

City of York Local Plan

Phase 4 Hearing Statement

Industrial Property Investment Fund (IPIF) (as part of L&G)

Matter 5 – Green Infrastructure; and

Matter 8 – Economy and Retail

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1 Introduction

Introduction

- 1.1 instructed by Legal & General's Industrial Property Investment Fund (L&G) ('our client') to provide representations to the examination of the emerging City of York local Plan. IPIF is part of Legal & General and operates as a specialist fund for industrial property however the Fund is entirely controlled and managed by Legal & General and is subject to L&G's policies. As such, where IPIF is referenced in this document, this should be read as being equivalent to part of L&G.
- 1.2 IPIF (as part of L&G) is providing representations on the following matters at Stage 4 of the York Local Plan examination process:
 - Matter 5 – Green Infrastructure; and
 - Matter 8 – Economy and Retail
- 1.3 The responses made within this document are based on the revised Phase 4 Matters, Issues and Questions (MIQs) for the Examination document dated issued on 1st August 2022 (ref (EX/INS/42a)).

2 Matter 5 - Green Infrastructure

2.1 The following chapter sets out IPIF's (as part of L&G) response to the Inspectors' Matters, Issues and Questions (MIQs) for the Examination in relation to Matter 5 Green Infrastructure.

5.1 Is the general approach of Policy GI1 to green infrastructure sound?

2.2 IPIF (as part of L&G) does not wish to make comment on this matter at this time although the comments set out regarding question 5.2 are relevant to the general approach to green infrastructure in York. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.2 Does Policy GI2 deal with biodiversity and access to nature in a reasonable way?

2.3 Policy GI2 includes references to Sites of Importance for Nature Conservation (SINCs). IPIF, as part of Legal & General incorporates a broad range of measures and policies globally and locally within York to support the natural environment, ranging from responsible investing and supporting sustainability initiatives across Legal & General's portfolios to delivering three new developments at Clifton Moor Industrial Estate which have achieved BREEAM Excellent. IPIF (as part of L&G) is supportive of the need to protect nature and support biodiversity, avoiding harm to sites of the highest ecological value.

2.4 It is nonetheless important to ensure that sites which are assessed as being of particular ecological importance are justified and evidenced.

2.5 As set out in previous representations, IPIF (as part of L&G) owns a brownfield site which formed part of the former Poppleton Glassworks which now forms part of York Business Park. As set out at Phase 1 hearings, IPIF (as part of L&G) has presented evidence that the site does not meet the designation criteria of a SINC¹. Due to the length of time since the previous December 2018 survey a new survey has been undertaken in the summer of 2022 and the results included at Appendix 2 of this document.

2.6 The new survey at Appendix 2 has been prepared by SLR. The conclusions are consistent with and confirm the site does not meet the criteria to be designated as a SINC. Since the 2019 Survey, different qualified individual professionals at SLR have carried out the 2022 survey demonstrating further independency of results. The most recent report concludes as follows:

'At present it concluded that the Poppleton Glassworks SINC does not meet the criteria for designation as a SINC as it lacks sufficient qualifying grassland species in sufficient abundance and/or distribution. Only two species were considered to form reasonable distribution on Site, namely common bird's-foot trefoil and common knapweed. Ox-eye daisy and meadow vetchling were two species that were locally frequent but restricted to very particular areas of the Site, with the remaining species recorded in only one or two locations.'

2.7 The Council must review and accept this information to ensure that the Local Plan is technically up to date. IPIF (as part of L&G) therefore repeatedly requests the Site is de-designated as a SINC.

2.8 Part i) of Policy GI2 sets out the approach to SINCs and allows for the loss of SINC-designated sites where *'there is a need for the development in that location and the benefit outweighs the loss or harm the impacts must be adequately mitigated against, or compensated for as a last resort'*. An allowance for the loss of SINC sites is supported however the wording of the policy requires improvement.

¹ Sites of Importance for Nature Conservation in North Yorkshire (outside the Yorkshire Dales and North York Moors National Parks boundaries) – Guidelines for Site Selection (V3.0)

- 2.9 In the first instance, IPIF (as part of L&G) believes that a mechanism for assessing SINC sites should be set out, allowing for the de-designation of SINC sites which do not meet the criteria. Sites should not be unnecessarily designated if they do not meet the criteria and have no reasonable prospect of meeting the criteria.
- 2.10 Where a site does meet the SINC criteria or where there is disagreement, further clarification is required regarding what benefits would justify the loss of a SINC, former SINC or disputed SINC. York is clearly subject to a range of development pressures including demand for housing, employment and other development types. It would be useful to clarify whether local need for such development would justify the loss of a SINC site. Ensuring sites are correctly designated will also ensure that sites are freed up and made available for development to meet windfall site targets and housing and employment land allocations. As per the Poppleton Glassworks Site, the designation must be removed so that it can provide the opportunity to be an employment land allocation, as it once was in previous draft plans, or as a windfall site.

5.3 Will (new) Policy GI2A and the associated text be effective in protecting Strensall Common SAC?

- 2.11 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.4 Is Policy GI3 sufficient to protect or enhance the city's Green Infrastructure Network?

- 2.12 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.5 Will Policy GI4 offer appropriate protection to trees and hedgerows?

- 2.13 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.6 Does Policy GI5 offer proper protection to open space and playing fields?

- 2.14 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.7 Is the approach of Policy GI6 to the provision of new open space sound?

- 2.15 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

5.8 Does Policy GI7 deal with burial and memorial grounds in a reasonable manner?

- 2.16 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

3 Matter 8 – Economy and Retail

3.1 The following chapter sets out IPIF's (as part of L&G) response to the Inspectors' Matters, Issues and Questions for the Examination in relation to Matter 8 Economy and Retail.

8.1 Are Policies EC1 to EC5 soundly based in terms of employment and York's economy?

Policy EC1: Provision of Employment Land

3.2 Policy EC1 sets out the quantum and distribution of employment land in York. The first section deals with strategic sites (sites with references beginning with 'ST') and the second section deals with smaller non-strategic sites (with references beginning with 'E').

3.3 Much discussion relating to the strategic level employment sites was made at the Phase 2 hearings alongside discussions relating to the correct means of calculating, distributing and meeting the need for employment land in York. It is understood that the Inspectors do not intend to provide interim findings following Phase 2 or 3 hearings sessions and the following representations are made on this basis.

3.4 As set out by our client at the Phase 2 hearings, a review of the non-strategic sites has been undertaken and our client has a number of concerns regarding the evidence underpinning the non-strategic sites and of the policy as a whole.

3.5 The non-strategic sites included in Policy EC1 were discussed briefly at the Stage 2 hearings. The Council offered limited response to the comments made on the basis that the total quantum of employment floorspace provided within York is so large that the scale of the 'E' sites and whether or not they are delivered are not consequential in the context of the city as a whole.

3.6 It is not disputed that the quantum of the floorspaces set out in the second half of Policy EC1 are small in the context of the employment floorspace offered across the city. However, the combination of the high level of demand for small-medium sized unit in York, the lack of supply of such units and the important contribution these units (and the businesses which they accommodate) make to the local economy mean that provision of small to medium sized units on deliverable and available sites is of high importance to the economy and the viability of the Plan.

3.7 As set out in our representations at Phase 2, JLL believes that this table should be at the very least updated to reflect the genuine availability and deliverability of sites. There is limited evidence to suggest that several of the 'E' sites are available or capable of being delivered. If there is no reasonable prospect of them being delivered, they should be removed or compensated for. Similarly, for sites such as E10 at Chessingham Park, Dunnington which has been built out and provides less floorspace than was envisaged in Policy EC1, this site should be deleted and compensated for.

3.8 At Phase 2 hearings the Inspectors asked how the Council would meet a shortfall in employment land supply if the Inspectors found that the Council's employment growth numbers should be higher than those included in the Plan. The Council responded that this would be met by revisiting the existing allocations included in Policy EC1. While it is anticipated that this would be focussed on the strategic sites in the first part of the policy, JLL would reiterate the important role played by smaller, available and deliverable sites not in the Green Belt or reliant on enabling development or major new infrastructure works. Such sites, as represented by the 'E' sites in Policy EC1 offer opportunities for smaller local businesses to form and grow and are often located outside of the central 'prime' employment areas, including in the fringe of York, such as York Business Park.

3.9 As set out in our Phase 2 submission and in Appendix 1 of this document, a number of these sites are not currently available such as:

- E18 Towthorpe Lines, Strensall which continues to function as an MOD site;
- E10: Chessingham Park, Dunnington which is now built out and at a lower quantum of floorspace offering 300sq.m less than anticipated; and
- E8 Wheldrake Industrial Estate which is now planted with trees and is provided as public amenity space therefore will not come forward for development.

3.10 It is not clear therefore how the Council meets the immediate employment floorspace needs of the local economy, particularly of the SME sector. As has been set out in previous representations including by JLL, there is very limited available space at this scale with any available units taken almost immediately. Businesses wishing to relocate to York, to form or expand in the city are thus faced with limited stock in a competitive market, waiting until one or more of the 'ST' sites is delivered. This position is considered harmful to the local economy and raises questions regarding the viability of the Plan. ST sites are long term when considered delivery, whereas E sites are able to respond quickly to market conditions and be delivered immediately.

3.11 One solution would be to add in further smaller scale employment sites to provide flexibility and to counteract the impact of sites which are already delivered, are not immediately available or no longer available at all. Alternatively or in combination, the Council could introduce more flexible wording to allow for additional employment land to be developed without being overly prescriptive. At present Policy EC3 allows for employment development in residential areas, subject to appropriate considerations. As such the only acceptable locations for employment development are strategic sites, which require some form of 'unlocking' and are generally not immediately available; non-strategic 'E' sites, many of which are considered unavailable; or sites in residential areas which can be shown to not impact on residential amenity via Policy EC3. There are clearly significant areas within York which do not fall into any of these categories including brownfield land and infill sites in wider development sites, such as the Poppleton Glassworks site which sits idle in the middle of York Business Park.

3.12 Policy provision should be made to allow appropriate sites to contribute to meeting the employment needs of York. This could be achieved by the following amendments to the wording preceding the second table of Policy EC1:

Provision for a range of employment uses during the plan period will be made, including on the following other sites and from other sites which can be shown to be acceptable in relation to other policies in the Plan.

3.13 As has been set out in previous representations, our client owns such a site at the former Poppleton Glassworks site. The site lies within the heart of an employment site, benefits from good highways access, infrastructure and services. The site has repeatedly been shown to not meet the criteria for designation as a SINC and is capable of being developed as an employment site and contributing to meeting the employment needs of York. The site should be added to the list as set out in Policy EC3.

Policy EC2: Loss of Employment Land

3.14 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

Policy EC3: Business and Industrial Uses within Residential Areas

3.15 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

Policy EC4: Tourism

3.16 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

Policy EC5: Rural Economy

3.17 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

8.2 Do Policies R1 to R4 deal effectively with the retail sector?

3.18 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

8.3 Is Policy SS3 a sufficient guide to development in the City Centre?

3.19 IPIF (as part of L&G) does not wish to make comment on this matter at this time. However, IPIF (as part of L&G) reserves the right to respond during the Hearings and following the review of the Council and other third party Hearing Statements.

Appendix 1 – Non-Strategic Sites

JLL has undertaken a brief assessment of the non-strategic sites which are included as allocations in the Publication Draft Local Plan.

E8 Wheldrake Industrial Estate

This site lies on the outskirts of the village of Wheldrake. During the site visit, it was observed that the site has been planted with young trees in plastic protectors and stone paths have been laid to create an amenity spaces. This suggests there is limited, if any, desire from the landowner to develop the site. In planting trees on the site and encouraging the use of the site for amenity purposes, the landowner is creating greater hurdles to obtaining planning permission. The site lies on the edge of a rural village with limited public transport available to prospective employees and as such would serve a limited, localised market. IPIF (as part of L&G) would therefore question whether the site is readily available and capable of contributing to employment land supply to the whole of the City, rather than to a localised need in Wheldrake. An outline application (02/03501/OUT), itself a renewal of an earlier outline permission (99/02514/OUT) was approved in 2002 however it is not clear whether this permission has been commenced.



E9: Elvington Industrial Estate

Elvington Industrial Estate lies to the south-east of the city and comprises of a number of small to medium-sized units accessed from Elvington Lane to the south. The proposed allocation lies in the centre of the site and appears to comprise an area of grass however it is not possible to ascertain whether this is in agricultural use or is in residential/amenity use. There is no publicly available planning history for the site beyond a withdrawn application for residential development in 2004 (02/02313/FUL). The site lies in the centre of an existing employment site with several options to provide highways access to allow the site to be developed however the site lies adjacent to a number of residential properties which the land parcel may be linked to. The site has benefitted from a draft allocation since early drafts of the Local Plan and lies outside the Green Belt. An application could therefore have been submitted on this site in advance of the adoption of the Local Plan without being considered premature. That the site has not been progressed in the interim suggests a lack of interest in doing so by the landowner or that the site is subject to hitherto unresolved constraints. The site also represents an opportunity to meet localised

employment land away from the City and cannot be considered to truly contribute to meeting employment need across York.



E10: Chessingham Park, Dunnington

Chessingham Park, Dunnington lies to the east of the City in the centre of an established employment area. An application for 'Erection of workshop in connection with new builders yard including hardstanding, parking, storage bays and office accommodation' was approved on 18th August 2017 (16/02777/FUL). The site was found to be fully built out and operational. The site can therefore not be considered appropriate to meet the future employment needs of York.

Draft Allocation E10 envisaged 792sqm of floorspace at the site however the approved scheme provides 400.60sqm of ground floor floorspace with a first floor mezzanine providing storage and future office accommodation of 83.12sqm resulting in a shortfall of over 300sqm.



E11: Annamine Nurseries, Jockey Lane

Jockey Lane lies in the Huntingdon area of York, to the north of the city centre. The area is a hub for employment, retail and leisure uses including a large commercial area operated by Portakabin, Moss Cross Shopping Park and

the York Community Stadium Leisure Complex. Proposed allocation E11 comprises the former site of Annamine Nurseries. The site was cleared of its former use in around 2003 and was subsequently used as a demonstration and sales facility with storage to the rear for the adjacent Portakabin operation by virtue of a 2008 planning permission (08/01005/FUL).

The Portakabin sales and storage operations ceased in 2014/15 with the car park fronting Jockey Lane remaining in place. The site is currently secured by closed board fencing with no marketing boards or signs of the site being marketed. Local commercial agents consulted by JLL were not aware of the site being promoted on the open market. While the site benefits from access from Jockey Lane to the south, the site is also accessible from within the Portakabin site and offers a logical expansion area should the business need additional floorspace.

The site lies within the existing development limit, is previously developed land and lies outside the Green Belt. As such, the site could be brought forward before the adoption of the Local Plan without being considered premature. However, the site is not known to be available to the open market and as such it is not clear that the site is available and appropriate for development and it is not clear that the site can be considered appropriate for allocation in the Local Plan.



E16: Poppleton Garden Centre

The Poppleton Garden Centre lies to the north-west of the city adjacent to the Poppleton Park and Ride facility. The site comprises of an operational garden centre along with a car park and former nursery land to the rear. The site has been subject to a number of planning applications in recent years however all have related to the expansion or operation of the garden centre which now includes an element of convenience retail in partnership with Sainsburys.

The existing use of the site as a garden centre is considered to fall within Use Class E being a predominantly retail use. The previous use of the undeveloped area of land to the rear of the site as horticultural use however it is not clear if this land has been previously developed. JLL is not aware of any clear indication that the current operator intends to vacate the site and for the site to be redeveloped for employment uses. The site presents opportunities for extension of the garden centre however should this take place, this would not be for a traditional employment generating use e.g. B2, B8 and former Class B1. As such, it is not clear that the site can be considered to contribute to meeting the employment needs of York.



E18: Towthorpe Lines, Strensall

Site E18 comprises the Army Medical Services Training Centre (AMSTC) site. The site is currently operational however the Defence Infrastructure Organisation Disposals Database House of Commons Report² published on 6th January 2021 sets out the sites which have been selected for disposal by the Defence Infrastructure Organisation (DIO). Towthorpe Lines appears on the database as being available from 2024. This database is reviewed regularly and evidence should be sought to confirm that this site will be made available and the timeframes for doing so. The relocation of defence assets is clearly a complex procedure and the Council should seek comfort that the site will be available from 2024 as anticipated in the most recent database.



² <https://data.gov.uk/dataset/47f7438a-506d-49c9-b565-7573f8df031e/defence-infrastructure-organisation-disposals-database-house-of-commons-report>

Appendix 2 – Updated Botanical, UKHab and BNG Baseline Surveys

YORK BUSINESS PARK (POPPLETON GLASSWORKS)

Botanical, UKHab and BNG Baseline Surveys

Prepared for: JLL

SLR Ref: 424.064015.00001
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BASIS OF REPORT

This document has been prepared by SLR Consulting Limited with reasonable skill, care and diligence, and taking account of the timescales and resources devoted to it by agreement with JLL (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

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1.0 Introduction

1.1 Background

SLR Consulting Ltd was commissioned by JLL to carry out a botanical, UKHab and Biodiversity Net Gain (BNG) baseline survey of land located off Great North Way, Nether Poppleton, York, North Yorkshire (central OS grid reference SE57075383), referred to as “Plot 10, York Business Park (Poppleton Glassworks)” and “the Site”. The survey was aimed at providing an update to an earlier botanical survey of the same area of land which was also carried out by SLR Consulting, during June 2018. This previous work was carried out on behalf of The Industrial Property Investment Fund.

The Site was earlier surveyed according to Phase 1 Habitat Survey methodology in December 2017 by Rachel Hacking Ecology. The December 2017 report identified the possibility that the grassland, at this time, no longer met the criteria for selection as a Site of Importance for Nature Conservation (SINC). One of the recommendations of the resulting report was for the undertaking of a detailed vegetation assessment at an appropriate time of the year which was addressed with the 2018 June survey.

Detailed development proposals for the Site have not been made available at this stage.

1.2 Site Description

The Site is located within a newly developed part of Nether Poppleton located on the south-east side of the A1237 York circular road. It lies within the area known as York Business Park. To the north-west of the site is located a newly developed care home; to the south-east a commercial premises; to the south-west there is a newly developed housing estate. On the opposite side of Great North Way, to the north-east, there is a newly developed car dealership. The construction of York Business Park commenced from 1997. An aerial photograph of that time shows the Site to be part of a large triangular-shaped construction site (http://www.yorkpress.co.uk/features/history/11569476.OLD_YORK_PHOTOS__8_from_Poppleton_1962-1999/).

The Site is currently a designated a Site of Importance for Nature Conservation (SINC): Poppleton Glassworks SINC, the citation for which appears in a report on the City of York Biodiversity Audit published in 2010¹. The citation states the SINC to be 3.6ha in size and to occupy land on both sides of Great North Road. It also states that an outline application for development of the land occupied by the SINC was already granted. Since this time, the SINC has shrunk in size as developments were completed, including the construction of a care home and car dealership. The present Red Line Boundary (RLB) appears to be contiguous with the current SINC designation enclosing an area of land 0.83ha in size, in contrast to the June 2018 survey in which a sizeable portion of the north-west part of the Site was outside of the RLB which related to development proposals only.

At present all of the Site is freely accessible to the public (as was the case for the previous survey). It currently contains open, rather rank un-managed grassland with some areas of scrub (comprising native and non-native species), and young trees, mainly located along the southern margins of the Site which runs adjacent to residential development. Other habitats include tall herb/ruderals, bank and ditch habitats.

1.3 Scope of this Report

This report presents the findings of the botanical, UKHab and BNG baseline surveys. The report seeks to:

¹ City of York Biodiversity Audit – A review of the Biodiversity Interest and Sites of Nature Conservation Importance in York

-
- establish the characteristics of the main vegetation types within the Site in relation to the NVC;
 - determine if the Site meets the criteria for its original SINC designation (based on the quality of the grassland it contains) as outlined in *Sites of Importance for Nature Conservation in North Yorkshire (outside the Yorkshire Dales and North York Moors National Parks boundaries) – Guidelines for Site Selection (V3.0)*²;
 - supply habitat descriptions of parcels of land on the Site, using the UK Habitat Classification system (UKHab)³; and
 - provide a calculation of the baseline value of the Site in Biodiversity Units following the Biodiversity Metric 3.1⁴ methodology to provide an indication of baseline habitat type and condition within a Biodiversity Net Gain context.

² North Yorkshire SINC Panel (August 2002: updated 2009 & 2017).

³ <https://ukhab.org/>

⁴ The Biodiversity Metric 3.1 - JP039 (naturalengland.org.uk)

2.0 Criteria for Designation of SINCs in North Yorkshire

2.1 Guidelines for Site Selection

The Habitat Selection Guidelines for grasslands gives details of the selection criteria to be used in designating SINCs for their grassland interest (Table 5 of the Guidelines):

CRITERION	ATTRIBUTE
Size	Area of site or length of verge. Given that the appropriate vegetation communities or characteristic species are present throughout the site area.
Representativeness	Presence of typical/ characteristic species that represent good examples of the habitat type within the county, the relevant Natural Area or locality. This will be as defined by NVC community types where data is available. Presence of habitats or species that are characteristic, distinctive or unique to the county, Natural Area or locality.
Diversity	Number of grassland plant species recorded as a total and presence of characteristic grassland species.
Rarity	Presence of nationally rare or declining plant species. Presence of regionally important species. Presence of locally rare or declining plant species. Presence of vegetation communities that are rare or of restricted distribution.
Naturalness	Presence, cover & variety of semi-natural grassland communities and species that correspond to long established grassland habitat.
Position in an ecological unit	Location or proximity of site in relation to other recognised sites of interest either as similar habitat or habitat mosaic. The site is part of a recognised wildlife corridor.

Species lists have been produced from these selection criteria for neutral, calcareous and acid-type grasslands. The species appearing on these lists (included in Tables 6, 7 and 8) are those that are regionally important, locally rare, scarce or declining or locally distinctive. A scoring system has been applied to all the species with some scoring one or two points, depending on their status. This is one of the key criteria for use in selecting sites for SINC designation. Furthermore it is stated that:

'The selection of a grassland SINC using the species lists in the tables should ensure the species recorded exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site. If the species recorded from the lists are present, but in low numbers or restricted to small patches within the sward or to the edges of the site then the site should not normally be eligible for SINC selection'.

Poppleton Glassworks SINC was designated on the basis of the criteria in **Gr4** which states:-

'Areas of semi-natural neutral grassland of at least 0.25ha, or at least 50m in length if the site is a road verge, which lie within the Vale of York and Mowbray, Vale of Pickering, the Humberhead Levels, Tees Lowlands and the North York Moors and Hills Natural Areas or calcareous grasslands of at least 0.1ha in size, or at least 50m in length if the site is a road verge within the North York Moors and Hills or Lancashire Plain & Valleys Natural Areas scoring 8 or more from the neutral or calcareous grassland species lists in Tables 6 and 7 respectively'.

3.0 Methodology

3.1 Vegetation survey

The vegetation survey was undertaken by a Senior Field Ecologist, a highly skilled and experienced botanist with SLR Consulting Ltd, on the 6th July 2022.

Vegetation communities, primarily the grasslands, were identified on the basis of their composition and structure and categorised in relation to those that feature in the National Vegetation Classification (NVC)⁵. These communities were plotted on to a field map (Drawing 1). Some of the non-grassland communities were mapped according to Phase 1 Habitat categories (such as scrub and tall herb).

Where it was not possible or difficult to ascribe communities to recognised NVC types their main characteristics were described and interpreted against NVC types.

3.2 UKHab and BNG Baseline surveys

The UKHab and BNG baseline surveys were undertaken by a Senior Ecologist with SLR Consulting Ltd on 6th July 2022. All habitat parcels present onsite were classified according to UKHab guidance and methodology, and their boundaries and distribution were plotted onto a field map (Drawing 2).

In relation to BNG, a condition assessment as detailed in Biodiversity Metric 3.1 was undertaken on each habitat parcel, to allow for the calculation of the Biodiversity Net Gain (BNG) baseline score. Habitat condition data (Drawing 3) was inputted into the Biodiversity Metric 3.1 calculation tool, which uses habitat as a proxy for biodiversity to establish how much and what type of habitats should be created or enhanced. Since development plans have not been provided at this stage, the metric has been used to calculate the value of the present habitats as a baseline.

⁵ Rodwell, J. S. (ed.), 1992, *British Plant Communities, Volume 3, Grassland and montane communities*, Cambridge University Press.

4.0 Results

The results of the desk and field survey are reported below and describe the baseline conditions at the Site and within the surrounding area.

4.1 Grassland within the SINC (RLB)

A total of ten different types of grassland (or variants of) were identified within the RLB (see Drawing 1 where these are labelled A-J).

4.1.1 Amenity-managed grassland

This exists as a 1.5m wide strip located just within the north-east boundary of the SINC (Plate 1) and at the time of visit had been mown short. However, in addition to the usual complement of species typical of these types of managed grassland communities (usually falling within the MG7 group of communities under the NVC) there was also locally frequent common bird's-foot trefoil (*Lotus corniculatus*), common cat's-ear (*Hypochaeris radicata*), common vetch (*Vicia sativa*), beaked hawk's-beard (*Crepis vesicaria*), ribwort plantain (*Plantago lanceolata*), smooth hawk's-beard (*Crepis capillaris*) black medick (*Medicago lupulina*), red clover (*Trifolium pratense*), daisy (*Bellis perennis*), creeping cinquefoil (*Potentilla reptans*), yarrow (*Achillea millefolium*) and dove's-foot crane's-bill (*Geranium molle*).



Plate 1: View (to south-east) of the strip of amenity grassland which falls within the boundary of the Poppleton Glassworks SINC.

4.1.2 MG1 (false oat-grass grassland) variant

This NVC community was determined to occupy most of the grassland habitat on Site (Plate 2). It is characterised by a variable mix of grass species. Smooth meadow-grass (*Poa pratensis*) was found to be one of the most prominent of the grass species components and with red fescue (*Festuca rubra*) quite widespread. More locally distributed (but widespread) was false oat-grass (*Arrhenatherum elatius*) and Yorkshire fog (*Holcus lanatus*) along with smaller amounts of creeping bent (*Agrostis stolonifera*) and occasional to locally frequent cock's-foot (*Dactylis glomerata*). Meadow fescue (*Festuca pratensis*) was present as scattered plants mostly in the northern part of the Site.



Plate 2: View (to north-west) of the main area of MG1 variant grassland that comprises much of the grassland habitat on Site.

Herbaceous species were also widely distributed achieving some locally abundant coverage in many areas, particularly where the sward was open, but not attaining great diversity. The main species involved exhibited much variability in cover. Among these were ribwort plantain, creeping thistle (*Cirsium arvense*), creeping buttercup (*Ranunculus repens*), creeping cinquefoil, dandelion (*Taraxacum officinale* agg.), common mouse-ear (*Cerastium fontanum*), hairy tare (*Vicia hirsuta*), common vetch, bush vetch (*Vicia sepium*), common bird's-foot trefoil, white clover (*Trifolium repens*), red clover, meadow buttercup (*Ranunculus acris*), black medick, lesser trefoil (*Trifolium dubium*) and common knapweed (*Centaurea nigra*).

Glaucous sedge (*Carex flacca*) that was reported to be frequent in the June 2018 survey was now mostly confined to a large patch just within the north-eastern portion of the SINC indicating changes occurring in hydrological conditions (Target Note 4). Of the more localised species reported in the previous survey meadow vetchling (*Lathyrus pratensis*) was noted to be more frequent. Germander speedwell (*Veronica chamaedrys*), beaked hawk's-beard and yarrow were still present in a few scattered areas and the one location where agrimony (*Agrimonia eupatorium*) was recorded in the earlier survey was still extant (Target Note 5). Two additional

species were recorded in this grassland (used in the criteria for designating SINC for their grassland interest). Zigzag clover (*Trifolium medium*) was recorded as a single plant at a location at the southern end of the site and a small patch of lesser stitchwort (*Stellaria graminea*) was recorded on the bank running parallel with the eastern boundary. A large patch of wood small-reed (*Calamagrostis epigejos*) was also recorded near to the northern ditch running parallel with the boundary of the SINC (Target Note 6).

The area that was previously occupied by a tufted hair-grass rich MG9 community appears to have reduced significantly. The reduction in area of tufted grass and the corresponding decline in the vigour of the MG11-type community in the south-eastern end of the SINC are probably an indication of some reduction in soil moisture levels, giving way to a mixed, drier MG1-type grassland where Yorkshire fog, cock's-foot, false oat-grass and smooth meadow-grass are now more prominent.

4.1.3 MG11 (red fescue-creeping bent-silverweed grassland) variants

Previously there were two main areas where silverweed (*Potentilla anserina*) was a prominent component in the grassland habitats, both located at the eastern end of the Site. Both areas also support some localised cover of brown sedge (*Carex disticha*). In the one area to the south-east it was noted that both the sedge and silverweed, along with tufted hair-grass were less in abundance and this is perhaps also indicative of a reduction in soil moisture. The area in the north-east corner appeared to be unchanged in condition, having a more open structure and featuring some sedge and rush in the composition along with some taller grasses such as cock's-foot and false oat-grass. The main herbaceous associates were meadow buttercup, dandelion, common vetch, hairy tare, creeping thistle, creeping buttercup and meadow buttercup.



Plate 3: A view of one of the two stands of silverweed-rich grassland sward with brown sedge

4.1.4 MG1 variant grassland (common knapweed-rich false oat-grass grassland)

This was a relatively larger area where common knapweed formed some prominent cover in the sward and was considered to resemble one of the sub-communities within the variant MG1 grassland community but containing a wider range of leading grass associates such as red fescue, smooth meadow-grass, false oat-grass, cock's-foot, and tufted hair-grass (Plate 4).



Plate 4: View (to north-east) of common knapweed-rich MG1-type grassland

4.1.5 MG1 Variant Grassland on bank

This was a somewhat rank flower-rich community located on a small stretch of bank near to the northern boundary. This comprised a range of coarse grasses and herbaceous species, the latter characteristic of neutral soils including ox-eye daisy (*Leucanthemum vulgare*), red clover and common bird's-foot trefoil but also accompanied by a range of ruderals such as common ragwort (*Jacobaea vulgaris*), mugwort (*Artemisia vulgaris*), curled dock (*Rumex crispus*), creeping thistle and common nettle (Plate 5).



Plate 5: View (to south-east) of the somewhat semi-rank MG1-type grassland located on a stretch of bank running parallel with the northern boundary of the SINC

4.1.6 Flower-rich mesotrophic grassland of uncertain affinity

This area comprised of a variable mixed sward of smooth meadow-grass, red fescue, false oat-grass, cock's-foot and Yorkshire fog among which were a wide range of herbaceous species including some typical of neutral grassland such as common bird's-foot trefoil and ox-eye daisy (Plate 6). Some areas were found to be somewhat rank and here ruderals such as curled dock, broad-leaved dock (*Rumex obtusifolius*) and beaked hawk's-beard were locally frequent. Other species forming notable cover included creeping cinquefoil, hairy tare, red clover, common vetch, common mouse-ear, meadow buttercup, ribwort plantain and perforate St John's-wort (*Hypericum perforatum*).



Plate 6: A view (to the south) of a diverse herbaceous and flower-rich mesotrophic grassland of uncertain affinity.

4.1.7 Flower-rich neutral grassland

This was a relatively thin strip of grassland that has developed from previous disturbance and has characteristics of open neutral swards including ox-eye daisy and common bird's-foot trefoil along with hairy tare, common vetch and beaked hawk's-beard (Plate 7). The sward features a mix of grass species which comprise mainly red fescue, Yorkshire fog, smooth meadow-grass and some creeping bent.

Within this strip there was also some sparser vegetation on rubbly ground with calcareous indicator species such as fairy flax (*Linum catharticum*), which is discussed in more detail in the next Section (4.1.8).



Plate 7: View (to south-east) of a strip of flower-rich habitat supporting locally frequent common bird's-foot trefoil and ox-eye daisy which can be seen in this image in the foreground.

4.1.8 Early succession habitat with calcareous indicator species

This area supported a plant community with a complex mosaic of low-growing plants characteristic of past disturbance (Plate 8) and thereby closely resembling a brownfield-type habitat. This was the most species diverse community of all the vegetation types to be found within the SINC RLB boundary but is much less than 0.1ha in size so falling outside the parameters for consideration as a SINC on the basis of its calcareous flora.

The vegetation was formed of a mosaic of some typically calcareous species (Target Note 2) including much kidney vetch (*Anthyllis vulneraria*), mouse-ear hawkweed (*Pilosella officinarum*), and fairy flax, along with occasional yellow-wort (*Blackstonia perforata*) and common centaury (*Centaurea erythraea*). The other main components were common bird's-foot trefoil, daisy, black medick, ribwort plantain, wall speedwell (*Veronica arvensis*), ox-eye daisy, yarrow and red clover with scattered plants of large-flowered evening primrose (*Oenothera glazioviana*) and wild carrot (*Daucus carota*). A total of five seeding/ flowering spikes of bee orchid (*Ophrys apifera*) were located in this part of the SINC, along with several plants of blue fleabane (*Erigeron acer*).

An additional patch of early successional habitat was also located further east within the main area of MG1-variant grassland where one flowering stalk of bee orchid was found along with frequent fairy flax, yarrow, red clover, common mouse-ear, black medick and perforate St John's-wort (Target Note 3)



Plate 8: View (looking south-east) of the area of early successional habitat which supports a very flower-rich community of perennial and annual low growing plants such as mouse-ear hawkweed, yellow-wort, fairy flax and kidney vetch, the latter is shown occurring in abundance in the foreground.

4.1.9 Perennial/annual-rich early succession grassland habitat

This was located along the western boundary (Plate 9) and comprised a moss and herb-rich mosaic with abundant thyme-leaved sandwort (*Arenaria serpyllifolia*) and biting stonecrop (*Sedum acre*) as well as some areas of lichen heath featuring dog lichen (*Peltigera* sp.). The larger part of this area has managed to retain its open aspect and other associated species included common bird's-foot trefoil, lesser trefoil, hop trefoil (*Trifolium campestre*), black medick, creeping cinquefoil and red clover.

Taller species, particularly on the margins included large-flowered everlasting primrose, wormwood (*Artemisia absinthium*), tufted vetch, ox-eye daisy, perforate St John's-wort and narrow-leaved ragwort (*Senecio inaequidens*). There were also two locations along the western boundary fence where tall bamboo (cf. *Pleioblastus*) plants were found, these possibly having found their way in from plantings introduced as part of the soft landscaping of the adjacent care home (Target Note 1).



Plate 9: View (to south-west) of area of early successional vegetation dominated by frequent to abundant biting stonewort and bryophytes with occasional taller herb such as wormwood, narrow-leaved ragwort and evening primrose.

4.2 UKHab Survey

The results of the UKHab survey are provided in Drawing 2, with brief habitat descriptions given below. Since the grassland has been subject to detailed assessment as provided in the above section, these details are not repeated here.

4.2.1 Neutral Grassland (g3c, 10,11,64, 73,161)

Neutral grassland occupied the majority of the Site, and varied in character. Along the northern and eastern boundaries, the grassland was mown (64) and managed as amenity grassland, although it still comprised a moderate species diversity and was not dominated by perennial rye-grass (*Lolium perenne*).

The central portion of the Site comprised tall and in places tussocky grassland (161), with frequent red fescue and false oat-grass, and scattered bramble and dog rose (*Rosa canina*) scrub (10) and scattered sapling trees (11).

To the west, the area comprised an early successional community, characterised with more frequent patches of bare substrate (73), but the habitat parcel was not large enough to qualify as u1a “open mosaic habitat on previously developed land”.

4.2.2 Scrub (h3d, h3h, 11)

In the centre of the Site, bramble scrub (h3d) had grown up to form a dense area interspersed with goat willow (*Salix caprea*), rowan (*Sorbus aucuparia*) and pedunculate oak (*Quercus robur*) trees of varying maturity (11). Along the south western boundary of the Site, mixed scrub (h3h) had developed with a naturally grading edge into the grassland. The scrub was not dominated by bramble but also included willow trees, occasional hawthorn (*Crataegus monogyna*) and rose, and tall herbaceous vegetation (Plate 10).



Plate 10: view (to east) of the mixed scrub present along the southern boundary.

4.2.3 Dry ditch habitat (g3c, 10, 11, 117)

A dry ditch ran nearly the whole length of the northern boundary of the SINC; at the time of visit it contained no standing water and supported few characteristic wetland species, indicating it is unlikely to contain water for a substantial part of the year, and so is not classed as a freshwater habitat.

Some stands of greater willowherb (*Epilobium hirsutum*) have persisted, however, along with a stand of common spike-rush (*Eleocharis palustris*) at one location and some areas where creeping bent was prominent where the ditch had not become overgrown. The ditch supported much tall ruderal and coarse grassland vegetation as well as young/ sapling willow and bramble on the upper banks (Plate 11).



Plate 11: View (to west) of the dry and overgrown nature of the ditch running close to the northern boundary of the SINC.

4.3 BNG Baseline Survey

Habitat condition data in line with Biodiversity Metric 3.1 was also collected during the field survey. The results of the assessment, with details of habitat areas and condition, are provided in Table 4-1 below.

**Table 4-1:
 Biodiversity Metric 3.1 calculation results – baseline**

Habitat parcel ID	Habitat type	Area (ha)	Distinctiveness	Condition	Habitat trading value	Total habitat units
G1	Other neutral grassland	0.0282	Medium	Moderate	Same broad habitat or a higher distinctiveness habitat required	0.23
G2	Other neutral grassland	0.1152	Medium	Moderate	Same broad habitat or a higher distinctiveness habitat required	0.92
G3	Other neutral grassland	0.5377	Medium	Good	Same broad habitat or a higher distinctiveness habitat required	6.45
G4	Other neutral grassland	0.0472	Medium	Moderate	Same broad habitat or a higher distinctiveness habitat required	0.38
S1	Bramble scrub	0.0424	Medium	Condition assessment not applicable	Same broad habitat or a higher distinctiveness habitat required	0.17
S2	Mixed scrub	0.0601	Medium	Moderate	Same broad habitat or a higher distinctiveness habitat required	0.48
TOTAL		0.83				8.63

As described in Table 4.1, there are 8.63 biodiversity units present in total on Site.

5.0 Discussion and Conclusions

5.1 Status of Poppleton Glassworks SINC

The survey provided evidence of the presence of ten qualifying species for neutral grassland within the RLB (as required for SINC designation from those listed in Table 6 of the Guidelines). These species are listed in the Table 5-1 below (sedge species count as one) along with an assessment of their frequency within the Site.

**Table 5-1:
 Status of qualifying SINC species on the Site**

Species	English name	Frequency
<i>Agrimonia eupatoria</i>	Agrimony	Rare in the south central part of Site
<i>Carex flacca</i>	Glaucous sedge	Rare in south-east part of Site and one small area of sedge-dominant patch near to the north-east part of the Site
<i>Carex disticha</i>	Brown sedge	Locally frequent to abundant at south-east end of Site and with a small patch to the north-east part of Site.
<i>Centaurea nigra</i>	Common knapweed	Locally frequent in several areas across the Site
<i>Festuca pratensis</i>	Meadow fescue	Occasional across the central and northern areas of the Site
<i>Lathyrus pratensis</i>	Meadow vetchling	Locally frequent in several areas in the southern and central parts of the Site
<i>Leucanthemum vulgare</i>	Ox-eye daisy	Locally frequent in one area along the north-east margin of the Site and also scattered to locally frequent in other areas.
<i>Lotus corniculatus</i>	Common bird's-foot trefoil	Fairly widespread within the Site, usually locally frequent where it occurs.
<i>Ophrys apifera</i>	Bee orchid	A small number of flowering spikes mainly in one small area of the Site.
<i>Stellaria graminea</i>	Lesser stitchwort	One small patch of abundant plants on bank near to eastern boundary of Site
<i>Trifolium medium</i>	Zigzag clover	One plant near to scrub along the southern boundary of the Site

In addition to the required presence of at least eight qualifying species from Table 6, the Guidelines (Section 2.1.5, 'General application to all grasslands guidelines') also state that these:-

'...should exhibit a reasonable distribution throughout the sward in all or a significant proportion of the site. If the species recorded from the lists are present, but in low numbers or restricted to small patches within the sward or to the edges of the site then the site should not normally be eligible for SINC selection'.

Given that of the ten qualifying species listed in Table 5.1, eight were infrequently recorded and/or of very limited distribution, it is considered that the criteria are not met.

5.2 Conclusions

At present it concluded that the Poppleton Glassworks SINC does not meet the criteria for designation as a SINC as it lacks sufficient qualifying grassland species in sufficient abundance and/or distribution. Only two species were considered to form reasonable distribution on Site, namely common bird's-foot trefoil and common knapweed. Ox-eye daisy and meadow vetchling were two species that were locally frequent but restricted to very particular areas of the Site, with the remaining species recorded in only one or two locations.

DRAWING 1

Grassland assessment map

457000

457050






457100

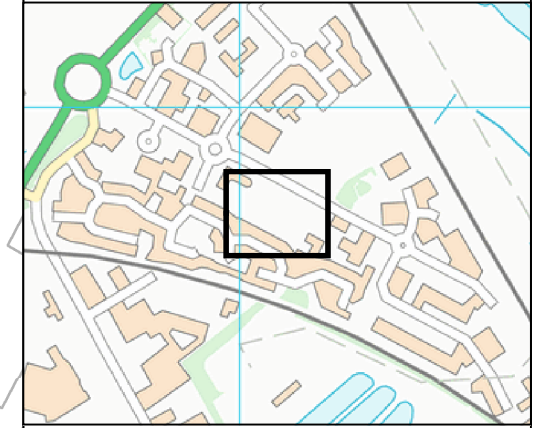
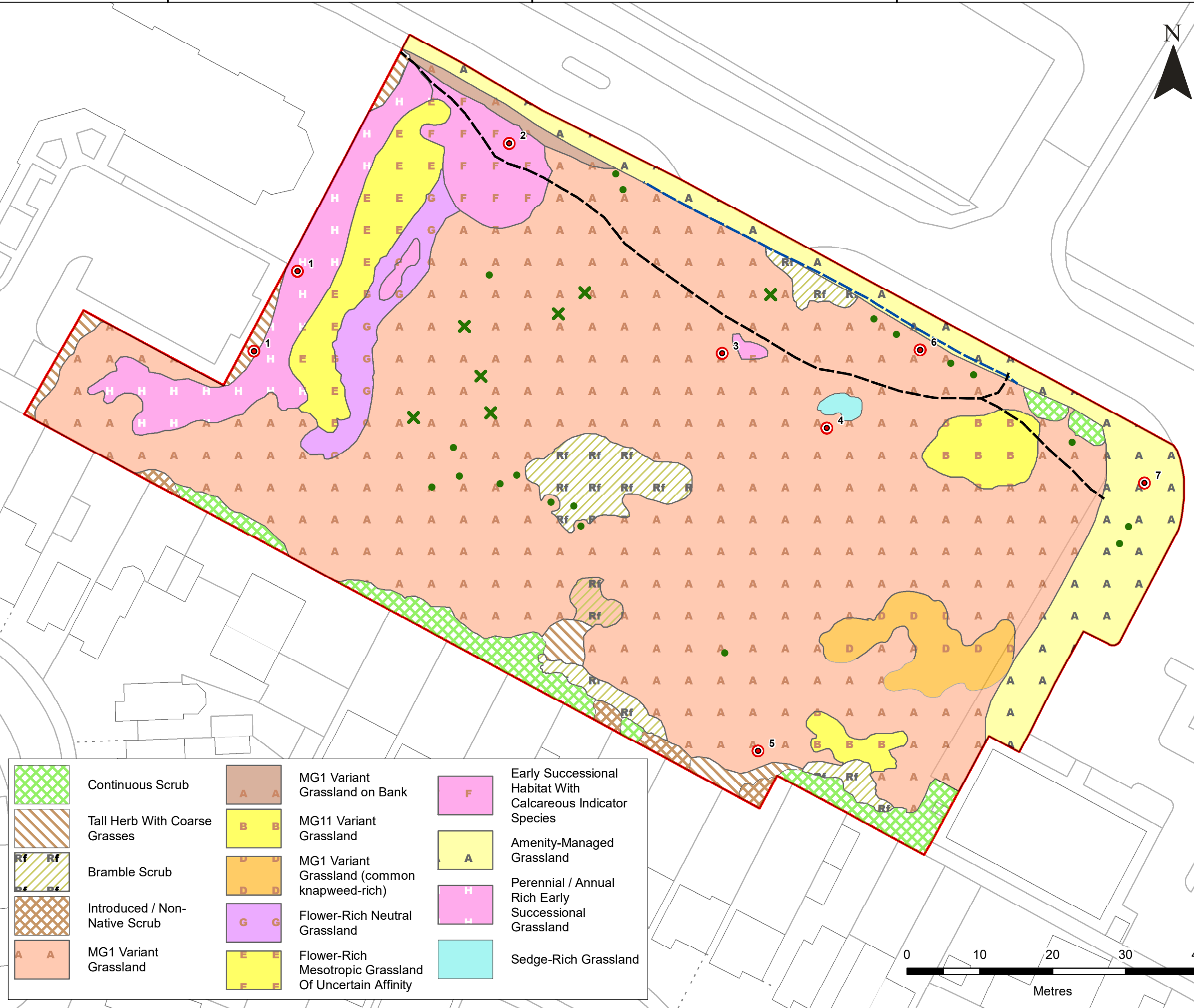
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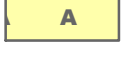





3800

424.064015.00001.0002.0 National Vegetation Classification


LEGEND

-  Site Boundary
-  Scattered Scrub
-  Trees - Young & Mature (Salix Populus, Quercus & Betulasp.)
-  Dry Ditch
-  Informal Paths



	Continuous Scrub		MG1 Variant Grassland on Bank		Early Successional Habitat With Calcareous Indicator Species
	Tall Herb With Coarse Grasses		MG11 Variant Grassland		Amenity-Managed Grassland
	Bramble Scrub		MG1 Variant Grassland (common knapweed-rich)		Perennial / Annual Rich Early Successional Grassland
	Introduced / Non-Native Scrub		Flower-Rich Neutral Grassland		Sedge-Rich Grassland
	MG1 Variant Grassland		Flower-Rich Mesotrophic Grassland Of Uncertain Affinity		



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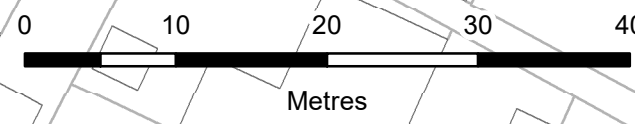
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ECOLOGY



NVC SURVEY RESULTS




FIGURE 01



Scale 1:500 @ A3 Date AUGUST 2022



TARGET NOTES TO DRAWING 1

Target Note No	Plate	Description
1		<p>A view of one of the larger of two clumps of bamboo (cf. <i>Pleioblastus</i>), growing along the western boundary of the SINC. No species of naturalised bamboo are currently considered invasive (none are listed under Schedule 9 of the Wildlife and Countryside Act 1981)</p>
2		<p>View (to south-east) of an area of early successional habitat formed of a mosaic of sparsely vegetated ground and areas with abundant mouse-ear hawkweed and kidney vetch. A total of five flowering spikes of bee orchid were located in this part of the SINC. There was also locally frequent yellow-wort, wild carrot and black medick as well as several plants of blue fleabane</p>

3		<p>The location of an area of early successional habitat (similar to that described in Target Note 2 above) where a single flowering spike of bee orchid was recorded. Other associates included common centaury and fairy flax.</p>
4		<p>The location of a sedge-dominated patch within the MG1 variant grassland indicating localised moisture still being retained in some parts of the SINC. Associated species included abundant creeping cinquefoil, common bird's-foot trefoil and ribwort plantain along with some Yorkshire fog and red fescue</p>
5		<p>The location of a few plants of agrimony on the southern margins of the main area of rank MG1 type grassland</p>


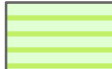


6		<p>A view (to west) of a stand of wood small-reed near to the northern boundary of the SINC.</p>
7		<p>The location of large boulders within the north-east outer margin of the SINC occupied by amenity-managed grassland.</p>

DRAWING 2

UK Habitat map

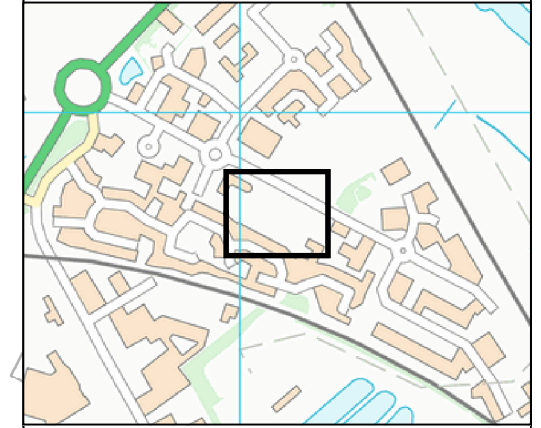



LEGEND


-  Site Boundary
-  g3c - Other Neutral Grassland
-  h3d - Bramble Scrub
-  h3h - Mixed Scrub

Secondary Habitats

- 10 - Scattered Scrub
- 11 - Scattered Trees
- 64 - Mown
- 73 - Bare Ground
- 117 - Dry
- 161 - Tall or Tussocky Sward







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ECOLOGY

UKHABITAT SURVEY RESULTS

FIGURE 01

Scale 1:500 @ A3	Date AUGUST 2022
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424.064015.00001.0003.0 UKHabitat Survey Results

DRAWING 3

BNG habitat condition map

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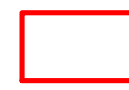


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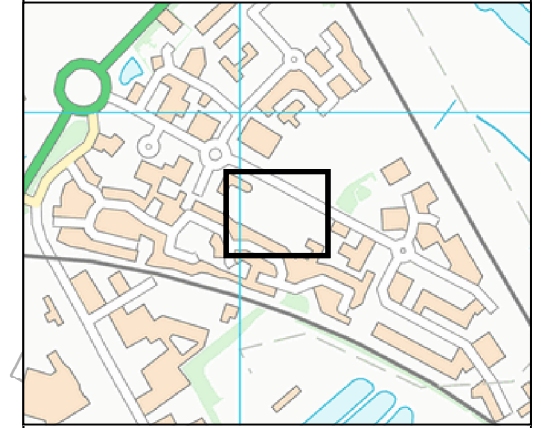
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453850

424.064015.00001.0004.0 UKHabitat Condition

LEGEND

-  Site Boundary
- Habitat Condition**
-  Moderate
-  Good



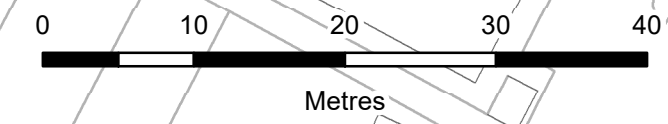
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UKHABITAT CONDITION

FIGURE 02



Scale 1:500 @ A3 Date AUGUST 2022

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