

Dear Mr Adams

Thank you for your email reply to our letter dated 21st September that was received 4th October, the time you have taken in putting together your response is very much appreciated. The communication has been shared in the communities of Escrick, Stillingfleet & Cawood plus our PC alliance partners in Kelfield and Naburn along with our colleagues in the Halt Heronby Action Group.

We feel the wide range of objections we intend to put forward are summarised in our first letter to you, with more data provided in this letter. If you intend to submit a response during the consultation period as you indicated, then this data will enable you to include the key elements into the submission that you provide.

We will make specific submissions on legality, soundness and duty to cooperate with regard to the Selby District Council (SDC) Local Plan Heronby section from our communities, with our main detailed and comprehensive challenge submission via the Halt Heronby Action Group Technical Team. If the Local Plan remains as it is now and includes Heronby, we will then move forward to the next stage of engagement and continue the lobbying of all parties involved, using all available expertise within our communities, to attempt to halt the process.

What we respectfully are asking you to consider now at this point, as in our first letter, is to step in as our MP to halt the process based on the data provided to date, as well as later in this letter. This we feel is both logical and makes financial sense, given the fact that the new North Yorkshire Council will have their own Local Plan over an expanded geographical area as stated in our first letter, very soon. We really feel more consideration should also be given to the City of York Council (CYC) submission to SDC concerning the STIL-D Heronby site, made as part of the original consultation process for the local plan in March 2021, which we provide below for your information below.

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“We are concerned that Land South of Escrick Road, Stillingfleet (STIL-D) does not represent a suitable or sustainable location for development. The capacity of the A19 is a critical issue for York as this is a key commuting route between the two authorities. The cumulative and significantly adverse impacts to the capacity of our road infrastructure would be difficult to resolve, even with proposed mitigation (likely to be required within the CYC area and especially at the A19/A64 junction). It is therefore our view that we could not support a new settlement in this location. Should this option be pursued we would welcome more detailed discussions to allow us to feed into future cross-boundary transport modelling, and to understand the potential impacts for York.

It is our view that Church Fenton Airbase (CFAB-A) offers the greatest potential for a sustainable new community. In particular, Church Fenton station and its linkages to both York and Leeds could positively impact modal shift in terms of travel patterns. Land is 100% brownfield, and the majority non-agricultural. Further, the site’s proximity to growing digital/creative industries offers potential reciprocal benefits. In the context of the sub-region’s commitment to zero-carbon and the Plan’s Climate Change objectives, we consider the site has much positive to offer.”

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A precedent has been set in other areas where the proposed Local Plan has been paused, we mentioned Hinckley and Bosworth Council in our first letter, Forest of Dean DC removed the new town proposal in their Local Plan after consideration of local feedback and now we have Dorset Council who have also paused their process, as you are aware from updates provided by Dr Howard Ferguson. We are

simply asking that the bigger picture is taken into account by government in our region, especially as the new NYC is about to begin their Local Plan process.

Furthermore, we feel certain sections of the ‘National Planning Framework’ conditions have not been met in relation to the Heronby proposal contained in the SDC Local Plan, these are as follows :-

Legality / Duty to Cooperate

Maintaining effective cooperation

24. Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.

SDC senior Planners commented to us in a recent meeting that CYC have not been contacted over the proposed Escrick by-pass and the fact that it would straddle the two authorities, when pointed out, this was apparently news to them. It was also noted that they had not considered the justification for this feature other than as a selling point to residents and that any by-pass would be built on York Greenbelt allocated land. When these key points are added to the CYC response to SDC, as detailed above, it can be seen the duty to cooperate has not been met, hence the plan should be turned down.

26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

This is a key point when one considers the fact that North Yorkshire Council (NYC) will replace SDC early next year, hence as we have respectfully requested to you that there should be a delay in making any decision until the new unitary authority is in place, so it can take account of appropriately located housing needs that could possibly be met elsewhere in the new larger area.

27. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.

Unless we have overlooked this comprehensive document, we do not believe this has been provided during the consultation period.

Soundness

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs
- b) and is informed by agreements with other authorities,

- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;

See previous comments regarding not making contact with CYC regarding Traffic & Transport issues and so purposefully not seeking informed agreement with other authorities.

9. Promoting sustainable transport

104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed;

SDC have again clearly failed to do this due to the reasons stated. We should also add that the owners of the former North Selby Mine site adjacent to Escrick were last week granted planning approval by SDC for a new development to include 231 static caravans and 92 mobile/tent pitches which will add to the Transport & Traffic problems in the area. This additional strain on local infrastructure has not been factored into studies submitted for justification of suitability for approval of the proposed additional Heronby development.

105. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

106. Planning policies should:

- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;

Again, these two sections above, have not been adequately evaluated with regard to policy agreements with CYC and lack of consideration of the impact on local infrastructure in the act of granting permission for the former North Selby Mine development, where families will be allowed to live in a static caravan for up to 183 consecutive days per stay.

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You have made the valid point that it is for an MP to represent the views of their constituents and to put them forward to the decision maker on any process. With that in mind, may we respectfully point out that the vast majority of resident feedback, all adjacent local Parish Council feedback and the feedback from CYC provided originally with regard to Heronby all stated, for numerous sound reasons, that the STIL-D Heronby aspect of the plan is unsuitable. The very fact that all this data has all been ignored, surely means there are grounds for you as our MP to step in to suggest the process is called in? We do not protest on the basis of volume of opposition even though it is significant, but on quantity and quality of the arguments put forward against this new town.

We make this request to you at this time because, as we understand it, Town & Country Planning (Local Planning)(England) Regulations 2012, Part 6 :-

20. (1) Any person may make representations to the local planning authority about a local plan which the local planning authority propose to submit to the Secretary of State.

We hope you will consider making the representation to SDC on our behalf. If you were to agree to do this and SDC did not accept the request to halt the process, we request the issue is put to the Secretary of State directly as the proposed development is of strategic importance. We feel an MP's influence at this point might possibly persuade the Secretary of State to call in the application now.

We are making these requests to you as our MP because at this time in the NPPF process, feedback from all members of the public is limited to just three categories and subjects we can make comment on – Legal, Soundness & Duty to Cooperate. For this reason alone at this stage, after all area anti-Heronby scheme arguments have been ignored by SDC, we are appealing to you to approach local and national government to, as we've asked before, pause this process until NYC can take a regional perspective early next year and fresh consideration can be given to the needs of the enlarged area.

Any planning application for the STIL-D Heronby site will be extremely controversial and will raise issues which are of concern not only within the District itself, but over a wider area - i.e adjoining Districts, or the whole County.

We look forward to your response.

Yours sincerely

Terry Chambers – Escrick Parish Council Chairman
Juan Brooks – Stillingfleet Parish Council Chairman
Lesley Dennon – Cawood Parish Council Chairman