

City of York Council

COPMANTHORPE NEIGHBOURHOOD PLAN: POST- EXAMINATION DECISION STATEMENT

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to City of York Council of the independent examination of the Copmanthorpe Neighbourhood Plan ("the Plan") by independent Examiner Andrew Ashcroft, which was submitted to the Council on 14 August 2025.

This decision statement, the independent Examiner's Report and the submission version of the Copmanthorpe Neighbourhood Plan and supporting documents can be viewed on the Council's website: <https://www.york.gov.uk/planning-policy/copmanthorpe-neighbourhood-plan> in line with the current arrangements in the Council's update Statement of Community Involvement.¹

1.0 BACKGROUND

- 1.1 Under the Town and Country Planning Act 1990 (as amended), City of York Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.
- 1.2 This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.
- 1.3 The Copmanthorpe Neighbourhood Plan area was designated by the Council as a Neighbourhood Area in January 2014. The Plan covers the entire parish of Copmanthorpe, situated to the south west of the City of York. The parish has a population of 4,109 residents. It is entirely within the Local Planning Authority's area.
- 1.4 Copmanthorpe Parish Council undertook two pre-submission consultations on the draft Plan in accordance with Regulation 14, during September 2014 and May 2017.

¹ <https://democracy.york.gov.uk/ieDecisionDetails.aspx?AllId=67005>

- 1.5 Following the submission of the Copmanthorpe Neighbourhood Plan to the Council in January 2025, the Council publicised the draft Plan and representations were invited in accordance with Regulation 16. The Submission consultation took place between 26th March 2025 and 14th May 2025.

2.0 INDEPENDENT EXAMINATION

- 2.1 The Council appointed Andrew Ashcroft, (BA (Hons), MA, DMS, MRTPI), with the consent of Copmanthorpe Parish Council, to undertake the independent examination of the Copmanthorpe Neighbourhood Plan and to prepare a report of the independent examination.
- 2.2 The Examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area. Clarification on a number of issues was sought from the Qualifying Body, and the City of York Council during the Examination process.
- 2.3 The Examiner's Report was formally submitted to the Council on 14 August 2025. The Report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum.
- 2.4 Following receipt of the Examiner's Report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

3.0 DECISION AND REASONS

- 3.1 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council, has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.
- 3.2 The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Copmanthorpe Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 3.3 The submitted version of the Copmanthorpe Neighbourhood Plan will be modified to reflect the required modifications, for it then to proceed to referendum.

- 3.4 The Examiner recommended that the Neighbourhood Plan should proceed to referendum based on the boundary of the Neighbourhood Plan, as designated by the City of York Council on 7th January 2014.
- 3.5 This decision was made at a meeting of the Council's Executive on 7th October 2025.
- 3.6 This decision statement is dated 7th October 2025.

Other information:

The Neighbourhood Plan document will be updated to incorporate all the modifications required and re-titled Referendum Version. The date for the referendum and further details will be publicised shortly once a date is set by the Council.

Table 1: Examiner's Recommended Modifications

Copmanthorpe Neighbourhood Plan Policy	Examiner's Report Reference	Recommended Modification	CYC Consideration/ Justification
N/A	Recommendation 1	Replace 'The Next Steps' with 'The Preparation of the Plan and Next Steps'	Agree with the modifications for the reasons set out in the Examiners Report.
N/A	Recommendation 2	Replace map of the neighbourhood area in the Introduction with one of a similar scale to that of the neighbourhood area in the Basic Conditions Statement	Agree with the modifications for the reasons set out in the Examiners Report.
CNP1 (Housing Quantity)	Recommendation 3	<p>Replace the policy with:</p> <p>'Residential development in the parish will be focused on the two allocated sites set out in the City of York Local Plan (sites ST31 and H29).</p> <p>In addition, small-scale development of eight units or less which can be satisfactorily integrated into the existing built-up area of the village will be supported where they comply with other development plan policies and the Village Design Statement.'</p>	Agree with the modifications for the reasons set out in the Examiners Report.
CNP2 (Design Principles)	Recommendation 4	<p>In the first part of the policy replace 'encourage' with 'promote' and 'all development' with 'development proposals'</p> <p>In the second part of the policy replace 'all new development is expected to adhere to the following design principles:' with 'as appropriate to their scale, nature and location development proposals should respond positively to the</p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p>following principles:’</p> <p>Replace the fifth principle with: ‘Developers should create bespoke house types which are appropriate for Copmanthorpe.’</p>	
CNP3 (Affordable and Special Housing)	Recommendation 5	<p>Replace the policy with:</p> <p>‘Affordable housing (including social rented housing where there is a proven need) will be delivered in line with City of York Council policy and in accordance with Policy CNP 4 (Local Occupancy) of this Plan.</p> <p>Where housing need is the same, preference will be given to residents or those with a local connection as detailed in Policy CNP4 (Local Occupancy).’</p> <p><i>At the end of the second paragraph of the Reasoned Justification add:</i></p> <p><i>‘The target level of affordable and special housing per residential development scheme will be set in line with City of York Council policy from time to time in force. Housing needs for older people will be established in consultation with City of York Council.’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
CNP4 (Local Occupancy)	Recommendation 6	<p>Replace the opening element of the policy with: ‘Affordable housing will be subject to local occupancy restrictions as follows:’</p> <p><i>Replace the Reasoned Justification with: ‘There is a need for affordable housing in Copmanthorpe for younger local people, who can be priced out of the conventional local housing market, and for older people who wish to downsize, all of whom wish to stay in the village for local connection reasons.’</i></p> <p><i>Replace the Intention with: ‘A local occupancy policy for affordable housing will restrict</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<i>the occupation of such housing to local people in the first instance.'</i>	
CNP5 (Community Facilities and Organisations)	Recommendation 7	<p>Replace the policy with: 'Development proposals for additional sports and leisure uses and allotments will be supported.'</p> <p><i>At the end of the third paragraph of the Reasoned Justification add: 'In this context any off-site financial obligation on developers to provide public open space or recreation facilities will be ring-fenced to deliver further recreation facilities within Copmanthorpe. Furthermore, the local element of Community Infrastructure Levy funding arising out of developments will also be ring-fenced by the Parish Council to deliver infrastructure benefits in Copmanthorpe.'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
CNP6 (Green Belt)	Recommendation 8	<p>Delete the policy</p> <p><i>Replace the Reasoned Justification (1-7) and the Intention (1-5) with:</i></p> <p><i>'The adopted City of York Local Plan defines the boundary of the Green Belt. The village of Copmanthorpe is inset from the Green Belt whilst the remainder of the parish of Copmanthorpe lies within the York Green Belt. The Green Belt includes land to the west of Copmanthorpe. The Local Plan comments that the protection of the Green Belt is an overriding planning consideration and one, which, in the case of most forms of development, strongly militates against the granting of planning permission. Its supporting text advises that in defining these boundaries, care has been taken to follow readily recognisable physical features that are likely to endure.</i></p> <p><i>Policy GB1 (Development in the Green Belt) of the Local Plan advises that inappropriate development will not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

considerations. The policy also comments that the construction of new buildings (with limited exceptions) is inappropriate development.

Paragraph 142 of the NPPF advises that the essential characteristics of Green Belts are their openness and their permanence. The openness characteristic is particularly the case along the western boundary of Copmanthorpe village where this openness is much prized by Copmanthorpe residents. The emotional and spiritual value of this open land to the people of Copmanthorpe should not be underestimated.

The Green Belt along the western flank of Copmanthorpe also plays a significant role in defining and protecting the special character and setting of the historic City of York, and especially as it is approached from the west along the A64 trunk road, the principal gateway to York for visitors arriving by road. The special character of York is not limited to the walled City; it refers to a much wider concept which includes the open countryside around York, the open approaches to the City and its relationship with its surrounding villages.

In addition, the western approach into the City along the A64 in this gateway location fulfils the key function of promoting and enhancing the setting of York as a prime tourist destination by checking further suburban sprawl in an area where the open and low-lying character of the countryside can mean that development has an urbanising effect far beyond its immediate boundaries.

The Green Belt surrounding Copmanthorpe has a high landscape and heritage value, characterised as it is by a network of small-scale fields, ancient hedgerows, fences, copses and lanes with individual farmsteads and associated outbuildings. The Landscape Appraisal carried out for City of York Council by the University of Sheffield Environmental Consultancy in December 1996 stated that the landscape west of Copmanthorpe was one of the highest quality landscapes surrounding the City. It was defined as a small-scale landscape of high conservation and aesthetic value. The open land to the west of the village and south of Colton Lane was part of the medieval High West Field, part of an open field system where feudal strip farming was practised

		<p><i>from the time of the Norman Conquest until the Enclosure Acts of the 18th Century.</i></p> <p><i>Most of the land surrounding Copmanthorpe, and particularly that area to the west of the village, is prime food-producing arable farmland, the latter being classified as Grade 2 by the Department of the Environment, Food, and Rural Affairs. This grading puts the land into the top 16% of land by quality in the Yorkshire and Humberside Region. With a rapidly growing world population and the increasing demand for meat and a more 'Western' diet caused by growing prosperity in developing countries, the pressure on food-producing land is increasing dramatically. Food sourcing and food security are becoming significant issues and it is becoming crucial to retain the country's good quality farmland in food production.</i></p> <p><i>The Green Belt to the west of Copmanthorpe also plays an important role in providing a haven for wildlife including several species on the 'red list'. The British Trust for Ornithology carries out regular surveys on the fields adjoining the west of the village, and the red-listed birds and mammals present over the two years (2012 and 2013) were: corn-bunting, skylark, lapwing, linnet, yellowhammer, and brown hare.'</i></p>	
CNP7 (Green Infrastructure)	Recommendation 9	<p>Replace the policy with:</p> <p>'As appropriate to their scale, nature and location, development proposals should safeguard and, where practicable, enhance the green infrastructure within and surrounding Copmanthorpe (as shown on the maps on pages 25, 26, 27) and connect to surrounding habitat.</p> <p>Development proposals which would directly or indirectly harm the integrity or quality of the identified infrastructure will not be supported.</p> <p>Development proposals should ensure that the development of Site ST31 does not result in damage to the notified features of Askham Bog Site of Special</p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p>Scientific Interest (SSSI) and nature reserve through changes to the water levels at Askham Bog. In addition, development proposals should respond positively to any potential impacts on water quality and water levels at Askham Bog SSSI from water drainage into the SSSI arising from the development of Site ST31.'</p> <p><i>Delete the green infrastructure outside the defined neighbourhood area as shown on the maps on pages 25 and 26.</i></p>	
CNP8 (Parish Consultation)	Recommendation 10	<p>Delete the policy</p> <p><i>Replace the Reasoned Justification with:</i></p> <p><i>'However carefully a planning policy document is prepared, it will not be able to anticipate all circumstances and provide suitable advice for decision-makers to help them determine all planning applications with equal certainty or sensitivity. Pre-application advice is available from the City of York Council. In addition, developers are encouraged to engage in pre-application consultations with the Parish Council to minimise any site issues or planning problems that may arise. This may be particularly helpful in circumstances where conditions or planning obligations are instrumental in making acceptable an otherwise unacceptable planning application.'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Other Matters - General	Recommendation 11	<i>Modification of general text (where necessary) to achieve consistency with the modified policies, to accommodate any administrative and technical changes, and to ensure that the Plan is up-to-date.</i>	Agree with the modifications for the reasons set out in the Examiners Report.
Other Matters – The adoption of the CYC Local Plan	Recommendation 12	<i>Update all references in the Plan to the emerging Local Plan so that they refer to the adopted Local Plan.</i>	Agree with the modifications for the reasons set out in the Examiners Report.