



**Notice of a public meeting of
Local Plan Working Group**

To: Councillors Merrett (Chair), Barnes, Barton, D'Agorne, Horton, Reid, Riches, Simpson-Laing and Watt (Vice-Chair)

Date: Thursday, 7 February 2013

Time: 5.15 pm

Venue: The Guildhall, York

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting of the Local Plan Working Group held on 3rd September 2012.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Working Group, may do so. The deadline for registering is **5.00 pm on Wednesday 6th February 2013.**

4. Get York Building - Economic Growth, A Case for Change.
(Pages 9 - 28)

The purpose of this report is to seek Members views on a report which is being presented to Cabinet on 12th February 2013. The report proposes to update the current affordable housing targets.

5. Local Heritage List for York. (Pages 29 - 52)

This report seeks the Local Plan Working Group's views prior to Cabinet being asked to approve permission for a public consultation on the Local Heritage List for York Supplementary Planning Document. This is part of the wider consultation exercise on the Local Plan and seeks a member steer on taking this forward following consultation.

6. Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Laura Bootland

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

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Contact details are set out above.

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City of York Council

Committee Minutes

MEETING	LOCAL PLAN WORKING GROUP
DATE	3 SEPTEMBER 2012
PRESENT	COUNCILLORS MERRETT (CHAIR), BARTON, D'AGORNE, HORTON, REID, RICHES, SIMPSON-LAING, WATT (VICE- CHAIR) AND ALEXANDER (SUBSTITUTE)
APOLOGIES	COUNCILLORS BARNES

1. **DECLARATIONS OF INTEREST**

At this point in the meeting, Members were asked to declare any interests they may have in the business on the agenda. None were declared.

2. **MINUTES**

RESOLVED: That the minutes of the meeting held on 2 April 2012 be approved and signed by the Chair as a correct record.

3. **PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

4. **CITY OF YORK LOCAL DEVELOPMENT FRAMEWORK**

Prior to consideration of this agenda item, Councillor Barton queried when the working group would be considering the motion on assisted housing which had been put forward by the Conservative Group and carried by full Council at the 12th July Council meeting.

The Chair advised that officers required some time to put together a detailed report on such an important and complex issue.

Councillor Barton expressed his dissatisfaction with this response as he felt that following Council on 12 July an urgent item should have been brought to the working group for consideration. He then left the meeting.

Members then considered a report which outlined the way forward for the Council with regard to the City of York Development Plan following the decision of Council on 12th July to withdraw the Local Development Framework Core Strategy from the examination process.

A written representation had been received from Mr Chas Jones, in which he requested that consideration be given to restoring Green Belt protection of the land along Germany Beck. It was confirmed that Mr. Jones's comments would be fed into the consultation process and his comments would also be passed to Officers in Development Management and Design and Conservation for information.

Officers outlined the report and drew Members' attention to the Local Plan Work Programme, highlighted on page 12 of the agenda. Officers advised that it was imperative that York produced a Local Plan which was viable and deliverable.

Members commented as follows:

- Concerns were raised regarding how changes to government policy could affect the progression of the Local Plan. Officers advised that this was difficult to predict but the priority was to ensure that the plan was viable, represented the city's wishes and could be delivered with local support.
- In response to Members' questions about the Neighbourhood Shopping Parade Study, mentioned as part of the evidence base, officers advised that the study was not as crucial as some of the other studies but it would be time consuming. Members also queried progress with the Public Realm study. Officers confirmed that the work may cross reference with some of the work undertaken for Reinvigorate York.
- There was a need to ensure that there were no delays in delivering the plan so as to remove any uncertainty.
- Referring to paragraph 32 of the report, it would be beneficial to receive more detailed information regarding the estimated financial costs.

- Further work needed to be carried out in terms of gathering comments from local residents on issues such as transport – information should be available for residents to view on-line at the very least.
- Further consideration should be given as to how best to work collaboratively with neighbouring authorities and other relevant organisations on spatial planning and transport issues (including accessing minutes of their meetings).
- There needed to be a new retail study carried out.
- Members queried whether there will still be the same amount of money for local schemes if contributions are pooled for strategic schemes. Officers confirmed that Section 106 will still be used for smaller, local schemes and that it will be about finding the right balance.

- RESOLVED:
- (i) That Cabinet be made aware of the views of the LDF Working Group, as detailed above, on the contents of the report and the move towards the preparation of a new Local Plan for York.
 - (ii) That more detailed information be provided on the financial implications, as outlined in paragraph 32 of the report.
 - (iii) That it be recommended that the working group be renamed the Local Plan Working Group.

- REASONS:
- (i) To inform the preparation of a new Local Plan for York.
 - (ii) To ensure that the working group is able to make informed recommendations.
 - (iii) To recognise the working group's remit in terms of the development of a Local Plan.

**5. CITY OF YORK COUNCIL SUBDIVISION OF DWELLINGS
SUPPLEMENTARY PLANNING DOCUMENT**

Members considered a report which sought approval for the draft Supplementary Planning Document (SPD) on the 'Subdivision of Dwellings', attached at Appendix A to the report. The SPD would be published as Council policy for determining planning applications.

Officers outlined the report and advised that this SPD, along with the SPD to be considered at item 6, would be used by planning officers and Planning Committee members when considering planning applications. The SPDs once finalised would be checked to ensure they stood up at Planning Appeals.

Members made the following comments:

- This SPD was particularly welcomed as Members had been trying to argue against sub-division of dwellings for a number of years at Planning Committees.
- Although Members recognised that the incentive for sub-division would continue, the SPD struck the right balance and would protect residents from poor quality conversions.
- Members queried issues on page 39 of the report and queried why the word 'homes' had been changed to 'flats'. Officers advised that they would look at the wording.
- In relation to the diagram on page 39, the height scale on the diagram should be moved from the right to the left in order to clarify that the 2.3m minimum standard applied to all units.
- Page 44 – reference to food waste recycling should be included as it may be available to York residents in the future. Officers advised that the list referred to 'as currently provided' facilities.
- In relation to page 45 and the conversion of attics and basements, some Members commented that reference to the balance between insulation and ventilation should be included.
- Page 47 – Members asked why there was no reference to sustainability or a breem standards. Officers advised that planning policy would still apply to any application but they would be happy to look at where policies could be cross referenced in the document.

The Chair advised that he was happy to recommend the document to Cabinet with the above comments. He asked the working group to delegate the finalising of the wording of any amendments to the Chair and officers.

RESOLVED: (i) That the comments of the LDF Working Group on the issues raised in the report be forwarded to Cabinet.

(ii) That it be recommended that the finalising of the wording of any amendments be delegated to the Chair and officers.

REASONS: (i) To help inform Cabinet when they consider the issues.

(ii) In order to finalise the document.

6. CITY OF YORK COUNCIL HOUSE EXTENSIONS AND ALTERATIONS SUPPLEMENTARY PLANNING DOCUMENT

Members considered a report which sought approval for the draft Supplementary Planning Document (SPD) on House Extensions and Alterations (attached at Appendix A of the report), to be published as Council policy for determining planning applications.

Officers outlined the report and Members had the following comments:

- Paragraph 6.3 – Members asked that the implications for neighbours is made clear in respect of side windows.
- There should be the consistent use of metres or millimetres when referring to distances in the document.
- In reference to section 7.4 paragraph H, add the words ‘to enable the tree to reach maturity’.
- Paragraph 12.5 that relates to side extensions should refer to an additional set back sometimes being required where there is not a straight building line.

- Paragraph 13.6 – add the words ‘in plan’ so that the sentence reads ‘ Extensions that project beyond a 45 degrees line in plan will normally be unacceptable...’

RESOLVED: That the comments of the LDF Working Group on the issues raised in the report be forwarded to Cabinet.

REASON: To help inform Cabinet when they consider the issues.

Cllr Merrett, Chair

[The meeting started at 5.00 pm and finished at 6.10 pm].



Local Plan Working Group**7th February 2013**

Report of the Director of City Strategy

Get York Building – Economic Growth, A Case for Change**Summary**

1. The purpose of this report is to seek Members views on the report to Cabinet, 12th February 2013, which proposes to update the current affordable housing targets.
2. The Cabinet report also proposes the acceptance of an off site financial contribution on sites of less than 15 homes in rural areas, and to approve the revisions now as a material consideration for Development Management purposes.
3. Investment of £1M in order to address overcrowding in existing Council homes is also set out in the Cabinet report, as well as options for a mortgage advice scheme.
4. A wider intention to review S106 requirements and the development of new approaches to facilitate greater flexibility in the payment of those contributions are also set out in the Cabinet report, paragraph 38.
5. Local Plan Working Group Members' attention is especially drawn to proposed immediate actions to update affordable housing targets in York, set out in paragraphs 22-27 of the Cabinet report, and to introduce off-site financial contributions on small rural sites in lieu of provision on-site, set out in paragraphs 28- 32.

Background

6. Through the Get York Building Board of Members and Senior Officers, a great deal of discussion has focused on how the Council can help to buck the national and local downturn in the

economy and, especially, the fall in house building starts and completions.

7. The Board was set up following a series of events held by the City Council towards the end of 2012 which set out to listen to the views of a wide range of providers, consultants and other key housing experts.
8. A number of new initiatives are progressing in order to help contribute to new house building activity, and the City Council remains committed to good planning and delivery.
9. The attached report, from the Leader of the Council, Cabinet Member for Housing & Adults Social Services & Cabinet Member for Transport, Planning & Sustainability, describes those initiatives and proposes a number of distinct proposals which should help to promote new house building in the city.

Consultation

10. Set out in paragraphs 48 – 49 of the Cabinet report.

Corporate Priorities

11. Set out in paragraph 50 of the Cabinet report.

Implications

12. Set out in paragraph 51 of the Cabinet report.

Risk Management

13. Set out in paragraphs 52 of the Cabinet report.

Recommendations

14. The recommendations and the views of the Local Plan Working Group are sought on the issues raised in the attached report.

Reason: To help inform Cabinet when they consider the issues on the 12th February 2013.

Contact Details

Author:

Chief Officer Responsible for the report:

Derek Gauld

Major Development
Projects & Initiatives
Tel: 551470

Mike Slater

Assistant Director – Planning and
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**Report
Approved**



Date 25/01/13

Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

ANNEX 1 - Report to Cabinet 12th February 2013 - Get York
Building – Economic Growth, A Case for Change.

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Cabinet**12th February 2013****Report of The Leader of the Council, Cabinet Member for Health, Housing & Adults Social Services & Cabinet Member for Transport, Planning & Sustainability.****Get York Building – Economic Growth, A Case for Change****Summary**

1. The following report outlines the current state of the building industry within York and the direct role stimulating the house building industry within the city will have on achieving the council's priority to create jobs and grow the economy. It also discusses the real and perceived barriers to building and considers options for the Council to play a leadership role in developing the climate where stalled development can be brought forward and whilst protecting the historic and green nature of the city, York is seen as a place that welcomes development.
2. The interventions presented in this report should be seen as a first phase of actions to facilitate an increase in the number of new homes built. Work is ongoing to unlock major developments which will be subject to further reports, the first of which will be April 2013 setting out proposals for Infrastructure investment to unlock major developments.

Background

3. When considering the current economic and housing needs of the city it is clear that one of the most important elements to creating jobs and growing the economy in York is to build quality sustainably designed homes. Developing a more integrated response to housing and economic growth needs to be a key focus of economic growth strategy, building new homes will not only enhance the economic performance of the city but also its overall economic competitiveness.
4. The two main aims of the Get York Building programme is first, to help drive the local economy, unblocking the house building market will provide a much-needed boost to employment, reducing benefits dependency and create a knock on impact in the wider prosperity of the city and, secondly to provide much needed sustainable homes of all tenures to meet the housing needs of the city

5. The current level of house building in the city has fallen dramatically from a high of 1,160 new homes in 2005 to 321 in 2012. The number of affordable homes delivered over the same period is 148 in 2004/5 to 151 in 2011/12, in some cases the guaranteed nature of the income from affordable housing has been a critical factor in sustaining development.
6. Completions are increasing, however not at a rate that will meet the housing need or deliver the real economic benefits for the city, there is a clear case for change
7. Getting house building moving again is crucial for the city's economic growth – housing has a direct impact on economic output, averaging 3 per cent of GDP in the last decade. For every new home built, up to two new jobs are created for a year¹. For every £1 spent on construction 92p stay in the UK economy and generates a total of £2.84 in extra economic growth as well as having a direct saving in tax and benefits of 36p².
8. Within this context developing a balanced yet active housing market that offers choice, flexibility and affordable housing is critical to the economic and social wellbeing of the city
9. The city's housing need is well known, the 2011 Strategic Housing Market Assessment (SHMA) set out the need for 790 additional affordable homes each year. The city's population is growing with the number of people living in the city increasing from 181,094 to 198,051 between 2001 and 2011, a 9.2% increase since the 2001 Census.
10. On the demand side, customers have become ever more wary of borrowing for home ownership and banks/ building societies require larger deposits from them. Pre 2007 a person needed only to save up for a 5% deposit on a mortgage and, in some cases, 0%. Following the downturn this increased to 20% (post 2007/8), making it virtually impossible for most first time buyers to enter the owner occupied market – an average £230,000 house in York would require a £46,000 deposit. The 2011 SHMA shows the median (private sector) average household income in York to be £22,100 (£11,700 for those in social rented sector). Affordability ratio based on median house price to median earnings = 6.79:1

Current Picture

11. In developing the background to support the proposed interventions we have held a number of consultation events with stakeholders and contacted all developers / agents who have unimplemented planning permissions for 3 or more dwellings. We have, in discussions with each developer, sought

¹ DCLG Housebuilding Statistics (2011)

² National Federation of ALMO's – Lets Get Building (2012)

to establish the reasons why the approved scheme has not been implemented and to understand what action would enable / give them the confidence to start development.

12. In some instances, particularly in relation to very small developments of less than 5 dwellings, the developer's aspiration as to sale price is one of the issues holding up development. Whilst this is clearly an issue, given the nature of the developments, i.e. windfalls, it is one which should be addressed through ensuring adequate supply is brought forward elsewhere.
13. It is clear from these discussions that as a result of the credit crunch and subsequent recession, commercial lending for developers, especially small developers has become less and less accessible - developers are struggling to get finance to build, and often need 40% deposits for speculative house building schemes. Many developers do not have access to those amounts required to build out sites, hence the picture of developments that have planning permission but not being built out. More recently deposits have reduced to 10-15% but high loan to value lending also comes with expensive arrangement fees and higher interest rates.
14. At the same time house prices have stabilised and the private rented sector has expanded, which can in some cases have the impact of trapping individuals into the private rented sector because of the high rent levels within the city, preventing them from saving for a deposit.
15. Affordable housing and other Section 106 requirements are often portrayed as being the key barriers to housing development coming forward. However, the viability of a scheme and the concerns about bureaucracy are only part of the picture which needs to be considered as a whole alongside other issues. What is clear is that larger national house builders are finding it much easier to address S106 requirements and to bring forward new homes and subsequently sell properties than the local smaller development/building firms. The local smaller development/building firms have expressed concerns about S106 agreements, which can be complex in nature and take some time to agree between parties.
16. Since the change in the affordable housing target to 25% on Brownfield sites & 35% on Greenfield sites and more recent changes on rural sites, development have been coming forward and approved by planning. However the true test is clearly the build out of developments. In recent months it is clear that some developments are coming forward and been built out. This is particularly noticeable in rural areas where in the last 12 months 8 developments have been approved by planning with 2 developments already on site, and an additional site has fully paid the commuted payment.

17. However, the recent changes in policy, whilst helpful needs to form part of a range of interventions that the council has available. To meet our housing needs and growth aspirations we need to see a step change in role for the council, actively facilitating development and unlocking potential.
18. Central to the long term development potential and subsequent economic growth is the bringing forward sufficient sites to meet not only our need but also our development aspirations. Work is currently underway to look at opportunities, arising as a result of a number of local and national changes, to unlock some of our major development sites within the city.
19. Critical to unlocking major development sites within the city is addressing the infrastructure requirements. To unlock the potential of these sites a new, more radical approach to funding and return on investment needs to be considered. Work is currently ongoing to consider how this can be achieved a further report will be brought forward in April 2013 setting out our approach to unlocking the potential of these sites.

Options

20. Option 1 – To agree approve the proposed interventions to:
 - Update the Affordable Housing Targets (as set out in Table 1) and approve as a material consideration for Development Management purposes;
 - Accept, on sites of less than 15 homes in rural areas, an off site financial contribution in lieu of on site affordable housing, (as set out in Annex 1) for a period of 18 months and approve as a material consideration for Development Management purposes;
 - Invest £1m in addressing overcrowding in existing council homes;
 - Agree a first phase of building new council homes;
 - Work up options for a mortgage advice scheme;
 - To review general S106 requirements and development of new approaches to facilitate greater flexibility in the payment of contributions
 - Develop opportunities for Institutional investment in to new Private Rented Sector homes within the city.
21. Option 2 – To ask officers to amend the proposed interventions.

Analysis

Proposed Interventions – Immediate

Update Affordable Housing Target

22. It is proposed that the current approved interim affordable housing targets are updated and reduced in line with the dynamic model principles of the Affordable Housing Viability Study (2010) and Annex (2011) (AHVS).
23. It was the intention to update the model and revise targets as soon as the Local Development Framework (LDF) Core Strategy was adopted. However, given the withdrawal of the LDF and the progression of a Local Plan, it is recommended that the interim affordable housing targets be updated to aid building in York. This approach should be approved for Development Management purposes and commenced on 1st March 2013.
24. The Dynamic Model contained within the AHVS allows affordable housing targets to be updated regularly using three update mechanisms. The three indices proposed for the update are (1) market prices (measured by York Land Registry House Price Index (HPI), (2) construction costs (measured by the Building Costs Information service (BCIS)) and (3) York Alternative Land Use Value (produced by the DVS - Property Services arm of the Valuation Office Agency).
25. This is a slight variation from the AHVS. The House Price Index has been changed to the York Land Registry House Price Index rather than the national Halifax HPI, as this is a local index which reflects more accurately York's specific housing market rather than the national housing market. At the time the AHVS was produced, the local index was unknown. The VOA no longer publishes the Property Market Reports. Therefore the VOA will now produce a specific York value for industrial land based on the same parameters as their discontinued Market Reports. This again has benefits of making the model more York specific, as previously a Leeds figure was used. Fordham's, who produced the AHVS, has confirmed that a switch of indices is acceptable.
26. Using the dynamic matrix in the AHVS Annex (2011) the affordable housing target for brownfield sites of >15 homes (benchmark target) decreases to 20%, from 25% currently. The other affordable housing targets are directly linked to this benchmark target and therefore also reduce. Table 1 below sets out the updated dynamic targets. Developers can still submit an open book appraisal if they consider that these targets are not viable for their site.

Table 1 – Updated Interim Dynamic Affordable Housing Targets

Thresholds	Existing Dynamic Targets 2009	Re-Run Dynamic Targets 2012
Brownfield sites > than 15 dwellings	25%	20%
Greenfield sites > than 15 dwellings	35%	30%
Rural Sites 11-14 dwellings (inc Greenfield and Brownfield sites)	25%	20%
Rural Sites 5-10 dwellings (inc Greenfield and Brownfield sites)	20%	15%
Rural Sites 2-4 dwellings (inc Greenfield and Brownfield sites)	10% Off site financial contribution = £15,427.50 per unit	10% Off site financial contribution = £11,566.90 per unit

27. These new targets will be relevant to any applications not currently determined. In respect of existing applications, applicants do have the right to submit a deed of variation to S106's in line with current policy. Many of the larger outline applications approved under the dynamic interim targets, through their S106 agreements set the actual affordable housing target at time of reserved matters submission, so these remain unaffected

Reducing Bureaucracy - Off Site Financial Contributions (OSFC)

28. Discussions with smaller house builders/developers has suggested that on smaller rural developments, often delivered by local building firms, the requirements for lengthy and complex legal agreements are a deterrent to development, especially in the current economic climate where back office capacity has been significantly reduced. The often complex and lengthy legal agreements (around 40 pages) required to secure on site affordable housing is an example cited by local smaller development/ building firms.
29. It is therefore proposed that for sites in rural areas of less than 15 homes Members agree the principle of off site financial contributions (OSFC) for an 18 month agreed period rather than provision on site. Table 2 below sets out the OSFC payment schedule for sites up to 15 homes. This approach should be approved for Development Management purposes and commenced on 1st March 2013 for an 18 month period unless material considerations indicate the need for an earlier review. The OSFC has been calculated in accordance with the formula below which has been in operation since the rural targets were approved in Dec 2011:

Formula: Average Property Price – Fixed RSL Price X AHVS Viable %

Table 2 – Rural Off Site Financial Contribution Schedule.

Rural Site Threshold	Average York Property price (Land Reg Aug 2012)	Average York Fixed RSL Price	AHVS Viable % level	Fraction OSFC
2 – 4 homes	£180,502	£64,833	10%	£11,566.90
5 – 10 homes	£180,502	£64,833	15%	£17,350.35
11 – 14 homes	£180,502	£64,833	20%	£23,133.80

*Payment is not required where there is a net gain of 1 home.

30. It is considered that these updated targets and the allowance of an OSFC for sites of up to 15 homes in rural areas will send out a clear message to the house building industry that the council is responding to market conditions. The changes should assist in limiting the need of viability appraisals that developers need to submit. Developers can still submit an open book appraisal if they consider that the revised targets are not viable for their site. Allowance of OSFC simplifies the negotiation process on smaller rural sites and removes the necessity for a complex Section 106 agreement, both of which will speed up and simplify the determination process.
31. Members should note that in terms of impact on affordable housing or other contributions sought, an 18 month interim approach would be felt for much longer than this period in reality, due to the period of validity of a planning permission. From granting of approval there is a standard period of 3 years for development to commence, before the permission lapses. Officers recommend that applications approved in relation to OSFC have a reduced timeframe for commencement. Applications should be conditioned to 2 year time period to encourage implementation and to prevent these interim reduced requirements from being exploited significantly beyond the period when their operation is justified. This is based on the generous relaxation of onsite provision for small rural sites, the progression of the Local Plan and changing market conditions. A report would be brought back to Cabinet at the end of the period to assess the impact of the change.
32. This interim approach will be relevant to any applications not currently determined. In respect of existing applications, applicants do have the right to submit a deed of variation to S106's but like applications yet to be determined the time frame of the application will be tied to a shorter implementation period i.e. a maximum of 2 years or shorter if the

application has less lifespan remaining. Many of the larger outline applications approved under the dynamic interim targets, through their S106 agreements set the actual affordable housing target at time of reserved matters submission, so these remain unaffected.

£1 million investment into CYC homes to address overcrowding

33. Whilst not new build properties, investment in extending current homes is activity in the construction industry and as such has the same positive impacts on the economy of the city.
34. The need for additional affordable homes is well documented, however the council should where possible look to minimise the demand for new larger homes. One way in which the council can start to address this is by looking to see where it can extend its existing homes to meet the need of families who are living in overcrowded conditions. In 2010/11 with a small amount of funding from the Golden Triangle the council introduced a limited scheme to provide loft conversions to its homes where tenants were living in overcrowded conditions. This proved very popular and whilst not only adding to the asset base of the authority, addressed significant overcrowding. As a result of the opportunities arising from HRA Self Financing it is proposed to develop a programme to extend existing council homes starting in 2013/14 with £1m investment.

Build new Council Homes

35. A clear priority for the Get York Building initiative is to bring sustainable development forward quickly. Utilisation of council land assets presents an opportunity to play a leadership role in kick starting new development. The council has a number of land assets that could be utilised for the development of new council homes.
36. Evaluation of Housing Revenue Account (HRA) land assets has identified number of sites where development of new council homes could be built. This includes existing unused land assets and garage courts. A number of these sites are felt to have the potential to move forward quickly which could deliver in the region of 50 – 70 new homes. Funding for this development would be from the investment fund on the HRA. Details of the suitable sites are been worked up and will be brought back to a Cabinet for approval.

Proposed Interventions – Within 6 Months

Review of general S106 requirements

37. Through the Get York Building initiative a review is underway to look at all issues pertinent to S106 contributions, including the nature and timing of

payments and how those payments are linked to the viability of a development through open market sales. Any changes arising from the review will form part of a wider package of incentives for development, and will be reported to the Get York Building Group and Local Plan Working Group and Cabinet for approval in due course.

Develop an accessible mortgage advice scheme

38. Discussions with developers have given the clear message one of the key issues is confidence in the market and demand uncertainty due to low mortgage availability and concern as to their subsequent ability to sell the new homes. This is particularly relevant to smaller developers who do not have the back office infrastructure that larger national developers have to bring advice and mortgage availability into their core sales package.
39. Where this advice and assistance is available, developers are seeing a significant increase in the percentage of reservations progressing to sale. This breeds confidence within the industry.
40. It is therefore proposed that the council develops an accessible mortgage advice scheme that brings together developers and lenders.

Bring forward key development opportunities following the Call for Sites

41. As part of our desire to generate development opportunities and to significantly boost housing supply in line with National Planning Policy Framework (NPPF), we wrote to and emailed nearly 2000 contacts from our Local Plan database asking them to submit sites, which they thought had potential for development over the next 15-20 years. In order to maximise the response to our 'Call for Sites' consultation we issued a press release which was subsequently reported in the York Press as well as advertising the consultation on the website homepage and displaying posters at our network of community facilities.
42. The consultation ran for 6 weeks and generated 292 individual site submissions from a variety of landowners, agents, developers and members of the public. We are looking at these sites alongside others we previously knew about from the 2008 call for sites, Strategic Housing Land Availability Assessment and Employment Land Review, which were not resubmitted as well as outstanding planning permissions. In total, we are we are considering 688 parcels of land.
43. The sites are subject to a suitability assessment of which the first stage is the consideration of flood risk, historic character and setting, nature conservation and green infrastructure. The next stage of the process is to score the sites against accessibility criteria in order to be able to rank the

sites by their suitability for different uses. Further to this, a viability assessment will be carried out to allow us to make realistic and accurate assumptions about the deliverability of the individual sites through the allocations process. This work will be completed in February and will be consulted on as part of the Preferred Options Local Plan report.

Opportunities for institutional investment

44. Institutional investors, in the main, are not interested in development or management they want a product that can be delivered at minimum risk to themselves where they receive a return on investment that meets their expectations.
45. Work has been carried out as part of the Leeds City Region (LCR) to model the opportunities for institutional investment and to consider the viability of such an approach. Modelling has been carried out which shows that sets out the viability of any investment.
46. However, more recent funding options from government as part of the 'Build to Rent' scheme provides an opportunity for the council to consider opportunities within its existing land assets to bring in investment to the city and still receive a capital receipt for the asset or, depending on the business case, consider the land asset as an equity investment and receive an ongoing return.

Consultation

47. Significant consultation has taken place in the development of the proposed interventions set out in this report. Discussions have taken place with all developers / agents who have outstanding planning permission for 3 or more homes. In early November 2012 a Get York Build consultation event was held as part of the long term Local Plan Visioning event which was attended to over 50 representatives from the house building industry. A key focus of the Housing Summit was also Get York Building with presentations and workshop sessions with industry representatives.
48. The Get York Building Project Board is made up of officers from Communities & Neighbourhoods, City & Environmental Services and Cabinet members. Discussions have taken place with developers in relation to the site specific issues that have been raised. It is also proposed to establish a Strategic Housing Forum for the city where barriers to bringing forward development can be discussed to ensure effective interventions are put in place.

Council Plan

49. Whilst the principal objective of the work is to Get York Building, the impact of the project impacts on all five of the council priorities as set out in the Council Plan.

- Create jobs & grow the economy – This report clearly sets out the direct link between activity in the construction industry and the economic prosperity of the city. For every £1m spent on construction of new homes it delivers 20 new jobs for a year and creates £2,84m of additional economic activity.
- Get York Moving – Unlocking major sites through delivering major infrastructure works will have a positive impact on Getting York Moving.
- Building Strong Communities – Meeting the housing needs of our communities is central to ensuring that we can in the long term ensure that our communities are strong and sustainable. Development of new sustainably designed homes will ensure that we deliver some of the fundamental principals building blocks of strong communities for the future.
- Protecting vulnerable people – Whilst the key focus of this report is about delivering quality and quantity and freeing up the delivery of new homes, delivery of specialist accommodation is also part of the wider picture. Delivering new homes will also help address some of our long term needs for affordable housing and have a direct impact on some of the most vulnerable individuals in housing need.
- Protect the environment - Whilst we are focusing growth both in the economy and the numbers of homes built, central to our approach needs to be the sustainability of the homes built and the impact that these have on our environment. As part of our approach to delivery we will be considering how we can play a leadership role within the city to ensure homes that are delivered are sustainable.

Implications

50. The majority of the implications of this report are considered within the body of the report. Key implications are:

- **Financial:** If members approve the recommendations significant off site contributions for affordable housing may be forthcoming. These will be used to support the delivery of affordable housing in accordance with the current arrangements for off site contribution. The financial implications of the decision to approve a new build programme of council homes is

included within the HRA Business Plan which is another item on the Cabinet agenda.

- **Human Resources (HR):** None
- **Equalities:** None
- **Legal:** None
- **Crime and Disorder:** None
- **Information Technology (IT):** None
- **Property:** None

Risk Management

51. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

52. The Cabinet is asked to

- a. Agree the option1 set out in Para 20 to:
 - Update the Affordable Housing Targets (as set out in Table 1) and approve as a material consideration for Development Management purposes;
 - Accept, on sites of less than 15 homes in rural areas, an off site financial contribution in lieu of on site affordable housing, (as set out in Annex 1) for a period of 18 months and approve as a material consideration for Development Management purposes;
 - Invest £1m in addressing overcrowding in existing council homes from the HRA;
 - Agree a first phase of building new council homes with funding from the HRA as set out in the HRA Business Plan.
 - Work up options for a mortgage advice scheme;
 - To review general S106 requirements and development of new approaches to facilitate greater flexibility in the payment of contributions
 - Develop opportunities for Institutional investment in to new Private Rented Sector homes within the city.

Reason: to ensure that the council plays a full and active leadership role in delivering quality sustainable new homes, creating jobs and growing the economy of the city.

Contact Details

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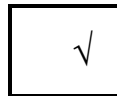
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Director – Communities & Neighbourhoods

Darren Richardson

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**Report
Approved**



Date 28th Jan 2012

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Wards Affected: *List wards or tick box to indicate all* **All**

For further information please contact the author of the report

Annexes

Annex 1 – Table showing Rural Affordable Housing OSFC Payments for sites less than 15 homes

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Rural Affordable Housing OSFC Payments for sites less than 15 homes

Site size (dwgs)	% Target	OSFC
1	N/A	N/A
2	10	£11,566.90
3	10	£23,133.80 (2x £11,566.90)
4	10	£34,700.70 (3x £11,566.90)
5	15	£69,401.40 (4x £17,350.35)
6	15	£86,751.75 (5x £17,350.35)
7	15	£104,102.10 (6x £17,350.35)
8	15	£121,452.45 (7x £17,350.35)
9	15	£138,804.00 (8x£17,350.35)
10	15	£156,153.15 (9x£17,350.35)
11	20	£231,338.00 (10x£23,133.80)
12	20	£254,471.80 (11x£23,133.80)
13	20	£277,605.60 (12x£23,133.80)
14	20	£300,739.40 (13x£23,133.80)

The shaded bar indicates the point at which an on site provision is currently required. Under the proposal above the commuted sum payable would be equivalent to the cost of providing an on site unit.

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Local Plan Working Group

7 February 2013

Report of the Director of City and Environmental Services

Local Heritage List for York

Purpose – This report seeks support from the Local Plan Working Group to undertake public consultation on the Local Heritage List for York SPD as part of the wider consultation exercise on the Local Plan and seeks a member steer on taking this forward following consultation.

Summary

1. This report sets out proposals to establish a Local Heritage List for York and for a programme of public consultation on the draft Supplementary Planning Document (SPD) to accompany the Local Heritage List. It is proposed to include the SPD within the public consultation exercise for the Local Plan evidence base.
2. The Local Heritage List will be comprised of non-designated heritage assets. Heritage Assets are defined in the National Planning Policy Framework (NPPF), March 2012, as, “*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.*” Heritage assets may be designated or non-designated. Non-designated heritage assets can include those identified by the local planning authority through Local Heritage Listing.
3. The inclusion of a heritage asset on the Local Heritage List will **not** afford the same level of protection given to statutorily Listed Buildings (designated heritage assets). However, the impact of development on local heritage assets will be a material consideration in determining planning applications.

Background

4. A 'Local Heritage List' is a list of locally important heritage assets that contribute to the special character and local identity of an area and which are valued by the local community. The Council has been working with York Open Planning Forum since 2009, but the initiative dates member support back to at least 2006 when it was championed by the then Lord Mayor. We have also worked with English Heritage as a pilot in the production of revised national guidance.
5. The NPPF states that, "*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment...*" Emphasis is placed on sustaining and enhancing the significance of heritage assets.
6. English Heritage acknowledges that Local Heritage Lists play an important role in celebrating heritage that is valued by the local community. The Good Practice Guide for Local Heritage Listing, March 2012, provides a comprehensive guide to local heritage listing and draws on good practice from across England in developing Local Heritage Lists.
7. The aims and objectives of the Local Heritage List for York include recognising the contribution of locally important buildings, monuments, sites, places, areas and landscapes to York's special character and significance; identifying those local heritage assets whose significance merits consideration through the planning process; and encouraging owners and the wider community to take pride in the care and conservation of their local heritage assets for current and future generations.
8. York Open Planning Forum has already prepared a draft list of entries for the Local Heritage List for York following discussions with the Council in 2004. Nominations were invited at open forums and Ward Committee meetings and with the support of The Press in 2005. As a result of York Open Planning Forum's efforts, details of some 180 items are included in a draft List available to members of the public through the 'York Open Planning Forum; York's Developing Local List' website.
9. It is proposed to re- advertise the nomination process for the Local Heritage List for York to include the draft entries prepared by York

Open Planning Forum whilst encouraging new nominations from members of the public, local communities and interest groups.

Supplementary Planning Document

10. Within this context, a draft Supplementary Planning Document (SPD) has been prepared by officers (based on EH guidelines) working with York Open Planning Forum. The SPD proposes a number of Selection Criteria for local heritage assets to be included in the Local Heritage List for York. The Selection Criteria acknowledge the special character; significance and sense of place found in York and the surrounding villages and include: architectural significance; townscape and landscape significance; historical significance; artistic significance; archaeological significance; age and rarity and community significance.

Development management

11. The SPD includes advice / guidance on local heritage assets and the development process. A building or structure included in the Local Heritage List will not have the same level of protection as a Statutorily Listed Building of special architectural or historic interest. Local Heritage Listing will not require owners of local heritage assets to seek Listed Building Consent although planning permission will still be required where development proposals exceed permitted development rights. However, the conservation and contribution of a local heritage asset to the special character of York and the surrounding villages will be a material consideration in planning decisions.
12. With regard to demolition, where local heritage assets are located within Conservation Area boundaries, Conservation Area Consent is required for the demolition of most unlisted buildings and certain/specified gates, walls and fences. Where local heritage assets are situated outside Conservation Area boundaries, the demolition of buildings is normally permitted development, for which the approval of the Local Planning Authority is only required for the method of demolition and any proposed restoration of the site.

Public consultation

13. The first stage of the process will be to undertake public consultation on the draft SPD. Members of the public will be invited to comment on the principle of establishing a Local

Heritage List for York, the Selection Criteria, guidance, mechanism for implementing the Local Heritage List and the Terms of Reference of the Review Panel. It is proposed to include the SPD within the public consultation exercise for the Local Plan evidence base.

14. The results of the consultation exercise will be reported to the Local Plan Working Group alongside more detailed proposals for the nomination process and for the review of the draft entries according to the agreed selection criteria.

Consultation

15. The draft SPD has been the subject of consultation within the City and Environmental Services Directorate of the City of York Council including Officers in Development Management, Major Developments Projects and Initiatives, Design Conservation and Sustainable Development and Integrated Strategy.

Options / Next steps

16. The options for establishing the Local Heritage List for York include the following;
 - a. Agree Public consultation based on the draft SPD
 - b. Agree Public consultation based on an amended SPD
 - c. Agree No further action

Analysis of Options

17. Option 16 a - the preferred approach, following through on the work already undertaken and with community support. This approach is supported by the NPPF and has local support.

Option 16 b - as above but with appropriate amendments prior to consultation.

Option 16c - to note the work to date and take no further action in progressing a Local Heritage List for York.

Council Plan

18. The proposals will support the delivery of Council Plan Priority 3: Build Strong Communities through community engagement and Council Plan Priority 5: Protect the Environment by promoting a sense of community ownership of the environment and delivering excellence in conservation practice and heritage education.

Implications

Financial

19. Non directly – although staff resources and IT resources are relevant

Human Resources (HR)

20. None.

Equalities

21. There are no equalities implications arising from this report.

Legal

22. No implications, unless an article 4 direction is requested.

Crime and Disorder

23. There are no crime and disorder implications arising from this report.

Information Technology (IT)

24. Inclusion of Local Heritage List entries in York's Historic Environment Record database and making this publicly accessible will be key requirements. Additionally inclusion of Local Heritage List entries on Uniform (Development Management) data will be necessary

Property

25. There are no property implications from this report.

Other

26. There are no other implications from this report.

Risk Management

27. There are no known risks arising from the report.

Recommendations

28. That it be recommended to cabinet that the draft SPD be approved for public consultation as part of the wider Local Plan process.

Reason: to support the development of the Local Plan for York and engage local communities with their heritage.

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Report
Approved

Date 30 January
2013

Wards affected:

All

For further information please contact the author of the report

Background Papers:

EH Guidance documents

Annexes:

Annex A - Local Heritage List for York Supplementary Planning Document, Consultation Draft, January 2013.

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Local Heritage List for York Supplementary Planning Document

Consultation Draft January 2013

Contents

- 1 Introduction
- 2 Policy Framework
- 3 Selection Criteria for Local Heritage Assets
- 4 Local Heritage Assets and Development Management
- 5 Guidance
- 6 Establishing and Managing the Local Heritage List for York
- 7 References and Glossary
- 8 Contacts

Appendices

Appendix 1 Local Heritage List for York - Nomination Form

Appendix 2 Local Heritage List Review Panel – Terms of Reference

Appendix 3 Local Heritage List Entries

Strategic Environmental Assessment Screening

1 Introduction

1.1 The 'Local Heritage List for York' is a list of heritage assets that contribute to the special local architectural and historic character of the area and are valued by the community. Entries represent locally distinctive features that contribute to the environmental, social and cultural heritage of the York area.

1.2 The Local Heritage List is in addition to those buildings included in the Statutory List of Buildings of Special Architectural or Historic Interest, known as Listed Buildings, that are considered by the Government and English Heritage to be of national importance. There are currently¹ some 1,578 Listed Building items in the City of York Council area, together with 22 Scheduled Ancient Monuments and 7 Areas of Archaeological Importance, 35 Conservation Areas and 4 Registered Parks and Gardens of Special Historic Interest.

1.3 City of York Council values York's local heritage and intends to prepare, through public consultation, a Local Heritage List of heritage assets that include buildings, monuments, sites, places, areas and landscapes². Local heritage assets contribute to York's special character, significance and sense of place as defined in the Heritage Topic Paper and Heritage Impact Appraisal, City of York Council, 2011.

1.4 City of York Council has been working together with local community group, York Open Planning Forum (YOPF) to establish a Local Heritage List for York. Since 2005, YOPF has prepared a draft list of some 180 entries for the Local Heritage List for York from public nominations. It is proposed to re-launch the nomination process for the Local Heritage List for York to include the draft entries prepared by YOPF whilst encouraging new nominations from members of the public, local communities and interest groups.

1.5 The Local Heritage List for York recognises the significance of locally important heritage assets and will ensure that entries are properly considered when development proposals are submitted to the Local Planning Authority. This Supplementary Planning Document (SPD) provides information regarding the Local Heritage List for York. When adopted, this SPD will be a material consideration in planning decisions and will ultimately form part of the City of York Local Plan as a supporting document linked to heritage policies.

1.6 The **aims and objectives** of the Local Heritage List for York are to:

- recognise the contribution of locally important buildings, monuments, sites, places, areas and landscapes to York's special character and significance

¹ Date of publication of Local Heritage List for York SPD

² Refer definition of Heritage Asset, National Planning Policy Framework, March 2012

- add to the local community's knowledge and enjoyment of their historic environment
- promote the conservation, repair and enhancement of local heritage assets
- encourage owners and the wider community to take pride in the care and conservation of local heritage assets for the benefit of present and future generations
- promote good design for development affecting local heritage assets that is appropriate to their special character and local significance

2 Policy Framework

2.1 National Policy

2.1.1 The Localism Act, November 2011, sets out new freedoms and flexibilities for local government, new rights and powers for communities and a range of reforms to the planning system. The Act enhances the role of communities in determining how planning decisions are made at the local level.

2.1.2 The National Planning Policy Framework (the 'Framework') (March 2012) states that, "Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment..." Emphasis is placed on "sustaining and enhancing the significance of heritage assets..." and recognising that heritage assets are an "irreplaceable resource" and should be conserved "in a manner appropriate to their significance". The Framework sets out a definition of Heritage Assets, to include designated and non-designated assets identified as having a degree of significance meriting consideration in planning decisions. Non-designated heritage assets can include those identified by the Local Planning Authority through Local Heritage Listing.

2.1.3 The Framework requires Local Planning Authorities to describe and make publicly available information about the significance of its Heritage Assets³, and requires from applicants a proportionate appraisal of the likely impact of any development proposal on that Asset. Under the Framework the conservation and contribution of locally listed heritage assets will be a material consideration in

³ Refer to http://www.york.gov.uk/info/200584/sites_and_ancient_monuments/446/sites_and_ancient_monuments

planning decisions that directly affect them or their setting.⁴ Local heritage assets within conservation areas also benefit from the general control over demolition afforded by the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.1.4 The Good Practice Guide for Local Heritage Listing was published by English Heritage in March 2012. English Heritage acknowledges that local heritage lists play an important role in celebrating heritage that is valued by the community at the local level. This comprehensive guide to local heritage listing draws on good practice from across England and provides guidance on developing new local heritage lists or making improvements to existing lists.

2.2 Local Policy

2.2.1 The City of York Council Local Plan 4th set of changes (May 2005) are currently adopted for Development Management Purposes. The Plan contains policies relevant to the Local Heritage List for York including those with reference to design, open space, landscaping, subdivision of gardens and infill development.

2.2.2 City of York Council commenced work on a new Local Plan in October 2012. The new Local Plan for York will include a vision for the future development of the city and a spatial strategy that will cover both strategic policies and land allocations, alongside detailed development management policies.

2.2.3 The new Local Plan will continue to help York safeguard its outstanding heritage for future generations by promoting development which respects the City's special character and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city.

3 Selection Criteria for Local Heritage Assets

3.1 The following criteria will be used to assess whether any building, monument, site, place, area or landscape may be considered for inclusion in the Local Heritage List for York as a locally designated heritage asset. Nominated local heritage assets will need to meet one or more criteria to be considered for inclusion in the Local Heritage List for York. The criteria are defined as follows;

(i) Architectural Significance

A building that is valued locally for special architectural or vernacular interest; has associations with a locally or nationally notable architect, designer or engineer; or demonstrates design features of exceptional quality that may be characteristic of the local area.

⁴ Refer paragraph 135, National Planning Policy Framework, March 2012

(ii) Townscape and Landscape Significance

A building, monument, site, place, area, landscape or open space which makes a positive visual contribution to character, helps define a sense of place or adds to the local distinctiveness of the area. These include:

- a) Key landmark buildings and/or structures including significant buildings on important routes into the area
- b) Buildings that create a vista, view or make a positive contribution to the skyline
- c) A group of buildings or the relationship between buildings and the spaces around them
- d) Valued open spaces, including public streets and squares, parks, gardens, amenity spaces and linear greenways, for example, river corridors
- e) Trees including avenues, special groups and single landmark trees
- f) Walls, fences, railings or hedges
- g) Street surfaces and margins, for example, cobbles, setts and grass verges
- h) Distinctive items of street furniture, for example, signposts, lamp columns and light fittings

(iii) Historical Significance

Buildings, monuments, sites, places, areas and landscapes that are of historic interest associated with local historic events or locally famous or notable people, civic, community or industrial activities of local significance; or which reflect traditional functional character of, or former patterns of land use within the area.

(iv) Artistic Significance

Features within the public realm, for example, signs, adverts or plaques, that are of artistic interest for their conscious design, or technical significance that displays exceptional innovation and craftsmanship.

(v) Archaeological Significance

Monuments or places of archaeological interest⁵ that are identifiable and definable in extent; have the potential to retain well preserved deposits (both upstanding features or earthworks and sub-surface); relate to a significant phase of local development or local occupation or with a person of local significance.

(vi) Age and Rarity

Only buildings over 30 years old are normally considered eligible for nomination as a local heritage asset. It takes time for different styles of architecture to be appreciated and widely acknowledged as nationally or locally important.⁶

(vii) Community Significance

Places and features perceived as a source of local identity, distinctiveness, social interaction and coherence that have strong communal meaning.

4 Local Heritage Assets and Development Management

4.1 City of York Council recognises the important contribution of local heritage assets to the special character and local identity of York and its surrounding villages. Inclusion of local heritage assets in the Local Heritage List for York will increase the status and importance of local buildings, monuments, sites, places, areas and landscapes.

4.2 A heritage asset included in the Local Heritage List for York will not have the same level of protection as a Statutorily Listed Building. Local Listing does not bring any additional consent requirements over and above the requirement for planning permission. However, the conservation and contribution of a locally listed heritage asset to the special character of the York area will be a material consideration when planning decisions are made that affect a local heritage asset or its setting.

4.3 Where local heritage assets are situated **inside Conservation Area boundaries**, Conservation Area Consent is required for the demolition of most unlisted buildings

⁵ Places of archaeological interest (whether currently recorded in the CYCHER or not) that address the questions and priorities that are identified in the existing and emerging national, regional and local Research Agenda. Designation of local heritage assets of archaeological significance must therefore take place within the existing and emerging national, regional and local Research Agenda and be guided by advice from the City Archaeologist and the York Archaeological Forum.

⁶ Refer York Central Historic Core Conservation Area Appraisal, Part Two, Management Strategy, 5.4.2 Buildings of Merit, November 2011

and certain gates, walls and fences. Within Conservation Areas most houses and some commercial buildings have restricted permitted development rights. These allow certain alterations to be undertaken without seeking planning permission from the Local Planning Authority. Where a building does not have permitted development rights, planning permission is required for alterations which affect the external appearance of the building including partial demolition.

4.4 Where local heritage assets are situated **outside Conservation Area boundaries**, many alterations to unlisted buildings/structures can be carried out as permitted development where the local planning authority has limited control. Outside Conservation Area boundaries, the demolition of buildings is normally permitted development, for which the prior approval of the Local Planning Authority is only required for the method of demolition and any proposed restoration of the site.

4.5 When planning applications are assessed by the Council, the inclusion of a building, monument or site, place, area or landscape in the Local Heritage List for York will increase the level of consideration given to conserving the character and appearance of the local heritage asset, and its setting. This SPD will be a material consideration in the planning process and the assessment of planning proposals. The significance or special interest of the local heritage asset will be considered for works to a building or structure that require planning permission.

5 Guidance

5.1 The significance or special interest of a local heritage asset included in the Local Heritage List for York will be a material consideration when determining planning applications for works of alteration, extension or demolition (if situated in a conservation area). The following guidance should be taken into consideration for development proposals affecting local heritage assets and their setting.

5.2 Architectural Character and Interest. Alterations and extensions to locally listed heritage assets should respect the special character and interest of the asset that contributes to its significance. Extensions should be designed to relate to the architectural character, scale, mass and appearance of the local heritage asset and its setting. Contemporary design for extensions should be of a high quality and respect the scale and mass of the existing building. Extensions should be finished in materials that complement those of the local heritage asset and buildings within its setting.

5.3 Townscape and views. Development proposals should conserve and respect the special character and interest of features that contribute to townscape, established views and landscape significance.

5.4 Landscape. New development should be sensitive to the significance of landscape features, for example, trees, hedgerows, grass verges, cobbled road margins and open space, that contribute to York's distinctive local identity and special character and aim to retain and enhance these.

5.7 Setting. The setting of a local heritage asset contributes to its special character and interest and should be conserved. The design, scale and location of new buildings, changes and alterations to existing buildings, and demolitions within the setting of local heritage assets should respect the existing urban grain and pattern of development so that the significance of the local heritage asset is conserved.

5.5 Demolition. Where possible, development proposals should avoid demolition, either in whole or in part, that would result in the loss of local heritage assets that contribute to the distinctive local character and special interest of the York area. Proposals for the conservation and sympathetic re-use of local heritage assets should be encouraged to enable the retention and long term viable economic use of local heritage assets.

5.6 Traditional materials and repair. Historic fabric contributes to the distinctive local character and interest of local heritage assets and may include windows, doors, chimneys, roofs and boundary materials. Owners of local heritage assets should be encouraged to retain historic fabric and implement like for like repairs using traditional materials.

6 Establishing and Managing the Local Heritage List for York

6.1 The following paragraphs set out the means of establishing the Local Heritage List for York.

6.1.1 The **Supplementary Planning Document (SPD)** sets out the selection criteria for local heritage assets, guidance and the means of establishing and managing the Local Heritage List for York. Subject to the approval of the Local Plan Working Group, a statutory and public consultation will be undertaken on the consultation draft of the Local Heritage List for York SPD. Recommendations will be made to the Planning Committee with regard to the Local Heritage List for York based on the outcomes of public consultation.

6.1.2 Identify assets and gather data for assessment. York Open Planning Forum has prepared a draft list of some 180 locally important heritage assets nominated by local communities in the York area. In 2005 nominations were invited at open forums and Ward Committee meetings, and with the support of The Press. The YOPF draft entries will be tested against the selection criteria set out in Section 3 of the SPD.

6.1.3 The **nomination process** will be re-advertised to the wider public to invite comments / proposed entries for the Local Heritage List for York and will include details of the YOPF draft entries. All nominated local heritage assets should meet at least one of the selection criteria. A nomination form has been prepared to enable members of the public, local communities and interest groups to nominate local heritage assets for inclusion in the Local Heritage List for York (refer Appendix 1). A leaflet will be distributed to Parish Councils, Ward Committees and members of the public. The 'Buildings of Merit' identified in the York Central Historic Core Conservation Area Appraisal, Part Two: Management Strategy, November 2011, will also be considered during the nomination process.

6.1.4 Local Heritage List Review Panel. A Local Heritage List Review Panel will be established and facilitated by City of York Council to assess and review nominations for the Local Heritage List for York and associated information. The Review Panel will comprise of representatives of special interest groups, and others (refer Appendix 2). The Review Panel will seek specialist advice in assessing nominated local heritage assets as required.

6.2 The following paragraphs set out how the Local Heritage List for York will be managed.

6.2.1 Owner notification. Owners of nominated local heritage assets will be notified and consulted on the proposed inclusion of their property in the Local Heritage List for York. The notification will specify which of the criteria it is considered that the nominated local heritage asset meets. Owners can often provide valuable additional information that can influence the decision about whether to add the building to the Local Heritage List or not. Input from owners is welcomed and all representations made in relation to each asset will be considered as part of the nomination process.

6.2.3 Any objection to the inclusion of a particular building, monument, site, place, area or landscape in the Local Heritage List for York would need to be justified within the terms of the selection criteria. Issues that do not relate to the selection criteria, such as development potential, personal preference or privacy cannot be considered.

6.2.4 Assessment Process and the Review Panel. The YOPF draft entries, 'Buildings of Merit' and new nominations will be assessed and reviewed against the selection criteria prior to inclusion in the draft Local Heritage List for York. The Local Heritage List Review Panel will consider the nominated entries prior to making recommendations to the City of York Council Planning Committee for the inclusion of local heritage assets in the Local Heritage List for York. Nominees and owners will have an opportunity to address the Panel during the decision making process.

6.2.5 Ratification. The Local Heritage List Review Panel will make recommendations to the relevant cabinet member for the inclusion of entries or amendments to the Local Heritage List for York. Nominees and owners will have a further opportunity to make representations when the Review Panel's recommendations are considered for ratification. This SPD will be updated to include the approved Local Heritage List entries in Appendix 3.

6.2.6 Ongoing management of the Local Heritage List. The Local Heritage List Review Panel will be reconvened at regular intervals as required, and at least once annually, to assess new nominations, review the Local Heritage List and to add or remove assets as appropriate. New nominations will require appropriate consultation, and revisions to the Local Heritage List for York will need to be ratified.

6.2.7 All stages of the consultation will be informed by and meet the requirements of the Local Plan Statement of Community Involvement.

7 References and Glossary

7.1 References

National Planning Policy Framework, March 2012
 PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide, March 2010
 Good Practice Guide for Local Heritage Listing, English Heritage, March 2012
 Conservation Principles: Policies and Guidance, English Heritage, 2008
 Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage, 2011
 The Setting of Heritage Assets, English Heritage, October 2011
 City of York Council Local Plan 4th set of changes (May 2005)
 York Central Historic Core Conservation Area Appraisal – Part Two Management Strategy 5.4.2 Buildings of Merit, November 2011
 Heritage Topic Paper and Heritage Impact Appraisal, City of York Council, 2011
 York Open Planning Forum, York's Developing Local List www.yorklocalist.org.uk
 City of York Historic Environment Record (HER)

7.2 Glossary

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

National Planning Policy Framework, March 2012

HER: Historic Environment Record. HERs are information services that provide access to comprehensive and dynamic sources relating to the historic environment of a defined geographic area for public benefit and use. Typically they comprise databases linked to a geographic information system (GIS) and associated reference material, together with a dedicated staffing resource.

CYCHER: The HER maintained by City of York Council. Information from the CYCHER can be accessed on line through the Heritage Gateway www.heritage-gateway.org.uk or through City of York online mapping system <http://localview.york.gov.uk/Sites/lv/>

8 Contacts

Design, Conservation and Sustainable Development, City and Environmental Services, City of York Council, West Offices, Station Rise, York YO1 6GA

conservation@york.gov.uk

York Open Planning Forum

Appendices

Appendix 1 Local Heritage List for York - Nomination Form



York Local Heritage List - Nomination Form



Details of individual/ group nominating a local heritage asset

Name	
Address	
Telephone	
E-mail	

Details of local heritage asset

Name and brief description	(e.g. type of structure, architect, construction date, original/ current use)
Address and post code	
Parish/ Ward	
Grid reference (if known)	

In Conservation Area	Yes/ No
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Supporting Statement

Please give a brief statement of the significance or special interest of this local heritage asset within the local context.

Reason for nomination

Please indicate which of the following selection criteria you consider the local heritage asset meets and why.

Architectural Significance –

Townscape and Landscape Significance -

Historical Significance -

Artistic Significance -

Archaeological Significance -

Age and Rarity -

Community Significance -

Contact

Please send nominations, accompanied by **location plans** and **photographs** where possible, to:

Appendix 2 Local Heritage List Review Panel – Terms of Reference

1. The **purpose** of the Local Heritage List Review Panel is;
 - To assess nominations for local heritage assets and associated supporting information for the Local Heritage List for York before ratification by the relevant council cabinet member, in accordance with the National Planning Policy Framework.
 - To review the Local Heritage List and recommend the addition or removal of assets as appropriate at regular intervals and at least once annually.

2. **Membership** of the Review Panel should be drawn from the following organisations;
 - the York Open Planning Forum (YOPF)
 - local historian
 - local architect
 - local archaeologist
 - the Conservation Area Advisory Panel (CAAP)
 - a Local Amenity Society
 - The Local Councils Association
 - CYC Officer with relevant built or natural environment skills
 - CYC Officer with community planning function

The length of service of members of the Review Panel shall be at the discretion of the nominating bodies.

Specialist Advice. It may occasionally be necessary to seek specialist advice when assessing a particular asset. The Review Panel may co-opt an additional

member with appropriate qualifications either on a permanent or temporary basis where their specialist knowledge would be appropriate.

3. Assessment of Local Heritage Assets.

3.1 Nominations will be assessed against the terms of the published criteria for inclusion in the Local Heritage List for York. Where a nominated asset meets one or more of the criteria it will be included in the Local Heritage List. Where supporting information is incorrect, incomplete or lacking, further justification may be sought from the person making the nomination, at the discretion of the Review Panel. Otherwise, a nomination may be rejected. The significance of a nominated asset may require to be measured, for example, against archaeological criteria.

3.2 Appeals against the inclusion may be lodged by objectors on the basis of evidence that it fails to meet the information submitted in support of the nomination; or that it fails to meet any of the selection criteria. The presumption in favour of adopting an asset should remain unless it meets either of these conditions.

3.3 A nominated asset which is already protected through inclusion in the Statutory List of Buildings of Special Architectural or Historic Interest, as a Scheduled Ancient Monument or as a Registered Park or Garden will not be added to the Local Heritage List.

4. Local Heritage List Review Panel Practice and Procedures

4.1 The Review Panel will meet at regular intervals, as required, and at least once annually. The Review Panel will have no more than 12 members. Voting on nominations will only be possible if the meeting is quorate. A meeting is quorate if half the members are present

4.2 All meetings will be minuted and agendas will be published on the Council's website two weeks in advance. Minutes will be published on the Council's website no more than two weeks after a meeting.

4.3 Following each meeting, as new nominations come forward, the Review Panel will prepare a report for Planning Committee that will include: a list of local heritage assets that are recommended to be added or removed from the Local Heritage List; the criteria that may or may not apply; comments received through public consultation and the Review Panel's response to consultation comments. Nominees and owners will have an opportunity to address the Review Panel and subsequently the Planning Committee, as appropriate, during the decision making process. A member of the Review Panel will have the opportunity to address the Planning Committee regarding nominations for inclusion and removal from the Local Heritage List.

4.4 It is recommended that the Chair should be appointed by Review Panel members and this should be reviewed annually. Encouragement should be given to rotating the Chair annually.

4.5 Review Panel Terms of Reference and Practice and Procedures should be reviewed at regular intervals.

Appendix 3 – Local Heritage List Entries

Entries in the Local Heritage List for York will be under constant review. Please refer to the City of York Council/YOPF website for the current version of the Local Heritage List for York.

Strategic Environmental Assessment Screening