

York Environment Forum (YEF) Phase 4 MIQ Response

Matter 5 – Green Infrastructure

Inspector's Question	Our response	References
<p>5.1 Is the general approach of Policy GI1 to green infrastructure sound?</p>	<p>We are supportive of York Civic Trust's comment that the Policy explanation could benefit from a clearer separation of the natures of recreational space for sport (field-based sports like rugby league, water-based activities such as fishing), recreational space for exercising animals and recreational space that is focused upon the enjoyment of biodiversity (para 9.3). Each of those spaces requires radically different management requirements, which are unhelpfully mixed in para 9.3's explanation.</p> <p>We agree that further thought is given to rewording this Policy to make a clearer separation between the types of habitat it considers.</p>	
<p>5.2 Does Policy GI2 deal with biodiversity and access to nature in a reasonable way?</p>	<p>We are also supportive of York Civic Trust's comments on Policy GI2 and new Policy GI2a</p> <p>New Policy GI2a is welcome in that it recognises the importance of Strensall Common. It takes account, and replicates the recommendations, of the Habitats Regulation Assessment: the wording of GI2a exactly reflects the wording advocated. As such, together with the removal of Policies SS19/ST35 and H59(A), it protects the integrity of Strensall Common.</p> <p>However, the HRA also dealt with the Lower Derwent Valley and Skipwith Common, which is an important reminder that there are other internationally and nationally important reserves in York. The full extent of the recommendations of the HRA, and Natural England, are embedded in a broader and more significant suggested wording change to Policy GI2, which has not been adopted by CYC. Our reading of the suite of GI and other Environmental Policies in the Plan suggests that CYC envisages the possibility of the creation of new SINC's at various levels, and that this vision is properly reflected in the changes put forward to Policy GI2 by the HRA and NE. We believe that at least part of the intention of</p>	

	<p>GI Policies is to protect important sites currently in being, and that the policies envisage the possibility of other sites being designated.</p> <p>We recommend that, to realise the recommendations of the HRA in full, thereby protecting and enhancing all York's current and future international and national designated sites, as well as the whole range of SINC's, in being and to be created, the wording put forward for Policy GI2, and for the explanation of that Policy at paragraph 9.5, is accepted in full by the Local Plan, thus helping to meet the requirements of the NPPF at para 181.</p> <p>Policy GI2 has two clauses relating to water and water quality, focused primarily and understandably on our rivers and other watercourses. The Biodiversity Audit references ponds, among other features, as making 'a significant further contribution to the overall interest. Whilst not extensive in area terms, these do contribute in great measure to the overall biodiversity of York and their protection is therefore integral to nature conservation in the city'. Nationally, we have lost about 50% of our ponds in the last half century, to the extent that they are now an endangered habitat.</p> <p>We recommend that because GI2 does not refer to ponds, while the Local Plan itself references ponds only as 'attenuation ponds' (para 3.58), they are specifically referenced here.</p> <p>Policy GI2 focuses on the conditions that need to be met by built developments. The NPPF at para 180d makes clear that developments 'whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'</p> <p>We recommend that this positive framing of biodiversity and access to nature is included in this Policy.</p>	
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<p>5.3 Will (new) Policy GI2A and the associated text be effective in protecting Strensall Common SAC?</p>	<p>See joint answer above.</p>	
<p>5.4 Is Policy GI3 sufficient to protect or enhance the city's Green Infrastructure Network?</p>	<p>We concur with York Civic Trust's comment that the policy is weaker on creating new green space or connections linking spaces, which will be even more important now with the Government's new Environment Act obligation to increase bio-diversity. Green corridors are particularly important for plant and animal migration and we'd ask that the policy is strengthened to promote these in new developments.</p>	
<p>5.5 Will Policy GI4 offer appropriate protection to trees and hedgerows?</p>		
<p>5.6 Does Policy GI5 offer proper protection to open space and playing fields?</p>	<p>We concur with York Civic Trust's comment that this Policy is confusingly constructed, and does not sit easily alongside its accompanying explanation. The thrust of the Policy is about open space for organised recreation (playing pitches). It can be constructed to reflect this, but in that case references to environmental value are unhelpful: playing pitches are not generally biodiverse, and their surfaces and facilities require different management than, for example, a meadow. The Policy, if it is to include Open Space for e.g. dog walking, should be extended to reflect this; similarly, if it is to include Open Space for its biodiversity (as the explanation makes clear), then further amendments should be effected.</p>	

	<p>There are some detailed problems. The second bullet (why are these not numbered as the other policies are?) would permit a development to utilise a playing pitch for buildings if there is deemed to be a local surplus of playing pitches. However this judgement is arrived at, it permits the quantity and nature of playing pitches across the City to be reduced; there is no provision in the Policy (though there is mitigation in the explanation) for ensuring that the overall provision of playing pitches is secure. Bullet three refers to the requirement for playing pitches to be implemented to ‘a high standard’, but with no indication of what this might mean (we accept that standards change over time, and that policies must be worded to reflect change). Bullet four’s first sentence is grammatically unsound, while its last sentence is opaque in its meaning and application.</p> <p>We recommend that this Policy is revised in the light of the above observations.</p>	
<p>5.7 Is the approach of Policy GI6 to the provision of new open space sound?</p>	<p>We concur with York Civic Trust’s comment that this Policy is unclear in several respects, mostly, we suspect, due to poor drafting. It is important to get this right, since it is a key Policy in delivering protection (by way of additional recreational space) to Strensall Common. The Policy’s main thrust is focused on recreational space, paying scant attention to biodiversity and environmental conditions. If biodiversity and ecological impact is to be a key plank of this policy, they should be introduced in the first sentence alongside ‘recreation and amenity’. As we have commented before, where recreation is part of the reason for an open space the needs of the various forms of recreation need to be teased out and their individual requirements specified. Similarly, where ecology and biodiversity are to be factored in, this needs greater emphasis and reference in the policy. As it is, they are afterthoughts. It is important to note in this context that recreational pressure is a key consideration for Natural England and the HRA.</p>	

	<p>The introduction to the numbered clauses suffers from the same conditional language as the rest of this suite of policies. A firmer introduction would read, for example, ‘The Council will expect on-site provision, but off-site provision will be acceptable in the following circumstances ...’. The sentence structure of clause ii, together with typographical errors and, we think, missing words or clauses, makes it hard to understand what it is intended to mean. Similar problems beset clause iii.</p> <p>The introduction to the first set of bullets after the list of identified and indicative sites uses the phrase ‘where appropriate’, but it is hard to see what function the phrase performs given the bulleted list that follows. The second bullet introduces the requirement to ‘mitigate and compensate for ecological impacts and provide for ecological enhancement’. It would help to refer to the Biodiversity Action Plan where emphasis is placed upon the need to create appropriate enhancement given the nature of the environment in the site, and the requirement to create more, and better, habitats of particular types.</p> <p>We recommend that this Policy is rewritten for clarity and understanding, to identify the needs of different recreational spaces, and to include reference to the Biodiversity Action Plan where open space is to be provided with an environmental element.</p>	
<p>5.8 Does Policy GI7 deal with burial and memorial grounds in a reasonable manner?</p>		