

Murton Parish

Neighbourhood

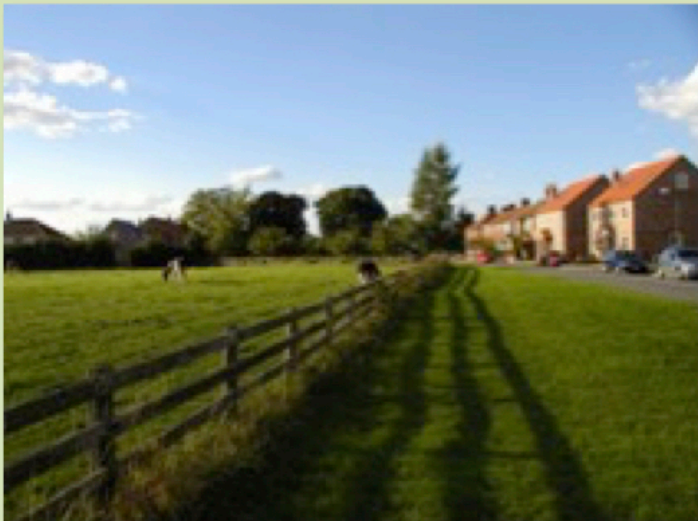


Submission Plan

**(Regulation 14)
April 2022**

Plan

2022-2033



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THE MURTON PARISH NEIGHBOURHOOD PLAN: THE SUBMISSION DRAFT

This edition of the Murton Parish Neighbourhood Plan serves a very important part in the process of producing the Neighbourhood Plan. It is one of five documents which are being submitted to the City of York Council, following a pre-submission consultation which involved every household and business in the Parish and relevant national, regional and local organisations.

What are the five documents?

They are:

The Murton Parish Neighbourhood Plan: Submission with Appendices

The Strategic Environmental Assessment Screening Report

The Habitat Regulations Assessment Screening Report

The Basic Conditions Statement

The Consultation Statement

They are available

(i) on the Parish Council Neighbourhood Plan website:
<https://murtonneighbourhoodplan.org.uk/>

(ii) via our Parish Clerk, Alastair McFarlane, who can be contacted either by phone 01904 481306 or by email murtonyorkparishclerk@yahoo.com

ACKNOWLEDGEMENTS

On behalf of the Murton Parish Council, I wish to thank Anna Pawson and Alison Cooke of Forward Planning, City of York Council for all their helpful advice throughout the process on producing this Plan leading up to the Consultation. Their work was then taken over by John Roberts and Sophie Hall-Thompson who saw us safely into harbour. Their contributions cannot be overemphasised as they guided us through the tortuous process. We also thank the Council's former Countryside and Ecology Officer, Nadine Rolls, and her predecessor, Bob Missen, for their contributions on the ecological aspects that were addressed in the Plan. Bob kindly agreed to report on our hedgerows. We went with him and learnt more about Murton's countryside in one day than in the 50+ years that we have lived in the Parish.

We are also indebted to Dave Chetwyn, Managing Director, Urban Vision Enterprise CIC, who helped us, with great skill, to lay the basic foundations. His knowledge of the national scene was invaluable.

Many Murton residents read parts of the drafts of the Plan including Colin and Ellen Brown, David and Jenny Jenkins, Sarah McFarlane and all members of the Parish Council. Our Clerk, Alastair McFarlane, took on the arduous job of proof reader.

Rupert Waddington has helped us make all the documents much more intelligible to the non-expert reader and suggested numerous improvements to them as well as helping improve their visual impact. Again help that was crucial.

We have used photographs given to us by David Jenkins, Alastair McFarlane and Rupert Waddington and the maps were produced so skilfully for us by Alison Cooke and Anna Pawson.

Finally we thank our Working Party, Cllr. Richard Clancey (Chairman), Denise Rothwell, Andy Theyers, David Waddington and Cllr. Denise Wells, for all the work they undertook to produce the Neighbourhood Plan for us.

**Isobel Waddington
Chairman, Murton Parish Council**

FOREWORD

Neighbourhood Planning involves making our own local decisions about what we think is important and needs protecting, and what we think needs improving.

Five years ago Murton Parish Council decided to find out more about new Government legislation – Neighbourhood Planning - which devolves planning powers to local communities. This in effect means that communities themselves can shape the places in which they live and work. We asked a small group to investigate the idea, and this group later evolved into the Working Group that has been taking this forward in consultation with the community.

Murton is helping lead the way as one of 17 parishes in York creating their own Neighbourhood Plans. If our Plan is agreed, the Parish collectively can then decide what kind of planning (new buildings, community facilities, etc) we want in the future.

There is some urgency to complete this process. Parallel to this work, the City of York Council has been preparing a Local Plan (with which our own Plan shares some important values and aims) and this has been submitted to the Government. The initial Local Plan Hearing Sessions were undertaken in York in December 2019 the Inspector has asked the City of York Council to undertake some more work on it¹. Although the Local Plan may therefore not be fully adopted for some time, once our own Plan is approved and active, we can begin taking our own decisions regardless of the progress of the Local Plan.

Throughout the process of producing the Neighbourhood Plan, the feedback revealed an overwhelming sense that the Parish is seen as somewhere which is a very desirable place in which to live, in particular how the Green Belt acts for the good, both for the Parish and for the inner City of York. This is reflected in our priorities within the Plan.

¹ For further information, <https://www.york.gov.uk/LocalPlan>

So, we now present this Submission report on behalf of the community of residents, businesses and others who have a direct interest in the Parish.

We could not have done this without a great deal of work from other organisations and individuals which we acknowledge in the Report.

Isobel Waddington
Chairman, Murton Parish Council

Richard Clancey
Chairman, Murton Parish Neighbourhood Plan Working Party

Section 1: The Planning Framework

1.1 This section briefly explains how the new Murton Parish Neighbourhood Plan fits in to the bigger planning framework that already exists at city and national levels.

Devolving planning powers to communities

1.2 The Localism Act² 2011 introduced new rights and powers for communities.

These added a new ‘neighbourhood’ layer to the planning system which is central to the package of planning reforms aimed at giving people the opportunity to shape the places in which they live. At the heart of this new neighbourhood layer is the Neighbourhood Plan.

The Murton Parish Neighbourhood Plan

1.3 Once completed and approved, the Murton Parish Neighbourhood Plan becomes part of the statutory development plan for planning and allows our community to develop a vision and policies to shape the future development of the Parish.

How will Murton’s Plan fit into the bigger picture?

1.4 As well as giving Murton its own planning power, the Murton Parish Neighbourhood Plan will also be part of the larger planning framework and must reflect this in **three** specific ways.

1.5 First, it must meet the ‘*basic conditions*’ set out in planning legislation³. These are:

- having regard to national planning policies and guidance;

² Localism Act 2011 <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

³ Based on Guidance. Neighbourhood Planning Ministry of Housing, Communications and Local Government. March 2014. Revised September 2018

- being in general conformity with strategic local policy;
- achieving sustainable development;
- not breaching EU obligations.

1.6 In addition, the Neighbourhood Plan must comply with human rights legislation.

1.7 Second, it must be guided by the National Planning Policy Framework⁴ (NPPF). The NPPF sets out three overarching objectives for achieving sustainable development, economic, social and environmental⁵:

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective**– to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'*

⁴ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021

⁵ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021, para 8

1.8 Third, the Murton Parish Neighbourhood Plan must also be guided by the emerging City of York Local Plan, which gives ‘the strategy vision for the city’⁶.

1.9 The Murton Parish Neighbourhood Plan is intended to cover the period from 2022 to the end of 2033. During this time the Parish Council will monitor the plan and consider whether any revisions are necessary⁷.

⁶ City of York Local Plan Pre Publication Draft Regulation 19 Consultation. February 2018, p 3 para 3.1.11

⁷ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 33

SECTION 2: Preparation of the Murton Parish Neighbourhood Plan

The story so far

2.1 The process began when Murton Parish Council first approved the development of the Murton Parish Neighbourhood Plan. This was so that the views of residents and stakeholders would have more influence in the future over planning matters within the Parish area. The actual area to be covered by the Plan, which follows the Parish boundary, was formally approved by the City of York Council (CYC) on July 23rd 2015.

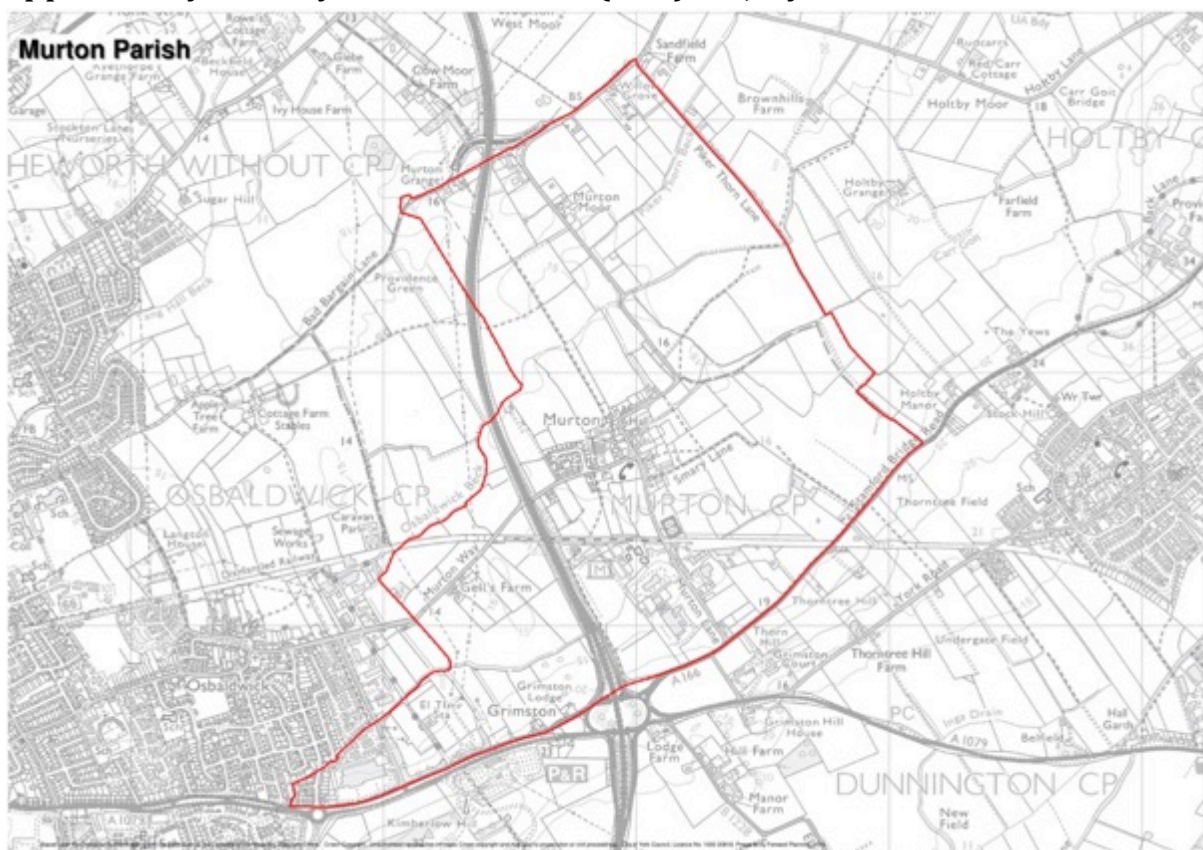


Figure 2.1 Murton Parish: Neighbourhood Plan Boundary Designated area agreed by the City of York Council, July 23rd 2015.

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2.2 The Parish Council then set up a Working Group with terms of reference. The Working Group has worked with professional consultants specialising in this field and with the CYC Planning Department and with other relevant CYC Departments. The work has been part-funded through a series of grants from Locality (an organisation responsible for overseeing the allocation of funding for the development of Neighbourhood Plans) and the City of York Council.

2.3 Residents, local organisations, businesses and landowners in the Parish have all been involved *via* consultation in developing the Neighbourhood Plan. The Working Group has reported on its progress at the monthly Parish Council meetings. Details of all minutes, meetings, consultation questionnaires and supporting documents have been made available on the Murton Parish Council's website. A schedule of the consultation process is given in Section 5 of this document and full details are given in the document entitled ***Consultation Statement***.

2.4 In addition, environmental screening of policies and proposals within the draft Neighbourhood Plan has been carried out and are contained in two separate documents, ***The Strategic Environmental Assessment Screening Report*** and ***The Habitat Regulations Assessment Screening Report***.

What is happening now?

2.5 The Neighbourhood Plan went through a six-week consultation process within the Parish. All residents, businesses and bodies with a direct interest in the Parish received a pamphlet which summarises the Plan and opportunities were given for study of the detailed Plan itself and all relevant papers.

2.6 After this consultation, we revised the Plan to take account of responses received from residents, businesses and official bodies before sending it to the City of York Council.

2.7 Further, we prepared two further documents:

- (i) Basic Conditions Statement
- (ii) Consultation Statement

The final steps

2.8 The City of York Council will ensure that the Plan conforms to the Neighbourhood Plan regulations and then publish the Plan for 6 weeks. This period allows all those interested to send further comments.

2.9 The City of York Council will then send the Plan to an independent examiner who will ensure that the Plan complies with all relevant national legislation and guidelines. This is known as the *examination*.

2.10 After the examination, the City of York Council Executive Members will decide if they agree with the Examiner's Recommendations and whether the Plan should proceed to a *referendum*. If it is approved by a simple majority, the Plan will become part of the City of York's development plan to guide future planning decisions in the Parish.

Section 3: Our aims

3.1 The Murton Neighbourhood Plan, which will guide future planning decisions, respects the requirements of national and local planning frameworks and, in particular, the wishes of residents, businesses and landowners in the Parish. The Plan is made up of a series of policies (Section 6) which cover important topics ranging from housing to biodiversity. These policies are all derived from four key principles or aims that ensure the Neighbourhood Plan can be an effective tool in decision making and conflict resolution.

3.2 These aims 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.

Section 4: The Neighbourhood Plan: Its Context and General Data

Introduction

This section describes the nature of Murton Parish as a place to live and work. It is an important record of what people like and value, and of what we need the Neighbourhood Plan to protect in order to maintain these qualities. The section provides information about:

4.1 Location: the Parish in relation to York and the rest of the UK

4.2 Settlements: the different residential areas within the Parish

4.3 Resident population: who lives in the parish – analysis by age, satisfaction and other criteria

4.4 Housing: distribution, character and tenure (owned/rented)

4.5 Business and agriculture: the wide range of commercial activities, including farming, based in the parish

4.6 Environment and Green Belt: balancing new development with quality of life and conservation

4.7 Community facilities: social venues, shops, transport, etc

NB: Where the report cites analyses and statistics, wherever possible these are specific to the Parish, and may differ from those measured by the City Council for the entire Ward.

4.1 Location

4.1.1 Murton Parish covers an area of ca 340 hectares on the eastern edge of the city of York. This area sits between two main roads radiating out from the city, one going to Hull and the other to Scarborough. The Parish's western (city-side) boundary is about 3 km from the centre of York and the

Minster can be seen clearly from many parts of the Parish including the village.

4.1.2 The Parish is well sited for access to other parts of the country. It is close to a major trunk road, A64 (Leeds to Scarborough). This in turn links to the main north-south roads, M1 and A1 and thence to the east-west M62. Thus the Parish gives easy access to major roads to London, Newcastle, Leeds, Manchester, Liverpool and the big Scottish cities. It is also within 6 km of York railway station which provides fast and frequent trains to London, Newcastle and Edinburgh and the east-west system to Leeds, Manchester and Liverpool, soon to be upgraded.

4.2 Residential settlements

This section should be read in conjunction with Appendix B, A Brief History of the Township of Murton.

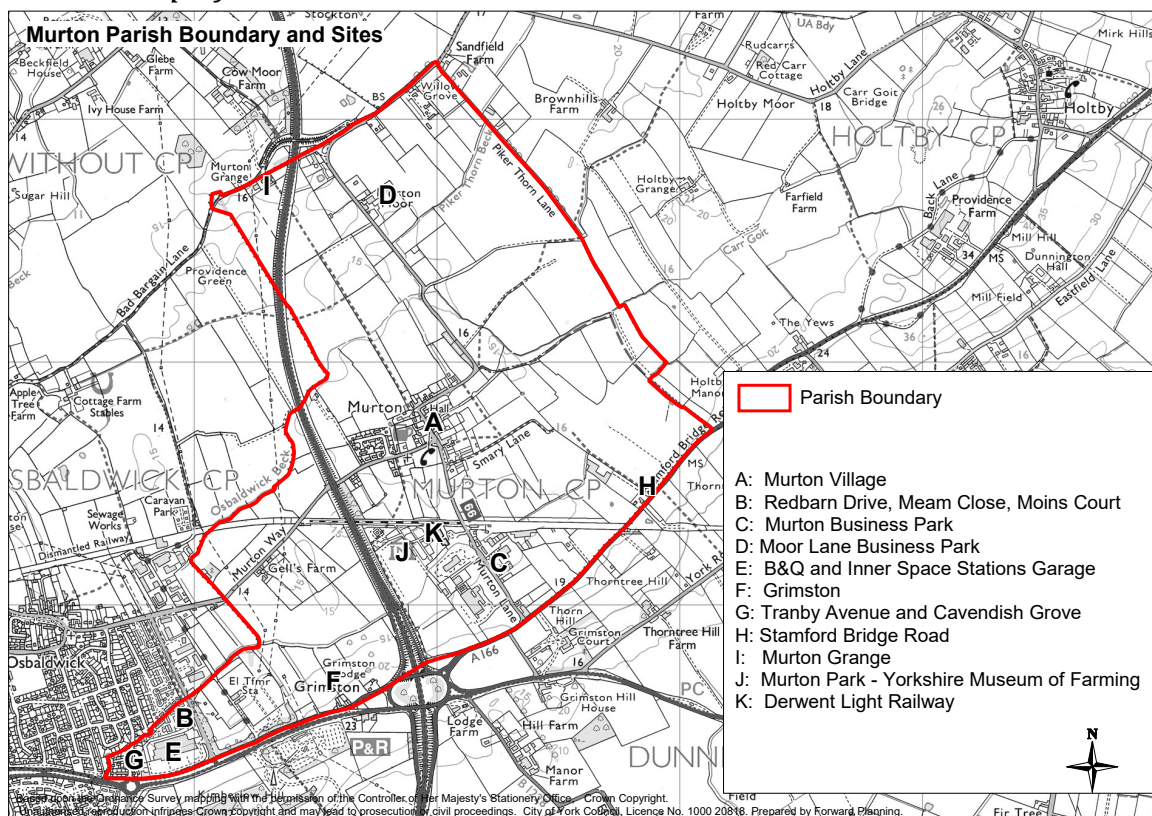


Figure 4.1 Murton Parish: The boundary and sites

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4.2.1 There are two main areas of defined settlement. One is the village at the heart of the Parish, with 139 dwellings (Figure 4.1, A) and which has a core designated as a Conservation area (Figure 4.2, Appendix A). The other is adjacent to the Hull Road on the southern boundary with 119 dwellings (Figure 4.1, B). Of these, 6 are in Grimston (Figure 4.1, F) and along the Stamford Bridge Road.

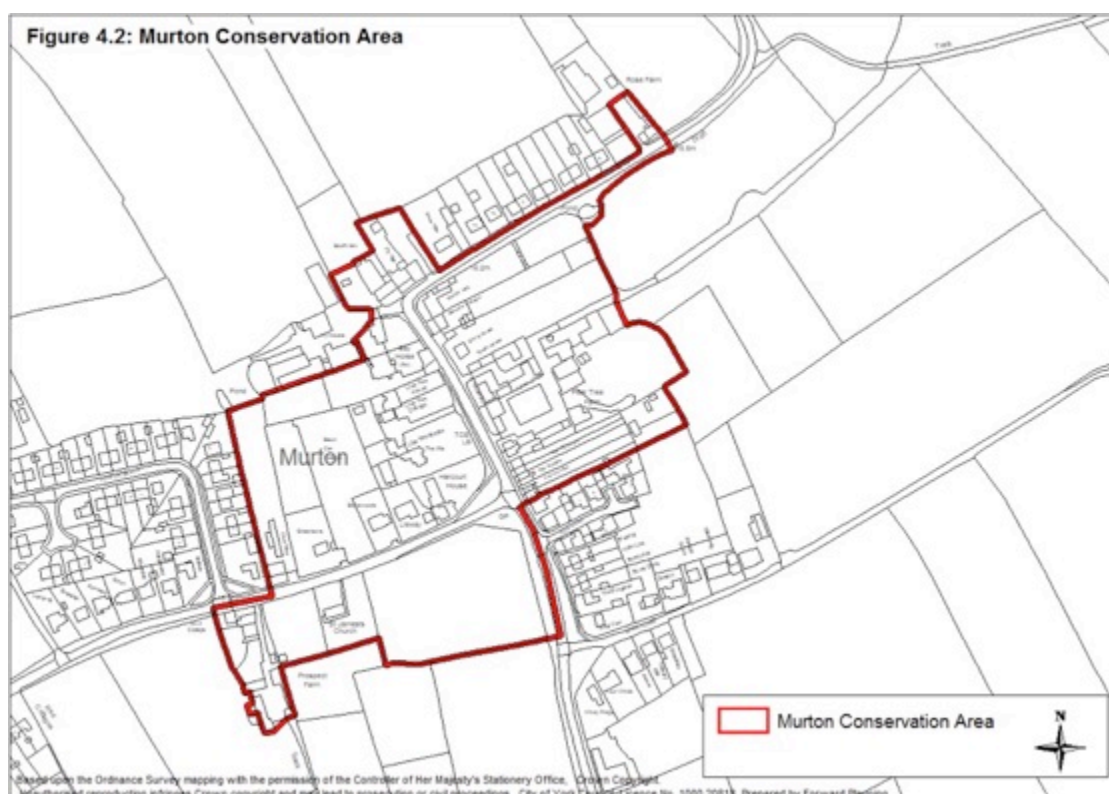


Figure 4.2 Murton Parish: Conservation Area

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The Village

4.2.2 This is a simple recent description of Murton Village by a Planning Inspector⁸:

‘Murton is a typical agricultural street village with typical properties on the east side of Murton Lane fronting the street and with long narrow plots to the rear. the village of Murton is a very attractive one, retaining much of its eighteenth and nineteenth century built fabric and traditional form.....’

⁸ APP/C2741/A/103187

The characteristic form of long narrow plots with development limited to the frontage is an important surviving feature’.



Murton village, 2020.

And here is a more detailed description from the Murton Village Design Statement⁹:

‘It is a small and well-defined village with a clear village envelope and only a few properties close to, but outside, that envelope. Its setting is rural. The village is bounded by fields on all sides, although the rural gap to the south is quite narrow. The boundary between the village and the surrounding fields is irregular, having been historically determined by field and plot boundaries. The view towards the village from all sides emphasises its rural nature and location. Likewise the views from the village are predominantly rural, with distant views of the Yorkshire Wolds and the North York Moors, including the

⁹ Murton Village Design Statement, 2005 pp 7, 10

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

It also forms Appendix E.

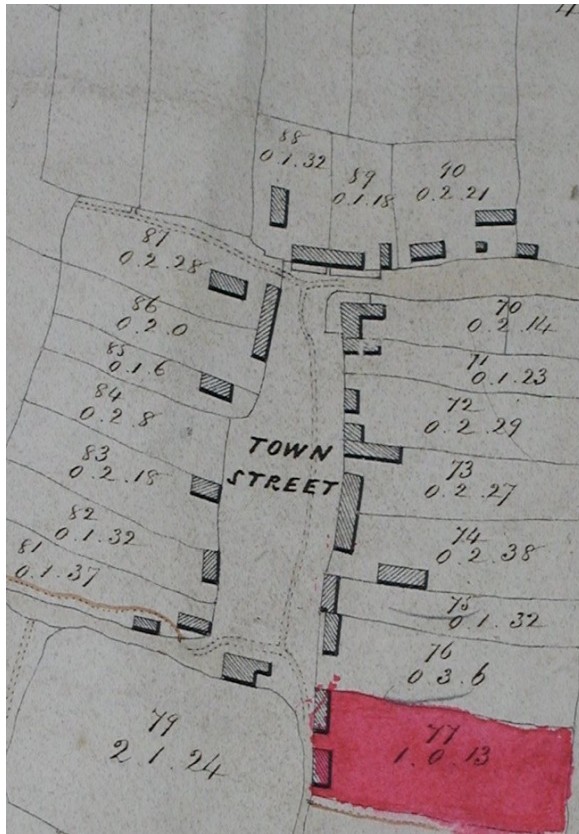
Kilburn White Horse. To the south of the village the glacial moraine ridge is evident. York Minster is clearly visible from many properties in the village, although the proximity of the raised A1237 York by-pass masks that view for some. In spite of changes, the village is geographically small. It is contained within an area of 0.25 square kilometres and extends no more than 400 metres north to south and 500 metres west to east. It is a typical Vale of York village, which is nonetheless individual and distinct and presents a traditional and rural character. There are shared characteristics of building materials, layout and scale, and a distinct quality in many 18th and 19th century buildings, including farm buildings.

The character of the village is focussed on the main street, where the typical village linear layout of two opposing building lines survives. 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 low walls and railings or hedgerows. At the western side, the building line is recessed from the roadside, reflecting the non-agricultural, residential and at times higher status nature of development in this area.

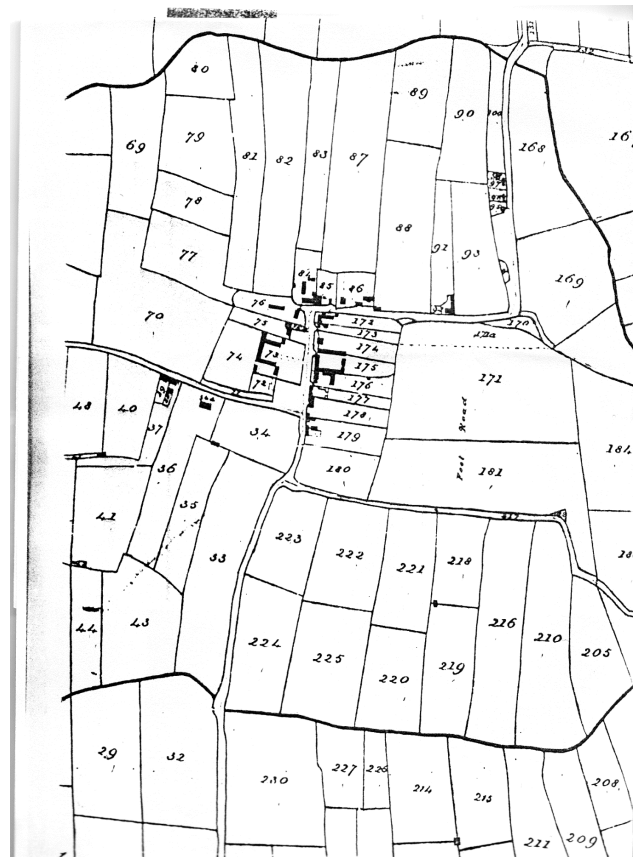
The field opposite the Chapel and adjacent to the Church brings the countryside into the heart of the village. With the exception of a few houses in Murton Garth, all properties in the village have views across open countryside'.

Further historical information is given in brief in Appendix B, *A Brief History of the Township of Murton*

4.2.3 The village, as described above, has indeed retained its characteristic shape and much of its eighteenth and nineteenth built fabric.. This is illustrated by studying the maps of the village from 1796 to the present day (Figure 4.3). Few, if any of York's villages have retained so much of their historical footprint.



1796 Estate Plan



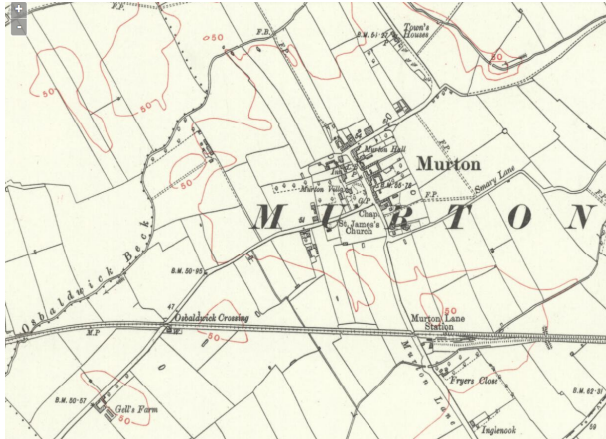
1842 Tithe Redemption Plan



1854 First Ordnance Survey Map



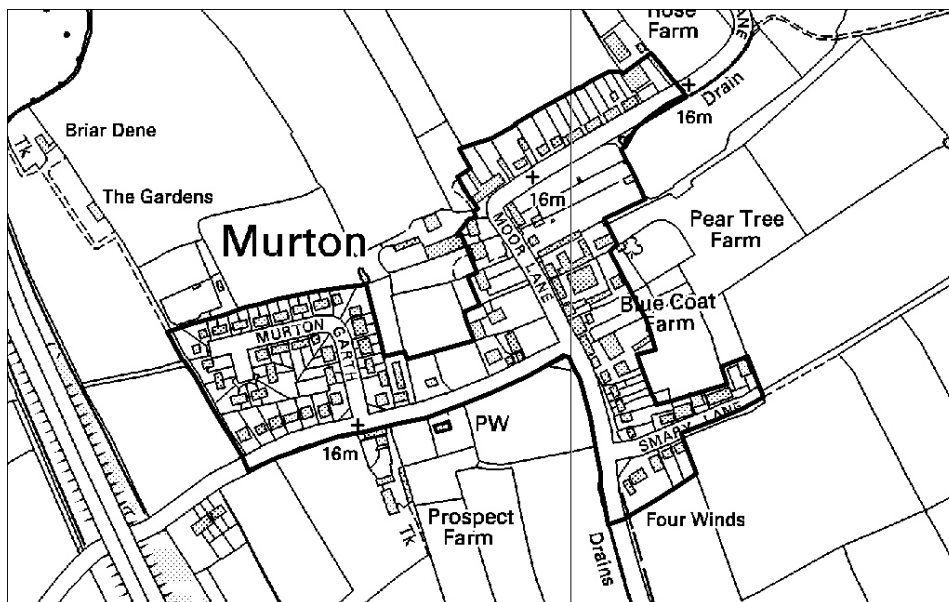
1890 Ordnance Survey Map



1931 Ordnance Survey Map



1950 Ordnance Survey Map



2000 Ordnance Survey Map

Figure 4.3 Some maps of Murton Village from 1796 to the present day
 Plans and maps provided by David Jenkins. Ordnance Survey maps reproduced under License No. 1000 20818.

The settlements on the southern boundary of the Parish

4.2.4 There are 119 dwellings on the southern boundary of the Parish, adjacent to the Hull Road going eastwards from York towards Hull. There is also a modern (turn of the century) estate of 75 dwellings (Figure 4.1, B, Figures 4.3 and 4.4). The boundary of the Parish is such that it includes some houses along the Hull Road and down Tranby Avenue which is at right angles to it and, adjoining Tranby Avenue, there is Cavendish Grove (Figure 4.1, G).

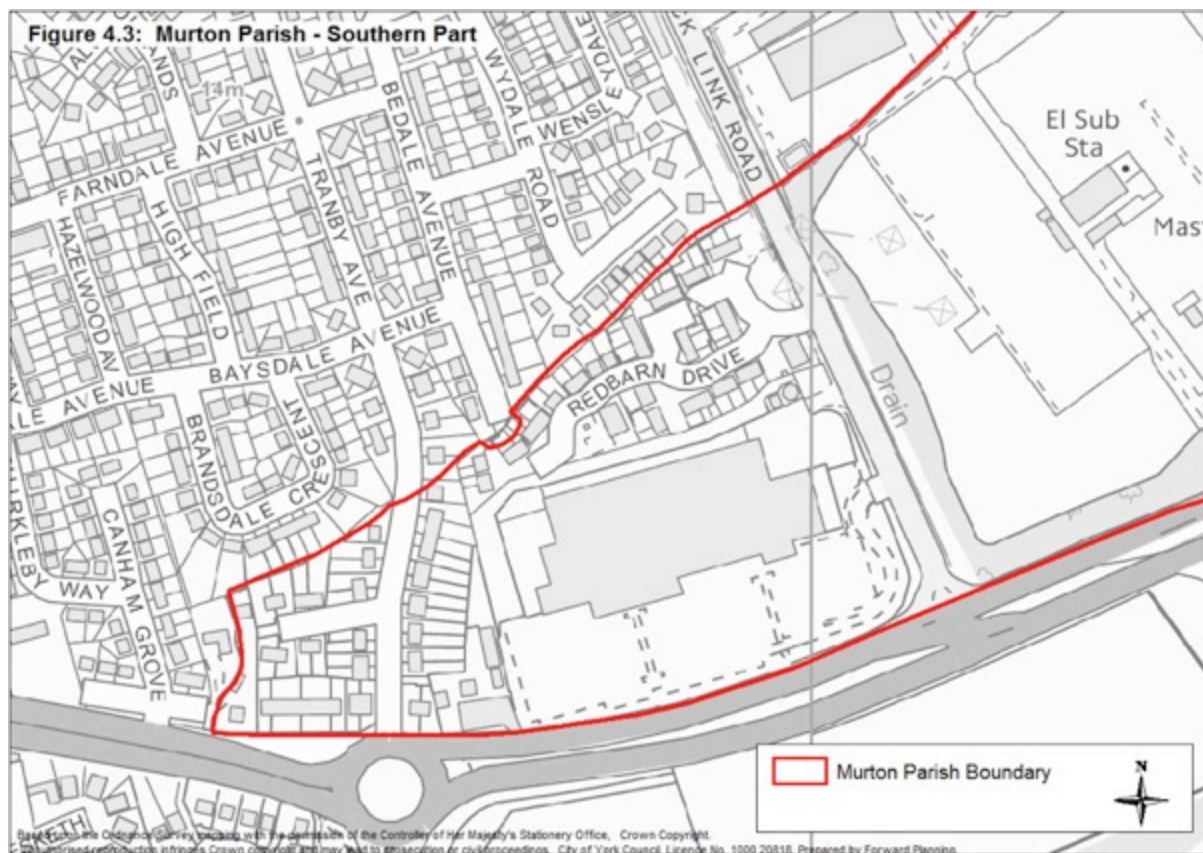


Figure 4.4 The southern part of Murton Parish

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Figure 4.5: Murton Parish: An aerial view of the southern part

4.2.5 The area adjacent to the Osbaldwick Link Road which contains 75 dwellings in Redbarn Drive, Meam Close and Moins Court, was built at the turn of this century and is attractively laid out (Figure 4.4). It contains a mix of apartments, terrace houses and semi-detached houses and with an open space near the entrance to the area (Section 6.3.12).



Meam Close, built at the turn of the century on the southern edge of the Parish

4.2.6 The Parish also includes several houses further along the Hull Road at what is now known as Grimston Bar (Figure 4.1, F), and three houses along the Stamford Bridge Road which are at the outermost south-eastern edge of the Parish (Figure 4.1, H).

4.3 Resident population

Number

4.3.1 The 2011 census gives a total of 668 inhabitants¹⁰. There are 476 on the Parish electoral roll¹¹. Roughly half of the Parish population lives in the village and the other half on the southern periphery¹². As the analyses below show, the two areas have differences in their age profile, partnership status, educational attainments and employment (Appendix C).

Gender

4.3.2 .There are significantly more females living in the village than males, but the reverse in the housing in the southern part of the Parish¹³. In both cases this differs from the population of York as a whole, which is much nearer to the more evenly split national male-female ratio of 49: 51%.

Ethnicity

4.3.3 The ethnic distribution is more markedly white than the City of York as a whole, and considerably different to that of the UK¹⁴. Country-of-birth data show that the population in the Parish is overwhelmingly UK-born¹⁵.

Age

4.3.4 The age profile for Murton Parish is similar to that of the City as a whole although there are proportionately fewer people over the age of

¹⁰ Census 2011 Tables KS101EW and KS102EW <https://www.nomisweb.co.uk/census/2011> Office for National Statistics

¹¹ City of York Electoral Roll December 2018

¹² Census 2011 <https://www.nomisweb.co.uk/census/2011> Office for National Statistics

¹³ Appendix C, Table 4.3.1.

¹⁴ Appendix C, Table 4.3.2

¹⁵ Appendix C, Table 4.3.3

60¹⁶. However, the profile is considerably different to that of the adjacent village, Osbaldwick, included in Ward statistics in the 2011 Census.

Marriage/partnership

4.3.5 The partnership status in both areas shows a considerable disparity with York (which has similar trends to those in the UK as a whole¹⁷).

Social grades, educational attainment and employment

4.3.6 The social grades of a household¹⁸ are based on the job title and employer of the 'household reference person' (what used to be termed the 'head of the household') aged between 16 and 64. Within the Parish as a whole there is little difference with regard to AB and DE categories. However there are relatively more C1s than C2s in the newer housing¹⁹. There is also a significant difference in educational/professional qualifications, those in the newer housing generally having higher qualifications than those in village²⁰. This might relate to the age distribution, the older members of the village having had less opportunity for further education.

4.3.7 The rates of employment are high with a significant number being self-employed, similar to that in the City of York²¹. The large proportion of students, nearly 36%, in housing on the periphery of the Parish reflects the type of dwellings there and the proximity of the University²². The type of employment reflects that expected in a city such as York²³

Health

4.3.8 A remarkable result obtained from the Census regards health. 86.5% in the village and 93.3% on the southern edge regard themselves as having

¹⁶ Appendix C, Table 4.3.4

¹⁷ Appendix C, Table 4.3.5

¹⁸ <https://www.ukgeographics.co.uk/blog/social-grade-a-b-c1-c2-d-e>

¹⁹ Appendix C, Table 4.3.6

²⁰ Appendix C, Table 4.3.7

²¹ Appendix C, Table 4.3.8

²² Appendix C, Table 4.3.8

²³ Appendix C, Table 4.3.9

either very good or good health²⁴. This compares with 81.1% for the UK as a whole and 83.9% for York²⁵.

Satisfaction

4.3.9 There is a high level of satisfaction expressed by residents (Consultation Statement) which is discussed in detail in Section 6.

4.4 Housing

4.4.1 The village, with its very high proportion of detached houses compared to the City of York²⁶, is an attractive place for families whereas the new housing on the southern border has a much higher proportion of flats and houses for rent²⁷ is similarly attractive both to those who rent, with a high proportion being students, and to owner occupiers.

Distribution

4.4.2 As described above, most of the dwellings in the Parish are in two distinct areas – the 139 dwellings at the heart of the Parish in the village (Figure 4.1 , A), and the 119 dwellings on the southern boundary, of which the dominant area is an estate of 75 dwellings built at the end of the last century (Figure 4.1,B).

Architecture

4.4.3 Half the houses in the village are detached and most of the remaining are semi-detached²⁸. The ages of the houses range from the early 18th century to the present day, and their designs vary from the Georgian and Regency periods to modern ‘executive type’ housing.

²⁴ Appendix C, Table 4.3.10

²⁵ The healthiest areas in the UK are in South-East England. At the top of the league table are Hart (Hampshire), Richmond-on-Thames and Wokingham (Berkshire) having scores of 88.1, 87.9 and 87.8% respectively. Residents in Murton Parish at 90.1% regard themselves as even healthier, which may have some degree of Yorkshire grit mixed in.

²⁶ Appendix C, Table 4.4.1

²⁷ Appendix C, Table 4.4.1

²⁸ Appendix C, Table 4.4.1



Lilac Tree House and Lilac Tree Cottage in the village of Murton

4.4.4 The majority on the southern edge of the Parish were constructed as a single development in ca 2000 in a uniform way and with a mix of semi-detached, terraced houses and flats.²⁹ However, the earliest houses in Tranby Avenue, for example those at the southern end, are of particular interest, dating from the late 1930s. Generally all the two-storey houses have hipped roofs and six-paned double bay windows with either convex or squared frames. Wide, arched, recessed porches are common with unaltered survival rates of around 60%.

²⁹ Appendix C, Table 4.4.1



Some of the houses in Tranby Avenue, which are on the southern edge of Murton Parish, are of historical interest

4.4.5 Differences in doors, fenestration, painted cladding to the exterior and porch style and shape exist throughout. Detached garages to the rear of the property or an attached garage, often with an extension on top, are common throughout the whole area. Houses on the southern end of Tranby Avenue contain the stone lintel design above the porch and bay windows. These houses also feature a circular side window. Roughly 50% of these windows remain intact, including many with coloured glass.

4.4.6 The quality of the housing throughout the Parish can be gauged by looking at data on the Council Tax bands. Only one dwelling is categorised as in Band A . 0.4%, compared to 12.3% in York as a whole and 44.0% in the region³⁰.

³⁰ Appendix C, Table 4.4.2

Tenure

4.4.7 There is a significant difference in housing tenure between the two areas of the Parish. Over 93% of the houses in the village are owner-occupied dropping to 58% on the southern periphery. While only 5% of the houses are rented in the village, the housing stock in the estate is over 34% rented³¹. The latter is much higher than the national average of 19%³².

4.4.8 34% of the houses on the southern border contain 4 or more occupants while the comparative figure in the village is 17%³³. This is due to the relatively high proportion of students living in the area in HMOs^{34,35}.

4.4.9 In contrast to the whole of York and the surrounding region, there is only one dwelling in the Parish on Council Tax Band A, the remaining being skewed towards the higher bands.

4.5 Businesses and agriculture

4.5.1 The dual contemporary and traditional characters of the Parish are further reflected in the diverse portfolio of businesses it hosts. Of these, farming has played a pivotal role for centuries and continues to do so, both commercially and as a key contributor to the broader living experience valued by residents.

³¹ Appendix C, Table 4.4.3

³² *English Housing Survey Headline Report 2017-18*. Ministry of Housing, Communities and Local Government

³³ Appendix C, Table 4.4.4

³⁴ Appendix C, Table 4.3.8

³⁵ As of 2015, data on the CYC website '*HMO Concentrations Greater than 10%*', which do not include dwellings which have not been recorded as HMOs for one reason or another, show that this area has over 20% HMOs. However, this figure is out of date and there are at least 30 (28%) HMOs in the area, well above that recommended by City of York Council policies.



Open farmland in the Parish. The photograph was taken from a Public Right of Way, Smary Lane. Much of the land is susceptible to flooding in the winters shown in the photos in Section 4.6.10

4.5.2 Not surprisingly, many of the other businesses are related in some way to agriculture, but the portfolio also includes the leisure, retail, food processing and recycling sectors, along with several well-established home-based entrepreneurial businesses. All these activities provide employment, taxes and support to the regional and national economies.

Locations

4.5.3 Commercial activity occurs broadly in three areas within the Parish:

- Area 1) Murton Business Park, adjacent to the A166, the York-Stamford Bridge Road (Figure 4.1, C), and the area close by;
- Area 2) an area along the Hull Road (Figure 4.1, E);
- Area 3) Moor Lane and Bad Bargain Lane. (Figure 4.1, D and I).

The businesses in Areas 1 and 3 are physically separate from the two settlements but Area 2 (Hull Road) is close to the housing adjacent to the Hull Road.

Most of the remaining non-residential land is used for farming.

Farming and agricultural

4.5.4 Much the largest footprint, and with profound environmental consequences for the Parish, is that of the farms. The existence of the farms is integral to the overall pleasure and well-being cited by residents and which is recognized in the Neighbourhood Plan.

We concur with Guideline 3 in the Murton Village Design Statement³⁶:

‘No development should be permitted that prejudices the farming activity of the village farms. New development close to the farms should be compatible with neighbouring farming activity.

The farming profile is agile, evolving to reflect market trends. Much of today’s focus is now animal husbandry, particularly sheep and some cattle, and much of the land is used for grazing. You can read more about the farms under *Environment and Green Belt*, below.

4.5.5 Other businesses relating to agriculture include:

- William Thompson (York) Ltd, part of the BATA Group and one of the largest animal feed companies in the North-East, and at which there is a Country Store (Area 1)
- Holmefield Farm Services, a veterinary service and animal food supplier (Area 1)

³⁶ This is a quotation from the VDS. We broaden the concept to the whole Parish.

- York Auction (Livestock) Centre which serves farmers over a wide area of Yorkshire and further afield (Area 1)
- Yorkshire Handlers which deals with agricultural machinery (Area 1)
- The ABP Food Group, a major international meat processing company (Area 1)
- Beetle Bank Open Farm, with rare breeds of farm animals, especially designed as an experience for children.



York Auction Centre plays a very important part in our economy, used by farmers from all over Yorkshire and neighbouring counties. Here you see two of the myriad of sales at the Centre

Engineering etc

4.5.6 A number of specialised businesses include:

- L. Clancey and Sons, an important regional recycling centre and a family business for over 150 years (Area 1)
- Trustspan, a national timber engineering company (Area 1)

- Xandor Automotive, an international company manufacturing plastic injection materials for the automotive industry, has a significant transport facility on the Stamford Bridge Road.
- A host of small companies, several of which are specialist car maintenance companies with high expertise (Area 1)
- A small group of businesses at Moor Lane Farm (Area 3)

Retail and leisure

4.5.7 This diverse mix includes:

- The York Auction Centre with a wide sale range including farm machinery, horses and other livestock including rare breeds, cars and antiques. It also holds very successful Farmers' Markets and Sunday car boot sales (Area 1)
- Stephenson and Sons, a leading independent auctioneer in Yorkshire, a company that is over 140 years old (Area 1)
- A national superstore for DIY goods (Area 2)
- An independent petrol station with a substantial convenience store (Area 2)
- The Yorkshire Museum of Farming and the Derwent Light Railway at Murton Station (Area 1)
- Moor Lane Farm, a member of the Caravan and Camping Club (Area 3)
- Beetle Bank Farm, an Open Farm and Education Centre (Area 3)
- Murton Grange: Self-catered holiday cottages (Area 3)

Self-employed/entrepreneurial

4.5.8 Murton has a growing number of people working and running businesses from their own homes (reflecting employment trends across the UK). These include journalism, as well as livery stables and two animal breeding establishments, one for horses and the other for dogs, both with national recognition.

Infrastructure

4.5.9 Among the infrastructure in the Parish which serve a wide area well beyond its boundaries are

(i) an electrical sub-station owned by the National Grid (Figures 4.4 and 4.5)

(ii) a 250 mm diameter public foul rising main and a 300 mm diameter public foul rising main crosses the Parish and is maintained by Yorkshire Water

4.6 Environment and Green Belt

4.6.1 The purpose of a Green Belt is to protect important areas of countryside from being built on and destroyed. The rationale encompasses a host of environmental needs too. Within the Parish, the Green Belt goes hand in hand with related efforts to preserve rural assets that contribute to the life that residents have said they value. Also, some of the topics below make the essential connection between the natural landscape and how well we and the local flora and fauna can withstand the current and future effects of a changing climate.

Green Belt

4.6.2 Both The Yorkshire and Humber Plan Regional Spatial Strategy (RSS)³⁷ and the emerging City of York Local Plan³⁸ emphasise the importance of a Green Belt around York, the latter in these terms:

‘to preserve the setting and special character of York, while assisting in safeguarding the countryside from encroachment.....in order to establish long term development limits that safeguard the special character and setting of the historic city’.

Despite the fact that the York Green Belt is still, technically, draft Green Belt it has, de facto, been in existence for several decades and has been reaffirmed on numerous occasions in planning refusals and dismissals of planning appeals. It was specifically recognised in The Yorkshire and Humber Regional Spatial Strategy (RSS) adopted in 2008 and although the RSS was substantially revoked by an Order (SI. No. 117 2013) ³⁹ made in

³⁷ ³⁷ The Yorkshire and Humber Plan. Regional Spatial Strategy to 2026. Government Office for Yorkshire and the Humber, TSO (The Stationary Office) 2008

³⁸ City of York Local Plan Publication Draft Regulation 19 Consultation, February 2018, p 11 para 1.49 and 1.50.

³⁹ The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013

early 2013 under the Localism Act 2011, policies which related to the York Green Belt were specifically excluded from the revocation.

The Neighbourhood Plan needs to be in general conformity with strategic policies of the Development Plan. In this case, these are the saved policies YH9C⁴⁰ and Y1C⁴¹ of The Yorkshire and Humber Regional Spatial Strategy (RSS) (2008) and the RSS Key Diagram (Figure 6.1). Together the policies and key diagram set the general extent of York's Green belt to approximately 6 miles from York's city centre. The historical development of the boundary is discussed in Section 6.

4.6.3 Murton is one of a circle of parishes around York. The inclusion of a village, in such a parish, is defined in the emerging City of York Local Plan in these terms⁴²:

'A village should be included in the Green belt, if is necessary to prevent development primarily because of the important contribution the village's open character makes to the openness of the Green belt'.

Therefore, as is proposed in the emerging Local Plan that most of Murton Parish is within York's Green Belt, with only two small areas excluded, it becomes strategically important to the Plan.

Farms and rural land

4.6.4 Much of the Parish's 340 hectares is a patchwork of low lying, pasture land, at present devoted to sheep, often delineated by a network of mature hedgerows and trees, with a small and well-defined village at its heart.

4.6.5 The farmland in the Parish is classified as Grade 3 'good to moderate'. The Government's geographic website 'MAGIC' ⁴³ shows approximately 44 hectares of the farmland within the Parish is under a Countryside Stewardship Mid-Tier agreement⁴⁴. Countryside Stewardship provides

⁴⁰ The Yorkshire and Humber Plan. Regional Spatial Strategy to 2026. Government Office for Yorkshire and the Humber, TSO (The Stationary Office) 2008 Policy YH9C Green Belts, Page 30.

⁴⁰ The Yorkshire and Humber Plan. Regional Spatial Strategy to 2026. Government Office for Yorkshire and the Humber, TSO (The Stationary Office) 2008 Policy YH9C Green Belts, Page 30.

⁴¹ The Yorkshire and Humber Plan. Regional Spatial Strategy to 2026. Government Office for Yorkshire and the Humber, TSO (The Stationary Office) 2008 Policy Y1C1 York Sub Area Policy, Page 63.

⁴² City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018, p 178 para 10.17 Policy GB2

⁴³ <https://magic.defra.gov.uk/>

⁴⁴ <http://publications.naturalengland.org.uk/publication/130043?category=5954148537204736>

financial incentives for farmers and land managers to look after the environment.

4.6.6 There are several fields with ridge and furrow, an archaeological pattern of **ridges** and troughs created by a system of ploughing used in Europe during the Middle Ages, typical of the open field system.

4.6.7 Further, the Village Design Statement⁴⁵ describes:

The village is bounded by fields on all sides, the boundary between the village and the surrounding fields being irregular, having been historically determined by field and plot boundaries. The view towards the village from all sides emphasises its rural nature and location. Likewise the views from the village are predominantly rural, with distant views of the Yorkshire Wolds and the North York Moors, including the Kilburn White Horse and York Minster is also clearly seen from various points in the Parish. To the south of the village the glacial moraine ridge is evident.

This description goes on (below⁴⁶) to emphasise the importance of the farming and rural separations a) between the village and the Murton Business Park, and b) between the village and Osbaldwick (Murton Way). These separations are clearly supported in the emerging City of York Local Plan⁴⁷ which resident consultation has supported wholeheartedly⁴⁸:

Although so close to the City of York, the village retains a strong identity and a strong rural feel. The reasons for that may be because it is clearly defined in its boundaries; it is small enough for a sense of community; and there is continual agricultural activity in and around the village. The rural feel is influenced by the variety and size of plots, the large grass verges in most of the village, and the rural aspect from the majority of the properties in the village.

Farms located within the village envelope are an essential element of the village character. Other fields are farmed by farmers from elsewhere in the parish and from neighbouring parishes.

The fields surrounding the village tend to be small and contained by hedgerows with a diverse mix of species. The scale of fields, their diversity of size and shape, and their relationship to farm buildings, a great extent reflect the historic land use, including market gardening and the training of racehorses..... and the survival of a small field system contribute to the character of the village.

The village is surrounded by a field network which, to a great extent, survives from that shown in the 1796 and 1842 maps⁴⁹.

Another description is given in the citation for the Murton Village Conservation Area (Appendix A).

⁴⁵ Murton Village Design Statement, 2005 p 10

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

⁴⁶ Murton Village Design Statement, 2005 p 10

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

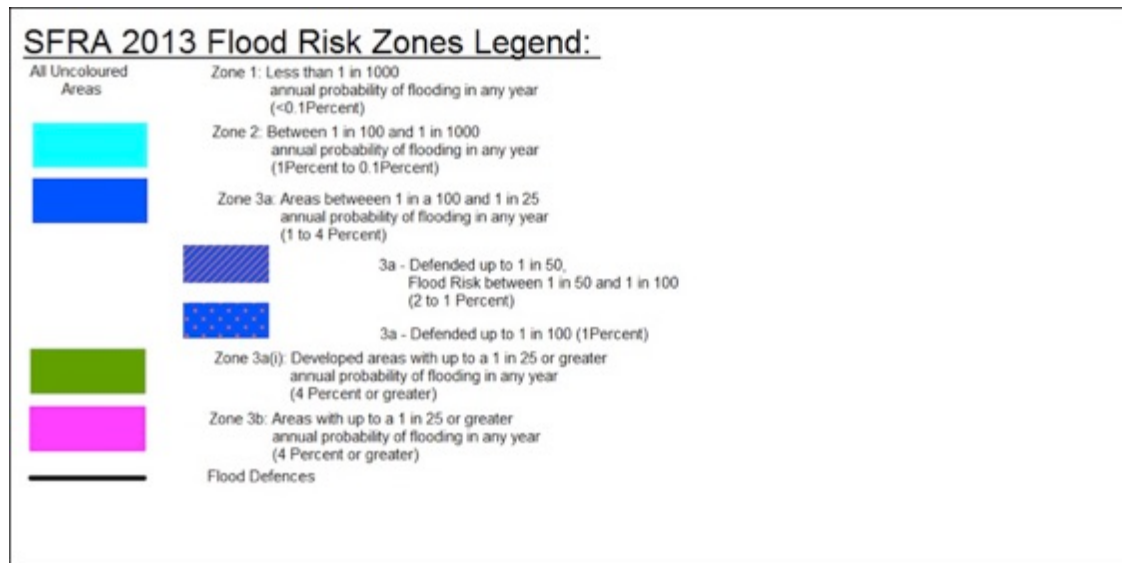
⁴⁷ Map: Historic Character and Setting Character Types, Areas F1 and G2

⁴⁸ Murton Parish Neighbourhood Plan: Consultaion document

⁴⁹ See Figure 6.3

Open Space Sites and Local Green Spaces

4.6.8 These are important natural or cultivated spaces within the Parish which are discussed in Section 6.



Key to Figure 4.5 (opposite)

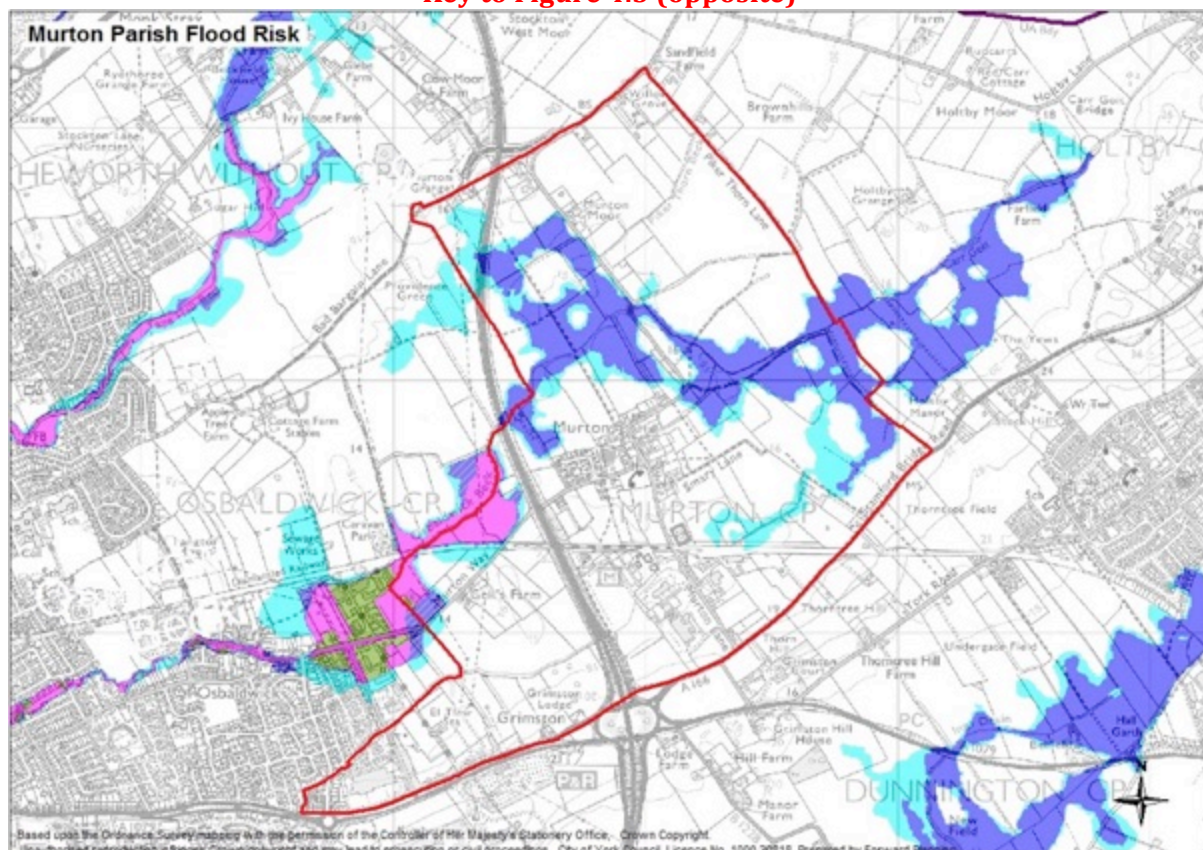


Figure 4.6 Murton Parish: Flood risk

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Allotments

4.6.9 There are several areas along Moor Lane which are owned by the Parish Council, some of which are let out for allotments on an annual basis. The total area is ca 8 hectares, roughly half of which is not currently prepared for cultivation⁵⁰.

Water table and flooding

4.6.10 The village itself is built on slightly raised ground between Osbaldwick Beck to the north and east and a smaller beck to the south. However, much of the Parish is flat and low-lying, and the water table is high and drainage is poor. This means that significant parts of the Parish are liable to flood (Figure 4.5). The Foss Internal Drainage Board has advised on the inadequacy of local surface watercourses and indicated that any increase in surface water discharges from new or redevelopment may cause problems.



Flooding in fields within Murton. Compare these photos with the photo 8 pages earlier



⁵⁰ See Figure 4.7

Public Rights of Way and Cycle Ways

4.6.11 These serve an important function – a contributor to quality of life for residents. They can also function as ‘green corridors’ for wildlife when associated with hedgerows, trees and areas of less intensively managed land



Smary Lane: One of Murton's Public Rights of Way on a frosty morning

The Parish has a network of Public Rights of Way which provides access to the open countryside and which are well used (Figure 4.7). They are seen by the Parish Council as one of the most important amenities in the Parish. Suggestions for further strengthening the network are given in Section 7.4. The lanes, in spite of the fast traffic, are much used by individual cyclists and by cycle clubs, perhaps inspired by the choice of Murton as part of the



The peloton in the inaugural Tour de Yorkshire leaving Main Street in Murton Village and heading for Osbaldwick along Murton Way

route for the first Tour de Yorkshire. The lanes are also used by small groups of runners and, annually, by the Yorkshire Marathon.

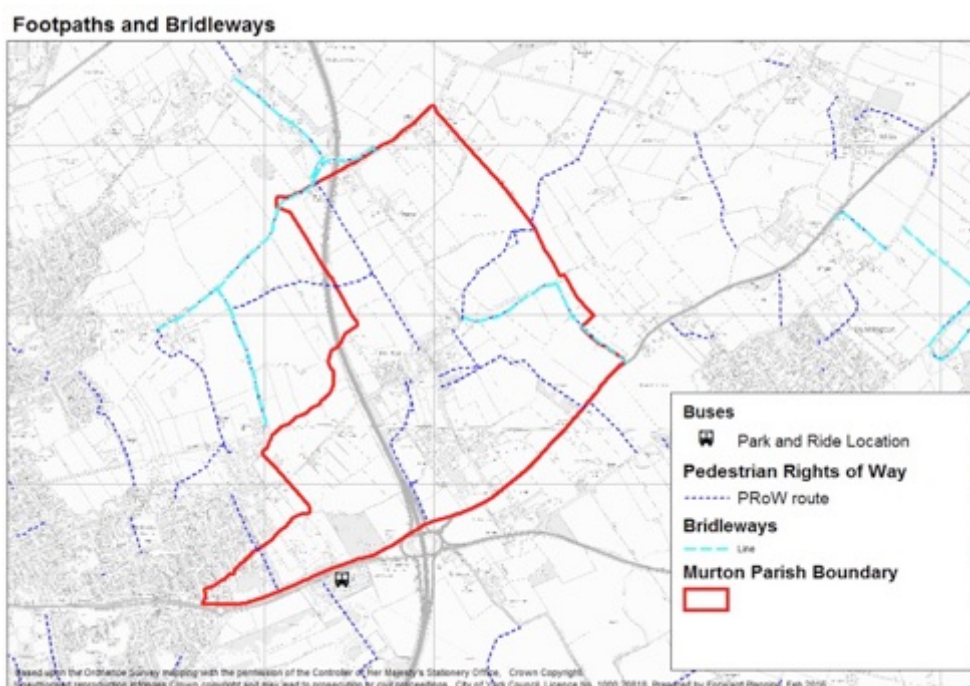


Figure 4.7 Murton Parish: Footpaths, bridleways and Parish and Common Land

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Murton is one of the open sections of the National Cycle Route 66 (Figure 4.7) which runs from Manchester to Spurn Head via Bradford, Leeds, York and Beverley)⁵¹.

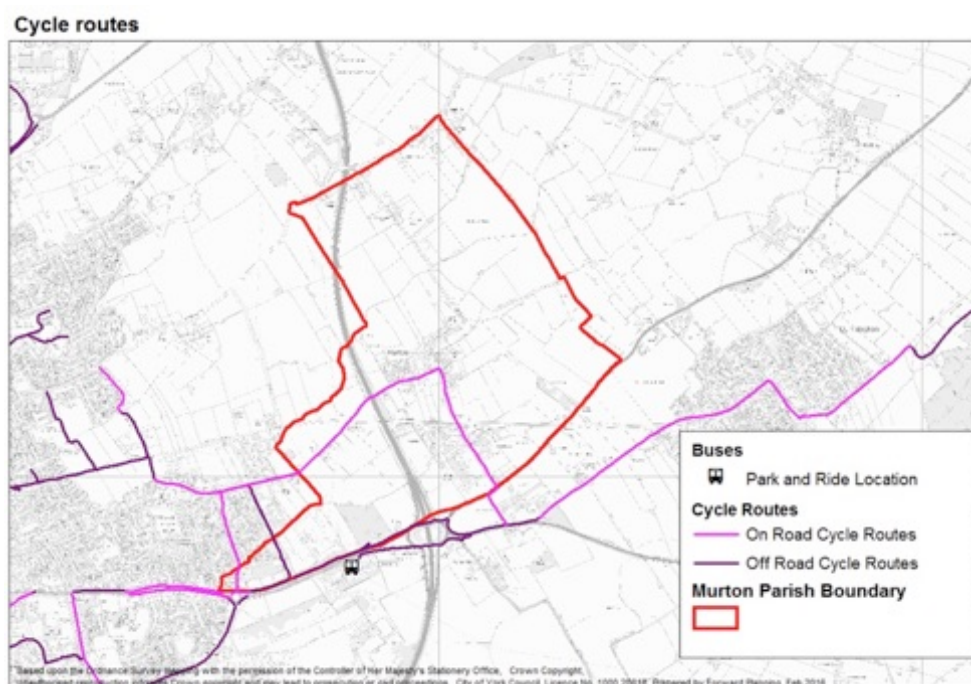


Figure 4.8 The cycle path in Murton Parish is part of the National Cycle Route 66

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Flora, fauna and hedgerows

4.6.12 Murton has diverse flora and fauna, both within the village and in the surrounding fields. Some 57 species of birds were recorded in 2004, including barn, tawny and little owls. Some 18 species of mammals and over 200 species of wild plants, flowers and trees have also been recorded within the Parish⁵². The Parish also contains hedgerows of varying plants and trees, some of which (along its boundary with the parish of Holtby) are mediaeval (Appendix D).

⁵¹ The City of York Council Open Space and Green Infrastructure Study 2014 encourages enhancement of the quality of green corridors and the linkage of natural/semi natural open space, promoting biodiversity. Cycle route networks are proved to maximise access to facilities for young people.

⁵² Murton Village Design Statement, 2005 p 14

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

Nature Conservation sites

4.6.13 The City of York Local Plan divides designated nature conservation sites into four categories: SPA (Special Protection Areas); SAC (Special Areas of Conservation); SSSI (Sites of Special Scientific Interest); LNR (Local Nature Reserves) and SINC (Sites of Importance for Nature Conservation). Four areas have been considered as a SINC but none of these have yet to be formally recognized.

Osbaldwick Beck plays an important role as a drain into the River Foss and has the potential to be used by Water Voles and Otters.

The Village Pond along Moor Lane is maintained by the Parish Council.

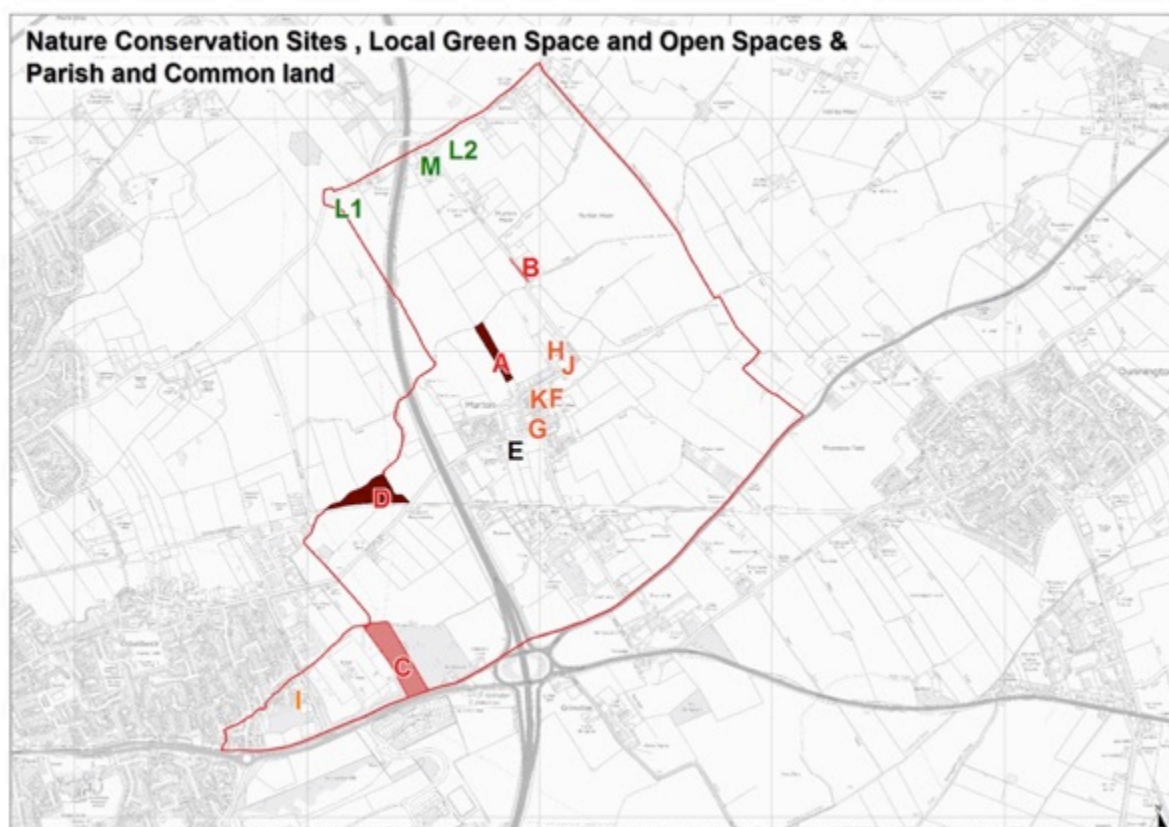


Figure 4.9 Murton Parish Nature conservation sites, Local Green Spaces, Open Spaces and Parish and Common Land. **Possible SINC**s: A Murton Meadow; B Moor Lane Ditch; C Grimston Villa Fields; D Warner's Field **Open Space**: E St James's Churchyard **Local Green Spaces**: F Village Pond; G Village Green (Common Land); H Allotments (Parish Council Land); I off Osbaldwick Link Road; J The Copse; K Moor Lane Verge; L1 and L2 Moor Lane and Bad Bargain Lane (Common Land); M Moor Lane (Common Land)

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Buildings

4.6.14 The following buildings in Murton village are listed as Grade II:

Murton Hall: 18th century, with 19th century addition⁵³.

The coach-house to Murton Hall: 18th century.

The garden wall and gazebo to Murton Hall: 18th century.

The Church of St James. *ca* 1200⁵⁴

The Village Design Statement⁵⁵ also makes the important point that:

‘other buildings and features [which] make a positive contribution to the character of Murton and are so important in the street scene that their value should be taken into consideration as part of any development proposal.’

A list of these buildings is given in Appendix E.

4.7 Community facilities

4.7.1 Community facilities are a) places for people to come together, b) amenities that support daily life, and c) public transport for accessing the city and vital services (health, schools, etc). Murton Parish has very few of these facilities, although there are differences between the remoter village and the southern periphery that has easier access to neighbouring areas.

Social venues and amenities

4.7.2 In the Parish as a whole, there is no village hall, no public telephone box, no playing fields and no play facilities for children. The future of the Murton Arms (formerly the much loved Bay Horse), the village pub for many generations, has become uncertain, with 8 landlords in 11 years while it was owned by a property company which loaded the landlords with unsustainable costs. Following this, in 2016, the pub was sold to an individual who quickly closed the premises. The Parish Council and many former users of the Bay Horse are very anxious to keep the building as a

⁵³ <http://www.imagesofengland.org.uk/QuickResults/Default.aspx?qs=murton%20hall>
<http://www.imagesofengland.org.uk/Details/Default.aspx?id=328678&mode=quick>
<https://historicengland.org.uk/listing/the-list/results?q=murton+hall&searchtype=nhle>

⁵⁴ <http://www.imagesofengland.org.uk/Details/Default.aspx?id=328681&mode=quick>

⁵⁵ Murton Village Design Statement, 2005 p 21

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

social amenity in the form of a pub. There is a cafeteria in the York Auction Centre, a café and meeting room in the Yorkshire Farming Museum, mainly for visitors to the Centre and Museum and a café in the Beetle Bank Open Farm.

4.7.3 One new development in the village has been the installation of a kitchenette and WC in the church in mid-2016 which now enables social groups and clubs to meet. This has been a village initiative with the support of the Osbaldwick and Murton Parochial Church Council and Murton Parish Council.



The new welcome lobby to the 13th century St James's Church. The handmade local brick used blends in with the brick used in the conservation area of the village. The village raised over £60 000 for this work



Events in the new facilities organized for charities by the village have included Afternoon Teas and New Year's Day Breakfasts



Local transport and accessibility

4.7.4 The village fares much worse than the southern settlement, with only a modest bus service (3 buses to York and 4 from the city each day, except Sundays when there is no service). So, although the nearest secondary school and the nearest GP surgery are both only 2 miles from the village, travelling to them on public transport is a challenge.

4.7.5 Shops are similarly hard to access from the village; the only shop in the village closed half a century ago, and the nearest post office is over 2 miles away and not on a direct bus route. It is only the fact that the inhabitants of the village are predominantly car owners⁵⁶ that allows them to access these essential services. A Planning Inspector's report summarised this problem succinctly:

'..... the village does not offer a range of services and lies some 9km (6 miles) from the centre of York. Thus, being served by an extremely limited bus service the likelihood is that journeys to and from most activities would be made by private car, which markedly lessens its sustainability accreditation'⁵⁷.

⁵⁶ Appendix C, Table 4.3.5

⁵⁷ APP/C2741/A/09/2119021 March 30th 2010

Community activities

4.7.6 Despite the southern settlement having much better access to bus services, GPs and shops, it has no space for communal activities and this is keenly felt by many residents. There is no shortage of suggestions for activities, including art classes (RB13), mother and baby groups (RB9), food festivals, picnics, book exchange (RB3), activities for children (M4), community-focussed gatherings (T6) and a good number advocating fund raising.

Section 5: Community and Stakeholder Engagement

In 2014, Murton Parish Council decided to produce a Neighbourhood Plan in order to be proactive rather than reactive in future development proposals. Representatives from the Parish Council attended a 3-day intensive national workshop (the Planning Camp 2014), organised on behalf of the Department of Communities and Local Government by the Eden Project in partnership with Planning Aid, England and with Locality. This briefed the Parish Council on a successful delivery of a Neighbourhood Plan.

In parallel, the Parish Council opened discussions with the City of York Council who indicated that they were willing to support the Parish Council in producing a Neighbourhood Plan.

5.1 Record of consultations

5.1.1 Consultations took place at the following stages in the neighbourhood planning process:

March 2014	A Press release on March 17 th A letter from the Chairman of the Parish Council delivered to every household A letter from the City of York Council delivered to businesses Statutory announcements by the City of York Council posted through the Parish
March/April 2014	A consultation period, March 17 th to April 28 th 2014 to publicize the neighbourhood area
July 2015	Agreed designation of Neighbourhood Plan area, July 23 rd

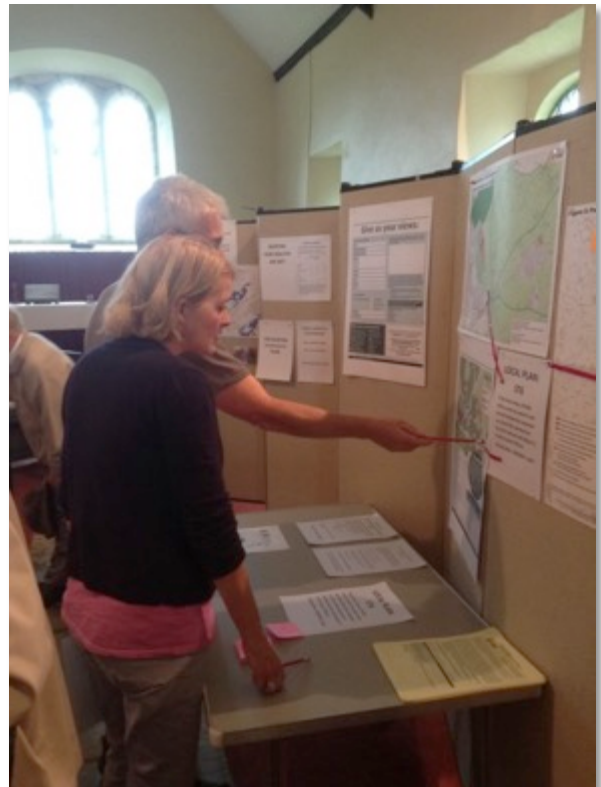
January 2016	<p>A letter to every household and another to businesses from the Chairman of the Parish Council. With the letter, a pamphlet together with a Questionnaire was sent to every household and local business. A concise review of the results of the Questionnaire are given in the Consultation Statement</p> <p>A further letter to all households not living in the village was sent by the Chairman of the Working Party</p>
June 2016	A visit to all households on the southern edge of the Parish
August 2016	<p>A pamphlet sent to all households in the Parish by the Chairman of the Working Party inviting them to a Drop-in and giving a further explanation of the Neighbourhood Plan</p> <p>Letter to businesses giving notice of the Drop-in and, as above, a further explanation of the Neighbourhood Plan</p>
September 2016	A Drop-in
May 2017	A questionnaire was sent all households and businesses in and adjacent to the village
October 2017	<p>A report on the questionnaire was sent to all households in the village and adjacent to it</p> <p>A report on the questionnaire was also sent to all businesses in and near the village</p>
November 2017	A questionnaire was sent all households on the southern edge of the parish
January 2018	A report on the questionnaire was sent to all households on the southern edge of the parish (Consultation Statement)

**August/September
2018**

A Newsletter (4 pages), which gave an update of the work so far, was sent to all households in the Parish and to the Businesses

April 2021

The pre-submission consultation involving all residents and businesses in the Parish and national and local organisations with a stake in the Parish



At the Drop-in, September 2016

Details of the consultations are given in the Consultation Statement and are used throughout Section 6 (Policies) and Section 7 as part of the evidence.

Section 6: Policies

6.1 Introduction

6.1.1 There are six policy topics in the Murton Neighbourhood Plan:

1. Murton Parish and the Proposed City of York Green Belt
2. Murton's Green Infrastructure and Landscape
3. Heritage, Character and Sustainable Design
4. Employment
5. Housing and Community
6. Transport and Movement

6.1.2 These topics in turn contain 13 policies and have been informed by the basic conditions and the objectives and policies of the National Planning Policy Framework⁵⁸ and the emerging City of York Local Plan.

6.1.3 To aid the reader, the first policy, which is in Section 6.2, is concerned with the Green Belt as it forms the fulcrum for the whole Murton Neighbourhood Plan. The other Sections are arranged in terms of the objectives in the National Planning Policy Framework which are stated in full in Section 1. Sections 6.3 and 6.4 cover the **environmental** objectives. Sections 6.5 and 6.6 address the **economic and social** objectives, respectively. Section 6.7 surveys Transport and Movement.

6.1.4 As a further aid to the reader, the 13 policies are described below using the following structure where possible:

1. ***The purpose of the policy – a summary of what it aims to achieve***
2. ***The evidence for why the policy is needed*** - based on
 - (ii) The National Planning Policy Framework (NPPF)
 - (iii) The emerging City of York Local Plan
 - (iv) Responses from consultations⁵⁹
 - (v) Where applicable, other information

⁵⁸ See Section 1

⁵⁹ As outlined in Section 5, there were four questionnaires, two (one short and one long) for the residents in the village and nearby and two (one short and one long) for the residents on the southern periphery of the Parish. The results quoted in this Section are from the two long questionnaires. Full details with copies of the questionnaires and reports are given in the Consultation document.

3. *The Policy* – the official wording of the policy

4. *The interpretation of the Policy* – how it will be used.

6.1.5 Whilst based on the NPPF and the emerging City of York Local Plan, the policies are also highly influenced by a series of questionnaires that were enthusiastically answered by residents and employers. The overriding impression, and this pervades the policies, is one of enjoying living in the Parish. For examples the questionnaires asked residents about their satisfaction with the Parish as a place to live. 92% of the respondents living in the village were either very satisfied (39%) or satisfied (53%). A very similar result (43% and 55%) came from respondents living on the southern periphery. Comments endorsing these views included:

- Really lovely area to live (RB12, RB 13)
- Quiet, friendly (BB 6)
- I'm happy where I live (RB 8)
- Nice family area (CG 4)
- The area is very nice (M1)
- Have been happy to live here for 40 years (T 10)
- Perfect for family life (T 2)

However, the respondents also raised two major problems:

- the speed and density of traffic;
- anti-social behaviour, principally the noise and litter generated by the large student population living in Houses of Multiple Occupancy (HMOs).

These concerns are addressed later in the Plan⁶⁰.

6.1.6 Although maps in Section 4 show the locations of the buildings and other points of interest which are mentioned specifically in the Policies in this Section, for ease of reading, these have been redisplayed below, Figures 6.1-6.

⁶⁰ Traffic and anti-social behaviour are discussed in Section 7 and HMOs in Section 6.6, Policy HAC2

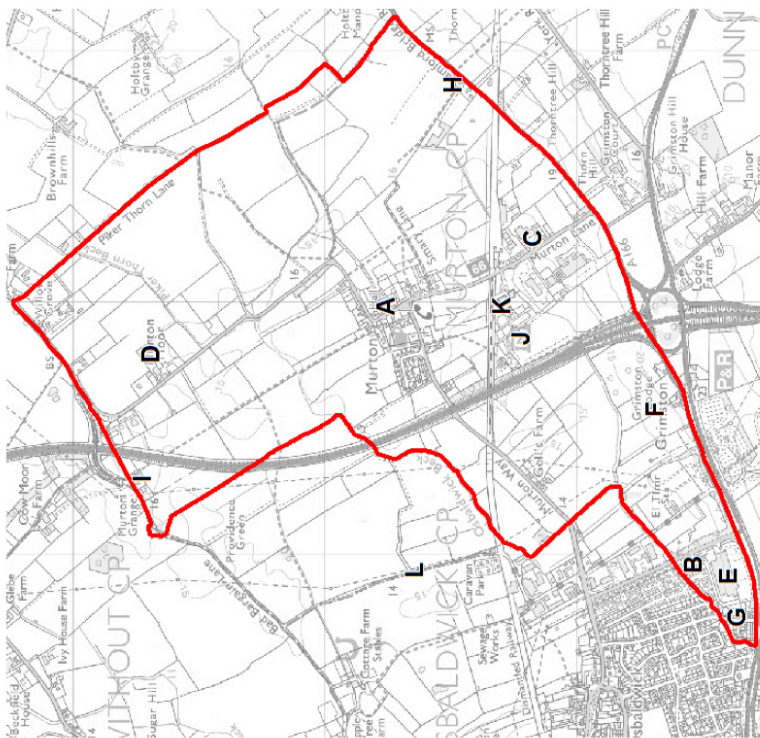


Figure 6.1: Key sites

- A: Merton Village B: Redbarn Drive, Meam Close, Moins Court
 C: Merton Business Park D: Moor Lane Business Park
 E: B&Q and Inner Space Stations garage F: Grimston
 G: Tranby Avenue and Cavendish Grove
 H: Stamford Bridge Road I: Merton Grange
 J: Merton Park – Yorkshire Museum of Farming
 K: Derwent Light Railway L: Outgang Lane

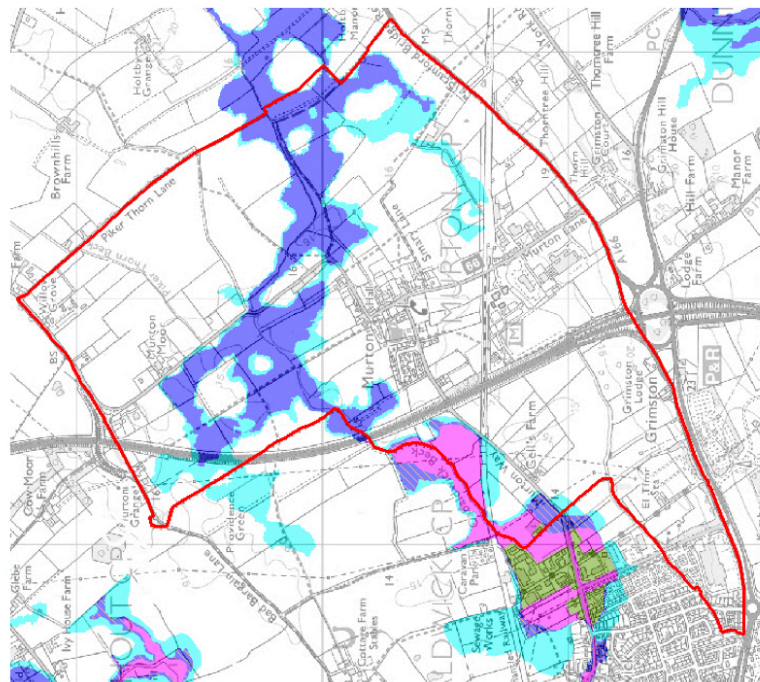
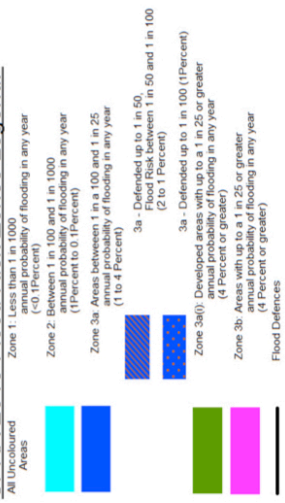


Figure 6.2: SFRA 2013 Flood Risk Zones Legend:



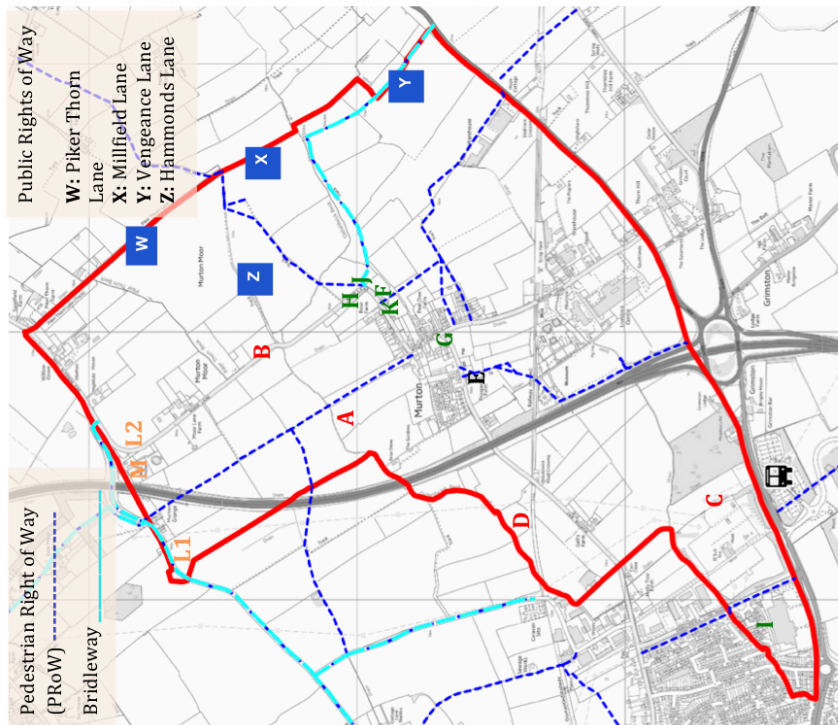
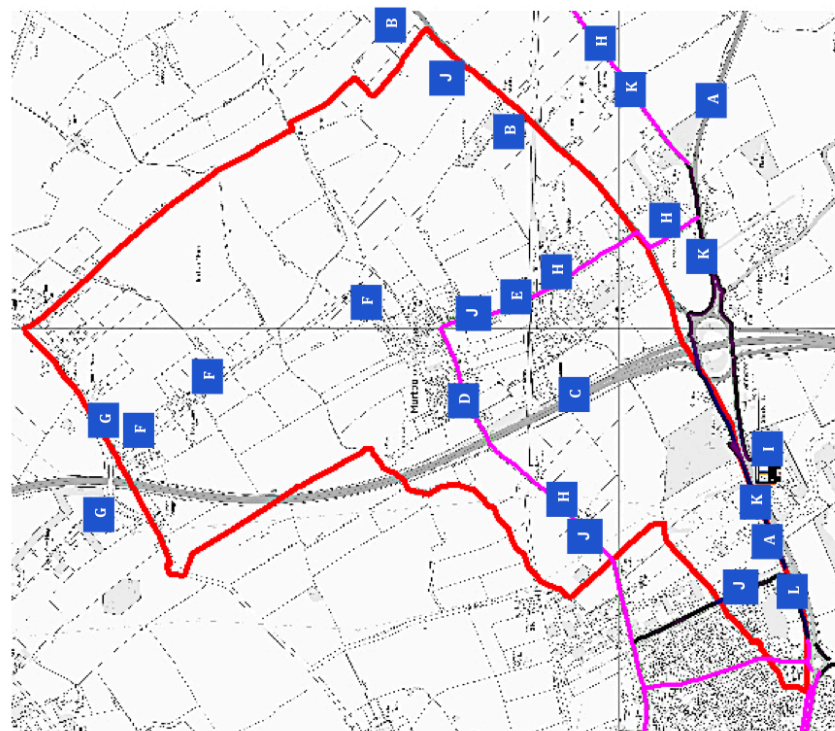
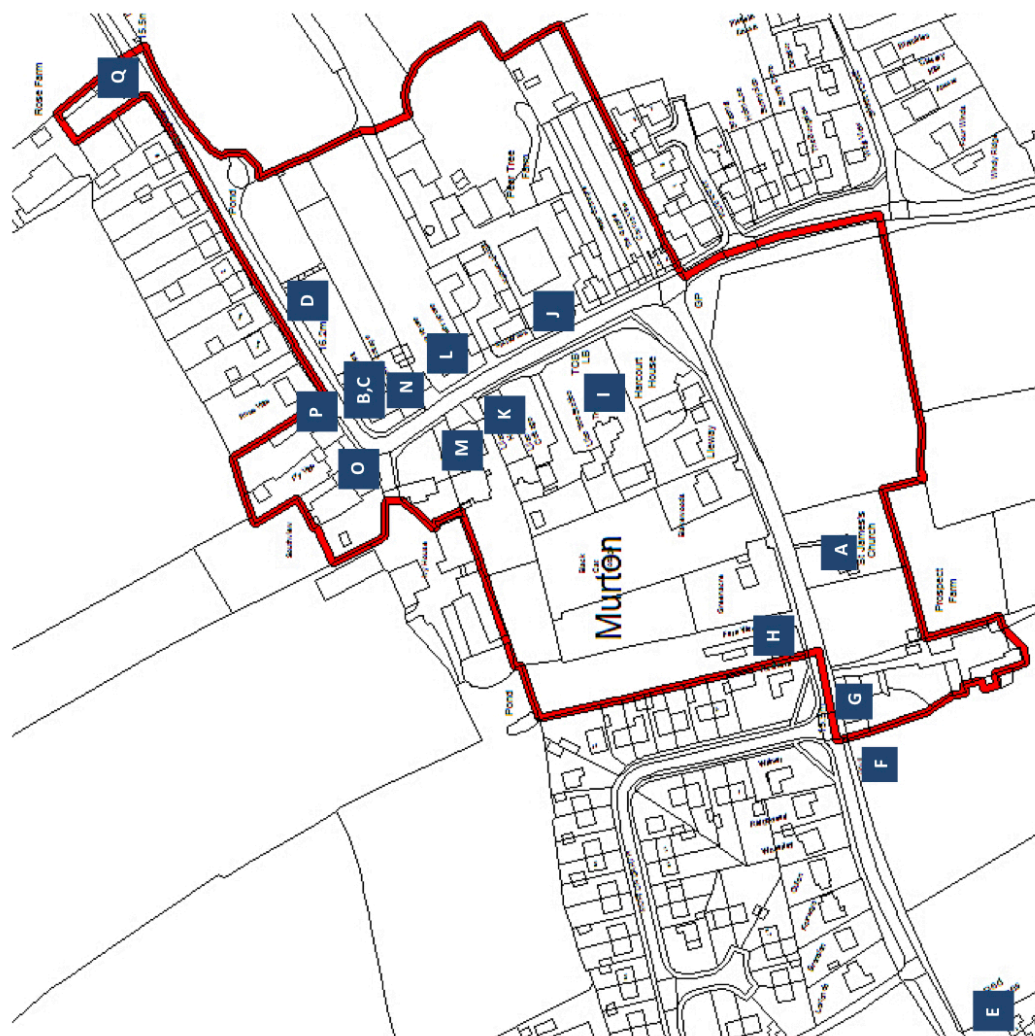


Figure 6.5: Conservation area



- A: The Church of St James and churchyard (Grade II)
- B: Murton Hall (Grade II)
- C: Murton Hall coachhouse (Grade II)
- D: Murton Hall garden wall and gazebo (Grade II)
- E: Red and Buff Cottages
- F: Anvil Cottage
- G: Prospect Farm
- H: Fern View
- I: The Villa
- J: Pear Tree Farm House
- K: Lilac Tree House
- L: Cherry Tree House (formerly Lornik House)
- M: The Bay Horse
- N: Jasmine Cottage
- O: South View
- P: The Old Smithy
- Q: Rose Farm

6.2 Murton Parish and the Proposed City of York Green Belt (MGB1)

Purpose of Policy MGB1 (York Green Belt)

6.2.1 The policy seeks to protect the countryside in Murton and prevent it from sprawl or from merging into the main urban mass of York.

Evidence and rationale

6.2.2 The National Planning Policy Framework emphasises the value of Green Belts in making planning decisions:

‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’⁶¹.

The NPPF defines five purposes for a Green Belt⁶², namely:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Very strict conditions apply to any development in the Green Belt. Thus, ‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’⁶³ and ‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations’⁶⁴.

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are⁶⁵:

- buildings for agriculture and forestry;

⁶¹ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 137

⁶² National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 138

⁶³ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 147

⁶⁴ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 148

⁶⁵ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 149

- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages;
- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.2.3 Despite the fact that the York Green Belt is still, technically, draft Green Belt it has, *de facto*, been in existence for several decades and has been reaffirmed on numerous occasions in planning refusals and dismissals of planning appeals. It was specifically recognised in The Yorkshire and Humber Regional Spatial Strategy (RSS) adopted in 2008 and although the RSS was substantially revoked by an Order (SI. No. 117 2013)⁶⁶ made in early 2013 under the Localism Act 2011, policies which related to the York Green Belt were specifically excluded from the revocation.

6.2.4 The Neighbourhood Plan needs to be in general conformity with strategic policies of the Development Plan. In this case, these are the saved policies YH9 and Y1 of The Yorkshire and Humber Regional Spatial Strategy (RSS) (2008)⁶⁷ and the RSS Key Diagram (Figure 6.6, below). Together the policies and key diagram set the general extent of York's Green belt to approximately 6 miles from York's city centre.

Policy YH9 states that:

⁶⁶ The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013

⁶⁷ The Yorkshire and Humber Plan. Regional Spatial Strategy to 2026. Government Office for Yorkshire and the Humber, TSO (The Stationary Office) 2008

The detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. The boundaries must take account of the levels of growth set out in this RSS and must also endure beyond the Plan period.

Policy Y1 states that:

York sub area should

1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.
2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas...'

6.2.5 Further, whilst not forming part of the Development Plan, the City of York draft Local Plan incorporating the Fourth Set of Changes Development Control Local Plan (April 2005)⁶⁸ was approved for development control purposes. This is a material consideration in decision-making but does not define York's Green belt boundaries.

The National Planning Policy Framework (NPPF) is clear that the identification and modification of Green Belt boundaries are essentially matters for the Local Planning Authority to determine. In this case, that authority is York City Council. Furthermore, these paragraphs identify that these processes should be undertaken as part of the preparation or review of a Local Plan. In this case, this would be through the vehicle of the preparation of the emerging City of York Local Plan, which was submitted for independent examination in May 2018. The proposed Green Belt boundary relevant to the Murton Neighbourhood Plan is set out on the Local Plan Policies North Map (2018) (Figure 6.7, below). The adopted Local Plan will set the detailed Green belt Boundaries.

In advance of the adoption of the Local Plan decisions on whether to treat land as falling within the Green Belt for development management purposes will be taken in accordance with the approach supported in the case of *Christopher Wedgewood v City of York Council v Christ Church Group* [2020] EWHC 780 (Admin)⁶⁹. This means that such decisions will take into account the RSS general extent of the Green Belt, the draft Local

⁶⁸ Draft Local Plan Incorporating the 4th set of changes. City of York 2005

⁶⁹ *Mr Christopher Wedgewood v City of York Council v Christ Church Group* EWHC 780 (Admin.) 2020 WL 02086186

Plan (April 2005) (Figure 6.8, below), 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.

This will ensure that the preparation of the emerging Local Plan is used as the mechanism for the detailed identification of the York Green Belt boundaries in accordance with national planning policy. It will also provide the proper opportunity for residents, developers and other interested bodies to contribute to this debate both in general terms on the Green Belt boundary and to provide the agreed levels of development for the City. Once the emerging Local Plan has been adopted, the Neighbourhood Plan will be reviewed in order to ensure that it and the Local Plan are consistent on this important matter.

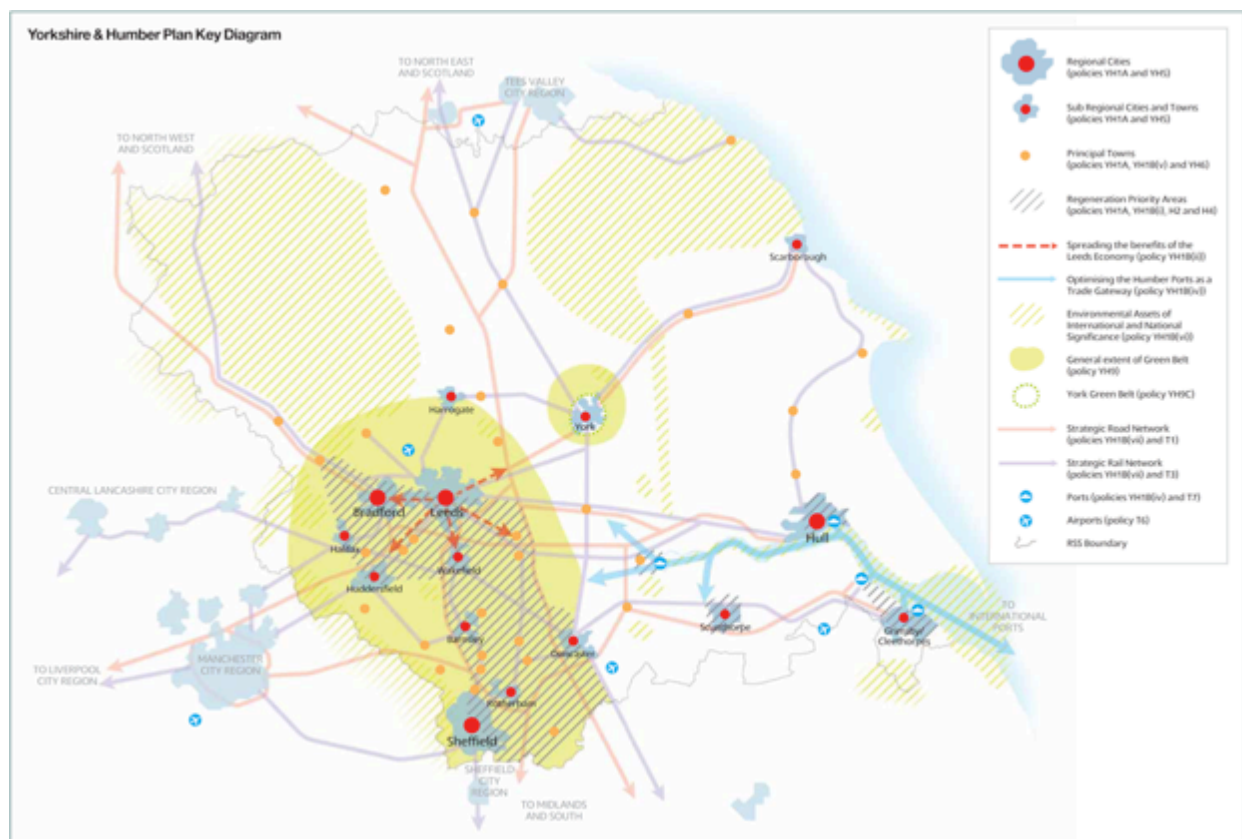


Figure 6.6: RSS Key Diagram

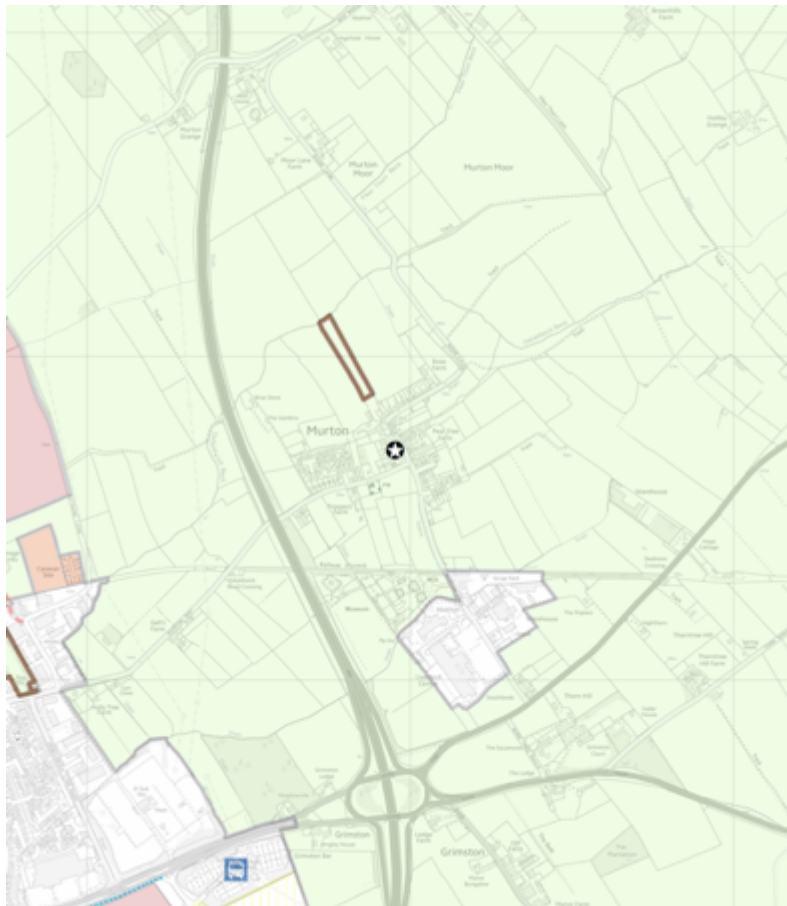


Figure 6.7 The map showing the Green Belt associated with the Murton Parish in the City of York Local Plan Publication (Draft) (2018) Submitted for Examination

6.2.6 *'Murton Parish is a wonderful place to live but its Green Belt needs to be protected from encroaching development which would destroy its rural character'.*

This is a typical free-response answer to the second questionnaire⁷⁰, which showed concern for the preservation of the Green Belt and the importance of preventing coalescence of the village with the industrial area and with Osbaldwick. Indeed, this concern was expressed by 94% of the respondents in the village questionnaire and 98% of those answering the questionnaire designed for the households on the southern periphery of the Parish⁷¹, and which are met by our proposal below.

6.2.7 All planning applications for development in Murton's Green Belt that have gone to appeal have failed. Inspectors have argued strongly against any development that reduces the openness of the village and wider Parish. In one appeal decision, concerned with the boundary between the village and the Murton Business Park, the Planning Inspector wrote⁷²



Alpacas guarding sheep on land in the centre of the village

"I consider that the proposal has reduced the openness of this part of the Green Belt. I therefore concur with the parties that the proposal is inappropriate development.

⁷⁰ Murton Parish Neighbourhood Plan Report Questionnaire 2.1 October 2017 Respondent 37

⁷¹ Murton Parish Neighbourhood Plan Report Questionnaire 2.2 January 2018

⁷² APP/C2741/A/09/2119021 March 30th 2010.

Accordingly, I give substantial weight to the harm to the Green Belt arising from the inappropriateness of the proposal.”

In another appeal, concerning the centre of the village, the Planning Inspector wrote⁷³

‘Moving to the effect on the character and appearance of the area, the fundamental aim of Green Belts is to keep the land permanently open. In this context, a public footpath crosses the site linking Murton Lane/Moor Lane to the open land and public access opportunities to the east. A little more to the east there are two further public footpaths, from which the site is clearly visible. One runs roughly from the north-west to the south-east and the other is an extension to Smary Lane. Further still to the east, there is a public bridleway from which the appeal site can also be seen, especially bearing in mind the elevated vantage point for those on horseback. Thus, the openness of the site and its appreciation would be severely compromised by the appeal scheme. In addition, this project would extend the built envelope of the village into the open countryside, utilising agricultural land, albeit lower grade. This would be significantly harmful to the character and appearance of the area and this itself constitutes a very strong objection’.

6.2.8 Assuming adoption of the emerging City of York Local Plan, applications for development in the Parish will be assessed against the emerging Local Plan Policy SS2 (The Role of York’s Green Belt) and the Local Plan’s Chapter 10 - Managing Appropriate Development in the Green Belt (Policies GB1, GB2, and GB3). In particular,

‘New building in the Green Belt is inappropriate unless it is for one of the exceptions set out in policy GB1’.⁷⁴

Technical work carried out by the Council indicates that:

‘there are areas of land outside the built up areas that should be retained as open land as they prevent communities within the environs of York from merging into one another and the city. These areas are considered to have a key role in preserving the identity of the

⁷³ APP/C2741/A/14/2221021 April 13th 2015

⁷⁴City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy SS2 p 31 and Policy GB1 pp 175-178

settlements and villages around York.....The relationship of York to its surrounding settlements is an important aspect of the city's character'.

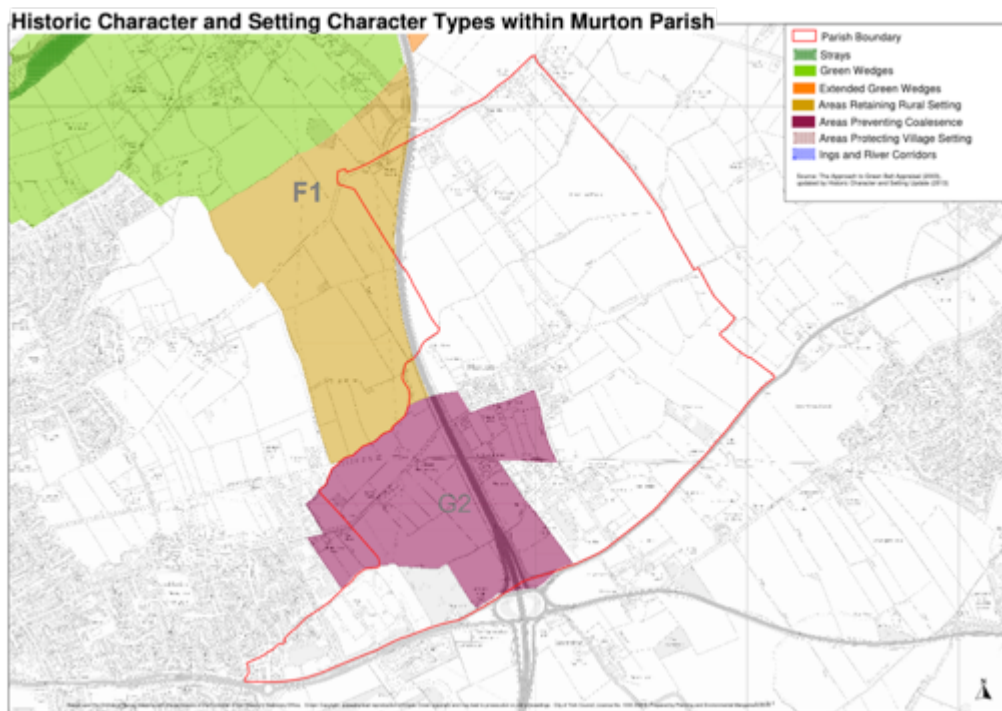


Figure 6.9 Murton Parish: Historic character and Setting character types

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office, Crown Copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. City of York Council, License No. 1000 20818. Prepared by Forward Planning Team, 2021"

6.2.9 The five purposes of the Green Belt, as described by the National Planning Policy Framework, are given above. The emerging Local Plan also defines areas (Figure 6.9) which will maintain the openness of the Green Belt in terms of:

- (i) Areas retaining rural setting
- (ii) Green wedges and
- (iii) Areas preventing coalescence.

6.2.10 An area on the southern boundary is defined as an area preventing coalescence:

'.....the site forms part of the wider views of the City, rising significantly towards Grimston Bar Roundabout and Hull Road. There is particular concern about the land adjacent to

Grimston Bar Roundabout because it is very prominent due to its rising topography and the narrowness of the area in relation to the Ring Road.....There is also evidence of ridge and furrow (Linear remains of Medieval agriculture) in the fields to the north of the area'⁷⁵.

This is contiguous with an area between Osbaldwick and Murton on either side of Murton Way (defined as an area preventing coalescence) and stretching to the north, west of the A64 (defined as an area retaining rural setting). This in turn runs into a Green wedge (Figure 6.9). Thus Murton Parish is clearly defined in terms of a rural area and there can be no coalescence between Murton village and Osbaldwick.



Murton Way, linking Murton with Osbaldwick. The photo shows the success of the policy of preventing coalescence between the two villages. In the foreground there is A, St James's Church, on the left and B, Fern View on the right. Further down, on the right, is Murton Garth and on the left, C, Anvil Cottage, D, Prospect Farm House and E, Buff and Red Cottages.

⁷⁵ Further details on this can be found in the Historic Character and Setting Technical Paper Update. City of York Council June 2013 pp 9-10 Site 25: Land at Grimston Bar

6.2.11 Furthermore the boundary for the Murton Business Park is tightly drawn so that there cannot be coalescence with it and the village (Photo above). We go further and introduce a policy in which the present boundaries of all three employment areas in the Parish are shown (EMP 1).

Policy MGB1York Green Belt

The general extent of the York Green Belt within the Parish of Murton, is shown on the RSS Key Diagram (Figure 6.1). 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) (Map 6.3.), 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.

Interpretation of Policy MGB1

6.2.12 This policy not only seeks to control inappropriate development in the proposed York Green Belt in Murton Parish in the interim period before

the adoption of the emerging City of York Local Plan but also to be effective after the adoption of the Local Plan. In applying the policy, the National Planning Policy Framework sets out what is appropriate development⁷⁶ in the Green Belt.

6.2.13 Maintaining the Green Belt is crucial for Murton Parish and the provisions of the National Planning Policy Framework⁷⁷ and the emerging City of York Local Plan will be in the forefront of the Parish Council's remit. It has excellent case law from past decisions, particularly from the Planning Inspectorate, to guide its decision making.

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.

In applying the policy, the National Planning Policy Framework sets out the purposes of⁷⁸, and what is appropriate development⁷⁹ in, the Green Belt.

These will clearly inform the application of Policy GB1 in the emerging City of York Local Plan⁸⁰.

6.2.14 Further the Policy ensures that land continues to be made available for farming, thus allowing the Parish to remain as a farming environment. Loss of land for whatever purpose reduces the viability of farming in the Parish.

⁷⁶ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 149

⁷⁷ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 149

⁷⁸ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 137

⁷⁹ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 149

⁸⁰ City of York Local Plan Pre Publication Draft Regulation 19 Consultation February 2018 Policy SS2 p 31 and Policy GB1 pages 175-178

6.2.15 One element of Policy GB2 in the emerging City of York Local Plan is particularly pertinent, namely that new buildings within a defined settlement of villages in the Green Belt will be permitted provided that they are located within the built-up area of the settlement, are appropriate to the form and character of the settlement, would constitute limited infilling and would not prejudice the openness or purposes of the Green Belt'⁸¹.

6.2.15 We draw particular attention to the explanation to Policy GB2 in the emerging Local Plan which emphasises that

'whilst infilling is often perceived as acceptable in some locations, this ignores the fact that part of the character of many settlements is made up of gardens, paddocks and other breaks between buildings. It is important to protect those infill spaces....'⁸².

6.2.16 In spite of the restrictions imposed by the Green Belt, new development proposals were nevertheless looked at very carefully. The succession of site allocation proposals for the emerging City of York Local Plan was examined together with other initiatives put forward in Working Party discussions. In each case, we were limited by the overarching proposal in the emerging City of York Local Plan that we are deemed to be in the Green Belt and that our role is explained in Paragraphs 4.6.2, 4.6.3 and 6.2.7.

6.3 Murton's Green Infrastructure and Landscape

Purpose of Policies ENV1 (Local Green Space), ENV2 (Green Infrastructure) and ENV3 (Edges of the Village)

6.3.1 To identify, protect and enhance Murton's rural environment and green spaces (Figure 6.4).

⁸¹ See also Town and Planning Act 1990 Section H9

⁸² City of York Local Plan Pre Publication Draft Regulation 19 Consultation February 2018 page 178 Paragraph 10.18 and Policy EC5

Rationale and Evidence

6.3.2 The term ‘green infrastructure’ is used here as explained in the emerging City of York Local Plan⁸³

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.

6.3.3 The National Planning Policy Framework stresses the importance of contributing to and enhancing the natural and local environment, namely to protect and enhance the natural built and historic environment in the Parish and to ensure that any new development is well designed, sustainable and enhances its rural environment’⁸⁴. However, for this, we depend on the farming community to provide and maintain much of our green infrastructure which enhances the conditions in which we live, and which is so often wrongly taken for granted. This cannot be overemphasised.

6.3.4 As the NPPF acknowledges we should protect and enhance ‘valued landscapes’ and ‘sites of biodiversity’ and recognize the ‘intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services’⁸⁵.

6.3.5 Murton’s Neighbourhood Plan supports the principles enumerated in the emerging City of York Local Plan⁸⁶.

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

⁸³ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation, February 2018 para 9.2 , page165.

⁸⁴ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para174

⁸⁵ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 174

⁸⁶ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation, February 2018 Policy G13 p 168..

- 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.

6.3.6 Modern conservation principles towards flora and fauna should be encouraged to retain as much green area and as many existing trees as possible in order to maintain a continued abundance of wildlife. This includes the protection of hedgerows, tree species and verges. The planting of native trees and shrubs, together with the reintroduction of hedges both within and on the periphery of the village should be encouraged as part of any landscape scheme to support wildlife, screen noise and maintain the natural landscape. Development proposals should be designed to retain trees and hedgerows of good arboricultural, ecological or amenity value.

6.3.7 There are, further, hedges, described in Appendix D, which have 4 or 5 species of shrubs of interest and which play an important role in assisting breeding of many species. They are sites 'whose retention and good management are critical to retaining York's biodiversity'⁸⁷ and will provide the source for enhancement and expansion of the resource. As the emerging City of York Local Plan says⁸⁸

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.

⁸⁷ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation. February 2018, para 1.55, pp 12-13.

⁸⁸ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation. February 2018, para 9.11, p 169.

6.3.8 However, in general, hedges and fields listed are in need of careful management. The hedges are protected under the Hedgerow Regulations, 1997⁸⁹ and require planning consent for removal as approved by the City of York Council. There are also several fields which are good examples of the farming methods of the Middle Ages, where there is distinct ridge and furrow⁹⁰.

6.3.9 Trees are a recognised heritage asset⁹¹ and ‘form an important element of the authority’s green infrastructure’. However, neither the village nor the surrounding areas is well endowed with large trees, as noted in the Village Design Statement⁹². The few large trees within the village boundary are important to the visual impact of the village. Efforts will be made to plant more trees of an appropriate heritage. The Parish Council will encourage the Local Authority to implement TPOs where appropriate.

6.3.10 Bridleways and Public Rights of Way are cherished by many in the village (Figure 6.4). Although only 48% of those in the village knew about them, the free response question in the questionnaire elicited that those that did used them frequently. The National Planning Policy Framework wishes to ‘protect and enhance public rights of way and access’⁹³.

⁸⁹ The Hedgerow Regulations 1997 <http://www.legislation.gov.uk/ukxi/1997/contents/made>

⁹⁰ A good example is on Grimston Villa Field identified in the City of York Local Plan. Development of the wider area would result in a loss of remaining linear field boundaries and remnant ridge and furrow associated with the medieval township of Murton. City of York Local Plan .Further Sites Consultation June 2014.

⁹¹ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation. February 2018, Section 8.16, p 150

⁹² Murton Village Design Statement, 2005 Guideline 12, para 2, p 14
https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf

⁹³ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 100.

6.3.11 The emerging City of York Local Plan already designates the churchyard at St James's as an Open Space site^{94,95} (Figures 6.4 and 6.5) but there are other opportunities to enhance the environment, namely through Local Green Spaces. The National Planning Policy Framework states that⁹⁶:

'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them'.

6.3.12 Despite Murton's rural character, there are few green spaces that have real community value as judged by the criteria⁹⁷.

'a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and

c) local in character and is not an extensive tract of land'.

Nevertheless, application of these criteria has led to the following designations which will give them similar protection to Green Belt land⁹⁸.

The following are proposed as Local Green Spaces⁹⁹ (Figure 6.4).

1. The village pond, off Moor Lane (Figure 6.4, F)

The pond and its landscape setting have visual, wildlife and ecology value.

⁹⁴ City of York Local Plan Evidence Base: Open Space and Green Infrastructure Update September 2017 p 53
https://www.york.gov.uk/downloads/file/14274/open_space_and_green_infrastructure_update_2017

⁹⁵ Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity. National Planning Policy Framework, Ministry of Housing, Communications and Local Government. February 2019 p 69

⁹⁶ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 101

⁹⁷ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 102

⁹⁸ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 103

⁹⁹ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 191

2. The village green, Murton Lane/Murton Way (Figure 6.4, G)

The village green provides a focus for the built form of the village. It has seating and trees and is used by the local community for recreation and social interaction.

3. Allotments, Moor Lane (Figure 6.4,H)

The emerging Local Plan encourages the provision of ‘allotments and productive land, to encourage local food production, and its benefits to education and healthy living’¹⁰⁰

The allotments are under-used and have potential for wider community use.

4. St James’s Churchyard (Figure 6,4, E)

The churchyard is a key space in the village and part of the setting of the listed church.

5. Grassed area, off Osbaldwick Link Road (Figure 6.4, I)

This grassed area provides amenity space for the new housing estate.

6. The Copse, Moor Lane (Figure 6.4, J)

The Parish Council is managing this area of woodland and making the dense undergrowth more tractable.

7. Moor Lane Verge (Figure 6.4, K)

The Parish Council is managing the verge in the village as a wild flower sanctuary.

¹⁰⁰ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy G15, p 170.

Further details of these Local Green Spaces are given in Appendix F.

Policy 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 Churchyard of St James's Church; and

The Grassed area, off Osbaldwick Link Road,

The Copse, Moor Lane and Moor Lane verge

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

Interpretation of Policy ENV1

6.3.13 By protecting community value and the Parish's open character, the policy precludes most development in Local Green Spaces for the benefit of residents and openness. A possible exception may be a small-scale development that directly supports the community value of the space but without compromising its open character.

6.3.14 The policy also requires impacts on Local Green Space to be considered for adjacent or nearby development proposals. Such impacts must include noise, visual impact, access or blocking of sunlight.

Policy ENV2 Green Infrastructure

Small scale development proposals will be supported where they are designed to respect the natural environment of the Murton neighbourhood area and do not cause to its integrity and longevity. Development proposals should take particular account of the following elements of the natural environment

- Local Wildlife habitats and protected landscapes, and
- Significant green spaces

Community, wildlife, amenity space and other values are preserved or enhanced, and particular regard must be made in avoiding harmful impacts on hedgerows and trees and Public Rights of Way. Examples are given in Appendix D.

Development proposals will not be supported where harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort compensated for.

Interpretation of Policy ENV2: Green Infrastructure

6.3.15 The policy seeks to protect the rural character of the parish and the landscape setting of the village, which are described in Section 4.7. Whilst the policy cannot identify every element of green infrastructure in the Murton neighbourhood area it might otherwise include trees, woods, hedges, ditches, green field margins, flora and fauna.

6.3.16 A particularly serious harmful impact on the environment of the Parish is due to it being low-lying which leads to flooding. This is discussed in Paragraphs 4.6.10 and 6.3.3 where it is pointed out that there must be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years.. Flood risk data are shown in Figure 4.5. It is very important that the advice given by the Foss (2008) Drainage Board is strictly adhered to.

Policy 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.

Interpretation of Policy ENV3

6.3.17 This policy requires sensitive boundary treatments to create a 'soft' transition, such as hedges and planting. Hard boundary treatments, such as concrete and timber close boarded fencing, would not be appropriate.

6.4 Heritage, Character and Sustainable Design

Purpose of Policies ENV4 (Historic Environment), ENV5 (Design and Sustainability) and ENV6 (Alterations and Extensions)

6.4.1 To ensure that development is well-designed, sustainable, and respects the unchanged village lay-out (Paragraph 4.2.3) and contributes to the distinctive character of Murton Parish, complementing its historic and rural character.

Rationale and Evidence

6.4.2 The NPPF states that that:

'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each

area and explaining how this should be reflected in development'¹⁰¹.

Further:

'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'¹⁰².

As has been explained in Section 6.2, protection of the Green Belt may lead to changes in buildings. This will create, in turn, pressures on the buildings the Parish has which are of heritage value. The NPPF is clear that these 'heritage assets' which 'range from sites and buildings of local historic value to those of the highest significance' are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'¹⁰³. It points out further that the strategy to be adopted in planning should take account of 'the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring'¹⁰⁴.

The Murton Conservation area (City of York No 34) was designated in October 2005 and covers much of the older part of the village. Any development proposals must adhere to Policy D4 (Conservation Areas) in the emerging City of York Local Plan¹⁰⁵.

6.4.3 Within the Conservation area, there are four buildings which are listed as Grade II (Figure 6.5) and are identified on the National Heritage List¹⁰⁶ (Section 4.6):

¹⁰¹ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 127

¹⁰² National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 126

¹⁰³ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 189

¹⁰⁴ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 190

¹⁰⁵ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy D4 pp 152-153

¹⁰⁶ National Heritage List. Historic England. See references 66 and 67.

- Murton Hall: 18th century, with 19th century addition¹⁰⁷.
- The coach-house to Murton Hall: 18th century.
- The garden wall and gazebo to Murton Hall: 18th century.
- The Church of St James. *ca* 1200¹⁰⁸

6.4.4 We draw attention to the special statutory duties enumerated in the Planning (Listed Buildings and Conservation Areas) Act 1990¹⁰⁹ and any changes to these listed buildings must conform to City of York Local Plan Policies D5¹¹⁰, GB1¹¹¹, GB2¹¹² and GB3¹¹³.

6.4.5 Further, as noted in the Village Design Statement¹¹⁴ and in the written description and character statement for the Conservation area (Appendices E and F) these buildings are important and irreplaceable, some dating from

¹⁰⁷ <http://www.imagesofengland.org.uk/QuickResults/Default.aspx?q=murton%20hall>
<http://www.imagesofengland.org.uk/Details/Default.aspx?id=328678&mode=quick>
<https://historicengland.org.uk/listing/the-list/results?q=murton+hall&searchtype=nhle>

¹⁰⁸ <http://www.imagesofengland.org.uk/Details/Default.aspx?id=328681&mode=quick>

¹⁰⁹ For example: **Section 16** (2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or of any features of special architectural or historic interest which it possesses.

Section 72 (1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

¹¹⁰ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy D5 pp 153-154.

¹¹¹ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy GB1 pp 175-178.

¹¹² City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy GB2 p 178

¹¹³ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy GB3 p 179

¹¹⁴ As noted earlier, The Murton Village Design Statement, published in 2005, has proved to be an important asset to planning decisions, particularly by the Planning Inspectorate

the 18th and early 19th centuries¹¹⁵. The village has other buildings, albeit not listed, which have important historical interest and must be protected in the same way (Figure 6.5). These are enumerated in Policy ENV4 and in Appendix E.

6.4.6 Any changes to buildings and their surroundings in the Conservation area must seek to preserve their historical significance and permission for changes must be sought. A note on the building characteristics used in Murton is given in the Village Design Statement¹¹⁶ and this should be adhered to.

Of particular note, the garth style of layout in the centre of the village (Section 4.2 (i)) must be respected.

6.4.7 Valuable heritage also exists in other forms within the Parish. Hidden away on a large flat field east of Outgang Lane on the edge of the Parish boundary (Figure 6.1, L) is some more recent heritage in the form of a World War 1 landing ground for the No 76 (Home Defence) Squadron, stationed to intercept German Zeppelin raiders over York. The unit had a complement of 6 or 7 aeroplanes for night patrols.

6.4.8 Two recent developments, both sited along Murton Lane, also help to keep our heritage alive. One is the Yorkshire Museum of Farming (Figure 6.1, J), which plays an important educational role for schools across Yorkshire.

¹¹⁵ City of York Local Plan Publication Draft Regulation 19 Consultation. February 2018 Policy D5 and following explanation. pp 153-154

¹¹⁶ Murton Village Design Statement, 2005. pp 15-16

https://www.york.gov.uk/downloads/file/3245/murton_village_design_statementpdf



Murton Park contains not only the Yorkshire Museum of Farming and the Derwent Valley Light Railway but many other educational attractions, spread across the ages. Brigantium depicts a Roman Auxilliary fort where children are taught about life in the Roman Army in the 1st Century

Another is the Derwent Light Railway at Murton Park Station (Figure 6.1, K) which provides a wonderful evocation of steam trains that used to pass through Murton on their way from York into the old East Riding of Yorkshire.



Murton Park Station, Derwent Valley Light Railway



Level crossing gates for the Derwent Valley Light Railway along Murton Way. These have recently been restored

The policies

6.4.9 Policies ENV 4-6 in this Section are to ensure that the built environment is sustained and enhanced. Policy ENV4 highlights the need to consider impacts on designated and undesignated local heritage. Policy ENV5 deals with design in new development. Policy ENV6 focuses on alterations and extensions to historic buildings.

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

Red and Buff Cottages

Jasmine Cottage

Anvil Cottage and the several buildings in

The Bay Horse

Prospect Farm

The Old Smithy

Fern View

Cherry Tree House (formerly

Rose Farm

Lornik House)

The Villa

Pear Tree Farm House

Lilac Tree House

South View

Interpretation of Policy ENV4

6.4.10 The village and its conservation area contain a relatively large number of buildings and spaces that must be protected from harmful development. Although this policy enables creative design and should not be interpreted to imply stylistic imitation, it is essential that development be based on an analysis of the local context and be informed by that analysis.

Development that impinges on the open character of village streets, the churchyard, village green or landscape setting of the pond would be harmful to the historic character of the parish, so contrary to the policy.



Main Street, Murton. A, The Villa; B Lilac Tree House and Lilac Tree Cottage; C, The Bay Horse; D, South View; E, Murton Hall; F, Jasmine Cottage; G, Cherry Tree House; H, Pear Tree Farm House; I, Public Right of Way 11 leading to Public Right of Way, 10.

Policy 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.

Interpretation of Policy ENV5

6.4.11 Policy ENV5 should be read in conjunction with other policies including HAC 1 and applies to all kinds of development in the Parish, including residential and employment although it is recognised that, because of the Green Belt (Section 6.2), opportunities are very limited. High quality planting and landscaping should include native species of hedgerow and broadleaf trees. Where appropriate, advice from the City of York Council should be sought.

6.4.12 The policy for development avoids any kind of stylistic prescription. Indeed, creative and innovative design solutions are encouraged. These will

be the heritage of the 21st century. In particular, designs that incorporate low or zero carbon use are also encouraged.

Where traditional materials are used, they should be authentic and compliment those in nearby traditional buildings and avoid poorer quality imitations. Modern materials may be used where they allow a high standard of detail and finish and they form part of a high-quality architectural solution. Use of reclaimed materials is encouraged.

6.4.13 Planning applications should include scale-drawings, which show proposed development in relation to its immediate context including neighbouring properties. Elevations should include sufficient detail, including larger scale sections, to ensure attention to detail appropriate to the rural and historic setting.

ENV6 Alterations and Extensions

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

Interpretation of ENV6

6.4.14 Alterations should use authentic materials, profiles and constructional techniques, based on analysis of those used in the existing building.

To prevent new extensions dominating the existing building, the extension should be of lesser scale and set back from the building line. With extensions there is scope for similar or contrasting styles, providing they are carefully designed and subservient to the original building. Indeed, using lighter and more transparent construction can be a way of minimising impacts on traditional buildings.

6.4.15 Close attention should be paid to the quality of materials and finishes and the relationship between new and old parts of the building. Authentic traditional materials or very high quality modern materials (such as glazing) could be used, but ‘imitation’ traditional materials such as concrete roof tiles or uPVC timber replacements would not be appropriate¹¹⁷.

As discussed above, the landscaping and planting must be of high quality and should include native species of hedgerow and broadleaf trees where appropriate, and advice from the City of York Council should be sought.

6.5 Employment

Purpose of Policies EMP1 (Employment) and EMP2 (Broadband Internet)

6.5.1 To continue to create a sustainable settlement with a balanced mix of uses, including employment opportunities within, and compatible with, a rural environment and to encourage, where possible, those businesses already flourishing in the Parish (Section 4.5).

¹¹⁷ The Murton Village Design Statement has design guidelines 14-24 which should form the basis of decisions and reasons given for any departure. *Murton Village Design Statement*, pages 15-16, 2005

Rationale and Evidence

6.5.2 The National Planning Policy Framework ¹¹⁸emphasises the importance of creating and maintaining a prosperous rural economy. Among the planning policies enumerated that enable this are:

- *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- *the development and diversification of agricultural and other land-based rural businesses;*
- *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

6.5.3 A key objective in this Neighbourhood Plan is to meet these objectives by encouraging employment that is compatible to the rural environment of the Parish, but within the constraints imposed by the emerging City of York Local Plan which does not allow for any increase in the space allocated for employment.

¹¹⁸ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 84



The industrial estate on Murton Lane. The farm leading to the boundary is devoted to livestock. In the foreground on the right of the road is Murton Park Station of the Derwent Valley Light Railway and Murton Park which contains the Yorkshire Farming Museum. Beyond them are the ABP Food Group abattoir and the York Auction Centre. The buildings on the left include William Thomson (York) grain depot and L Clancey and Sons recycling centre.

6.5.4 These constraints are in keeping with the wishes of the vast majority of the residents in the village who are adjacent to the only area which could accommodate more land for employment. Indeed, 96% and 94% of those answering the second questionnaire (Consultation Statement) do not want any erosion of the gap with the industrial estate on Murton Lane or with the village of Osbaldwick, respectively.

6.5.5 Perhaps the overall sentiment from the questionnaire can best be expressed in this way¹¹⁹:

‘Murton is a very special little pocket of peace and tranquillity and it needs protecting at all levels to remain special and unspoilt in order to protect its individuality’.

6.5.6 Development is generally considered to be unsustainable in a rural area, including in the proposed Green Belt, unless for suitable uses, such as agriculture. However, there are opportunities to promote employment in Murton by investing in the existing industrial/business areas and by encouraging the growth of home-based small businesses.

As described in Section 4, there are four areas devoted to businesses and industry. The two major ones are:

- (i) the Murton Business Park, an area adjacent to the A166, the York-Stamford Bridge Road (Figure 6.1, C); and
- (ii) an area occupied by two businesses along the Hull Road, adjacent to one other (Figure 6.1, E).

Two smaller areas have businesses, one along Moor Lane at Moor Farm (Figure 6.1, D) and the second further on the lane at Murton Grange (Figure 6.1, I).

6.5.7 It is self-evident that, over the period of the Neighbourhood Plan, that there will be significant changes in how business is conducted, in particular in retail. The Plan must therefore have flexibility built in for future decision-making.

¹¹⁹ Questionnaire 2A Report October 2017 Respondent 88

6.5.8 Much the largest area with environmental consequences for the Parish is occupied by farms (Section 4.5).

6.5.9 Policies EMP1 and EMP2 will enable employment-related development, appropriate to the rural environment of the Parish, and support sustainable live/work patterns including home working. There must be safeguards for the residential and associated amenities which are in close proximity to noise, disturbance, traffic movement, visual impacts, dust, vibrations and other sources of serious inconvenience. There must, too, be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years (Section 4.6).

6.5.10 It is possible that the pattern of retailing will radically alter during the lifetime of the Neighbourhood Plan, and sites of employment may well be amenable to a mixed retail/housing development.

6.5.11 Farming, by area, is the dominant business in the Parish. It is also this countryside that gives so much pleasure and interest to its inhabitants and those who visit the Parish. It is protected by the Green Belt and is at the heart of the wish that the Parish plays its full part 'in preserving the identity of the settlements and villages around York. The relationship of York to its surrounding settlements is an important aspect of the city's character'¹²⁰.

6.5.12 All planning decisions will be made in accordance with the emerging City of York Local Plan Policy EC5, Rural Economy¹²¹. However, attention is

¹²⁰ City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 para 3.5 page 27.

¹²¹ City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 Policy EC5 pages 80-81

drawn to Paragraph 4.17 which enumerates the serious harm that camping and caravan sites can do to the landscape:

Camping and caravan sites can provide useful low cost accommodation, however they can seriously harm the landscape if they are insensitively located or become too large.

6.5.13 Attention is also drawn to Paragraph 4.18 in the emerging Local Plan, Policy EC5, which concerns occupancy limitations in the provision of self-catering chalet parks¹²².

6.5.14 There is also likely to be a significant growth of home-based small businesses in the Parish given its proximity to excellent road and rail transport connections (Section 4.1).

Policy EMP1: Employment

New commercial and industrial development will only be supported in the following locations and where they help the rural economy (Figure 4.1):

- The established industrial estate
- Urban brownfield sites
- Reuse 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.

¹²² City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 page 81.

Interpretation of Policy EMP1

6.5.15 The policy enables development on employment sites outside of the proposed York Green Belt or for the reuse of agricultural buildings in the Parish, thus allowing local employment and supporting sustainable live-work patterns.

6.5.16 Suitable employment in the rural area includes functions involving use of open land, such as a horse-related business.

6.5.17 The scale and height of any new-build development must take account of the rural setting and proximity to housing, having regard to the design policies in the Murton Village Design Statement¹²³.

Policy EMP2: Broadband Internet

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

Interpretation of Policy EMP2

6.5.18 Even where existing infrastructure is slow, this policy ensures that new development is equipped to connect to faster services, as and when they become available.

6.5.19 The NPPF stresses the importance of good communications for new developments¹²⁴:

‘Advanced, high quality and reliable communications infrastructure is essential for economic

¹²³ The Murton Village Design Statement has design guidelines 14-24 which should form the basis of decisions and reasons given for any departure. *Murton Village Design Statement*, pages 15-16, 2005

¹²⁴ National Planning Policy Framework Ministry of Housing, Communications and Local Government 2021 paragraph 114

growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritize full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution)'.

6.5.20 The City of York is in the forefront of such developments being the first city to have 1000Mb UltraFibreOptic connectivity¹²⁵, and the emerging Local Plan emphasizes the importance of a modern communications infrastructure¹²⁶. We want to ensure that the villages surrounding York are not disadvantaged.

6.5.21 Of those answering the specific questions on broadband in the questionnaires, 15% in dwellings on the southern periphery and 25% in the village were very dissatisfied with the service and another 13% and 21%, respectively, were dissatisfied.

6.5.22 Policy EMP2 applies to all kinds of development, including commercial, industrial and residential. Superfast speed is defined as service that offers “*speeds of greater than 24 Megabits per second*” (i.e. 24Mbps+, or 25Mbps) by the government’s Broad Band UK office. Planning permissions should be conditioned to ensure compliance with the requirements of this policy, before the occupation of new development.

¹²⁵ City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 Section 14.64 p 230

¹²⁶ City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 Policy C1 pp 229-230

6.6 Housing and Community

Purpose of Policies HAC1 (Housing Development), HAC2 (House in Multiple Occupation) and HAC3 (Community Facilities)

6.6.1 To enable housing development (including Houses in Multiple Occupation) to meet local needs and to ensure that the Parish is served by local community facilities.

1. Housing

6.6.2 Full account was taken of the social objective, as defined in the National Planning Framework¹²⁷, and enumerated in Sections 5 and 8¹²⁸

On rural housing, the NPPF states¹²⁹:

‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services’.

6.6.3 However, as discussed above (Sections 4.1 and 6.2), the emerging City of York Local Plan emphasises the importance of a Green Belt in order to ‘preserve the setting and special character of York, while assisting in safeguarding the countryside from encroachment’¹³⁰. Further, the Local

¹²⁷ A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 8

¹²⁸ Rural housing (Section 5, para 78-80) and on Promoting healthy and safe communities (Section 8, para 92-97) National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021

¹²⁹ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 79

¹³⁰ City of York Local Plan Annex A Draft 2014 1.47 page 12

Plan is adamant in its desire for each parish to avoid coalescence with the adjacent parishes¹³¹.

Thus any new building has to be within these boundaries and there is a further constraint, that of 'openness', a concept discussed above and emphasised in the emerging City of York Local Plan.

Therefore, to keep within the boundaries set by the emerging City of York Local Plan, the only building that can be done is within the two main settlements in the Parish:

- (i) in the village (Figure 6.1, A)
- (ii) on the southern boundary of the village (Figure 6.1, B).

Planning for new housing in the Parish, like new employment opportunities, provides it with a problem for the NPPF and the emerging City of York Local Plan drastically circumscribes the ability of the Parish to propose any significant increase in housing and this accords with the wishes of the Parish (Consultation Statement). There must, too, be safeguards against developments in areas that are susceptible to flooding which is much more significant in recent years (Section 4.6). The problems concerning flooding are also discussed in Section 6.3.16.

6.6.4 Although the Parish is not itself contributing significantly towards increasing the housing stock in York, the Parish abuts two significant developments, Land east of Metcalfe Lane (ST7) (*ca* 845 dwellings)¹³² and Land adjacent to Hull Road (ST4) (*ca* 211 dwellings)¹³³.

¹³¹ See Section 6.2

¹³² City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 Policy SS 9 p 243, ST7

¹³³ City of York Local Plan Publication Draft Regulation 19 Consultation February 2018 Policy SS8, p 243, ST4

6.6.5 The quality of the housing stock in the Parish is well above national average (Section 4.5) and this is reflected in the Census returns on health (Section 4.4).

6.6.6 The questionnaire for those living in the rural part of the Parish showed that 92% were either very satisfied or satisfied with living in the village. The same question in the questionnaire for those living in the southern part of the Parish elicited an even higher satisfied response, 98% (Consultation Statement). Nevertheless, there is a serious problem with residents in some HMOs, perceived or real, which needs to be addressed by the City of York Council in collaboration with the Parish Council, as discussed below.

6.6.7 This section also contains policies concerned with our well-being, and the following policies for our Parish must be read in conjunction with those dealing with our environment (Sections 6.3 and 6.4).

6.6.8 Policy HAC1 identifies additional opportunities within Murton to deliver some new homes without developing in the proposed Green Belt. As stated above, the Policy also reflects the opinion of the residents in the village where the vast majority of those answering their questionnaire do not want any erosion of the gap with the Murton Business Park on Murton Lane or that with the village of Osbaldwick¹³⁴ (Figures 6.1 and 6.9).

6.6.9 Nevertheless, a substantial minority in the village and close vicinity (36% of those answering (31% in the village itself)) would be happy to see some more housing. This must mean a very limited number as a very high

¹³⁴ Consultation Statement

proportion of replies also wanted to prevent coalescence and thus to keep the Green Belt as it is. There was little support for retirement/sheltered housing and social housing.

6.6.10 Given the constraints enumerated throughout the Plan, any development will have to be:

- (i) Extensions on existing houses
- (ii) Renovation of buildings that have distinct footprints

Any application for development will also be considered in relation to the guidelines in the Village Design Statement (VDS)¹³⁵ as far as they are material to the proposal.

6.6.11 The development of existing industrial sites is subject to considering impacts of commercial and industrial uses. This is intended to avoid any situation where occupiers of new housing could then be affected by noise or other disturbance from established industrial or commercial uses. Planning permission should not be granted where this would be a likely consequence. Local need is not dependent on this.

Policy HAC1 should be read in conjunction with ENV 5

Policy 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.**

Interpretation of Policy HAC 1

6.6.12 The policy allows for housing growth through redevelopment, building conversions and urban brownfield locations as part of a mixed use scheme. It will be noted that in-fill in the village¹³⁶ is not included. In recent years attempts to build in the open spaces in the village have been resisted by recommendations of the Parish Council, using the VDS as a main source of evidence, by decisions taken by the City of York Council and ultimately by the Planning Inspectorate.¹³⁷

2. Houses in multiple occupation (HMOs)

6.6.13 The City of York Council¹³⁸ defines Houses in Multiple Occupation as

A house or flat which is occupied by 3 or more people who form 2 or more households share a kitchen, bathroom or toilet.

- A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is occupied by 3 or more people who form two or more households* and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more people who form two or more households*.
- A building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.
- A building that is subject to a 'HMO Declaration' under section 255, Housing Act 2004

6.6.14 The emerging City of York Local Plan seeks to deliver not only sufficient housing but also the right type and mix of housing to meet York's needs. Many people, not only students, choose to live in the private rented

¹³⁶ *Planning Inspector's report*¹³⁶: infill site in the accepted sense of filling a small gap in an otherwise developed frontage

¹³⁷ See, for example APP/C2741/A/09/2119021 March 30th 2010; APP/C2741/A/14/2221021 April 13th 2015; APP/C2741/W/19/3230969, September 30th 2019

¹³⁸ Guidance notes for HMO Licensing, City of York Council

<https://www.york.gov.uk/downloads/file/2468/applying-for-a-hmo-licence>

sector, typically in HMOs and these are concentrated within certain areas. In 2012 the City of York Council introduced an Article 4 Direction in relation to HMOs. The Article 4 Direction removes permitted development rights for this type of development and requires a planning application to be submitted to change a property from a dwelling house into an HMO¹³⁹.

6.6.15 The City of York Council has identified that

‘a threshold based policy approach is considered most appropriate which identifies a ‘tipping point’ when issues arising from concentrations of HMOs become harder to manage and a community or locality can be said to tip from balanced to unbalanced. Under the threshold approach an assessment of the proportion of households that are HMOs is undertaken within a given area. Whilst there is no formal definition of what constitutes a balanced community, recently, for York, through consultation, a threshold of 10% of all properties being HMOs within 100m and 20% across a neighbourhood area have been established as the point at which a community can tip from balanced to unbalanced’.¹⁴⁰

6.6.16 Whilst the City of York Council has made an Article 4 Direction that restricts home owners’ permitted development rights to use their property as HMOs, consultations show clearly that residents want to support this position and reinforce the Article 4 Direction. This is particularly important in Murton Parish, in view of its proximity to the University, in the event the City of York Council chooses to withdraw this Direction.

6.6.17 With the possibility of future expansion of the University of York and whilst pressure, generally, on available affordable housing continues in York, this policy seeks to maintain a ‘balanced community’ within the Murton Parish by adding weight to the existing CYC Article 4 Direction.

¹³⁹ https://www.york.gov.uk/downloads/file/9549/hmo_article_4_direction_and_plan

¹⁴⁰ City of York Council HMOs Frequently asked questions 2014

https://www.york.gov.uk/info/20097/private_landlords_and_tenants/1083/house_in_multiple_occupation_hmo_licences

6.6.18 The emerging Local Plan has produced Policy H8 to control the number of Houses of Multiple Occupation allowed in any one area. In Policy H8, thresholds of 20% of all properties being HMOs across a neighbourhood and 10% at street level have been established. However, for the rural areas (the village), this level is reduced to 10% and 5% respectively.

6.6.19 Applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted under the terms expressed in the emerging City of York Local Plan.¹⁴¹.

Indeed, the Parish has one of the highest concentrations of HMOs in the City¹⁴²

The area on the southern periphery of the Parish contains many houses which can be readily let and are particularly favoured by students as it is adjacent to the University of York. There is disquiet amongst other residents who share the area for they feel that there is a disproportionate number of short-term lets to people who naturally do not see that they have a stake in the area (Consultation Statement). Householders in this area of the Parish made many comments, such as drawing attention to ‘too many students’ (CG1, T3, T5), ‘noisy students’ (M4), and a feeling that ‘landlords are not playing their part and ‘should be made accountable for the mess’ (T3). There is also considerable disquiet about the large number of cars parked along the roads owned by HMO residents which prevent other residents using their driveways. One idea suggested was to seek conditions whereby the number of cars for a residence was limited to the number that can be parked in a driveway.

¹⁴¹ Local Plan H8 pages 111-114

¹⁴² HMO Concentrations greater than 10% City of York Council
https://www.york.gov.uk/downloads/file/9551/hmo_concentrations_greater_than_10

6.6.20 However, it must be emphasized that there are longer-term tenants in houses owned by Housing Association reported that they contained many tenants who were extremely satisfied with the area and they themselves thought that these were amongst the most satisfactory in their stock of houses.

Policy HAC2 Houses in Multiple Occupation

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

The proposal would not cause harm the character and appearance of the building, adjacent buildings or the local landscape.

This is subject to:

- The design, layout and intensity of use of the building would not have 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 and so as not to cause unacceptable harm to the visual amenity of the locality of the property concerned;
- The proposal would not cause unacceptable harm to 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 to a conventional dwelling house would be encouraged.

Interpretation of Policy HAC2

6.6.21 There is no doubt a) that there is a transient population which is housed in HMOs in this area, and b) that the City Council records that this area has more than the recommended number of HMOs.

6.6.22 Policy HAC2 is to ensure that the emerging City of York Local Plan Policy H8 is strictly enforced in the Parish, and indeed wherever possible

the number of HMOs in any one area is reduced to the maximum allowable under the emerging City of York Local Plan's policies for this type of housing.

6.6.23 Proposals for the conversion of HMOs back to traditional dwelling houses do not need planning permission. However, the Plan would encourage and support such proposals.

3. Community facilities

6.6.24 The NPPF stresses the importance of communities achieving healthy, inclusive and safe places which:

- *promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;*
- *are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion;*
- *enable and support healthy lifestyles, especially where this would address identified local health and well-being needs;*
- *provide the social, recreational and cultural facilities and services the community needs;*
- *guard against the unnecessary loss of valued facilities and services;*
- *ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community;*
- *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

The emerging City of York Local Plan sets these policies into the context of the City of York as Policy HW1, Protecting Existing Facilities¹⁴³ and Policy HW2 New Community Facilities¹⁴⁴

¹⁴³ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation, February 2018 Policy HW1, p 250

6.6.25 As described in Section 4.6, there is a paucity of community facilities in the Parish. At present there is only one community space, *space@stjames*, created in 2016 by the village in collaboration with the Osbaldwick and Murton PCC and the Murton Parish Council. It is available for a wide variety of activities, organized by a committee mainly drawn from the village.

The much-loved pub, the Murton Arms (formerly the Bay Horse), is, at the moment, closed by the new owner and is threatened for permanent closure. It provided a beating heart of the village and the Parish Council is trying to keep the building as a pub and/or a community centre with drinking facilities.

6.6.26 There are no community facilities at all for the households on the southern boundary of the Parish and it is there that there is the greatest demand with many good ideas which are not possible to implement for a lack of suitable space. The suggestions include clubs (book exchange, cake club, running club, craft classes, exercise classes, group dog walking) and ideas for occasional events (bonfires, picnics, fetes, walks). One mentioned a general feeling of being left out and wanting opportunities for mothers and babies to meet and activities for children and the elderly (Consultation Statement).

6.6.27 Policy HAC3 addresses the need to enable new community facilities and suitable adaptation of existing facilities and to ensure that there is no loss of community value, in accordance the National Planning Policy

¹⁴⁴ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation, February 2018Policy HW2, p 250

Framework¹⁴⁵ (as described earlier, which seeks to ‘provide the social, recreational and cultural facilities and services the community needs’, and ‘guard against the unnecessary loss of valued facilities and services’).

6.6.28 Policy HAC3 also seeks to ensure that consideration be given to possible impacts of new facilities on residential properties, including noise, disturbance, traffic movement, visual impacts, dust, vibrations and other impacts.

Policy 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.

Interpretation of Policy HAC3

6.6.29 This policy allows and enables new community facilities to be developed, or existing community facilities to adapt to changing needs. Any loss of existing facilities and amenities would be resisted by the policy.

6.7 Transport and Movement

Purpose of Policy TRA1 (Traffic and Movement)

¹⁴⁵ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 93

6.7.1 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.

Rationale and Evidence

6.7.2 Among the planning policies in the NPPF¹⁴⁶ which concern Murton Parish are those relating to transport that:

- support *‘an appropriate mix of uses across an area, and within larger scale sites, to minimize the number and length of journeys needed for employment, shopping, leisure, education and other activities’*;
- ensure that there is *‘active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned’*;
- *‘identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development’*;
- *‘provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)’*.

6.7.3 The village in the centre of the Parish is served by three roads, Murton Way (from Osbaldwick), Murton Lane (from the A166 York-Stamford Bridge Road) and Moor Lane (from Holtby, Stockton on the Forest and York) (Figure 6.3). All three are narrow roads, previously single track with passing places and now, due to heavy traffic, with eroded borders which allows fast traffic. The houses on the southern periphery are served by the A1079 York-Hull Road with two roads leading off it, Tranby Avenue and the Osbaldwick Link Road (Figure 4,3).

¹⁴⁶ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 106



A new signpost, part of a Murton Parish Council scheme to improve signage. It is at the junction of Holtby Lane and Sandy Lane/Moor Lane, the latter being one of three lanes which converge on the village

6.7.4 Replies to the questionnaires indicate that the volume and speed of traffic is arguably the most contentious issue for residents in both areas of the Parish. 95% of the village resident response showed concern about speeding along Murton Way and 92% in the village itself. The free responses, where residents could add further comments to their answers, may be even more indicative of this concern. 51% cited traffic speed and 36% chose other traffic issues. Likewise, traffic dominated the concerns of residents of dwellings on the southern periphery. For example, 80% of the residents in Tranby Avenue are highly concerned or concerned about speeding traffic and well over half the whole population in this area is

concerned about speeding along the Hull Road.

6.7.5 While these specific concerns are outside the competence of this Plan, they are returned to in Section 7, Community Actions. Nevertheless, these concerns are pertinent to development and thus this Plan. Although the Parish is not itself contributing significantly towards increasing the housing stock in York, the Parish abuts two significant developments, Land East of Metcalfe Lane (*ca* 845 dwellings) (ST7)¹⁴⁷ and Land adjacent to Hull Road (*ca* 211 dwellings) (ST4). To give some perspective, the former has about six times the number of dwellings in the village and three times of that of the whole Parish, which will inevitably lead to increased traffic in the Parish. The development East of Metcalfe Lane will be the more significant, with vehicular access ‘planned from Stockton Lane to the north of the site and/or Murton Way to the south of the site with a small proportion of public transport potentially served off Bad Bargain Lane. Access between Stockton Lane and Murton Way will be limited to public transport and walking/cycling links only’.

6.7.6 There are statements that ‘high quality, frequent and accessible public transport services through the whole site will be sought enabling upwards of 15% trips to be undertaken using public transport’. It is the other 85% that concerns the Murton Parish Neighbourhood Plan. Although the impact on the Parish will be less than on neighbouring parishes, it will provide severe added strain on the village roads in the Parish, principally Murton Way and Murton Lane. In a Planning Inspectorate report in 2016, in which traffic was of major concern, the Inspector’s report notes that the

¹⁴⁷ City of York Local Plan Pre-Publication Draft Regulation 19 Consultation, February 2018 Policy SS 9 p 243 ST7

data produced by the City of York Council on traffic flows along Murton Way are both sparse and old (dating back to 2003).'

6.7.7 It is not possible to comment further in any meaningful way as the precise access points from the proposed developments are not indicated as the emerging City of York Local Plan simply says that they 'will need to be assessed in more detail'. Further, it is noted that 'Travel planning measures may reduce the motor vehicle trip generation but adequate transport links will need to be in place to make such measures effective'. This is against a background in which the village has only 3 buses a day into York except for Sundays when there are none. If access were to be from Murton Way, substantial improvements would be needed to the road for the safety of cyclists and pedestrians and in the interests of local residents¹⁴⁸. Its increased use will then have grave implications for the wider network of rural roads in the area.

6.7.8 The viability of the larger development (ST7) depends on a *robust and independent*¹⁴⁹ transport assessment in relation to this site. Indeed the survey must address the potential impact on the wider network of rural roads on the east side of York before any decision about this site can be made. The problem crystallizes when the authors of the emerging City of York Local Plan write that '...level of improvement required, including the associated improvements/upgrades to junctions, carriageways and footpath widths etc.'¹⁵⁰ will be informed by a traffic assessment. And with that, the rural vision for our Parish disappears.

¹⁴⁸ City of York Local Plan Annex 19 *Site Selection Paper*

¹⁴⁹ Please refer to Planning Inspectorate Report APP/C2741/W/15/3135274

¹⁵⁰ City of York Local Plan Pre Publication Draft Regulation 19 Consultation February 2018 p -47 para 3.49

6.7.9 The emerging Local Plan also recognises that Murton is on a cycle route, heavily used by leisure cyclists, runners and commuters although two of the three narrow rural roads to and from the village do not have footpaths and the third has a width that only allows walking in single file. At peak times there is a heavy and constant flow of traffic. This conflicts with pedestrians, runners and cyclists (and horse riders) and much of the road system is derestricted.

Policy TRA1: Traffic and Movement

New developments must not have any significant detrimental impact on traffic safety and congestion on rural lanes in Murton Parish. 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 will cause 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.

Interpretation of Policy TRA1

6.7.10 This policy highlights existing capacity problems due to the restricted rural highway network. The policy requires impacts of highway improvements on historic and rural character to be considered fully when developments are being considered. If such improvements were to harm historic or rural character, and development depended on such improvements, then the development in question would be unsustainable.

6.8 Developer Contributions

Purpose of Policy DC1

6.8.1 To alleviate the consequences of development on the infrastructure of the Parish.

Rationale and evidence

6.8.2 Planning obligations (known as Section 106 agreements¹⁵¹ and the Community Infrastructure Levy¹⁵²) require developers to make a payment to the City of York Council based on the size and type of development that is proposed. The conditions are clearly set out in the National Planning Policy Framework¹⁵³:

Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

6.8.3 Although development within the Parish will be very limited during the time frame of this Neighbourhood Plan, large developments are much more likely in areas adjacent to it which will detrimentally affect the Parish (for example Section 6.7). These developments can bring significant benefits to the City as a whole, including new homes and jobs, but they will also have a serious negative impact on this Parish, for example, where additional demand is placed on facilities and services that are already at or near capacity, in our case, the road system.

6.8.4 The Section 106 and Community Infrastructure Levy funds are thus

¹⁵¹ <http://www.legislation.gov.uk/ukpga/1990/8/section/106>

¹⁵² <https://www.gov.uk/guidance/community-infrastructure-levy>

¹⁵³ National Planning Policy Framework Ministry of Housing, Communications and Local Government. 2021 para 57

available to City of York Council to mitigate the negative impact on the Parish.

Policy DC1: 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 community facilities.

Interpretation of policy DC1

6.8.5 The Parish will expect to receive part of the financial contributions paid to the City of York Council to help with improvements to traffic management to help alleviate the impact of the development on the Parish roads and, where appropriate, to enhance local green spaces, footpaths and cycle ways and other facilities deemed needed by the Parish Council.

6.9 Enforcement

6.9.1 The policies above are only useful if they are accepted as rational and for the common good. If they are, it is important that when they are flouted by a very small minority, that they are enforced so that the majority are not disadvantaged and the system suffers disrepute.

6.9.2 The National Planning Policy Framework has a very important guideline¹⁵⁴:

Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their

¹⁵⁴ National Planning Policy Framework, Ministry of Housing, Communications and Local Government. 2021 para 59

area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.

6.9.3 We believe that the Parish Council should work closely with the City of York to take enforcement action where appropriate and that this appropriateness should be a shared view but if there is a divergence of view, it should be clearly stated, with reasons.

Section 7: 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.

Among the most important issues that most concern residents are

- Traffic through the Parish
- Anti-social behaviour

7.1 Traffic through the Parish

Speeding and flows

7.1.1 A discussion of the effect of traffic in the Parish on the lives of residents is given in Section 6.7. In the questionnaire for the residents of the village, respondents cited both speeding along Murton Way and in the village as very concerned or concerned. 77% were also concerned about large vehicles coming through the Parish. Answers to these same questions from residents on the periphery of the Parish were 72% and 71% (Consultation Statement). The residents in this area were particularly exercised about the speed of traffic along the Hull Road (80%) and Tranby Avenue and Osbaldwick Link Road (both with 20 and 30 mph speed limits respectively (86%) (Figure 6.1, G).

We took particular notice of comments made in free response questions as these take much more effort to answer than Lickert-type questions. Of these free response questions in the questionnaire for the village, the two on traffic attracted easily the most replies (51%). A further 36% commented on some aspect of traffic in the final free response question, 'Other Issues', when problems such as being used as a 'rat run' and 'relentless increase of traffic through the village' were raised.

7.1.2 In a Planning Inspectorate report¹⁵⁵ in 2016, in which traffic was of major concern, the Inspector was critical about the figures produced by the City of York Council for traffic flows in the Parish. One example concerns Murton Way where he was given traffic flows along Murton Way that had been produced 13 years earlier.

7.1.3 Before viable plans for mitigating the impact of the present and future traffic can be discussed by the Parish Council with the City of York Council, an up-to-date traffic census and an independent traffic assessment are required.

There does appear to be no diminution in the number of horse riders using Moor Lane in particular and the number of cyclists using Moor Lane and Murton Way appears to have increased considerably over the last few years. The two lanes were used in the Tour de Yorkshire in 2015 and this no doubt encouraged others to use these roads. Cyclists are in some peril in particular along Moor Lane as it has much traffic at times negotiating its several blind corners.

¹⁵⁵ Planning Inspectorate Report APP/C2741/W/15/3135274

Policy 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.

Policy CA 2 Safer routes for cyclists and pedestrians

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

Interpretation of Policies CA 1 and CA 2

7.1.4 The Parish Council, which has endeavoured over many years to engage the relevant authorities, should seek a detailed traffic census which encompasses Murton Lane, Moor Lane, Murton Way and Osbaldwick Link Road (Figure 6.3). Traffic calming in the village is a contentious issue amongst residents and a further detailed questionnaire may elicit the best way forward. For example there are strong views, both for and against, about 'speed bumps' being installed in or near the village and it is important that all residents are given further opportunities to consider the implications.

With increased use of the lanes in the Parish by cyclists and their continued use by horse riders, the traffic calming measures for all the lanes should also be sought by the Parish Council in collaboration with other Parish Councils in the City of York and with the City of York Council. This work should include the re-routing Cycle Route 66 off Murton Lane and Murton Way on to the strip of land parallel to the disused Derwent Valley Railway land, which has been purchased by Sustrans for this purpose (Figure 6.3).

Parking

7.1.5 Parking in the roadway or on grass verges is also a serious issue for many residents. 76% and 68%, respectively, of those living on the southern periphery see them as a concern. The figures for those living in the village are 75% and 60% (Consultation Statement).

Policy 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.

Interpretation of Policy CA3

7.1.6 Similar to the solution of other traffic problems, there are strong views for and against a more vigorous campaign to reduce parking in the street and on verges and it is important that all residents can express their views.

7.2 Anti-social behaviour

Fly-tipping, Litter and Dog Fouling

7.2.1 In the answers to the questionnaires, there was considerable concern about fly-tipping, litter, dog fouling and other anti-social behaviour. For example, 81% and 90% answering a questionnaire produced for those who lived in the village and nearby, were very concerned or concerned about the litter and fly-tipping and 74% about dog fouling. The figures from residents along the southern periphery were 73%, 57% and 74%, respectively.

7.2.2 It is apparent that all the fly-tipping comes from 'outsiders' driving through the Parish but much of the litter along the southern periphery appears to be self-inflicted by the short-term residents (Consultation Statement).

7.2.3 The City of York Council is generally efficient at removing the fly-tipping and the Parish Council has been active in keeping the Parish tidy, organising litter picks and reports fly-tipping immediately.

Behaviour of residents

7.2.4 While identifying similar problems to those identified above, the answers to the questionnaire designed for the households on the southern boundary cited concern about anti-social behaviour by a small minority of residents. This is anecdotal in the sense that there are no quantitative data, but residents in two areas identified 'youths' and teenagers' who misbehave and others thought that there were 'too many students' (T3) and 'too many short-term tenants' (RB1). In one area, over half the residents brought up this problem in free response questions. There were many statements along the lines of 'Noisy students.... Litter everywhere' (M4, M5), 'inconsiderate students' (RB2), 'Happy with almost all aspects but too many students' (T5).

7.2.5 However, this misbehaviour by a small minority of students should not detract from the overall social good that the Universities generate through the advance of knowledge, their support for organisations and industries throughout the country and indeed internationally, and the prestige, the generation of wealth and for employment opportunities they provide for the City of York.

7.2.6 It must also be emphasized that there are longer term tenants in rented property, many of which are owned by Housing Association (Section 6.6). One Housing Association reported that many of their tenants (and indeed the Association itself) were extremely satisfied with the area.

Policy 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.

Interpretation of Policy CA4

7.2.7 The Parish Council will continue its regular checks with groups of residents picking up litter and reporting to the City of York Council the fly-tipping that occurs frequently in the Parish.

7.2.8 The Parish Council will seek help from the City of York Council to ensure that landlords take responsibility for the behaviour of the residents in, and the tidiness of, their HMOs.

7.3 Signage, Lighting, Street Furniture, Tidiness and other amenities

7.3.1 In the emerging City of York Draft Local Plan, Policy D2: ***Landscape and Setting*** states:

“Development proposals will be encouraged and supported where they:

- *conserve and enhance landscape quality and character and make a positive contribution to the character of streets, spaces and other landscapes*

Elements such as street layout, architecture, materials, gardens, forecourts, verges, incidental spaces, village greens, boundary treatments, trees and other vegetation, lighting and street furniture can considerably influence landscape quality.”

Further there is a document published by the City of York Council, *City of York Streetscape: Strategy and Guidance*¹⁵⁶ which should be applied to all of the City not just the centre:

Part four is more specific and provides analysis and guidance on street furniture, surfacing, signs, and use. In some cases, specific approved products such as seats and bollards are listed. Anyone involved in adding street furniture or contemplating using streets and spaces for events should examine this section. Highway engineers should also review the sections on surfaces and materials.

Road Signage

7.3.2 Road signage is prominent in two of the four areas of employment: 1) that on the Hull Road, which contains a large national DIY store and a busy independent petrol station and convenience shop (Figure 4.1,E), has signage generally used on main roads and are urban in nature and take little account of the housing nearby; 2) the largest area is the business area on Murton Lane, the Murton Business Park (Figure 6.1, C) which has a myriad of signage adjacent to the road. The third and fourth are on Moor Lane (Figure 6.1 D and I) and have few signs. The Parish Council has been replacing unsightly and inappropriate street signs screwed on top of two wooden stakes with signs mounted on local stone. Similarly they have been renewing seating, for example on the Village Green.

¹⁵⁶City of York Streetscape: Strategy and Guidance. City of York Council 2013

Street Lighting

7.3.3 The Parish Council has, in recent years, invested in street lighting using 5 m poles¹⁵⁷ with swan-like fitting to give discreet lighting suitable for a rural environment.



Street signage in Murton Parish CLOCKWISE FROM TOP LEFT: a light installed by Murton parish Council at the gate to St James's Church; Signpost on the Village Green; A streetlight with a swan fitting; A bench on the village green; A planted street sign

Tidiness

7.3.4 The Parish Council receives many comments from residents about tidiness in both areas of residents in the Parish. Some are due to anti-social behaviour (Section 7.2) but there are other aspects, such as keeping verges

¹⁵⁷ British Standard BS 5489-1:2013. Installed throughout the Conservation area and adjoining residential areas. Adjusted to lowest level commensurate with a rural environment

along the lanes tidy, the state of the village pond and the grass cutting of areas such as the village green. In recent years, the Parish Council has found that the grass cutting service provided by the City of York Council has been inadequate, as it is often done at times that are not suitable because of inclement weather and the Parish has assumed responsibility for it. The Parish Council is also active funding and looking after boxes of flowers in the village, in sowing bulbs in the verges and is producing a substantial verge with wild flowers. It intends to put all these activities on a wider scale for the whole Parish.

It is sometimes not appreciated how important the state of the fields are on approaching the village and that they should be kept tidy and in good order.

Policy 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 to keep the Parish tidy.

Interpretation of Policy CA5 its work on keeping the Parish tidy.

7.3.5 Signage and road markings: Road markings should be shown to be effective and commensurate with a rural setting. Street signs in rural areas should be appropriately mounted (for example using stone blocks and troughs). The key is visual consistency.



Murton village may only have a few buses a day but it boasts of the best signage in York!

7.3.6 Signage and advertising: Whilst advertisements play an important role in promoting economic vitality, and where well designed, they can make a positive contribution to the street scene, a proliferation of signs can be unsightly, distracting and damaging to the appearance of the area. Business owners will be encouraged to rationalize advertising or signage and to use designs appropriate to the Parish environment. The signage should be low key in colour, size and lighting..

7.3 7 Lighting: Lighting should respect the rural area and particularly the Conservation Area, maintaining dark skies and minimising light pollution.

Any lighting along rural lanes should avoid harming the dark sky appropriate to the area. The lighting should continue the present practice of heights and fittings.

7.3.8 *Street furniture and fittings:* Street signs in rural areas should be appropriately mounted (for example using stone blocks and troughs). A consistent and high-quality design theme for street lamps, waste bins, benches, etc. should be maintained throughout the Parish. Seating and other street furniture (for example boxes for plants) should be of good quality, using natural materials where possible, and be appropriate to the Parish environment. These preferences will be communicated to the local authority. Wherever practicable, opportunities taken to remove existing overhead wires and new ones should be avoided.

7.3.9 *Tidiness:* The Parish Council should ensure that their work on keeping the Parish tidy and the programme of grass cutting and planting wild flowers continues.

7.3.10 *Overall:* Care should be taken to ensure that all street furniture, signage and lighting are appropriate to their setting and that the principles advocated in the City of York's publication *City of York Streetscape: Strategy and Guidance* are adhered to.

7.4 Maintenance and enhancement of Public Rights of Way

7.4.1 Answers to the questionnaires showed that Public Rights of Way, where known, were appreciated and are well used (Figure 6.4). Nearly half of the 'rural residents' knew of their existence and over 20% used them

regularly. Nevertheless both the City of York Council (Policy HW7)¹⁵⁸ and the Parish Council should promote their use and where appropriate extend them. All Public Rights of Way should be clearly defined, kept free from obstruction¹⁵⁹, and their distinctive character maintained. It would be helpful if there were maps of the Rights of Way exhibited in the Parish.

7.4.2 There is a persuasive case for an extension of the Public Right of Way network which should be urgently investigated by the Parish Council¹⁶⁰, in concert with the farmers and others interested in the use of PROWs. There was also an interesting suggestion that a circular route for walkers, joggers and horse riders should be promoted to help them enjoy the Parish without having to use roads they consider to be dangerous. These proposals are in line with the City of York Local Plan Policy HW7, Healthy Places¹⁶¹.

¹⁵⁸ City of York Local Plan Pre Publication Draft Regulation 18 Consultation September 2017 Policy HW7, paragraph 6.45, page 130

¹⁵⁹ At the time that this document is being edited (early 2022) some are in a very poor state and are impassable.

¹⁶⁰ One correspondent argued persuasively that the PROW network should be enhanced. When footpaths were designated as Public Rights of Way in the parish there were some surprising omissions and there is now only a limited time period available to rectify that. The most obvious omission was the full footpath from the Stamford Bridge Road to Bad Bargain Lane. This is clearly shown on all maps from the 18th century to the early 20th century. The first section, Vengeance Lane, from the Stamford Bridge Road to the Osbaldwick Beck is a Public Right of Way and much used, particularly as it links to the path to Murton village. The middle section, called Millfield Lane in some 19th century documents, no longer exists. The third section from the end of Hammonds Lane and the beginning of the path to Holtby Lane is still called Piker Thorn Lane even though it is not a PROW (Figure 6.4). It is shown on all maps back to the 18th century. It was certainly in use well into the 20th century. Its re-instatement as a Public Right of Way would greatly enhance the parish footpath network.

Hammonds Lane is not a Public Right of Way although is much used and has always been accessible for well over 50 years at least. The ownership of it appears to be unknown and unclaimed, thus there may be no opposition to it being designated.

The footpaths from the north end of the village by South View to Murton Grange and Bad Bargain Lane are dangerous and not usable as there are no safe ways across the A.64. There is no gap in the central barrier. It seems that no proper provision was made for these two footpaths when the York by-pass was built.

¹⁶¹ City of York Local Plan Pre Publication Draft Regulation 18 Consultation September 2017 Policy HW7, pages 130-132

7.4.3 The emerging City of York Local Plan encourages the provision of safe, easy to navigate and attractive public footpaths between dwellings to encourage physical activity¹⁶². In questionnaires for the village, 77% were happy with the footpaths, whereas the number of households on the southern edge were less so, 67%, because they were overgrown in places with branches and weeds and with bulky telecommunication boxes (Consultation Statement).

However, an important and well-used footpath between Murton and Osbaldwick has become significantly narrower and the adjacent traffic faster to render the footpath difficult and very uncomfortable to use. Opportunities to improve this situation are being sought. There were a notable number of respondents who pointed out that a footpath was needed to connect the village with the Business Park so that they could walk to the Farming Museum and the Auction Centre. Opportunities to provide this will be discussed with the local authority.

Policy CA6 Public Rights of Way Footpaths and Cycle ways

The following should be actively sought by the Parish Council:

Improvements in the maintenance of the existing Public Rights of Way and other footpaths

Extensions to the network

Making the lanes safer for cycling, running and horse riding

Interpretation of Policy CA6

7.4.4 The Policy supports the implementation of improvements in the network of Public Rights of Way and other footpaths (Figure 4.6).

¹⁶² City of York Local Plan Pre Publication Draft Regulation 18 Consultation September 2017 Policy HW7, page 130

7.4.5 All Public Rights of Way should be legally defined, kept free from obstruction and their character maintained. Where applicable, Public Rights of Way should provide a valuable link with surrounding countryside.

7.4.6 Given the support of residents for the Public Rights of Way, it is incumbent on the Parish Council to ensure their integrity with annual inspections and close collaboration with the Public Right of Way team at the City of York Council. The Parish Council should also consider promotion of the PROWs with a noticeboard devoted to them in the village.

7.5 Allotments

7.5.1 As noted earlier, the emerging Local Plan encourages the provision of ‘allotments and productive land, to encourage local food production, and its benefits to education and healthy living’¹⁶³.

Our questionnaires showed that nearly one-fifth of households in the Parish would welcome the chance to have an allotment.

At present, the Parish Council has two allotments, area *ca* 0.3 ha which appear to be under-used and have potential for wider community use (Figure 4.8). Moreover, there are also several small parcels of land which are owned by the Parish Council along Moor Lane, of total area of *ca* 0.8 hectares and about half of these could serve as allotments if a water supply could be provided.

Policy CA7 Allotments

The Parish Council should ensure that the present provision is being used effectively and undertake a 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.

Interpretation of Policy CA7

7.5.2 The small parcels of land available are not readily convertible into allotments being far from a water supply. A fundamental reappraisal of land available for allotments is necessary and a detailed survey carried out to ascertain the wishes of prospective allotment holders .

7.6 Communications with the Parish Council

7.6.1 There was a disappointing response to questions about the way the Parish Council communicates with residents. In the questionnaire for the village, 19% frequently read about its work on the noticeboard whereas 29% never do so. The figures were even more disappointing for using the website, 4% and 63% respectively.

7.6.2 The figures for households on the southern edge must be read in the context that one part (Redbarn Drive, Meam Close and Moins Court) does not have a noticeboard (Figure 6.4). Nevertheless 11% occasionally read about the Parish news on one of the two noticeboards and over half the households would like one. The houses in Tranby Avenue and nearby do have a noticeboard. 90% say that they read it frequently or sometimes.

Policy CA8 Communications with the Parish Council

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

Interpretation of Policy CA8

7.6.3 The Parish Council will arrange for a noticeboard to be placed in the Redbarn Drive area. It is already improving the website and will take further steps to make the site better known.

7.7 Public transport

7.7.1 Residents along the southern border of the Parish are well served by buses to the City. Indeed, some nominate this as one of the most attractive features of living in this area of York.

7.7.2 The frequency of services along the Hull Road, Tranby Avenue and Osbaldwick Link Road is in stark contrast to that in Murton village, whose bus service is restricted to 3 buses to York and 4 from the city each day, except Sundays when there is no service. Thus few residents use the service even once a week (13%) with no one claiming to use it on a daily basis. A more frequent service would entice 43% of households to use it at least once a week. Even this is hardly an attractive commercial proposition so Murton becomes resigned to a restricted service and relies almost entirely on using cars. Nevertheless, the Parish Council should begin to consider longer term plans for the time when the population ages further and engage in discussions with all organisation involved in the provision of some form of public transport.

Policy 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, must keep this under review in order to meet any future demand.

Interpretation of Policy CA9

7.7.3 There is no doubt that the public transport provision must be improved as the population ages and steps should now be taken to find ways that this can be made economically viable.

