historic Environment**

Development proposals will only be supported that preserve or enhance the historic character of the Parish and setting of the historic village through high-quality, creative, site-specific design, in line with the Murton Village Design Statement. Particular regard must be to avoid impacts on key features of the village and their settings which are shown below.

Collectively these must be preserved to maintain the Murton village conservation area. The following buildings are Grade II listed:

- The Church of St James and churchyard, ca 1200
- Murton Hall, Late 18th century with 19th century additions
- The coach house to Murton Hall, Late 18th century
- The garden wall and gazebo to Murton Hall, Late 18th century

The following are designated Local Green Spaces within the Conservation area:

- The village pond
- The village green
- Grass verges
- The churchyard

The following are designated in the Murton Village Design Statement. The statement suggests that 'Development must also preserve or enhance [the following] buildings and their setting. These are:

- Red and Buff Cottages
- Anvil Cottage and the several buildings in Prospect Farm
- Fern View
- Rose Farm
- The Villa
- Lilac Tree House
- Jasmine Cottage
- The Bay Horse
- The Old Smithy
- Cherry Tree House (formerly Lornik House)
- Pear Tree Farm House
- South View



## **ENV5 Design and Sustainability**

New development will only be supported where the design of the development, its landscaping and planting create an attractive, locally distinctive and well-functioning environment, with a sense of place appropriate to Murton Parish. The development must:

- Comprise creative, site-specific design solutions, responding to topography and other contextual features, and complementing the established character in terms of scale, massing, height, garden provision, and degree of set-back from streets;
- Use high quality materials, to complement those used in the surroundings;
- Use permeable ground surface materials;
- Use sustainable and implement low carbon or carbon neutral techniques and materials.

In addition, any larger scale developments should not compromise rural employment or operations of local farms and agricultural businesses.

## **ENV6 Alterations and Extensions**

Alterations to historic buildings must take account of the architectural and building characteristics and utilise appropriate, authentic materials. Original features, such as chimney-stacks, must be retained. Reinstatement of missing historical features is encouraged and would be supported.

Extensions to historic buildings will be supported where they are designed and landscaped to complement the original building, and do not dominate the original building.

Where buildings are proposed for conversion to new uses, evidence of their former historic use where possible should be retained as part of the scheme.

# **4. Employment**

## **Purpose of the policies**

To create a sustainable settlement with a balanced mix of uses, including employment opportunities.

### **EMP1: Employment**

New commercial and industrial developments will only be supported in the following locations where they help the rural economy:

- The established industrial estate
- Urban brownfield sites
- Reuse of use of existing agricultural buildings.

This is subject to:

- Causing no significant adverse impact on traffic congestion and safety;
- Causing no significant adverse impact on the amenities of nearby residents, and are an appropriate use within the Green Belt.
- Not compromising rural development or operations of local farms and agricultural businesses

For a new-build development, a landscaped buffer zone must be provided to screen the development from any existing and adjacent housing and amenities.

#### **EMP2: Broadband Internet**

New development must incorporate superfast-speed Internet connectivity where technically viable. This must be provided before the first occupation of development permitted.

## **5. Housing and Community**

### **Purpose of the policies**

To enable housing development to meet local needs and to ensure that the Parish is served by local community facilities.

#### **HAC1 Housing development**

Housing development will only be supported in the following locations:

- Redevelopment of housing within the built-up area of the village;
- Change of use of former agricultural buildings;
- Urban brownfield locations as part of a mixed-use scheme.

This is subject to:

- Causing no significant adverse impact on traffic congestion and safety;
- Causing no significant adverse impact on the amenities of nearby residents;
- Being an appropriate use within the Green Belt; and
- Not compromising rural employment or operations of local farms and agricultural businesses.

#### **HAC2 Houses in Multiple Occupation**

Change of use to a house in multiple occupation (HMO) will only be supported where:

- The proposal would not harm the character and appearance of the building, adjacent buildings or the local landscape context. This is subject to the design, layout and intensity of use of the building not having an unacceptable impact on neighbouring residential amenities;

- Internal and external amenity space, refuse storage and car and bicycle parking is provided at an appropriate quantity and is of a high standard so as not to harm visual amenity;
- The proposal would not cause unacceptable highway problems; and
- The proposal would not result in a contravention of the threshold 'tipping points' set out in the CYC Article 4 Direction.

Applications for change of use from HMO back to dwelling house would be encouraged.

### **HAC3: Community Facilities**

The Parish Council will work with the City of York Council to help in the development of existing community facilities providing that the community value of the facility is maintained or enhanced. New community facilities will be supported, subject to:

- Causing no significant adverse impact on traffic congestion and safety;
- Causing no significant adverse impact on the amenities of nearby residents.

## **6. Transport and Movement**

### **Purpose of the policy**

To ensure that new development is supported by sustainable transport options and takes account of safety, road capacity and the impact of transport infrastructure on local character.

### **TRA1: Traffic and Movement**

New developments must not have any significant detrimental impact on traffic safety and congestion on rural lanes in Murton. This includes impacts on the following, existing pressure points:

- Murton Way;
- Murton Lane; and
- Moor Lane and Bad Bargain Lane.

Where highway upgrades are proposed as part of development to address capacity or safety issues, and the development caused significant harm to the Parish and in particular to the rural and historic character of the village and its setting, any harm should as far as possible be mitigated. If development cannot be mitigated it should be resisted.

### **Community Actions**

The focus of our consultations was on 'planning', the core rationale for a Neighbourhood Plan. However, discussions with residents and the responses written in the questionnaires highlighted

some issues that extend beyond this remit. These are nevertheless very important to the everyday lives of residents in the Parish and so we include them here.

## **a) Traffic Through the Parish**

### **Purpose of the policies**

To reinforce and take further steps to ensure safer roads in the Parish

#### **CA 1 Traffic Calming**

The Parish Council will work with the Highways Authority and other relevant authorities to give active consideration to traffic speed calming through the Parish. Any forms of traffic control should be in character with the local environment.

#### **CA 2 Safer Routes for Cyclists and Pedestrians**

Opportunities will be sought to create improved and safer routes for cyclists and pedestrians.

#### **CA3 Parking**

The Parish Council should initiate a discussion with the residents and businesses on viable ways to reduce the parking of cars in the roadway and on grass verges.

## **b) Enhancing Parish Ambience**

### **Purpose of the policies**

To enhance the work already done to make the Parish a pleasant place in which to live and work.

#### **CA4 Anti-social behaviour**

The Parish Council should continue its programme, in collaboration with the City of York Council:

to reduce the litter left by fly-tipping, and

to work with landlords to improve the results of poor behaviour by some residents.

#### **CA5 Signage, Street Furniture, Lighting and Tidiness in the Parish**

Where signage or street furniture is proposed it should seek to reflect local materials and features evident in the immediate surrounding area. Where lighting is proposed it should be designed to:

- Avoid intruding into areas where darkness is a characteristic of the Parish; and
- Minimise impacts on adjacent rural habitats and wildlife.

The Parish Council should enlarge its work on keeping the Parish tidy.

## **c) General Policies**

## **Purpose of the policies**

To address other concerns raised by residents and to safeguard/improve existing standards.

### **CA6 Public Rights of Way and Footpaths**

Opportunities to secure improvements in the network of Public Rights of Way, other footpaths and cycleways should be encouraged.

### **CA7 Allotments**

The Parish Council should ensure that the present provision is being used effectively and undertake a detailed survey of residents' wishes. If there is sufficient demand, they should work in collaboration with the City of York Council to provide more allotment space.

### **CA8 Communications with the Parish Council**

The Parish Council will work with residents to improve communications through notice boards and the website.

### **CA9 Public Transport**

Reducing reliance on cars requires an improved public transport system serving Murton village, and is particularly relevant if the age profile increases. The Parish Council, in collaboration with the City of York Council and other authorities and organisations, should keep this under review.

## **Developer Contributions**

### **DC 1: Developer Contributions**

The Parish Council will prioritise the use of financial contributions, Section 106 or Community Infrastructure Levy funds to mitigate negative impacts due to development in the Parish or adjacent to the Parish and to improve and enhance of community facilities