Keep Earwick Rural - Action Group

The recent Earwick Parish Council Newsletter carried a helpful article clarifying the link between the Keep Earswick Rural Action Group and the Parish Council and its Neighbourhood Plan Working Group.

We can confirm that we have no party political affiliation and we do Not support or endorse any of their activities that are intended to see any further building development on, or, encroaching on to any part of the Green Belt around our lovely village. The Action Group is a Community based Group of ALL residents who support protecting the Green Belt from development. Our co-ordinators, listed at the end of this Newsletter, give up their time to work tirelessly to ensure all residents are kept factually briefed and fully sighted on development proposals for our village so that you can make properly informed decisions affecting our future.

Our pledge is to support the many Earwick residents surveyed, in the independently scrutinised Neighbourhood Plan Survey, who said that they did not wish to see any further development in Earwick 61% and the 84% of you who all said that you are happy with the current size and structure of our village, and, to ensure that not only is your voice heard but also those that should be listening are appropriately held to account.

Representing the residents of Earwick in the preservation of the green belt and the unique character of Earwick as a village.
Residents will be surprised and disappointed to learn that Earswick Parish Council have fully supported the Fossbank Kennels development, in the knowledge that this is clearly a development of the Green Belt, and contrary to the views of Earswick residents surveyed in their own Parish Council Neighbourhood Plan Working Group led survey, that showed that 61% of the residents do not wish to see any further development in Earswick. On behalf of Earswick residents opposed to Green Belt development, the Action Group wrote to the Parish Council on 23 January 2016, encouraging them to take note of their own survey results and the views of the majority of residents, and object to this development, nevertheless this was totally ignored.

It should be equally worrying for residents opposed to any further Green Belt development that the Parish Council, through their Neighbourhood Plan Working Group, believe that having some development on Green Belt will stop the rest of the village from being used in the next iteration of the Local Plan. This is just simply not true, once Green Belt land has been offered up and taken it provides no protection against further development. Quite the contrary, it undermines the very special circumstances argument that applies to the Green Belt around our village that can be used to protect it from predatory developers, as in the case of the Thirteen Group, from concreting over the Green Belt with large housing developments.
**Action Group – Legal Opinion.**

The Action Group retained planning Barrister Mr Tony Gill, has been consulted for his legal opinion on the proposal to develop the land at Fossbank Kennels.

He states that this is inappropriate development in the Green Belt for which Very Special Circumstances must be demonstrated. This is the highest test in UK planning control. He views the application as pretty hopeless. He states that the officer's response letter shows that the Council recognises the severity of the test the Applicant must pass.

Can this applicant show [Very Special Circumstances]? Their argument appears to be that since they've had notices imposed which make them an incompatible use in the area they should be compensated with planning permission for something nice and profitable. The planning system does not exist to guarantee them value in their land and ‘compensating’ a landowner is not [Very Special Circumstances]. If they did grant [planning permission] it could be challenged as unlawful.” Full details of Mr. Gills response can be found in the Action Groups letter to City of York Council Planners which appears on the planning portal under the reference 15/02843/FUL.

**The Law**

The Action Group wishes to confirm to residents that appear to be still unclear on the protection afforded to the Green Belt, that the area surrounding Earwick Village is Green Belt. This status was established through the retained policies in the Yorkshire & Humberside Regional Spatial Strategy and through Custom & Practice and recent Planning Inspector decisions for Strensall that have set precedence.

The law on Green Belt has not changed; it exists to protect villages and the outer edges of cities from urban sprawl. Development of the Green Belt can only happen if the local authority or applicant can demonstrate ‘very special circumstances’.

The need for additional housing does not constitute very special circumstances.

**Local Plan Working Group**

As residents may have read in The Press the City Council Local Plan Working Group have not met for some months, however we understand that behind the scenes there remains plenty of activity with work being undertaking on identifying sites for development. We continue to press for the removal of the site SF14 at Earwick from safeguarded status for development. With the revision of the housing figures we are hopeful that there will be more than sufficient suitable and agreed sites across York to cope with the needs for housing of both York residents and inward migration, **It therefore remains extremely important that we do not offer up any Green Belt sites for development in Earwick as there is no requirement for this to be done.**

**Understanding YOUR Wishes**

Following the results of the Neighbourhood Plan survey and our contact with you on the doorstep and by e-mail we understand your wishes can be encapsulated as below:

- We believe you wish to protect the Green Belt that surrounds our beautiful village.
- We believe you do not wish to offer up any Green Belt land for development.
- We believe you support reasonable in-fill development that falls in brown field parts of our village.
We believe you want the Parish Council to support your wishes.

We believe you want the Parish Council Neighbourhood Plan to focus solely on improving things like roads, cycle paths, children’s play areas, and preserving open spaces.

The Keep Earswick Rural Action Group would love to hear your feedback on any of these points, and in particular if you do not understand the current situation and require any form of assistance or clarification.

Please feel free to speak direct to any of the co-ordinators listed below, or contact us direct by e-mail at

keepearswickrural@gmail.com

Keep Earswick Rural Action Group (KER)

John Williams - Garden Village/Strensall Road Area

Jacky Ridley - Willow Grove Area

Carol Lister - Garden Village/Strensall Road Area

Peter Sokolow - Fosslands

David Davies - Fosslands

Beverley Rigg - Willow Grove Area

Tim Bright - The Old Village Area

Sheila Bright - The Old Village Area

Katie Stranger - Willow Grove Area

York Action Group Alliance (YAGA)

(An overarching group representing all villages around York.)

Allan Charlesworth – Coordinator York Action Group Alliance

Tony Fisher – York Action Group Alliance

Members of the Action Group can be contacted by e-mail at:

keepearswickrural@gmail.com

Some residents have provided their e-mail addresses so that we can keep you regularly updated with news items, if you have not provided your e-mail address, or, having done so have not been receiving our regular news bulletins, please let us know by sending an e-mail to keepearswickrural@gmail.com

You can also visit our web site at www.keepearswickrural.co.uk

to follow the latest news and keep abreast of developments that are affecting your neighbourhood.

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