

WIGGINTON PARISH COUNCIL

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17th March 2023

By email: Rachel.tyas@york.gov.uk
Cc to: planning.comments@york.gov.uk

Re: Application 23/00160/OUTM - Land to the South of Rose Cottage Farm and the Lodge, Moor Lane, Haxby. Outline application with all matters reserved except for access for circa 800 dwellings, provision of open space, flood storage measures, landscaping and associated infrastructure.

Dear Ms Tyas

Thank you for consulting Wigginton Parish Council regarding application 23/00160/OUTM - Land to the South of Rose Cottage Farm and the Lodge, Moor Lane, Haxby. Outline application with all matters reserved except for access for circa 800 dwellings, provision of open space, flood storage measures, landscaping, and associated infrastructure.

Wigginton Parish Council objects in the strongest possible terms to the current development proposals for the following reasons:

Until such time as the City of York Local Plan is adopted, the site remains in the Green Belt and insufficient very special circumstances have been demonstrated which would mitigate any harm to the Green Belt. If the Local Planning Authority (LPA) considers that the site does not meet any Green Belt criteria, these outline proposals do not meet the requirements of the Local Plan Site Specific Policy SS11.

The most important reasons for Wigginton Parish Council's objection to these planning proposals are 1) the masterplan does not leave enough buffer for informal open space on the south side of the development, 2), it does not leave any space for extension of the cemetery and 3) despite the requirements of Policy SS11 there has been no assessment of the cumulative traffic impact of multiple large site allocations ST7, ST8, ST14 and ST15 defined in the Local Plan. It is important to realise that, while the application site is north of Haxby, the most significant impact will be on the village of Wigginton. This is because Moor Lane, the proposed main access route to the development, leads to a junction with The Village, Wigginton. Further, the application should be refused because of the serious harm that it would cause to this valuable biodiverse site.

Harm to the Green Belt

The land north of Haxby is a draft housing allocation within the emerging Local Plan in which the application site sits within the current green belt. The development plan reflects saved policy Y1(1)1 of the Yorkshire and Humber Plan Regional Spatial Strategy (2008). It states:

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.

Wigginton Parish Council does not agree with the Planning Statement submitted by the applicants. That document concludes that the site is not in Green Belt 'when the agreed principles set out in the *Wedgewood* case are applied' (Planning Statement para 5.10). Wigginton Parish Council firmly believes that this is a misinterpretation of the *Wedgewood* judgement. This judgement refers to the saved policy Y1 (c) 1 of the Regional Spatial Strategy referred to above. The green belt around York extends from the outer boundary of the built-up area to some 6 miles out of the City and is described as 'a donut'. In contrast to the conclusion in the Planning Statement, the judge states that whether the *Wedgewood* site is green belt, is not a binary matter, with everything in the donut in the green belt or outside the green belt. In paragraph 39, he states: 'in my judgement, the solution to this binary conundrum is to adopt a more nuanced approach'. Several factors are taken into account, firstly that the *Wedgewood* site had not formed part of the green belt in the 2005 draft Local Plan is considered (para 41, quoting Committee Report paragraph 4.4). Also, the *Wedgewood* decision relates to an urban site inside the ring road which is much less open in character, 'not connected to open countryside and is surrounded to all sides by established development, ... and is considered to form part of the York urban area' (*Wedgewood v City of York Council* (2020) para 28).

In contrast, the development site for 23/00160/OUTM, has a completely different character. It is located *outside* the ring road and is in the countryside with agricultural fields not just within the site but also surrounding the proposed development; it is only attached to established development (including the cemetery) on its southern side. Moreover, in contrast to the *Wedgewood* site, the development site north of Haxby forms part of the green belt in the City of York Draft Local Plan, Incorporating the Fourth Set of Changes. Proposals Map (North) (2005) and the site was considered '*unsuitable for development*' in the Strategic Housing Land Availability Assessment Technical Appendices 2011 (site nr 38, page 76-77). Hence a nuanced approach would lead to the conclusion that the site should be considered as green belt until the emerging Local Plan is adopted.

The proposed development is not sustainable development

Substantial weight should be given to the harm to the Green Belt. Because of the detrimental impact on the localities of Haxby and Wigginton, it is debatable whether there are any benefits, except for the contribution it would make to the York housing numbers. The Planning Statement is also not convincing in arguing that these proposals are sustainable development. Due to the location of the site to the north of Haxby well away from local transport links with only limited local facilities and no secondary school within a walkable distance, the development proposals cannot be perceived as sustainable. Car journeys are required to reach many facilities from the proposed development, virtually no facilities exist within 400m or indeed 800m of the site, there are no bus stops near the site, and it is notable that very limited facilities are proposed to be provided on site. Similarly, there is no off-site cycle provision incorporated in these proposals. A comfortable walking

distance is up to 800m. Along with this, safe and attractive pedestrian and cycle routes are needed.

The Framework para 104 states that the promotion of walking, cycling and public transport is a primary aim of sustainable transport policy.

Sites should provide attractive and well-designed walking and cycling networks (paragraph 106(d)) but no provision is made for safe cycle routes. Development must maximise the opportunities for sustainable travel, not do the bare minimum.

Further, the site is a valuable area for wildlife. A moth survey carried out since 1990 shows that the site has more moth species than Strensall Common and is only a close second to Askham Bog and there are many priority species of moths on site. Besides this, the site sustains a wealth of wildlife and the harm that would arise from any development should carry a significant weight.

In the opinion of Wigginton Parish Council insufficient very special circumstances have been demonstrated which would mitigate any harm to the Green Belt. The principle of developing this site was never agreed by Wigginton Parish Council.

The proposals do not comply with the emerging Local Plan Site Policy SS11

Notwithstanding the above, due to its stage of preparation, if the LPA were to be minded to view the site as being outside the Green Belt, great weight can be attributed to the emerging City of York Local Plan. The City of York Local Plan is currently out for consultation on the Local Plan Main Modifications Consultation (February 2023) which closes on 27 March 2023 and which is widely expected to lead to the adoption of the Local Plan later this year.

If tested against the Local plan policies, it is evident that the development proposals do not comply with the criteria of the emerging Local Plan Policy SS11 Land North of Haxby.

Insufficient Open Space notably informal recreation space and space for the cemetery expansion

The development proposals do not meet the policy provisions of SS11 regarding open space:

'Policy SS11: Land North of Haxby

Land North of Haxby (ST9) will deliver approximately 735 dwellings at this urban extension development site. In addition to complying with the policies within this Local Plan, the site must be master planned and delivered in accordance with the following key principles:

iii. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:

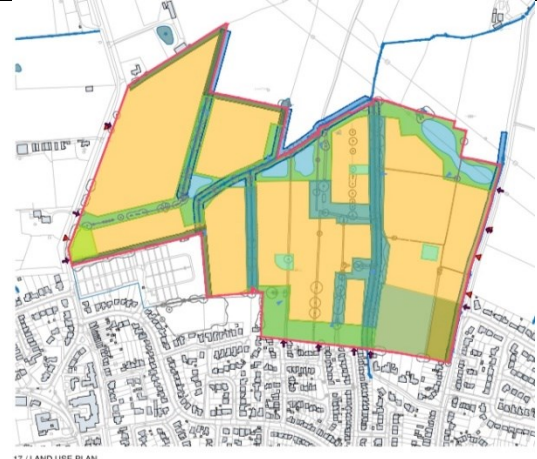
*Creation of new open space **to the south of the site** (in accordance with policy GI6) to reflect the needs of the Haxby and Wigginton ward. This may include formal pitch provisions, informal amenity greenspace, play provision, **cemeteries** and allotments. The openspace needs of the area should be assessed in detail, liaising with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.'* (Emerging Local Plan. SS11 including proposed changes January 2023) [our emphasis]

In paragraph 3.56 some further information is provided:

*'It is essential that the site delivers a significant amount of new open space to improve access and provision for both existing residents of Haxby and also the new residents of the development. **The new open space shown on the Policies map is required to address the significant shortage of open space in the Haxby and Wigginton ward which is the most deficient ward in the city with a shortage across all open space typologies. The open space needs of the area should be assessed in detail, liaising with Haxby Town Council and Wigginton Parish Council,** the neighbourhood plan group and local residents. Open space provision should include formal pitch provision for football*

and cricket, equipped children's and young persons playspace, allotments and amenity greenspace/local park.' [our emphasis]

Paragraph 3.56 refers to the Policies Map which shows a wide buffer zone of open space at the south side of the development (The City of York. Local Plan Publication (draft) February 2018 Policies Map (North) as amended in January 2023).

	
Figure 1. ST9 The City of York. Local Plan Publication (draft) February 2018 Policies Map (North). In green crossed existing open space (the cemetery) and the wide buffer zone to the east of the cemetery as proposed New Openspace.	Figure 2. Land Use Plan. Showing a much narrower area of proposed open space, located further southeast of the cemetery

Paragraph 3.56 is very explicit that '[t]he new open space shown on the Policies map (depicted in Figure 1) is required to address the significant shortage of open space' and the extent of the proposed new open space on the Policies Map is far wider than the green buffer provided on the Illustrative Masterplan and the Land Use Plan.

Lack of consultation with Wigginton Parish Council

Wigginton Parish Council's ordinary meeting on 16 November 2022 was attended by the developer's agent. In minute 22/066.1, the meeting is summarised. In the minutes, the need for a significant open space buffer on the south side of the development and the need for the cemetery to expand are mentioned. Other concerns raised were the impact on traffic through Wigginton village including the impact on the junction of Moor Lane and the Village, Wigginton. Drainage concerns were raised as well.

No other attempt has been made to liaise with Wigginton Parish Council.

Lack of Space for Cemetery expansion

One of the reasons for needing an open space buffer zone to the south of the development site is to leave space for the cemetery to expand. This need has been raised with the developers throughout the process and the provision of space for this extension is crucial and essential for both Haxby Town and Wigginton Parish Councils.

Wigginton Parish Council notes that the City of York commissioned an independent report regarding the available burial ground capacity within local cemeteries as part of the Local Plan process. From that report, it becomes clear that Haxby and Wigginton Joint Cemetery has a very limited remaining capacity for what is the fifth largest cemetery within the York area (by number of interments per annum):

Haxby Town Council & Wigginton Parish Council – (Shared)

The burial ground is located at Postcode YO32 2NQ and is accessible by public transport. At the current rate of 60 annual interments, the burial ground has a capacity of just 15 years with no more land for future expansion. The Cemetery is wholly maintained by Parish funding and/or burial charges; there is no Parish precept set towards the cost of site maintenance. ... A Neighbourhood Plan is pending and future burial ground requirements will be included.’ (SD082. City of York Local Plan. Burial Ground and Cemeteries Report (September 2017), page 8-9).

The Cemetery has very limited remaining capacity for interments. If the proposed development were to be approved and went ahead, this would result in a significant increase in residents within the catchment of the Joint Haxby and Wigginton Cemetery. The spare capacity would be further reduced from the estimated 10 years which currently remains. Unless space is provided for a cemetery expansion *in situ*, the proposed development is completely unacceptable to Wigginton Parish Council.

Habitat Regulation Assessment

The amendments to the emerging Local Plan made in January 2023, make one notable change to the Policies Map (North). The amended map shows that the site is within the zone of influence of Strensall Common Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The Conservation of Habitats and Species Regulations 2017 (as amended), requires an assessment to be carried out. The proposal could lead to a heavier use of the SAC/SSSI for informal recreation, which should be given significant weight in considering this proposed development. In the opinion of Wigginton Parish Council, insufficient on-site informal recreational space has been provided and no substantive assessment of the likely impact on the SAC/SSSI has been carried out. The impacts as identified in the HRA 2020 because of recreational pressure on Strensall Common SAC are not sufficiently mitigated by the proposals.

The developer should be asked to provide an HRA screening report to check whether the proposal is likely to have a significant effect on the site’s conservation objectives. The most significant adverse effect on Strensall Common SAC would arise from increased recreational pressure. The damage, resulting from such increased recreation, needs to be taken through to Appropriate Assessment. Appropriate mitigation measures need to be adopted for development of ST09. The developer should be asked to carry out this procedure and an assessment of informal recreation so as to avoid an impact on the Strensall Common Special Area of Conservation (SAC) and the SSSI. Because it appears that insufficient mitigation is currently in place, the developer should be asked to provide appropriate mitigation by providing more space for informal recreation to avoid any adverse effect on the SAC and SSSI. A SANG (a large block of Suitable Accessible Natural Green Space) would appear most appropriate.

Open Space provision

In summary, in relation to open space provision, too many houses have been crammed into the site, increasing the housing number from 735 to 800, resulting in insufficient space for the cemetery extension and informal recreation. In line with policy SS11 of the emerging Local Plan, the developer should have liaised with Wigginton Parish and Haxby Town Council at an early stage. That would have made clearer the need for an extension to the Cemetery, and this could have also opened a dialogue regarding provision of any off-site sports facilities. In addition, there is a long waiting list for allotments in both Haxby and Wigginton and the provision of allotments would help alleviate this problem.

Based on the current masterplan, the development proposals do not satisfy the requirements of policies SS11, GI2a and GI6 and, for this reason, the application should be refused.

Detrimental impact on transport networks

The Local Plan SS11 states the following about transport and highway impacts:

SS11 viii. The transport and highway impacts of the development should be assessed individually and cumulatively with sites ST7, ST8, ST14 and ST15. Where necessary proportionate mitigation will be required.

ix. Provide highway access to the site from Moor Lane on the West side, with secondary access from Usher Lane on the East side. Improvements would be required both to the junction of Moor Lane with The Village and Usher Lane/Station Road to improve safety and visibility. The scheme should seek to minimise the amount of trips using the Usher Lane/Station Road junction due to existing capacity and safety issues. Alternative access should also be explored in relation to this site.

x. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active forms of transport (walking and cycling).'

Although the proposed development is contained within Haxby boundaries, the impact of increased traffic will affect the village of Wigginton as much or arguably more, than the effect on Haxby. The increase in traffic flow along The Village & Mill Lane, Wigginton will be considerable, with a potential for c1,500 extra vehicles. Satellite Navigation Systems will inevitably direct the majority of traffic from the new development through Wigginton, when this is identified as the fastest route both for York and for through traffic heading West.

Wigginton Parish Council is surprised that there is no assessment of the cumulative traffic impact with sites ST7, ST8, ST14 and ST15. Since Moor Lane, the main route from the development, ends up at a junction with The Village in Wigginton, a cumulative transport assessment should be carried out and detailed off-site plans should have been provided.

The Parish Council is concerned that the proposal will result in unacceptable impacts on the road network particularly in Wigginton. Without such an assessment and proposed mitigation, the proposals should be refused.

Due to the increase in traffic, there will inevitably be an increase in pollution levels as a result of queuing traffic along The Village & Mill Lane, Wigginton with resultant health risks.

Moreover, the Council notes the comments by National Highways emphasising the need both to apply the policies in DfT Circular 01/2022 and to defer any determination of this application to September 2023 at the earliest. The circular 'provides a significantly greater emphasis on the principles of sustainable development and ensuring that opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.'

There appears to be insufficient mitigation provided in the form of bus service improvements. The closest bus stops are 300m from the SW edge of the development site but much further for most residents on the proposed development. Due to the lack of facilities within 400m of people on the development site, a large proportion of extra car journeys would be required, causing major impacts on the local road network and increase the potential for conflict between classes of road users.

The proposed development makes no provision for dedicated cycle lanes and off-site cycle links.

There would also be an unacceptable impact on the capacity of Moor Lane, the Village and Mill Lane. The Village forms the historic core of Wigginton village, but its character would be eroded by the increased volume of traffic.

The access to site is substandard and Wigginton Parish Council would ask the LPA to investigate conditioning the provision of a new link road to this development so as not to use narrow residential lanes.

A summary of essential actions re transport & traffic:

- Meeting the guidance set by National Highways.
- An assessment of the cumulative traffic impact with sites ST7, ST8, ST14 and ST15.
- Bus service improvements including a contribution to serve the development over at least a five year period.
- Provision of cycle lanes & off-site cycle links. These off-site cycleway provision will need to be part of a travel plan.
- Upgrade of access to and from the site from Moor Lane on the West side. This should be conditioned, and financial contributions made for off-site works to mitigate the increased traffic flow.
- All access routes to this sizeable development come through roads where people live. Speed management measures are required and the developer should make contributions towards this.

Biodiversity

The City of York Local Plan Policy SS11 includes the following site-specific guidance regarding the retention of field patterns, mature hedgerows and trees:

'xi. Protect and enhance existing valuable landscape features including field patterns, mature hedgerows and trees. Development should minimise the impact on the landscape and setting of the village and reflect the character and rural setting of the surrounding area. Views into the site are limited as the site itself is mainly enclosed and well screened by mature trees and hedgerows which should be retained. New strong defensible landscape boundaries should be created and the historic field patterns should be protected and the layout of the development and the open space should be designed to integrate these narrow medieval strip fields.'

Within the local community there is great concern about the loss of this extremely valuable site for biodiversity. Wigginton Parish Council considers that the plans should be refused consent on these grounds. Wigginton Parish Council asks that, if planning consent were to be given, any masterplan does not impinge on the hedgerows and that tight conditions are imposed to ensure that these valuable wildlife havens are not lost; this would include conditions for the construction works. The Hedgerow Regulations should be strictly adhered to and as much of this valuable wildlife haven as possible should be retained.

The site ranks second in the York area for the number of species of moths found, with only Askham Bog containing more species. The recording of moths has been carried out from 1990 for macrospecies and from 2015 for both macro and microspecies in a back garden abutting the development site. The Council has enclosed a Report on number of species of moths from the garden of Crooklands Lane, Haxby. The records are all on the Yorkshire County moths database. The report was produced by Dr Terry Crawford, retired from the Biology Department of the University of York since 2006 and the Chairman of the Lepidoptera Study Group renamed the YNU Lepidoptera Group for over 20 years.

In his report he states:

It is widely accepted that moths are key indicators for the health and welfare of terrestrial habitats and their broad biodiversity. Moths hold very important positions in our wildlife ecosystems: their caterpillars are mostly herbivorous (a few are pests) so that moth diversity reflects plant diversity; they are food for many animals, e.g. birds, bats, small mammals, carnivorous and parasitic insects; also, they are now known to be important nocturnal pollinators.

Moth species are divided into micromoths (micros) and macromoths (macros) depending on the typical size of the Family to which they belong. The larger macros are far better studied than the small to very small micros. The British list is approximately 2500 species comprising 900 macros and 1600 micros. These seemingly rounded figures are actually pretty accurate but do change slightly over time because of extinctions and new arrivals. The Yorkshire List at the end of 2022 is 1297 species (545 macros and 752 micros).

In Crooklands Lane, 753 species have been recorded, which is exceptionally high -higher than for example Strensall Common.

Dr Crawford has analysed how many of these species are on the list of habitats and species which are of principal importance for the conservation of biodiversity in England, mentioned in Section 41 of the NERC Act 2006.

The list contains 120 macromoths of which 55 have been taken in the garden from 1989 to 2022. Of these, 42 have been taken from 2018 to 2022, and no fewer than 33 during last year 2022.

In addition, he has analysed a Yorkshire-specific perspective for moths based on the report Clarkson, B., Fitter, A., Fletcher, C. & McMillan, S. State of Yorkshire's Nature: Lepidoptera. Yorkshire Wildlife Trust (soon to be published by YWT on-line). This lists that macromoth species that show a statistically significant decline in Yorkshire during 2000-2020,

The report includes 42 seriously declining species at the whole-county level. Among these, 37 have been trapped at Haxby over the period 1989-2022, 31 between 2018 and 2022, and still 25 in just 2022.

Index of Yorkshire Species of Concern (IYSC) for macromoths

The same report develops this novel index to highlight the Yorkshire species that are of most conservation concern. Several aspects count towards the index value: national rarity; national threat status, i.e. IUCN category; rarity in Yorkshire (number of 10 x 10 km squares with records); degree to which Yorkshire is a stronghold for a species; and the average annual percentage decline for species in the previous analysis. The maximum value for IYSC is 13, but only nine species score 7 or more and these tend to have very specialised habitat requirements, e.g. coastal or moorland, not relevant to Haxby. I have, therefore, only included species with IYSC from 6 down to 3 (and irrespective of habitat), and their numbers are as follows.

IYSC	All Yorkshire	Haxby 1989-2022	Haxby 2018-2022	Haxby 2022
6	6	4	2	0
5	12	6	2	1
4	38	21	17	11
3	78	38	25	20

In all analyses the numbers of species decline from the full period to just 2022. This reflects the decreasing number of years in which a moth might be caught rather than deterioration in the habitat over time.

Dr Crawford concludes:

There is no real broadleaved woodland, which is noted for moth diversity, near Crooklands Lane. It is highly likely that the moth richness in the fields north of Haxby is attributable to the extensive network of fine hedgerows, ancient by virtue of their number of woody species, that should be preserved at all costs.

Both reports have been attached to this objection letter.

The hedgerows on site are likely to qualify as ancient hedgerows and need to be assessed. In addition to moths, many other species have their habitat on site, including many species of birds and Great Crested newts.

Further, because Great Crested Newts have been recorded on site, the last survey having been carried out in May 2022, an updated newt survey should be requested. In addition, the bat survey was carried out at a time of great drought and should be resurveyed.

Great crested newts and species of macromoths are listed as Species of Principal Importance in England and, in accordance with Section 41 of the Natural Environment and Rural Communities Act 2006, the LPA has to have regard for the duty to conserve the living organisms and types of habitats included in this list.

If the application were to be approved, Wigginton Parish Council, asks the LPA to give due consideration to the survival of the hedgerows, firstly by widening the green corridor, secondly by appropriate conditions and thirdly by conditioning sufficient stand-off distances and other protection during construction to be incorporated in the CEMP.

Lack of facilities on site

Educational facilities

The emerging Local Plan Policy SS11, states the following in relation to ST09:

SS11 v. Provide a new primary school or required financial contributions to existing local primary and secondary facilities to enable the expansion to accommodate demand arising from the development.

Existing local early years and school provision is insufficient to accommodate a further anticipated increase in the number of pupils. Moreover, no secondary school is within reach of the development. Wigginton Parish Council is concerned about the number of car journeys which would be generated by school traffic and requests that the LPA takes this into consideration when determining this application.

Contributions should be made for school/early years provision as well as educational contributions for secondary provision; the local primary schools are close to the ratio of built space to external recreation space, and this must be considered – a financial contribution is of little use if there is insufficient space within a school site. In addition, SEND provision needs to be identified and a contribution towards SEND transport made either through S106 or CIL. For example, the Wonder Years, the Early Years, wrap around care and holiday club provider on site of Wigginton Primary School, is oversubscribed and would not be able to expand its provision in line with any increase in school places created at Wigginton Primary without S106 or CIL funding.

Healthcare facilities

The Parish Council has considerable concerns about the lack of healthcare facilities. The local Health centre in Wigginton is already oversubscribed and the additional requirement for primary healthcare would take it beyond their capacity. The capacity of dentistry in the area will also be exceeded.

To provide facilities when they are needed and to avoid overburdening the off-site provision, it should be conditioned that the school and healthcare facilities should be provided in phase 1 of development before the 50th house is occupied.

Drainage

In relation to surface water flooding and drainage, it is unclear whether SS11 will be adhered to. It states:

vi. Provide a suitable drainage strategy to ensure there is no increase to existing agricultural run-off rates and existing drainage ditches are maintained and enhanced. The strategy should be developed in conjunction with the Council and required statutory bodies and should ensure that the development will not exacerbate any existing issues with surface water and drainage owing to the site being flat with a high water table. The drainage scheme will need to connect to the Strensall and Towthorpe Waste Water Treatment Works to the north of the site given capacity issues within Haxby.

vii. Connect the site to the public sewer network, which will incur additional costs. Developers will need to work with Yorkshire Water in developing a suitable scheme.

There are significant concerns within the area about how surface water and foul water will be dealt with. In 2018 the City of York published a Flood Investigation Report. In its Annex Surface Water Flood Investigation relating to 40mm of rain falling on large areas of the city in just 15 minutes on 13th August 2018. It is clear from Figure 1 (Indicative map of flooded locations), that Wigginton and Haxby were heavily affected by surface water flooding. The Description of Haxby and Wigginton states that a

‘significant number of all reports were centred on this ward, see Annex 1; issues ranged from minor road flooding through to significant blockages of roads and flooded gardens and unfortunately in a number of cases internal flooding of properties’

<https://democracy.york.gov.uk/documents/s130816/Annex%201%20York%20130818%20Section%2019%20Surface%20Water>

The document also includes the following conclusions:

The likelihood of flooding in a number of locations was potentially increased due to identified defects in the drainage infrastructure ... [and] in some cases existing infrastructure was unable to cope.

We note that the IDB recommends that any surface water storage system should be designed to handle a full 1:100-year storm event (plus 30% allowance for climate change) It also objects to the proposal due to concerns regarding access to water courses.

The Parish Council considers that, unless significant improvements are made to the proposed surface water storage infrastructure, the proposed development will increase the likelihood of flooding in many parts of Haxby and Wigginton.

Foul water sewage

It is noted that the applicant is proposing to use the main sewer for the disposal of foul sewage. In the response from Yorkshire Water, ‘it was confirmed that the receiving wastewater treatment works does not have adequate capacity to accept foul water from the development’ and Yorkshire Water also state that

[t]he development is part of [the City of York Local Plan’], however this plan has yet to be adopted at this time. Consequently, Yorkshire water infrastructure is unprepared for a development of this size. This further underlines the vital need for a robust build plan with adequate phasing, to allow Yorkshire Water time for necessary network reinforcement.

Yorkshire waters results from Risk Based Catchment Screening 2019 shows that Haxby Walbutts treatment works had the joint third worst record out of a total 20 treatment works in the York area for pollution breaches. Furthermore, the City of York Council Infrastructure Delivery Plan June 2013 states

There is no spare capacity at the Rawcliffe WWTW which serves Rawcliffe, Huntington and Skelton, and very limited capacity at Haxby Walbutts WWTW which serves the Haxby and Strensall areas.

A visit to the Walbutts site by members of the River Foss Society was reported on their website concluding,

The Haxby (Cobbs Cottage) site is only a pumping station and pumps all its sewage to the Walbutt's site. Both it and Haxby Storm Tanks STW have consent to discharge screened and diluted sewage into the Foss during storm conditions when the system is overloaded. Walbutt's has neither the facility nor consent to do so.

(www.riverfossociety.co.uk/visit-to-walbutts-sewage-treatment-plant-strensall/)

Wigginton Parish Council has significant concerns about the proposal for the applicant to discharge into the main sewers due to the already existing problems with foul sewage and the potential for sewage to be discharged into the Foss when the system is overloaded. From the response of Yorkshire Water, it is also clear that the application should be treated as premature because Yorkshire Water does not have the infrastructure in place to deal with the additional foul water drainage.

It is hoped that the LPA will make sure in conjunction with Yorkshire Water, the IDB and the City of York's flood risk engineers that the arrangements for foul water drainage as well as surface water drainage are properly conditioned.

Design of housing

Hardly any information was submitted regarding the design of housing. Wigginton Parish Council hopes that to mitigate the many harms caused, the LPA would ensure that the proposed development will be an exemplar of sustainability standards. City of York Council prides itself on its Passivhaus roll-out and it is hoped that the developer will commit to a similar standard of zero carbon construction.

Any conditions imposed by the LPA should be tightly drafted to avoid the risk that the applicant might reduce standards at reserved matters stage.

Defensible space

In the light of the response from the Designing Out Crime Officer of North Yorkshire Police, Wigginton Parish Council is surprised that no principles regarding the masterplan have been included in relation to the natural surveillance by the proposed dwellings of footpaths and play areas within the development.

Planning obligations

The main access to this proposed development enters the Haxby and Wigginton ward via Wigginton village. The local Health Centre is in Wigginton, the Wigginton sports facilities are close to the development site, and Wigginton primary school is one of the primary schools mentioned in the applicant's statements. Wigginton Parish Council invites the LPA to include mitigation in the form of S106 or CIL for Wigginton village and Parish Council. It is inconceivable that Wigginton must bear the negative effects of this development while only Haxby would be considered for the S106 or CIL payments.

Construction traffic

The development might take up to 10 years to construct and this raises significant concerns about HGV traffic through Wigginton village. Wigginton Parish Council would like to understand how construction traffic will be routed. Can the LPA please make sure that conditions are included at outline stage to route construction traffic away from the village?

Summary of objection

Wigginton Parish Council objects in the strongest possible terms to the proposed development north of Haxby. It would have a massive detrimental impact on Wigginton village due to the increased traffic burden, further pressure on its drainage systems, pressure on its already overburdened facilities, lack of previously allocated green space and space for cemetery expansion. In addition, the Parish Council hopes that the existing wildlife haven on site will be retained as much as possible and that any sports facilities can be accommodated off-site in Haxby and Wigginton village through S106 or CIL contributions.

Because the applicant has been asked to submit further information in relation to traffic, drainage and biodiversity, Wigginton Parish Council will wish to respond to those with further representations.

Please note that if this development is approved, the following are crucially important to the Parish Council:

1. The reduced green corridor is completely unacceptable because it would not leave space for extending the cemetery in situ and would not provide appropriate space for informal recreation.
2. The other major concern for the Parish Council relates to the traffic impact on Wigginton village; here, significant mitigation is required.

For these reasons Wigginton Parish Council asks that this application be recommended for refusal. Thank you for consulting the Parish Council.

Yours sincerely,

Karin de Vries
Clerk to Wigginton Parish Council

Two appendices:

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Appendix A

Report on number of species of moths from the garden of 2
Crooklands Lane, Haxby (Grid. Ref. SE610586)

By Dr Terry Crawford

Report on number of species of moths from the garden of 2 Crooklands Lane, Haxby (Grid. Ref. SE610586)

To provide context I will first give some general background on moths. It is widely accepted that moths are key indicators for the health and welfare of terrestrial habitats and their broad biodiversity. Moths hold very important positions in our wildlife ecosystems: their caterpillars are mostly herbivorous (a few are pests) so that moth diversity reflects plant diversity; they are food for many animals, e.g. birds, bats, small mammals, carnivorous and parasitic insects; also, they are now known to be important nocturnal pollinators.

Moth species are divided into micromoths (micros) and macromoths (macros) depending on the typical size of the Family to which they belong. The larger macros are far better studied than the small to very small micros. The British list is approximately 2500 species comprising 900 macros and 1600 micros. These seemingly rounded figures are actually pretty accurate but do change slightly over time because of extinctions and new arrivals. The Yorkshire List at the end of 2022 is 1297 species (545 macros and 752 micros).

There is now great enthusiasm for moth recording. In Yorkshire during 2022, 723 different people submitted a total of 238,985 records. A “record” is a unique combination of **species** (one or more individual moths), **date**, **site** and **recorder(s)**.

British biological recording uses 112 Vice-counties (VCs) introduced in 1852. These are of roughly similar size to one another, based on natural boundaries, and remain constant despite changes in administrative names and boundaries. Yorkshire, because of its size, has five VCs (61 to 65). Wigginton and Haxby are in VC62 (North-east Yorkshire) the boundaries of which run from York, up the Vale of Mowbray to the River Tees near Darlington, then east along the Tees and the southern bank of its estuary to South Gare, then all the way around the Yorkshire coast to Filey Brigg, thence inland mainly along the River Derwent to Stamford Bridge, and finally back to York along the old routes of the A166 and A1079. It's a large area with very diverse and excellent habitats.

Crooklands Lane

I have used a moth light-trap in the back garden of 2 Crooklands Lane since 1990, but only recorded the micros since 2015. The attracted moths rest overnight among egg-trays in the trap, are identified and counted in the morning, and released at dusk (to avoid bird predation) in the front garden about 50 m away from, and out of sight of, the trap position. In 2022, for example, I submitted 6028 records from the garden to the official Yorkshire County (VCs 61-65) moth database, comprising 29,716 individual moths (19,924 macros and 9792 micros) of 531 species (296 macros and 235 micros). The total since 1990 is 111,746 records of 515,770 individual moths of 753 species (426 macros and 327 micros).

Crooklands Lane in a Yorkshire context

Using information from the Yorkshire County moth database, the garden ranks 7th (or 8th) for number of species (macros + micros) among all sites in Yorkshire (VCs 61-65). There is minor uncertainty as a very few species are similar to others and may be recorded as “aggregate species” if recorders cannot reliably make the distinction. Askham Bog is the only better site in the region of York. What is outstandingly clear is that Crooklands Lane has by far the most recorded species (753) in VC62, the next site being a garden in Skelton-in-Cleveland with 626 species (macros + micros).

Scarcity of a species can only be assessed in a national context, as the number of its hectads (10km x 10km OS squares) out of the 2913 in Great Britain. Relevant categories are Nationally Notable Na (16-30 hectads), Nationally Notable Nb (31-100 hectads), Local (101-300 hectads), Common (more than 300 hectads), Migrant, and Adventive. We have:

	Na	Nb	Local	Common	Migrant	Adventive	Total
Macros	1	6	96	310	13		426
Micros		6	68	247	5	1	327

Interpretation is difficult because a species could be relatively common elsewhere but not in Yorkshire and vice versa. For example, the micro *Ethmia bipunctella* was trapped in the garden on 30/07/2022, the first time it has been seen in Yorkshire. It is resident on coastal shingle in Kent and East Sussex, and occasionally in a few nearby sites inland. On this limited distribution in the far-south it achieves Nb status, but this is hardly relevant to Yorkshire. Was it an extreme wanderer or is there an unknown local colony? There is no real broadleaved woodland, which is noted for moth diversity, near Crooklands Lane. It is highly likely that the moth richness in the fields north of Haxby is attributable to the extensive network of fine hedgerows, ancient by virtue of their number of woody species, that should be preserved at all costs.

Terry Crawford

Appendix B

Further analyses of macromoths light-trapped at 2
Crooklands Lane, Haxby

By Dr Terry Crawford

Further analyses of macromoths light-trapped at 2 Crooklands Lane, Haxby

The following analyses address “Priority Species”. I have analysed the Haxby data for the period 1989-2022, the last 5 years (2018-2022), and last year (2022) alone.

Section 41 of the NERC Act 2006

This refers to “a published list of habitats and species which are of principal importance for the conservation of biodiversity in England”. “The Duty applies to all local authorities, community, parish, and town councils, police, fire and health authorities and utility companies.” The list contains 120 macromoths of which 55 have been taken in the garden from 1989 to 2022. Of these, 42 have been taken from 2018 to 2022, and no fewer than 33 during last year 2022.

National assessment by Butterfly Conservation of macromoths falling into the Threat Categories of the International Union for Conservation of Nature (IUCN)

I have used Fox, R., Parsons, M.S. & Harrower, C.A. (2019) A review of the status of the macro-moths of Great Britain. Butterfly Conservation Report Number S19-17 to Natural England, 2019. The relevant Threat Categories are Critically Endangered (CR), Endangered (EN), Vulnerable (VU) and Near Threatened (NT); 628 species are not threatened (Least Concern). A wide range of issues contribute to a threat assessment and these are fully described in the above report, especially the Appendices. The numbers of species nationally (GB) and for Haxby within each Threat Category are as follows.

Category	GB	Haxby 1989-2022	Haxby 2018-2022	Haxby 2022
CR	5	0	—	—
EN	25	3	2	0
VU	22	18	11	9
NT	58	19	17	11

For the next two analyses, which have a Yorkshire perspective, I have been given permission (with my grateful thanks) to analyse data contained in the report Clarkson, B., Fitter, A., Fletcher, C. & McMillan, S. State of Yorkshire’s Nature: Lepidoptera. Yorkshire Wildlife Trust (soon to be published by YWT on-line).

Macromoths showing statistically very significant ($P < 0.001$) declines in Yorkshire during 2000-2020

The report includes 42 seriously declining species at the whole-county level. Among these, 37 have been trapped at Haxby over the period 1989-2022, 31 between 2018 and 2022, and still 25 in just 2022.

Index of Yorkshire Species of Concern (IYSC) for macromoths

The same report develops this novel index to highlight the Yorkshire species that are of most conservation concern. Several aspects count towards the index value: national rarity; national threat status, i.e. IUCN category; rarity in Yorkshire (number of 10 x 10 km squares with records); degree to which Yorkshire is a stronghold for a species; and the average annual percentage decline for species in the previous analysis. The maximum value for IYSC is 13, but only nine species score 7 or more and these tend to have very specialised habitat requirements, e.g. coastal or moorland, not relevant to Haxby. I have, therefore, only included species with IYSC from 6 down to 3 (and irrespective of habitat), and their numbers are as follows.

IYSC	All Yorkshire	Haxby 1989-2022	Haxby 2018-2022	Haxby 2022
6	6	4	2	0
5	12	6	2	1
4	38	21	17	11
3	78	38	25	20

In all analyses the numbers of species decline from the full period to just 2022. This reflects the decreasing number of years in which a moth might be caught rather than deterioration in the habitat over time.

Terry Crawford

16 March 2023