

WIGGINTON PARISH COUNCIL

The Old School, Mill Lane, Wigginton, York YO32 2PU
Telephone 07724 205786 Email: clerk@wiggintonparishcouncil.gov.uk

Lindsay Jenkins
Development Control
City of York Council
West Offices, Station Rise
York YO1 6GA

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By email: Lindsay.Jenkins@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 York Outline application with all matters reserved except for access for circa 800 dwellings, provision of open space including cemetery expansion, primary school, sports and recreational facilities, flood storage measures, landscaping and associated infrastructure (revised description).

Dear Ms Jenkins

Thank you for consulting Wigginton Parish Council regarding the submission of revised plans and documents for application 23/00160/OUTM - Land to the South of Rose Cottage Farm and The Lodge, Moor Lane, Haxby.

Wigginton Parish Council continues to object in the strongest possible terms to the amended development proposal 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 justify 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 meet neither the requirements of the Draft Local Plan Site Specific Policy SS11 nor NPPF policies.

The most important reasons for Wigginton Parish Council's continued objection to these planning proposals are:-

1. the masterplan still does not leave enough buffer for informal open space on the south side of the development and additionally the primary school is protruding into the buffer zone,
2. although some space has been provided for the cemetery, the dimensions do not appear to be based on any calculations of requirements or discussions with Haxby Town Council and Wigginton Parish Council,
3. the development would cause serious harm to habitats and priority species including moths on this site, without the developer providing any assessment of moths on site,
4. despite the requirements of Policy SS11, there has to date been no cumulative impact

assessment of multiple large site allocations ST7, ST8, ST14 and ST15 as stipulated in the Local Plan Policy SS11, and,

5. there is likely to be a severe impact of traffic and the developer should provide detailed plans for access arrangements and sustainable routes on and off site. For this sensitive strategic site, access arrangements should not be a reserved matter.

Other concerns relate to drainage of surface water and foul drainage, insufficient public open space on site, and the lack of provision of facilities, including healthcare.

For these reasons, the LPA is asked to refuse this application.

Lack of information

The Council is increasingly concerned about the lack of information contained in the application documentation. For example: -

- a) Illustrative masterplan. The fact that the masterplan is illustrative means that there is no certainty about what will be provided,
- b) The description is for 'circa 800 dwellings'. There is no certainty about the number of dwellings provided, with the developer suggesting that the final number will be agreed at reserved matters stage (email Stantec 21 March 2024). Despite the email from Stantec on 21 March 2024, stating that they '*have updated the Planning Statement, as well as other documents which referred to 760 dwellings, to avoid confusion (these included the DAS, Land Use Plan, HIA, Designated Sites and Habitats Baseline Report)*', the documents on the Planning Portal do not appear to be updated, and if so, only partially. For example, the Site Wide Recreation and Open Space Report has been written based on 760 dwellings and if planning consent is requested for 800 dwellings, the Public Open Space calculations contained within the report are too low.
- d) There is no information about the housing mix.
- e) There is no detailed design for the means of access off Moor Lane and Usher Lane nor any investigation of what off-site arrangements are going to be, for example at the junction of Moor Lane with The Village Wigginton. It is likely that the proposals will result in the loss of wide verges and the attractive open space at the junction and if this is required, the impact should be considered at outline stage.
- f) The nearby railway station (24/00325/FULM) has not been acknowledged and not included in the Transport Assessment and Travel Plan.

It is important to realise that, while the application site is north of Haxby, there will be a significant detrimental impact 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, which provides the main access to the centre of Haxby and is also the main route to and from the B1363 Helmsley Road through the centre of Wigginton. Both these routes come through the historic core of the respective villages, for Haxby through the Haxby Conservation Area.

Harm to the Green Belt

The Land North of Haxby is a draft strategic 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(c)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 original 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. 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 considered, 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 in comparison to ST9 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 loosely 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) as amended by the Main Modifications 2023, 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. Moreover, by definition, there will be harm caused to the openness of the green belt.

The proposed development is not sustainable development

Substantial weight should be given to the harm to the Green Belt. The developer has not provided very special circumstances that make this development in green belt acceptable, and the application contains very little information about what is proposed.

The Planning Statements are not convincing in arguing that these proposals are sustainable development. Due to the location of the site to the north of Haxby and Wigginton, 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 on-site or off-site dedicated cycle provision incorporated in these proposals.

The NPPF para 114 to 116 promote walking, cycling and public transport as a primary aim of sustainable transport policy. 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, it is a close second to Askham Bog and there are many priority species of moths on site. Because the site sustains a wealth of wildlife, the harm that would arise from any development should carry a significant weight especially in the light of recent changes to the NPPF.

In the opinion of Wigginton Parish Council insufficient very special circumstances have been demonstrated which would mitigate any harm to the Green Belt.

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

Notwithstanding the above, if the LPA were to be minded viewing the site as being outside the Green Belt, great weight can be attributed to the emerging City of York Local Plan.

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, nor with national planning guidance or the emerging City of York Local Plan.

Housing numbers exceed levels set in SS11

'Policy SS11: Land North of Haxby

Land North of Haxby (ST9) will deliver approximately 735 dwellings at this urban extension development site.

Instead of the stipulated 735 dwellings in SS11, and despite the developer stating at the pre-submission stage that the number of houses would be reduced to 761 houses, it is clear from the Planning Statement Addendum, paragraph 3.4.1 that the number of dwellings sought consent for remains at 'circa 800 dwellings':

'This application seeks outline permission for circa 800 dwellings. Given the addition of the school land and increased amenity space, using predicted densities it is likely the number of dwellings delivered will reduce to approximately 760 dwellings. Notwithstanding this, technical reports have assessed 800 dwellings as a maximum. Given house type and dwelling size will be decided at each Reserved Matters stage, the exact number of dwellings could fluctuate throughout the lifetime of the development. (Planning Statement Addendum, para 3.4.1)'

The various updated reports and statements submitted with this application still contain references to 759, 760 or 761 dwellings. This is inconsistent and misleading.

Crucially, whether 800 or 760, this number of dwellings is well above the number of 735 stipulated in the Site-Specific Policy SS11 of the Draft Local Plan. Wigginton Parish Council continues to object in the strongest possible terms to circa 800 (and 760) dwellings for this site.

Housing mix not specified

3.4.2 The development will include a range of house types and sizes. At this stage, we anticipate this will include a mix of 1, 2, 3, 4, and 5-bedroom dwelling types and affordable housing which will respond to local need. The final mix will need to be agreed at each Reserved Matters stage. (Planning Statement Addendum, Para 3.4.2)

Rather than leaving the formulation of the housing mix to the respective reserved matters applications, Wigginton Parish Council feels strongly that the housing mix should be included at the outline stage.

Insufficient Open Space

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

'Policy SS11: Land North of Haxby (as amended by 2023 Main Modifications)

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:

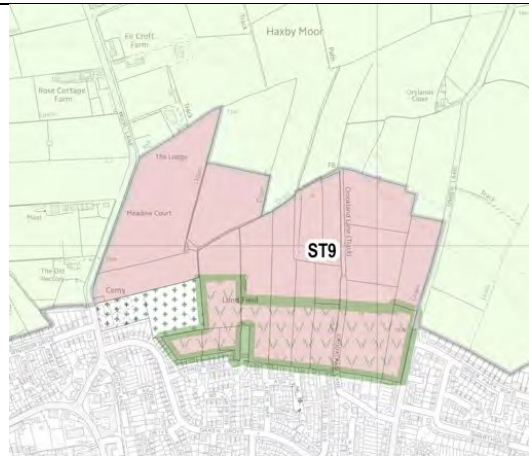
iii. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:

*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]

The justification and clarification in paragraph 3.56 provides the following information:

*'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).

	
<p>Figure 1. ST9 The City of York. Local Plan Publication (draft) February 2018 Policies Map (North), no alterations by the January 2023 Main Modifications. In green crossed existing open space (the cemetery) and the wide buffer zone to the east of the cemetery as proposed New Open space.</p>	<p>Figure 2. Amended Land Use Plan. Although the open space has increased, it still shows a much narrower area of proposed open space, compared to the Policies Map. Moreover, the southeastern corner of the buffer zone is occupied with the primary school.</p>

Wigginton Parish Council notes that no changes were made to the buffer zone on the ST9 site on the Draft Local Plan Policies Map and that the only modifications to the map that are of influence on the development proposals are PMM10: Strensall Common SAC 5500m buffer and PMM52: Haxby Proposed Train Station.

According to the Planning Statement Addendum, para 3.2.1 'The Green Gap to the south of the site has increased from 40m to around 110m'. This could give the impression that the buffer zone provided on site is 110m, but this width includes back gardens of existing houses as is specified in the following description, 'the distance from existing property boundaries to proposed property boundaries is around 110meters in this area' (Site Wide Recreation and Open Space Strategy, para 7.1.15). The public open space provided on site is far less.

Paragraph 3.56 is explicit that '[t]he 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'.

Insufficiently researched Site wide Recreation and Open Space Strategy

Lack of Consultation with Wigginton Parish Council and WSPFA and Wigginton sportsclubs

Paragraph 3.56 goes on to state:

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]

Despite the requirement in the Draft Local Plan policy SS11 to liaise with Haxby Town Council and Wigginton Parish Council, for Wigginton Parish Council and its sports clubs there has been no liaison about open space and sports provision, and the developers appear to have mainly depended on Google and desktop studies for describing Wigginton's Open Space and sports facilities.

Wigginton playing fields are within 800m from the development site and its main access from Moor Lane.

During the pre-submission consultation event, at Wigginton Parish Council meeting held on 17 January 2024, Royal Pilgrim and Stuart Natkus at Stantec were reminded of the developers having been told in early 2023, before submission of the original plans, that there are many sports clubs on the playing fields in Wigginton, including tennis, squash, bowling, pétanque and were asked to liaise with the overarching WSPFA. From the Site Wide Recreation and Open Strategy, it appears that only Wigginton Grasshoppers have been approached. But, from the consultation response from Sports England, it becomes clear that no liaison took place, as it states that 'local club Wigginton Grasshoppers have tried to engage with the developer regarding new facilities due to their capacity needs' (Sports England Response 16 April 2024).

Correction of information in the Site Wide Recreation and Open Space Strategy

The information in the Site Wide Recreation and Open Space Strategy contains many errors. Could the LPA please request that the developers liaise with Haxby Town Council, Wigginton Parish Council and all local sports clubs nearest to the development site, including those in Wigginton village?

Deficit in provision of all types of open space

The Site Wide Recreation and Open Space Strategy identifies that:

'there is a deficit in provision of all types of open space within the Haxby and Wigginton [SIC] Ward. The largest deficits are natural and semi natural space (-20.29ha), outdoor sports facilities (-12.29ha) and

amenity green space (-9.68ha). According to the developers' calculations the POS requirements arising from the development (based on 2.4 people per dwelling at 759 dwellings) is 10.12 ha'.

The most recent version of the Site Wide Recreation and Open Space Strategy has calculated based on 759 or 760 dwellings with 2.4 residents in each, whilst the consent is sought for circa 800 houses. It is requested that this Strategy and the requirement for Public Open Space (POS) requirements including table 6.2, is updated for 800 dwellings and that the mix of dwellings is specified. Amendments to the POS to accommodate 800 houses makes the required area larger than the 10.12 calculated in this document.

Moreover, SS11 states that the new open space should be provided **'to the south of the site (in accordance with policy GI6) to reflect the needs of the Haxby and Wigginton ward'**.

Although there is 5.07ha provision of natural space, this is not provided to the south of the development, near where people live who are affected by the deficit in public open space.

The development proposals, show a serious under-provision of land for sports provision, and it is suggested by the developer that this is provided by a S106 contribution. Although para 6.1.18 states that 'enhancement of existing sports facilities is likely the most appropriate approach to address the shortfalls in provision', Wigginton Parish Council would emphasise that the provision of land adjacent to current sports provision in Wigginton should also be considered. Regarding the outdated and incorrect information provided in paragraphs 6.1.17-6.1.15, it would be helpful if the developer would liaise with Wigginton Parish Council and WSPFA about the potential for sports provision in Wigginton.

Habitat Regulation Assessment: SANG guidance recommendations not fulfilled

The amendments to the emerging Local Plan made in January 2023, shows two changes to the Policies Map (North), one is **PMM52**: Haxby Proposed Train Station and the other is **PMM10**: Strensall Common SAC 5500m buffer. The amended map shows that the site was 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. This is because the proposal could lead to a heavier use of the Strensall SAC/SSSI for informal recreation, which should be given significant weight in considering this proposed development.

It is welcomed that the Environment Statements (Amended), now include an Appendix 9.8A Report to Inform a Habitats Regulations Assessment and that the developer has sought to create a SANG (Suitable Alternative Natural Green Space) on the development site.

Nevertheless, insufficient space is set aside for SANG. The Environment Statement (amended). Land North of Haxby Appendix 9.8A Report to Inform a Habitats Regulations Assessment, paragraph 5.35, states,

The SANG guidance recommendations of providing 8 ha of SANG per 1,000 residents has not been fulfilled (the provision allows for 1,125 residents, compared to the projected 1,800). This is due to the competing interests enforced on the proposed development, such as ca. 1.3 ha to be contributed to providing a primary school, and 0.5 ha to a cemetery extension, and 0.71 to sports pitches—which cannot be used for meeting the housing allocation or for SANG provision. The application area was also reduced by more than 1.1 ha in the interest of protecting biodiversity— as the allocation included an area of woodland in the southwest, which was highlighted as having high biodiversity value during the master planning stage. The woodland was removed from the proposals in the interest of avoiding degradation of the woodland. These cumulatively reduced the potential area of public open space available by 3.61 ha. If

these had instead been included as semi-natural habitats open as SANG associated with the development, there could be a total of 14.86 ha of SANG (which would cater for up to 1,857 residents)

Wigginton Parish Council suggests that the lack of public open space and SANG deficiency could be mitigated by increasing the size of the buffer zone to the south of the development in line with the Draft Local Plan map without the buffer zone being encroached upon by the primary school and the associated school field.

In addition, Crooklands Public Right of Way, could be surrounded by a green corridor of at least 60m wide, to provide more protection of the important hedgerows, and, to increase the recreational amenity of the Public Right of Way and SANG. Wigginton's experience of a similar scheme of a public footpath with trees and hedgerows within a housing development, is that after some decades the area is almost completely devoid of trees and hedgerows with regular pressure from adjacent householders, whose rear gardens abut the public right of way, to fell the remaining trees and to remove hedging. In another large development within the York area, many of the hedgerows to be retained, have unfortunately been lost due to the construction process.

Another means to provide more SANG, would be a safer and direct off-road cycle and pedestrian link between Wigginton village, the development, and the station would be provided though the development site.

Due to the lack of detailed plans for access arrangements to the development site, Wigginton Parish Council cannot assess the potential for the SANG along or across Moor Lane and Usher Lane.

Summary objection regarding 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 circa 800, resulting in insufficient space for public open space and the new SANG requirements make the number of proposed dwellings and densities even less acceptable. In line with policy SS11 of the emerging Local Plan, the developer should have liaised with Wigginton Parish and Haxby Town Council. That could have also opened a dialogue regarding provision of any off-site sports facilities.

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.

Lack of sufficient space for Cemetery expansion

It is welcomed that 0.5ha of land is made availability for the cemetery extension. Nevertheless, the area does not appear to have been calculated based on need for future expansion. Could the developer please be asked for its calculations to arrive at 0.5ha of space for the cemetery extension?

The need for the cemetery expansion is in Draft Local Plan policy SS11 and 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.

One of the Evidence Base Documents for the New Local Plan is an independent report regarding the available burial ground capacity within local cemeteries. 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):

... 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.' (SD082. City of York Local Plan. Burial Ground and Cemeteries Report (September 2017), page 8-9).

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 and, in addition, the development proposals would restrict future expansion. The spare capacity would be further reduced from the estimated 10 years which currently remains.

Environment Agency consultation response

Wigginton Parish Council has taken note of the Environment Agency objection to the Cemetery land extension based on pollution of ground water. It is believed that all cemeteries within the York areas have high water tables, and it is difficult to understand where future space for burials might be found if the Environment Agency objects to expansion.

In effect, the existing Haxby and Wigginton Cemetery is immediately adjacent to the proposed extension on the development site. In addition, the following points are considered to mitigate against the risk of pollution of groundwater: -

1. Due to the high-water table no double depth interments are carried out although this results in taking up more space.
2. The developer could provide more land for the cemetery expansion to avoid burials within 10m of land drains.
3. It is essential that ground levels surrounding the cemetery are not raised to cause run-off into the cemetery.

As far as Wigginton Parish Council is aware, the cemetery has never flooded as opposed to other cemeteries in the principal authority of York and if a sequential test were carried out, might turn out to be amongst the best York-based site for burials.

Wigginton Parish Council considers it an absolute necessity that more space is provided for the cemetery extension and that the area is calculated to meet the need for burial spaces.

Detrimental impact on transport networks

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

Wigginton Parish Council's Ordinary meeting on 17 January 2024 was attended by Ben Pilgrim for Royal Pilgrim and Stuart Natkus of Stantec. Minute 23/105.1 describes that concerns raised were the impact on traffic through Wigginton village but also the impact on the immediately surrounding existing residential housing on Moor Lane and Usher Lane. Moreover, the impact on the junction of Moor Lane and the Village, Wigginton, parking provision on the narrow Usher Lane and Moor Lane were raised, as well as parking provision for visitors of the health centre and pharmacy and how on street parking would impact on the flow of traffic through the village, the cumulative impact on Wigginton village due to Cliftongate and the impact of construction traffic on Mill Lane and Moorland Road.

The lack of access to suitable road infrastructure and the lack of detailed plans of the access roads on and off-site is a major ground of objection for Wigginton Parish Council.

Development is unacceptable unless an alternative road connection is explored first, perhaps to satisfy the need for very special circumstances to mitigate the harm to the green belt.

The site was allocated for 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, as is evidenced by the Transport Assessment. The increase in traffic flow along Moor Lane, The Village and Mill Lane, will be major adverse and the residual cumulative impacts on these residential roads are likely to be severe.

Impact of construction traffic

The development might take up to 9 years (the ES, chapter 5, anticipates up to 2033) to construct and this raises significant concerns about HGV traffic through Wigginton village.

ES Chapter 5, Table 5 indicates that the developer calculates that the daily construction traffic will consist of 20-30 heavy goods vehicles and 30-40 Light Duty Vehicles.

In the Environmental Statement. Addendum. Chapter 6, para 6.61 the following is stated:

*'In addition, the designated construction routes have not been agreed with City of York Council at this stage. The final vehicle routes will be agreed and confirmed in the detailed Construction Management Plan (CMP) post planning / when a contractor has been appointed. Although the construction routes are yet to be agreed it is envisaged that the following routes to Moor Lane and Usher Lane will be taken: • **Moor Lane – A1237 to Wigginton Road to Mill Lane to Moor Lane** • **Usher Lane – A1237 to Haxby Road to Station Road to Usher Lane.**[our emphasis]*

Within the village, there is considerable concern about the impact of construction traffic and vibration of HGVs on Mill Lane, The Village and Moor Lane. We note that off-site noise is only monitored 10m away from site as if there will be no impact on residential areas and the two historic cores of Haxby and Wigginton at close proximity to the site.

In the Environmental Statement Addendum Chapter 8A. Noise and vibration, para 8.50 the report states:

The change in noise level at the façade of dwellings affected by the Development should be assessed. In para 8.60 the locations for noise monitoring is listed as approx. 10m from Usher Lane and approx. 10m from Moor Lane.

Table 8.13 shows that the short-term impact of traffic on Moor Lane and Usher Lane is Major Adverse. The impact of road noise on The Village, Wigginton is not assessed and for

Mill Lane, the table asserts that the impact is negligible (ES Addendum Chapter 8. Table 8.13).

The nuisance caused by vibration as a result of construction traffic is not considered at all. An internal memo from Public Protection (7 April 2024) concludes:

In terms of road traffic noise the assessment considers the additional road traffic as a result of the development and the impact this will have on nearby residential dwellings. The short terms impact predicted is major adverse and long term is moderate adverse. Can the applicant provide details as to whether any further noise mitigation measures can be implemented to reduce the long term potential effects on nearby residents? (Internal memo Public Protection, 7 April 2024).

Wigginton Parish Council notes that in 8.127 and 8.128 it is stated that the cumulative impact with the YORR scheme will be assessed. However, there has not been a calculation of cumulative effects of traffic and noise in combination with the development of the station (24/00325/OUTM) and of Cliftongate (strategic site ST14).

Impact of volume of traffic

In the Environmental Statement Chapter 6 the severance impact is mentioned. It is defined by the developer as 'The perceived division within a community when separated by a major traffic artery' (para 6.36). It goes on to explain in para 6.38,

The IEMA guidance states at paragraph 3.13 that "Severance is the perceived division that can occur within a community when it becomes separated by major transport infrastructure." Furthermore, at paragraph 3.16 the guidance states "Changes in traffic flow of 30%, 60% and 90% are regarded as producing 'slight', 'moderate' and 'substantial' changes in severance respectively". However, the guidance acknowledges that the measurement and prediction of severance is extremely difficult and it is noted that caution needs to be observed when applying these thresholds as very low baseline flows are unlikely to experience severance impacts even with high percentage changes in traffic.

Wigginton Parish Council understands that severance means the volume of traffic, causing a barrier between either side of lanes, difficulties crossing the road and causing an impact on well-being of residents.

Impact on Moor Lane and Usher Lane

The ES Addendum, chapter 6 states:

*6.169 In terms of severance, traffic on Usher Lane and Moor Lane will experience increases in traffic flow of over 90% and therefore will have a major impact. However, given that both links are low sensitivity receptors the impact of the Development on these links will be of **moderate adverse significance**. In addition, as part of the Development footways will be extended along the Site frontages on Moor Lane and Usher Lane which will be provided with street lighting. Pedestrian access points are also proposed to offer access from existing residential streets to the south of the Site, including Cyprus Grove, Larch Way, Lowfield Drive and Crooklands Lane to improve connectivity to existing facilities and amenities. Therefore, with the implementation of the Development, the residual effect of the increase severance is expected to be negligible.*

Wigginton Parish Council considers that Usher Lane and Moor Lane are not suited for high volumes of traffic. The character of the lanes means that the increases in traffic flow of over 90 % is of major adverse significance, during construction as well as after the development is completed, and it is hard to comprehend why the sensitivity is being assessed as low. The Parish Council finds it hard to understand that 90 % increase in traffic flow is the maximum measured. If this is the case, for a road with a historically low traffic flow, the residential effect of the volume of traffic would always be deemed negligible and that cannot be the meaning of the law maker. It is expected that the actual percentage increase is going to be

much higher than 90 % and as a result the residual effect of the volume of traffic would be severe.

It is understood from pre-submission consultation that the LPA might be approached to reduce the width of verges of Moor Lane and Usher Lane. Because wide green verges are an important part of the character of Haxby and Wigginton, it would be a detrimental impact on the streetscape and residential amenity of Moor Lane and Usher Lane and would result in traffic moving closer to residential properties and the cause of a major adverse impact.

Since there is no detailed information nor plans for what is envisaged for Usher Lane and Moor Lane, Wigginton Parish Council must disagree with the assessment by the developers that the residual effect of the volume of traffic would be negligible.

Impact on Mill Lane and The Village Wigginton

The Environmental Statement Addendum Chapter 6 states that the severance on Mill Lane will go from Medium to High. It follows that the same will apply to The Village in Wigginton as it is located between Moor Lane and Mill Lane but is not being assessed despite forming the historic core of Wigginton village.

6.125 ... 'Table 6.12 shows that the severance level will only change on Mill Lane. As above Mill Lane is a medium sensitivity receptor and therefore the impact of the Development on Mill Lane will be of slight adverse significance. The severance level on the other links will not change'.

Wigginton Parish Council notes that there will be significant changes to traffic volume on Moor Lane, Usher Lane, The Village Wigginton and Mill Lane, Wigginton. To describe the effect as slight adverse or negligible is considered wrong.

Moor Lane, The Village and Mill Lane Wigginton are all minor residential lanes and mitigation must be put in place as part of this development to stop this adverse impact causing a barrier of traffic flow to pedestrians, having an impact on well-being, and causing additional vibration that these lanes that housing along the lanes cannot cope with. Due to the increase in traffic, there will inevitably be an increase in pollution levels because of queuing traffic along The Village & Mill Lane, Wigginton with resultant health risks.

Impact on The Village Haxby

Although both Haxby and Wigginton are originally linear villages centred on respective historic cores called 'The Village', the two villages have now coalesced.

Regarding Haxby, it appears that the impact on The Village Haxby between the Moor Lane junction and the Station Road/York Road roundabout is not measured despite it being part of the Haxby Conservation Area (although the effect on the roundabout at the end of The Village is measured). We note that in the Environmental Statement Chapter 3.0 it is stated that the 'closest Conservation Area to site is York's Central Historic Core' (para 3.6), completely ignoring that the Haxby Conservation Area (Conservation Area no. 22), despite this historic core of Haxby receiving much additional traffic as a result of the development.

Consultation response National Highways

Wigginton Parish Council notes that National Highways has commissioned JSJV to prepare a Technical Memorandum (TM04, dated 15 December 2023). In it, it is suggested that 'JSJV would suggest that Stantec's residual trip generation cannot be agreed until evidence relating to the TP has been submitted to and agreed with National Highways'. The Technical

Memorandum purely looks at the A64 junctions. The LPA is responsible for the more local road network and the Parish Council would expect it to engage external advice to assess the impact.

Cycle and pedestrian integration

The NPPF paragraphs 108, 116 and 117 as well as the draft Local Plan policies T1&T2 and DfT Circular 01/2022 require pedestrian and cycle integration, connections in and out of the site and surrounding area, to encourage the maximum take-up of these forms of sustainable transport. Unfortunately, there is no meaningful assessment of cyclist and pedestrian movements, and the Transport Assessment appears focused on motor vehicles.

The response from National Highways emphasises the importance of the need to move away from car travel. The NPPF paragraphs 74 and 109 stipulate that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

In the opinion of Wigginton Parish Council, due to the need to provide the SANG mainly to cater for dog walkers, combined provision of any 3m wide shared path for both cyclists and pedestrians should be avoided and cycle and pedestrian routes should be separate.

Cumulative impacts with Haxby station and ST14

It is baffling that the proposed station is not referenced in the amended planning documentation and that opportunities have not been used to create a direct cycle and pedestrian link to the station.

In the opinion of Wigginton Parish Council, as part of the development proposals for both ST9 and ST14 (by the same developer), the opportunities for safe cycle and pedestrian connections to the villages but also the station should be explored and S106 funding made available to create cycle and pedestrian connections. If, in line with the national planning guidance, cycle and pedestrian routes are optimised, this would reduce the large proportion of extra car journeys generated and this would reduce the potential for conflict between classes of road users.

Bus provision

There is insufficient evidence of discussions with bus companies to provide 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, the distance of the bus provision would lead to extra car journeys, causing major impacts on the local road network and increase the potential for conflict between classes of road users.

Summary transport

Wigginton Parish Council requests that commitments by the developer are required at outline stage:

- Exploration of options for creating a new link road.
- Detailed design of access roads onto site and of-site junctions with The Village in Haxby and Wigginton.

- Financial contributions should be offered for the upgrade of access to and from the site from Moor Lane. Detailed plans are needed before the outline is approved and should be included in conditions.
- All access routes to this sizeable development come through lanes where people live. Speed management measures are required, and the developer should make contributions towards this.
- Provision of new cycle lanes & off-site cycle links
- Detailed assessment of the impact of the station and optimising pedestrian and cycle links to the station.
- Bus service improvements including a contribution to serve the development over at least a five-year period after the occupation of the nth dwelling.

The Parish Council is concerned that the proposal will result in unacceptable impacts on the road network particularly in Wigginton. Without exploration of alternative access links and proposals for mitigation, the application should be refused.

Biodiversity Net Gain

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.'

It is noted that Environment Statement. Land North of Haxby Appendix 9.8A Report to Inform a Habitats Regulations Assessment states the following:

Para 4.9 The construction of the development will result in the direct removal of habitats including modified grassland habitat, cropland, as well as small sections of hedgerow and ditch habitat, which will be replaced with urban habits such as buildings, gardens and amenity spaces and semi-natural habitats such as grassland and pond/drainage features.

In line with recent planning guidance, the requirement for Biodiversity Net Gain has increased to 10%.

In the opinion of Wigginton Parish Council, off-site provision just to the north of the development site goes against the meaning of SS11 and it is unacceptable to provide the gain there, just because this land is in control of the developer. The gain could be provided on site and alternatives to preserve and enhance existing biodiversity should be explored.

It is regretted that the developer does not provide a higher percentage than 1.12% for hedgerow units and 1 % for habitat units (Planning Statement Addendum (March 2024) para 4.3.6).

According to the ES, chapter 3. Site and Development Description para 3.42,

The Ecological Appraisal to be submitted in support of the planning application recommends that a Landscape and Ecological Management Plan (LEMP) will be prepared and implemented for a period of up to 30 years to provide certainty in delivery of a biodiversity net gain. The LEMP will be secured through a

suitably worded planning condition agreed with CYC at the Reserved Matters stage of the planning application.

Wigginton Parish Council asks that the LEMP is submitted at Outline stage to allow an understanding whether the hedgerows and other habitats have a chance of long-term survival within a housing estate.

Hedgerows assessed as Priority Habitat (HPI)

The Environment Statement Addendum. Chapter 9. Table 9.1 assesses all hedgerows as follows:

*'Hedgerows are associated with the majority of fields in the Site. A total of 51 hedgerows were identified on Site, totalling 5.97 km in length, and **all hedgerows on Site are assessed to qualify as Priority Habitat (HPI)**. Of these, 1.06 km of hedgerows on Site are species-rich **and eight hedgerows qualify as 'Important' under the Hedgerow Regulations 1997**, shown in Figure 3 of Appendix 9.1A. Hedgerows are important corridors for dispersal of flora and fauna and are important in their own right (especially the more established and structurally large hedgerows) as wildlife habitat for a wide variety of species. The hedgerow network is therefore considered to be of Local value given its extent and relative diversity.'* [our emphasis]

The Environmental Statement. Appendix 9.1A: Designated Sites and Habitats Baseline Report states that an extended habitat survey was carried out on 27 July 2022 (para 2.1) and that in addition, a desk study was carried out of records obtained in October 2022 from NEYEDC (para 2.1) and Defra's MAGIC Map website.

In para 3.15 the report states:

*The hedgerows are shown on Figure 2 and 3 and are described in full in Appendix 9.7A: Biodiversity Gain Assessment Report. Indicative photographs are shown as Photographs 14-16. **All hedgerows on Site are assessed to qualify as Priority Habitat** (as defined in BRIG, 2011). The majority of hedgerows are outgrown with dense hawthorn *Crataegus monogyna* or blackthorn *Prunus spinosa*, and regularly spaced mature trees - apart from in the east of the Site (east of Crooklands Lane) where hedgerows were not outgrown and had fewer trees. A proportion of the outgrown hedgerows have the appearance of a line of trees, but a sparse scrub layer is present and indicative of historic hedgerows.*

Wigginton PC considers it of the utmost importance that hedgerows are protected against construction damage and removal. The hedgerows and field structure shown on the OS Map 1854 are remarkably intact. Moreover, Figure 3 of the Environment statement, 9.1A: Designated Sites and Habitats Baseline Report, shows that the hedgerows along Crooklands Public Right of Way are Important hedgerows, under the Hedgerow Regulations 1997.

In accordance with paragraph 185 of the NPPF the LPA should seek to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species, linked to national and local targets, through planning policies. Priority habitats and species referred to in the NPPF relate to Species of Principal Importance (SPI) and Habitats of Principal Importance (HPI) listed in accordance with section 41 of the NERC Act 2006.

As the applicant also clearly states in its ES, chapter 9 Addendum. Biodiversity The NPPF goes on to state in paragraph 186 of the NPPF,

"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant 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, then planning permission should be refused...."

Legend

- Site boundary
- Offset Biodiversity Area and Additional SANG Provision
- 'Important' hedgerows (under the wildlife criteria in the Hedgerow Regulations)
- Hedgerows and lines of trees

BSG | ecology

OFFICE: DERBYSHIRE
T: 01433 651869
JOB REF: P22-369

PROJECT TITLE
LAND NORTH OF HAXBY

DRAWING TITLE
Figure 3: 'Important' hedgerows

DATE: 14/11/2022
DRAWN: EM
CHECKED: JF
APPROVED: JF
SCALE: 1:3,000
VERSION: 1.0

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Loss of priority species and biodiversity

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. The Hedgerow Regulations should be strictly adhered to and as much of this valuable wildlife haven as possible should be retained.

Due to the importance of hedgerows on site for priority species of moths, Wigginton Parish Council requests that the site North of Haxby and Wigginton is not released for housing and that planning consent is refused.

If the LPA were to be minded permitting the development, it is exceptionally important to retain all hedgerows, because the site ranks second in the York area for the number of species of moths found, with only Askham Bog containing more species. Several priority species of moths have been found and recorded immediately adjacent to site.

It is regrettable that the developers have failed to include moths in their surveys and have not carried out a desk survey of the information in the Yorkshire County moth database.

Loss of Priority Species of Moths

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.

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. According to the Environmental Statement (amended March 2024,) chapter 9, para 9.29 and 9.30, the last bat survey was carried out in 2022 and this necessitates an updated bat survey to be carried out.

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 must 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 gives due consideration to the survival of the hedgerows, firstly by widening the green buffer zone and by conditioning the width of a green corridor along Crooklands Lane, secondly by appropriate conditions to protect hedgerows and thirdly by conditioning sufficient stand-off distances and other protection during construction to be incorporated in the CEMP.

Lack of 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.

It is welcomed that a new primary school, wrap around care and early years provision will form part of the development proposals. There remain questions relating to when the school will become operational and when funding will be triggered.

However, 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.

Lack of capacity of 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 stretch it far beyond their capacity. The capacity of dentistry in the area will also be exceeded. A S106 contribution would be welcomed but there remain serious concerns how the surgery will be able to cope with the additional influx of patients.

To provide facilities when they are needed and to avoid overburdening the off-site provision, Wigginton Parish Council requests that these educational and healthcare facilities are conditioned to be provided before the 50th house is occupied.

Drainage concerns

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 the response by Richard Wells of 10 April 2024, to the Flood Risk and Drainage Strategy dated February 2024 regarding surface water disposal, establishing that soak aways witnessed by the Flood Risk Management team did not work.

The Foss (2008) Internal Drainage Board comments dated 28 March 2024 state that they maintain two ditches relevant to the development proposals:

1. Crooklands Lane Drain runs throughout the site. It is located to the west of the proposed “Proposed Sports Pitch Facilities and the Primary School”. The Board accesses the watercourse from Crooklands Lane at present.
2. Wigginton Drain is within the site and also on part of the northern boundary. It also runs to the east of the proposed cemetery expansion area.
The IDB require the usual 9 metres ‘from the top of the embankment on both sides of the watercourses to be kept clear of any buildings, structures, planting, fencing, footpaths, roads and driveways’ and ‘The Board also require a clear 4-metre-wide access route from the public highway to each of the watercourses. This is to enable the machine to get from the public highway to the watercourses’.
(Response 28 March 2024).

The Parish Council is concerned 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 including the cemetery.

Foul water sewerage

Wigginton Parish Council has significant concerns about the proposals 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 original 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.

Lack of information about design of housing

Hardly any information was submitted regarding the positioning and the design of housing. Wigginton Parish Council hoped that to mitigate the harm caused to the green belt, the developer would ensure that the proposed development would 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.

The Energy & Sustainability Statement (October 2023) has included some key words for sustainability including passive design measures, such as glazing with solar shading, air permeability and natural ventilation but there is no sign that for orientation of housing and passive solar gain is going to be maximised (with small windows on the North elevation and larger windows to the habitable rooms on the south side of the house). Moreover, despite referring to highly insulated building fabric with low U-values and efficient double or triple glazing, there is no reference to airtightness. Airtightness is crucial for achieving a low energy house and the developer could reduce emissions by committing to airtightness levels equal to those required by e.g. the Passivhaus standard.

With regard to heat recovery, the document states: ‘Heat recovery technology would be appropriate to incorporate into new homes and can be considered on either the ventilation or waste water system’ (Energy & Sustainability Statement (October 2023), page 10, Table

4.3). This is very vague. Why is there no concrete statement, for example committing to installing MVHRs with a heat recovery rate of above 90 %?

Similarly in paragraph 4.1.6 the Energy & Sustainability Statement states: ‘The Development will likely seek to supply energy efficiently by designing for the use of only electric based heating and hot water systems meaning that the Development will be designed to be fossil fuel free’. A commitment to a fossil fuel free development is admirable but simply having electric based energy does not achieve this.

More information is required from the applicants. Moreover, any conditions imposed by the LPA should be tightly drafted to avoid the risk that the applicant might reduce standards at reserved matters stage.

In addition, care needs to be taken that the standards required are aspirational and won’t fall behind the building regs at the time of roll-out. A suitable standard to consider would be RIBA 2030 Climate Challenge.

There really is not sufficient detailed information contained in the development proposals except that the maximum height of development will be 3 storeys (ES Non-Tech summary, para 3.12). It is unclear whether the developer proposing single storey dwellings anywhere within the development.

Natural surveillance

In the light of the response from the Designing Out Crime Officer of North Yorkshire Police, Wigginton Parish Council notes that there is some information about natural surveillance including the Addendum Design and Access Statement (March 2024) page 14-16. It is to be regretted that there is no definitive commitment to provide active frontages overlooking any public open space including footpaths and play areas and for the siting and orientation of dwellings to be a reserved matter.

Planning obligations

The main access to this proposed development enters the Haxby and Wigginton Ward via Wigginton village. The local Haxby and Wigginton Health Centre is in Wigginton and the Wigginton sports facilities are close to the development site. Wigginton Parish Council invites the LPA to include mitigation in the form of S106 or CIL for Wigginton village. It is inconceivable that Wigginton must bear the negative effects of this development (e.g. traffic on Mill Lane) while only Haxby would be considered for S106 or CIL payments.

Summary of objection

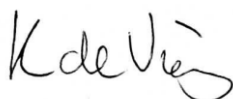
Wigginton Parish Council objects in the strongest possible terms to the proposed development north of Haxby and Wigginton and asks for the planning application to be refused. The proposals would have a massive detrimental impact on Wigginton village due to the increased traffic burden, further pressure on its drainage systems, pressure on its already overburdened facilities, lack of public open space, lack of space for priority species and lack of space for cemetery expansion as set out in the letter above. In addition, since the information about moths came to light and the duty on the LPA to protect the existing priority species of moths and hedgerows, the Parish Council considers this site the wrong site for development.

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 as it does not meet the requirements of SS11 and would not provide appropriate space for informal recreation.
2. The protection of priority habitats and priority species is essential.
3. Sufficient space should be left for extension of the cemetery.
4. Wigginton Parish Council request exploration of alternative links to the development, due to the other major concern for the Parish Council relating 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:

Appendix A: Report on number of species of moths from the garden of 2 Crooklands Lane, Haxby
(Grid. Ref. SE610586) *Page 23*

Appendix B: Further analyses of macromoths light-trapped at 2 Crooklands Lane, Haxby *Page 25*

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

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