Notice of a public meeting of
Local Plan Working Group

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

Date: Monday, 4 November 2013

Time: 5.00 pm

Venue: The Severus Room - 1st Floor West Offices (F032)

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 - 12)

To approve and sign the minutes of the meeting of the Local Plan Working Group held on 22nd April 2013.

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 Friday 1st November 2013.**

4. Consultation Feedback (Pages 13 - 168)

The purpose of this report is to provide initial feedback on the Local Plan Preferred Options consultation which closed on 31st July 2013. This report summarises the consultation undertaken, outlines the number of responses received, highlights some of the key emerging messages and sets out the next steps for producing the Local Plan.

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

6.

Democracy Officer:

Name: Laura Bootland
Contact Details:

- Telephone – (01904) 552062
- E-mail – laura.bootland@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

Agenda Annex

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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

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Further information about what's being discussed at this meeting
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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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- All public agenda/reports can also be accessed online at other public libraries using this link http://democracy.york.gov.uk/ieDocHome.aspx?bcr=1

City of York Council	Committee Minutes
MEETING	LOCAL PLAN WORKING GROUP
DATE	22 APRIL 2013
PRESENT	COUNCILLORS MERRETT (CHAIR), BARNES, BARTON, D'AGORNE, HORTON, REID, RICHES, SIMPSON-LAING AND WATT (VICE-CHAIR)
IN ATTENDANCE	COUNCILLORS ALEXANDER, GUNNELL AND WARTERS

12. DECLARATIONS OF INTEREST

Members were 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 the business on the agenda.

Councillor D'Agorne declared a personal interest in agenda item 4 as an employee of York College, which was referred to in the document.

13. MINUTES

RESOLVED: That the minutes of the meting held on 7 February 2013 be approved and signed by the Chair as a correct record.

14. PUBLIC PARTICIPATION

It was reported that there was one registration to speak under the Council's Public Participation Scheme and that two Members had also requested to speak.

Mr Keogh, representing the York Chamber of Commerce, spoke in respect of agenda item 4 – City of York Local Plan. He stated that the drawing up of the draft Local Plan was welcomed as it provided an essential framework. He fully supported the housing targets to ensure that the housing needs of the city's workforce were catered for. It would also stimulate the building industry and lead to increased employment. The improvements to transportation were also welcomed. The main concerns

related to the employment land provision. Mr Keogh expressed concern that the land that was proposed for this purpose may not be sufficient or be in the right location. Further representations about this matter would be made during the consultation process and York Chamber of Commerce would continue to work with the Council regarding these issues.

Councillor Warters spoke in respect of agenda item 4 – City of York Local Plan. He expressed concern at the cancellation of Local Plan Working Group meetings and stated that the Working Group had not been sufficiently involved in the drafting of the Local Plan. He queried the purpose of the Working Group and stated that there had not been cross-party input or debate.

Councillor Watt, as a member of the committee, expressed his concern that a press conference had been held on the draft Local Plan prior to the document being issued to members of the Local Plan Working Group. He stated that the plan was an attack on rural areas and expressed strong concerns about the impact that the Plan would have on Skelton. Councillor Watt then left the meeting.

Councillor Alexander spoke in respect of agenda item 4 – City of York Local Plan. He stated that many people of his generation had given up hope of home ownership. The lack of housing supply in the city was a cause of concern. He drew attention to the links between jobs and housing. Councillor Alexander stated that the Council was keen to develop brownfield sites, for example the development at Terry's, but there was insufficient brownfield sites to meet demand. He stated that the target that had been set would be difficult to achieve at first but that there was a moral obligation to provide more housing in the city.

15. CITY OF YORK LOCAL PLAN - PREFERRED OPTIONS

Members considered a report which presented the Local Plan Preferred Options and Proposals Map. A report on this issue was due to be considered in detail by Cabinet at a meeting on 30 April 2013. The Local Plan Working Group's recommendations would be presented to Cabinet to help inform any decisions taken.

The Chair stated that the Plan sought to accommodate business needs and provide a more substantial housing supply. The target of 1090 aimed to meet existing and expected economic growth but whilst care had been taken in choosing sites it was also important to maintain York's setting. Allocations concentrated on larger sites would create new communities and would provide the necessary facilities and transport infrastructure.

Councillor Barton stated that he was very concerned that the documentation referred to Holme Hill. He stated that this was a farm and not an area of land. This had caused significant problems for the residents concerned. Officers were asked to look into this matter and consider an alternative approach.

Some concerns were expressed at the short timescale within which members of the Working Group had been expected to study the documentation and at the fact that a press conference had been called prior to the agenda papers being published. Concerns were also expressed that some of the supporting documentation had been made available on-line only and was not easily accessible.

Members went through the documentation and raised the following issues:

Figure 1 in the report

- Concerns were expressed that the map showed all sites considered for development potential but the documentation did not provide reasons as to why some of the sites had been ruled out. The rationale needed to be made public at the consultation stage.

Section 1: Strategic Framework

- Para 1.7 - In respect of the "duty to co-operate" more information should be included as to the bodies that would be consulted, particularly in respect of cross boundary impacts.

Section 2: Spatial Portrait

- Para 2.59 – the references to journey to work patterns do not place sufficient emphasis on the journeys of people who live

in York but who work in another area. It would be useful if, during the consultation process, work could be carried out to ascertain the reasons for this and also why people choose to commute into York but not live here. Do the reasons only relate to housing?

- Para 2.69 and 2.70 – need to be kept updated to reflect the changing situation.

Section 5: Spatial Strategy

- Employment growth (page 44) – greater clarity needed, for example as to how the expectation of employment had been arrived at, including the three options and an explanation of what is meant by a "policy on" scenario.
- Page 45 – it was noted that the figure of 47,500 people should read "55,000"
- Greater clarity required in respect of the four housing growth options.
- Officers responded to Members' questions regarding windfalls.
- Concerns were raised regarding the identified new settlement at "Holme Hill" and as to whether a settlement of this size would be sustainable. Members suggested that there would be a need to provide more detailed information on this issue as part of the consultation process.

Section 6: York City Centre

- Page 65 – "residential" to be included in the list of development types that are acceptable in principle.

Section 7: York Central

- Members noted that the proposals reflected the work that had been taking place and that it would provide a key opportunity for a new central business quarter.

Section 9: Retail

- It was suggested that some of the work that had taken place on neighbourhood parades and local retailing should be included in the evidence base. Officers confirmed that work

on neighbourhood parades had been undertaken and would be available at consultation.

Section 10: Housing Growth and Distribution

- Better cross referencing with Section 5 “Spatial Strategy” was suggested. It was noted that there were four options for housing growth in this section and that there needed to be consistency within the documentation.
- It was suggested that reference be made as to how scenarios such as boom and bust would be accommodated.
- Table 10.1 H6 – amend wording “land to rear of Wilberforce Home”.

Section 11: Aiding Choice in the Housing Market

- Officers gave an update on how it was intended to redraft ACHM3 to provide greater clarity.
- The correction needed to the key denoting areas of search for Gypsy and Traveller sites and Showpeople Yard on the proposals map was noted.
- It was agreed that a link be provided to demonstrate the Council’s legal duties in respect of gypsies and travellers.
- Information to be included clarifying the difference between a pitch and a plot.
- Consideration to be given as to whether more information could be included on house prices/wages and medium and mean wage comparisons as part of the contextual information regarding the range of housing choice.
- Officers to ascertain if information is available regarding any correlation between shared housing and a shortage of new homes.

Section 12: Affordable Housing

- Page 135 (alternatives) – no reference to minor developments.

Section 14: Education, Skills and Training

- Accuracy of the statement “the number of residents leaving the area for Further Education studies has significantly reduced from 125 to 34 over the last four years” to be checked.

Section 15: Universities

- Consideration to be given as to whether there was scope to increase the figure of 3,586 bed spaces at Heslington West.
- Policy U5 – Light pollution should be a consideration in the development of York St John University sport pitch allocations where flood lighting is proposed.

Section 17: Green infrastructure

- It was noted that greater clarity was needed on the Proposals Map re areas which had dual designation as open space and green belt.
- Page 188 – further consideration should be given to the reference "require only major development …"

Section 18: Green Belt

- For greater clarity all sites in Policy GB5 should be identified on the proposals map as major developed sites in the green belt.
- Include reference to the fact that renewable energy in the green belt would be considered appropriate.
- Consideration to be given to the situation in respect of the latest legislation for telecommunication masts and amend plan if relevant.

Section 19: Flood Risk Management

- Councillor Barton drew attention to a map indicating the flood risks in the area referred to in the document as "Holme Hill". Officers confirmed that they were aware of the information and fully discussed the issue with Flood Risk and Drainage Management colleagues, also that the approach they were advocating fitted with the NPPF. In addition, officers would consult with the Environment Agency and Internal Drainage Boards.

Section 20: Climate Change

- Consideration to be given to the title of the section, one suggestion was that it focuses on renewable energy and sustainable design and construction.

- Purpose of Figure 20.1 is unclear.
- Paragraph 20.6 to be made more accessible.
- Cross-referencing to be included, as this section was focussed on design and did not make reference to other issues such as transportation.
- Page 227 – correction to paragraph reference required.
- Page 231 – further consideration to be given to the wording in respect of light pollution etc.

Section 22: Waste and Minerals

- There is no mention of “fracking”. It should be considered whether it is appropriate to do so.

Section 23: Transport

- Need to cross reference air quality to this section.
- Paragraph 23.9 – need to clarify that this is two-way
- Page 251 point iv – needs greater clarity.
- Greater clarity needed in definitions such as frequency of service and the distinctions between the expected services to suburban areas compared to rural villages.
- Page 260 – location of pedestrian/cycle bridge referred to in (iii) to be checked.
- Page 265 – protection for residential areas – consideration to be given to the impact on areas such as Monks Cross.

Section 25: Infrastructure and Developer Contributions

- Discussion took place regarding the Community Infrastructure Levy (CIL) and Section 106 monies.

General Issues:

- It was noted that reference had been made to some of the major sites being of sufficient size to require the provision of a primary school although detailed information had not been provided. Members suggested that the situation in respect of secondary school provision would also need to be considered. Officers confirmed that such issues would need to be given more detailed consideration as the submission developed.

- Clarification was sought as to how the development control policies would link to the Local Plan. Officers stated that the document would replace the previous Local Plan but would need to be supplemented by planning documents which interpreted aspects of the policy.

RESOLVED:

(i) That, taking into account the points listed above, it be recommended to Cabinet that the document attached as Annex A to the report, subject to the specific amendments to policies agreed at the meeting and further work being done by officers to address the key issues raised at the meeting, along with supporting information, be approved for public consultation.

(ii) That it be recommended to Cabinet that the making of any incidental changes to the draft document that are necessary as a result of their recommendations be delegated to the Director of City and Environmental Services, in consultation with the Cabinet Member.

(iii) That it be recommended to Cabinet that the approval of a Consultation Strategy and associated documents be delegated to the Director of City and Environmental Services in consultation with the Cabinet Member.

(iv) That it be recommended to Cabinet that the approval of supporting information and documentation to be published during public consultation be delegated to the Director of City and Environmental Services in consultation with the Cabinet Member.

REASONS:

(i) So that an NPPF compliant Local Plan can be progressed.

(ii) So that changes recommended as a result of discussions at the Cabinet meeting can be made.

(iii) To ensure that the proposed methods of consultation are satisfactory to Members.

(iv) To ensure that the proposed methods of consultation are satisfactory to Members.

Cllr Merrett, Chair
[The meeting started at 5.00 pm and finished at 7.30 pm].

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Local Plan Working Group **4th November 2013**

Report of the Cabinet Member for Transport, Planning and Sustainability

Feedback on City of York Local Plan Preferred Options Consultation

Purpose of the Report

1. The purpose of this report is to provide initial feedback on the Local Plan Preferred Options consultation which closed on 31st July 2013. This report summarises the consultation undertaken, outlines the number of responses received, highlights some of the key emerging messages and sets out the next steps for producing the Local Plan.

Local Plan Preferred Options

2. The Local Plan will be the development plan for York over the 15 year period from 2015-2030. It includes a vision for the future development of the city and a spatial strategy and covers both strategic policies and allocations, alongside detailed development management policies.

3. The preparation of the Local Plan follows on from the previous Local Development Framework (LDF) process. The Local Plan Preferred Options document (June 2013) draws from the responses that were received during earlier consultations on the Core Strategy and other LDF documents. Comments received as part of the Preferred Options consultation will be considered by officers and used to inform the production of the submission draft, which will be reported to Members for consideration prior to publication for consultation and public examination in 2014.

Consultation

4. Consultation on the Local Plan Preferred Options ran for 8 weeks from 5th June until 31st July 2013.

Leaflet

5. A leaflet advertising the consultation and letting people know how they could comment on the proposals was distributed to every household at the beginning of the consultation period. Copies of the leaflet were also available at West Offices reception, libraries, public exhibitions and GP surgeries.

Mailout

6. Specific consultees including Natural England, English Heritage, the Highways Agency, neighbouring authorities and parish councils were contacted by email or letter informing them of the opportunity to comment and details of the web page and where to find more information. We also wrote to or emailed around 1800 groups, businesses and individuals who had previously registered an interest in planning in York to make them aware of the consultation.

Website

7. A link was created from the Council homepage to a new Local Plan Preferred Options page. The new Local Plan Preferred Options webpage set out what the document is, listed the consultation documents and provided details on the consultation.

Document Availability

8. A copy of the main documents was available for the public to view in each of the CYC libraries and in West Offices reception. A memory stick containing the evidence base documents was also available at each library.

Exhibitions

9. 14 public exhibitions were held at venues across the city. Locations were determined in consultation with colleagues in Neighbourhood Management. Exhibitions ran from 2.30pm - 7pm, apart from those in the city centre which ran from 10am - 4pm. Copies of the proposals maps, along with larger scale extracts, evidence base documents, and comments forms were made available and officers were present to answer any queries. All of the exhibitions, except the final one at Clifton Moor, were well attended by members of the public.

10. An exhibition was also held at the West Offices for CYC staff and there was an unmanned exhibition at Huntington library for a week.

Meetings

11. Officers held 16 meetings with the following prescribed bodies and key groups:
    - Environment Forum;
    - Natural England;
    - Chamber of Commerce & Property Forum;
    - LCR Duty to Cooperate Working Group;
    - Without Walls;
    - Youth Council;
    - North Yorkshire and York Spatial Planning and Transport Board;
    - North Yorkshire and York Spatial Planning and Transport Officer Group;
    - York Branch LCA;
    - York Economic Partnership;
    - Sport England;
    - English Heritage; and
    - Highways Agency.

12. An event was held at the Bar Convent on 4th July 2013 with developers for the key strategic sites. Presentations on delivering strategic sites were made by officers and Atlas (part of the Homes and Communities Agency), who also facilitated the event. The purpose of the event was to discuss what information is required from developers and how to take forward potential strategic sites.

Media Coverage

13. A press release was issued to coincide with the start of the consultation period. Officers are aware of 14 articles that appeared in the local, regional and national press which referred to York's Local Plan.

14. Issues related to York's Local Plan consultation were also discussed as part of a Westminster Hall debate on 3rd July 2013. Julian Sturdy MP, Hugh Bailey MP and Nick Boles MP debated the purpose of green belt and the strength of protection afforded to green belt land through the National Planning Policy Framework in the context of setting York's green belt boundaries through the Local Plan.

Responses Received

15. Responses were received from 4945 respondents. Respondents included residents, interest groups, Parish Councils, prescribed bodies, developers, agents and land owners. To facilitate accessible consultation respondents were able to send comments through a variety

of methods. As a result responses were received by letter, email, response form and online survey.

Prescribed Bodies

16. Under the Duty to Co-operate councils are required to demonstrate co-operation in plan making with adjoining authorities and other organisations. The Town and Country Planning (Local Planning) (England) Regulations 2012 prescribes those bodies to which the Duty to Co-operate applies. As part of the Local Plan consultation, the council received responses from the following 'prescribed bodies':
    - East Riding of Yorkshire Council;
    - English Heritage;
    - Environment Agency;
    - Hambleton District Council;
    - Highways Agency;
    - Natural England;
    - Network Rail;
    - North Yorkshire County Council;
    - North Yorkshire County Council Highways;
    - North Yorkshire Police;
    - Ryedale District Council;
    - Selby District Council; and
    - Yorkshire Water.

17. For information the responses from prescribed bodies are attached as Annex A to this report. The Council intends to publish all of the 4945 responses received. However, at this stage in order to address issues regarding data protection, all personal data on responses from individuals (not organisations or businesses) must be removed. This task is ongoing and these will be made available publically in due course.

Petitions

18. In addition to individual responses 21 petitions were submitted during the consultation period, containing a total of 9022 signatures:
    1. Huntington and New Earswick - 668 signatures
    2. Save Acomb Moor Petition - 59 signatures
    3. Save the Green Belt Petition - 81 signatures
    4. (Cllr Ann Reid – see Council Meeting 18th July 2013 agenda item 6 (ii)) - 2302 signatures
    5. Dunnington Gypsy and Traveller Site - 5 signatures

6. Proposed Siting of Gypsy and Travellers' Site on Common Road, Dunnington by City of York Council - 136 signatures
7. Dunnington Parish Council - 1323 signatures
8. Objection to H37, ST04 and SF4 - 89 signatures
9. Copmanthorpe - 879 signatures
10. Petition against the Huntington Travellers Site - 139 signatures
11. Wheldrake - 43 signatures
12. Save the Green Belt Petition (Cllr Lynn Jeffries - see Council Meeting 18th July 2013 agenda item 6 (ii)) - 124 signatures
13. Stop the Clifton Gate Proposals (Julian Sturdy MP) - 14 signatures
14. Stop the Travelling Showpeople Site (Julian Sturdy MP) - 288 signatures
15. Protect York's Greenbelt (Julian Sturdy MP) - 416 signatures
16. "Save the Green Belt" Petition (Cllr Ann Reid - see Council Meeting 18th July 2013 agenda item 6 (ii)) - 1084 signatures
17. Petition opposing the development of land at Moor Lane (Cllr Ann Reid - see Council Meeting 18th July 2013 agenda item 6 (ii)) - 259 signatures
18. The Future of Huntington - 53 signatures
19. Gypsy & Travellers Site, Malton Road, Huntington - 1036 signatures
20. Dunnington WI– Response to Local Plan Preferred Options - 26 signatures
21. Travellers Site in Huntington E-Petition - 87 signatures

19. Further details on the petitions are set out in Annex B. Four of the petitions contain over 1,000 signatures and were reported to Full Council on 10th October 2013 in accordance with the council's Petitions Scheme. The Council minutes are attached as Annex C.

20. There were a further four e-petitions running on democracy.york.gov.uk during the consultation period which also covered issues relating to the Local Plan. These are separate from the Local Plan consultation, with closing dates running beyond the end of the consultation period. Two of these e-petitions are still running, but at the time of writing this report, they were as follows:
    1. *Say No to the proposed plans of a 16 acre permanent travellers site in Knapton York* - 1204 signatures (closed 1st September 2013). Reported to Full Council on 10th October 2013;
    2. *Say No to the Draft Local Plan for Dunnington* – 75 signatures (closed 1st September 2013);

3. *Stop Copmanthorpe Housing Estates and Wind Farm Plans* – 301 signatures (closes 31st December 2013); and
4. *Protect York's Greenbelt* – 817 signatures (closes 31st December 2013). We received a request to combine petition 15 (see Annex B) with this e-petition. This took the overall number of signatures to 1232 and therefore this petition was also reported to Full Council on 10th October 2013.

21. Any e-petitions related to the Local Plan which started after the end of the consultation period will be considered through the council's Petitions Scheme rather than through analysis and feedback on the Local Plan consultation.

22. It should be noted that because of the different forms of response some respondents may have sent an individual response and signed one or more of the petitions, leading to some duplication. However, the overall level of engagement and response is good for this type of consultation. A summary of the overall response is provided in Table 1 below.

Table 1: Level of Engagement and Response

Type of Response	Number of Respondents	As a % of population of CYC area
Response form, letters, emails, online survey	4945	2.50%
Petitions	9022	4.56%
E-petitions	2397	1.21%
Total	**16364**	**8.26%**

23. Officers are now considering the issues raised by respondents against each policy area and analysing these in light of National Policy and evidence base work. Issues will also be assessed against the Sustainability Appraisal and Strategic Environmental Assessment to prepare recommendations on the Submission Draft Plan for Members to consider. The Submission Draft Plan will then be subject to public consultation.

Sites

24. Officers are also collating the following information submitted on sites:
    - new sites submitted;
    - evidence on sites previously rejected; and

- further evidence submitted on sites allocated in the Preferred Options.

25. This information will be used to inform the parallel 4 step approach on taking forward development sites (see Annex D) and to inform work with colleagues across City and Environmental Services on transport and infrastructure delivery. The conclusions of this work will feed into the recommendations on the Submission Draft Plan.

Emerging Messages

26. Whilst each respondent has now been logged, officers are currently reading, analysing and summarising all the comments received. Further work is needed to provide a comprehensive analysis of the comments received but based on the work undertaken to date, it appears that the majority of concerns/objections from respondents relate to:

i. the overall level of development proposed for York, particularly related to the proposal for 22,000 homes (frequently related to loss of Green Belt and traffic, infrastructure or flooding concerns);

27. Reflecting the Council's ambitions as set out in the York Economic Strategy to facilitate growth in the following sectors: advanced manufacturing, science and research, financial and professional services, and tourism and leisure, the Local Plan includes proposals for 16,000 new jobs. To deliver a wide choice of high quality affordable homes, increase opportunities for home ownership, support job growth, minimise commuting and promote sustainable inclusive and mixed communities the Local Plan outlines proposals for 22,000 new homes.

ii. specific housing sites (particularly strategic housing sites);

28. In order to deliver the target for 22,000 new homes the Plan proposes the allocation of 61 housing sites. These include small brownfield sites within York's main urban area; major brownfield sites such as British Sugar (998 dwellings); strategic extensions to the main urban area ranging from 400 to 4000 dwellings; a range of sites in villages including strategic expansions at Haxby and Copmanthorpe; and a new settlement south east of York (5580 dwellings).

iii. sites for Gypsies and Travellers and Showpeople; and

29. The Plan seeks to meet the accommodation needs of Gypsies, Travellers and Showpeople. It identifies areas of search for Gypsy and

Traveller sites at Outgang Lane, Osbaldwick; Chowdene Campsite, Malton Road; and Land at Common Lane and Hassacarr Lane, Dunnington. It also identifies areas of search for Showpeople yards at The Stables, Elvington and Wetherby Road, Knapton (This site has subsequently been withdrawn).

iv. wind turbines (concerns both about particular areas of search and the overall amount included in the plan).

30. The development of renewable sources of energy can make a valuable contribution to tackling the rate of climate change. Therefore, in 2010 the Council commissioned a report to help identify the potential for renewable energy schemes in York (*Renewable Energy Strategic Viability Study*). One part of this report identified areas that showed the greatest potential for renewable electricity generation, including commercial wind and hydro. The Plan seeks to support and encourage the generation of renewable energy and therefore the opportunities identified in the report are shown as potential areas of search on the Proposals Map.

Next Steps

31. Officers are currently analysing and summarising all of the responses received. This information will then be used, alongside evidence base work, to inform recommendations on redrafting the Local Plan. A summary of all comments will be reported to Members early next year alongside the recommended changes to the Plan for Members to consider.

32. In the short term, the Local Plan webpage will be updated to include the information set out in this report, including the responses from prescribed bodies (Annex A), so that the public can view the initial feedback on the consultation and understand what will happen next with the comments made. The Council also intends to publish all of the 4945 responses received. This task is ongoing and these will be made available publically in due course.

Options

33. This is primarily an information report, requiring no decision from Cabinet.

Corporate Priorities

34. The option outlined above accords with the following priorities from the Council Plan:

- Create jobs and grow the economy
- Get York moving
- Build strong communities
- Protect the environment

Implications

35. The following implications have been assessed.

- **Financial** – *Work on the Local Plan is funded through the Local Plan Reserve.*
- **Human Resources (HR)** – *The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.*
- **Equalities** – *An assessment was undertaken for the Local Plan Preferred Options and will continue to be undertaken during the life time of the plan.*
- **Legal** – *The Local Plan has been produced in a way that reflects strategy and regulatory requirements. In due course Council will be asked to approve a plan which will be subject to examination by a member of the Planning Inspectorate before being finally adopted. Members must only finally make their mind up on whether particular sites should or should not be included with particular designations once the plan comes before them for approval.*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other –** *None*

Risk Management

36. In compliance with the Council's risk management strategy, the main risks in producing a Local Plan for the City of York are:

- The potential damage to the Council's image and reputation if a development plan is not adopted in an appropriate timeframe.
- Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and SEA processes and not exercising Local control of developments.
- Risk associated with hindering the delivery of key projects for the Council and key stakeholders.
- Financial risk associated with the Council's ability to utilize planning gain and deliver strategic infrastructure.

37. Measured in terms of impact and likelihood, the risk associated with this report have been assessed as requiring frequent monitoring.

Recommendations

38. This report is to inform members of the initial feedback on the Local Plan Preferred Options consultation and no recommendation is required.

Contact Details

Author:

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Planning and Environmental Management
Tel: 552410

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Mike Slater
Assistant Director of CES
Tel: 551448

Cabinet Member Responsible for the Report:
Cllr Dave Merrett
Cabinet Member for Planning, Transport and Sustainability

Report Approved	√	**Date**

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

Annexes:
Annex A: Responses from Prescribed Bodies
Annex B: Summary of Petitions
Annex C: Extract from Minutes of Council Meeting 10th October 2013
Annex D: Four Stage Approach to taking forward development sites

Annex A: Responses from Prescribed Bodies

Prescribed Bodies	Local Plan Database Ref.
East Riding of Yorkshire Council	ID 10
English Heritage	ID 238
Environment Agency	ID 3
Hambleton District Council	ID 7
Highways Agency	ID 1264
Natural England	ID 2
Network Rail	ID 1466
North Yorkshire County Council	ID 11
North Yorkshire County Council Highways	ID 6385
North Yorkshire Police	ID 50
Ryedale District Council	ID 6
Selby District Council	ID 9
Yorkshire Water	ID 295

EAST RIDING
OF YORKSHIRE COUNCIL

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Mr Martin Grainger
Integrated Strategy Unit
City of York Council
West Offices
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York
YO1 6GA

Your Ref:
Our Ref: ER/1/6/1
E-Mail: stephen.hunt@eastriding.gov.uk
Tel. Direct: (01482) 391740
Date: 16 July 2013

Dear Martin,

City of York Local Plan Preferred Options - June 2013

Thank you for consulting East Riding of Yorkshire Council on the City of York Preferred Options Local Plan (June 2013).

East Riding of Yorkshire Council generally supports the approach taken in the City of York Preferred Options Local Plan (June 2013). It provides a comprehensive basis for addressing the key planning issues within the City. The Council is committed to working with City of York Council on cross boundary issues as we progress our Local Plans and would like, as previously highlighted, to progress at the earliest opportunity the preparation of a joint document, or Memorandum of Understanding, to address the key planning issues between our authorities.

The Council would like to make the following observations.

Scale of Employment and Housing Growth

East Riding of Yorkshire Council supports Policy SS1 (York Sub Area) which recognises the important relationship between the city and neighbouring authorities. In particular, it states that the Local Plan will ensure the housing needs of City of York's current and future population are met within the York local authority area. This is supplemented by Policy H1 (The Scale of Housing Growth), which seeks to meet the needs and aspirations of present and future residents of the City of York.

The approach proposed by the Preferred Options Local Plan will help to support sustainable patterns of development in the York Sub Area and reduce unnecessary development pressure beyond the Green Belt boundary. East Riding of Yorkshire Council agrees with the City Council's view that it is important for economic and housing growth to be linked, which will help to minimise the growth of commuting into the city from neighbouring authority areas. This will have the twin benefits of minimising the impact on the York sub area's transport network and promoting sustainable patterns of growth for the wider area.

However, the Council does have some queries over the scale of development proposed to take place at the Whinthorpe new settlement, especially when considering the additional land that is safeguarded for future development beyond the plan period. Given the size of both sites ST15 and SF3 it is possible that this new settlement could accommodate in excess of 10,000 properties and potentially 23,000 residents. The Council therefore questions whether an approach to focus significant development to existing settlements, particularly those where new public transport improvements are proposed (such as new railways stations) would be more appropriate (see transport comments below). In addition the proposal to develop 4,680 dwellings at Whinthope over a 15 year period to 2030 would appear to be very ambitious. This results in an extremely high rate of development of 312 dwellings per annum if development started in 2015. It may be necessary for the City Council to re-consider the amount of housing that could come forward on this site over the plan period and whether the plan is sufficiently flexible to accommodate any potential shortfall in housing supply if this high rate of development is not met.

Only limited information has been included in the draft Plan on the type and scale of services and facilities that are needed to support the delivery of the new settlement. Whilst a potential new retail hub has been identified, no employment allocations are included as part of the strategic allocation. This could potentially result in an unsustainable pattern of development. It would be helpful to include a mix of uses as part of the strategic housing allocation, which would help to reduce the potential traffic impacts of the development.

Transport Network

In response to the East Riding Draft Local Plan (January 2013), the Highways Agency has advised that new development in the East Riding, particularly in Pocklington and Market Weighton, may have a material impact on the A64 and in particular the A1079/A166/A64 Grimston Bar interchange. It is therefore important to note that the significant levels of development proposed in the City of York Local Plan, particularly the new settlement at Whinthorpe (and potential future expansion land) and a number of the proposed housing sites; particularly ST4 (Hull Road - 211 dwellings), ST6 (Hull Road - 154 dwellings), ST7 (Osbaldwick - 1,800 dwellings), ST23 (no information provided), ST8 (Monks Cross - 1,569 dwellings) and ST14 (Clifton Moor - 4,020 dwellings), are likely to have a direct or indirect impact on the A1079/A166/A64 Grimston Bar interchange.

Therefore, East Riding of Yorkshire Council is keen to continue to progress joint working in terms of assessing the impact of both authorities development on this junction as well as joined up approaches to the provision of sustainable modes of travel. As part of this process it will be necessary to provide more clarity on how the strategic site at Whinthorpe will be accessed, and to consider the impact of the large area for future development adjacent to the new settlement. This work needs to be taken forward within the context of the Memorandum of Understanding for the A64 in partnership with the Highways Agency and other relevant planning and highways authorities.

It is highly likely that an improvement to the Grimston Bar interchange will be required to accommodate the City of York and East Riding of Yorkshire's combined development aspirations. As such, this should be referenced within the Infrastructure Delivery Plan, which was published alongside the York Preferred Options Local Plan. It is also suggested that it should be listed in policy T4, which supports a number of other strategic highway improvements to the Local Authority Highway Network.

Beverley to York Rail Line

The Council notes the re-introduction of a reference to the former Beverley to York line within policy T6, which aims to protect disused public transport corridors in certain instances. The longer term aspiration to protect disused public transport corridors is supported.

The Lower Derwent Valley and Renewbale Energy

It is noted that the Lower Derwent Valley is identified as a particularly critical high value area for biodiversity, landscape and cultural value. This is consistent with the draft East Riding Local Plan, which identifies the Lower Derwent Valley as both a Biodiversity Priority Area and an Important Landscape Area and seeks to ensure developments protect and enhance the area's valued features. East Riding of Yorkshire Council, City of York Council and Selby District Council will need to continue to work together to ensure there is an integrated approach to habitat and species management within this area, which avoids development that would have a detrimental impact.

The draft Plan identifies a number of areas of search for renewable electricity generation in close proximity to the River Derwent and the administrative boundary with East Riding of Yorkshire Council. It will be essential that proposals for renewable energy development within the City of York Council's administrative area consider both the impacts on the Lower Derwent Valley and any cumulative impacts taking into account existing and committed proposals within the East Riding of Yorkshire. It may also be the case that neighbouring communities within the East Riding would receive a proportion of any community fund that is paid as a result of developments within the York area.

Please do not hesitate to get in touch should you wish to discuss matters further.

Yours sincerely

Stephen Hunt

Stephen Hunt, BA (Hons) MA, MRTPI
Planning Policy Manager

ID. 238

ENGLISH HERITAGE

Local Plan,
City of York Council,
FREEPOST (YO239),
York,
YO1 7ZZ

Our Ref: HD/P5343/03

Your Ref:

Date: 26 July 2013

Dear Sirs,

City of York Local Plan Preferred Options – Heritage Impact Appraisal

Thank you for consulting English Heritage on the above document.

We endorse the use the Heritage Impact Assessment to assess the likely significant effects that the policies and proposals of the plan might have upon those elements which contribute to the special character of the historic City.

As you will note from our comment on the Local Plan, we are concerned about the impact which the preferred development strategy and, in particular, some of the areas which have been chosen as future development sites, are likely to have upon elements which contribute to the special character and setting of the historic City. For a number of these sites, however, there may be potential for some development to take place that would not harm the special character or setting of York. However, in order to be able to ascertain what changes are likely to be necessary in order to achieve this, there needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of the historic City which are set out in the *Heritage Topic Paper*. The *Heritage Impact Assessment* is a key tool which can assist in this process. However, we have some serious reservations about the current approach taken in the *Heritage Impact Assessment*. These will need to be addressed if this document is to be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special character and setting of York and how the future strategy of the plan can deliver growth in a manner which safeguards its historic character.

We have the following specific comments to make on the content of the Heritage Impact Assessment:-

Page	Section	Comments
-	General	Given the purpose of the *Heritage Impact Assessment* and its role in helping to develop a strategy which safeguards those elements which contribute to the special character and setting of the historic city, this assessment should have, as a starting point, examined what impact each of the various Options might

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Page	Section	Comments
		have had upon the six elements which contribute to the special character of York. Several Options, including some of those which have been chosen, look likely to harm elements of York's special character. As currently structured, it merely assesses the chosen Options (and is, therefore, one step beyond what the current SA is considering).
-	General	It is not particularly helpful to merely state *"there is potential for harm to historic character"*. Without specifying what aspect of York's special character is likely to be harmed by a proposal, it is difficult to assess what mitigation measures might be appropriate to offset that harm. The last version of the Heritage Impact Assessment evaluated each Policy and proposal against the six characteristics which contribute to the special character of York. We would suggest that a similar approach is utilised again. This is particularly important in the case of the Strategic Sites where each should be assessed against the six elements identified in the *Heritage Topic Paper* as contributing to the special character and setting of York.
-	General	The mitigation measures need to be more specific. For certain sites, harm to elements of York's historic environment can only be overcome or reduced by excluding certain areas from the allocations or through developing the sites in a certain manner. This assessment is only of help if it enables developments to come forward in a manner which will not harm the historic environment of the City.
2	Paragraph 2.1	The impact which the Plan's Policies might have upon those elements which contribute to the special character and setting of the historic city will not always be clear-cut. In many instances the impact will depend upon how the Policy is implemented. Therefore, there should be two additional Impacts along the lines of those set out on page 57 of the Sustainability Appraisal. This would also assist in better read-across between this document and the SA.
4	Spatial Strategy, Policy SS3 (Spatial distribution)	The assessment of this Policy needs to consider each of the sites individually. Given the large number of sites in this Policy, the only general conclusion is that the effect will be uncertain – which does not assist the decision-making process.
4	Spatial Strategy,	The assessment of this Policy needs to consider each of the sites individually. Given the large number of sites in this Policy,

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Page	Section	Comments
	Policy SS6 (Safeguarded land)	the only general conclusion is that the effect will be uncertain – which does not assist the decision-making process.
6	Spatial Strategy, Policy EMP2 (Provision of employment land)	The assessment of this Policy needs to consider each of the sites individually. Given the large number of sites in this Policy, the only general conclusion is that the effect will be uncertain – which does not assist the decision-making process.
8	Spatial Strategy, Policy H3 (Housing land allocations)	The assessment of this Policy needs to consider each of the sites individually. Given the large number of sites in this Policy, the only general conclusion is that the effect will be uncertain – which does not assist the decision-making process.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
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e-mail: ian.smith@english-heritage.org.uk

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Local Plan,
City of York Council,
FREEPOST (YO239),
York,
YO1 7ZZ

Our Ref: HD/P5343/02

Your Ref:

Date: 26 July 2013

Dear Sirs,

City of York Local Plan - Heritage Topic Paper Update

We welcome this document which, for the most part, provides a robust analysis of the elements which help to define the distinct character of the historic City. As such, it will provide the necessary evidence to underpin the development strategy set out in the plan, not least the definition of a Green Belt around the City which will safeguard those elements which contribute to the special historic character and setting of York. The document will also assist in the development of the *Heritage Impact Assessment.* Our comments on the *Heritage Impact Assessment* are set out in a separate letter.

There are however, a couple of aspects of the document about which we consider that further thought is required. These are as follows:-

Page	Section	Comments	Suggested Changes
57	Landscape and Setting	In his Report, the Inspector of the York Green Belt Local Plan stated that:- *Many of these villages … have an attractive and special character which is worth preserving not only for their own sake but because of their physical relationship with York itself. The setting of York within an area of open countryside containing a number of attractive villages is itself an important aspect of the special character of York.* [Inspector's Report, Paragraph A7.32, page 13]. Whilst this Section includes Suburban villages (essentially those on the edge of the built-up are of the City) it is essential that an additional Character Element is added which deals with the relationship which the City has to the other villages within its Green Belt.	(1) Under the Character Element add the following:- *"Relationship of the historic city of York to the surrounding villages"* (2) Under Key Features for the above Character Element add:- *"The relationship of York to its surrounding settlements. This relationship relates to not simply the distance between the settlements but also*

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Page	Section	Comments	Suggested Changes
			the size of the villages themselves, and the fact that they are free-standing, clearly definable settlements." (3) Under Examples for the above Character Element add:- *"Skelton, Upper and Nether Poppleton, Bishopthorpe .. etc"* (4) Under Significance for the above Character Element add:- *"The relationship of York to its surrounding settlements was identified is one of the elements which contributes to the special character of the City. The relationship of York to these settlements could be damaged by either the growth of the City or, conversely, the expansion of the villages".*
60	Landscape and setting, Open Countryside and Green Belt	The setting of York within an area of open countryside is part of its special character [See inspector's Report Paragraph A7.33]. This aspect is not currently addressed within this Character Element.	Landscape and setting, Open Countryside and Green Belt, Key Features amend to read:- *"The open*

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Page	Section	Comments	Suggested Changes
			countryside surrounding York contributes to the landscape setting of the historic City"

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

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Local Plan,
City of York Council,
FREEPOST (YO239),
York,
YO1 7ZZ

Our Ref: HD/P5343/03

Your Ref:

Date: 26 July 2013

Dear Sirs,

City of York Local Plan Preferred Options – Sustainability Appraisal

Thank you for consulting English Heritage on the above document.

As you will be aware, in terms of the historic environment, we considered that the Scoping Report identified the majority of plans and programmes which are likely to be of relevance to the development of the Local Plan, that it put forward a suitable set of Objectives and Indicators, and that it established an appropriate Baseline against which to assess the Plan's proposals. Overall, therefore, we believed that it provided the basis for the development of an appropriate framework for assessing the likely significant effects which the Local Plan might have upon the historic environment of the City. We are pleased to note that the comments we made on the content of the Scoping Report have been incorporated into this latest iteration of the appraisal.

We particularly endorse the use the *Heritage Impact Assessment* to evaluate the likely significant effects that the policies and proposals of the plan might have upon those elements which contribute to the special character of the historic City. However, there needs to be closer read-across between the *Heritage Impact Assessment* (although it needs some significant amendments) and this Sustainability Appraisal. Our comments on the *Heritage Impact Assessment* are covered in a separate response.

We have the following specific comments to make on the content of the Appraisal:-

Page	Section	Comments
48	Figure 3.3, Sustainability Appraisal Topic 14, Sub-Objectives	The first and fourth bullet-points are, essentially, considering the same thing. It would be simpler to have a single Sub-Objective covering the special character and setting of the historic city which combines them both, perhaps along the following lines;- *"Preserve or enhance those elements which contribute to the special character and setting of the historic city as identified in the Heritage Topic Paper"*

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Page	Section	Comments
52	Figure 3.7	It is unclear from this Figure how the assessment has taken account of the impact which the development of the sites might have upon the historic environment. The Sub-Objectives for Sustainability Appraisal Objective 14 include one that considers the effect that the policies and proposals of the plan would have upon the special character and setting of the historic city. However, the assessment criteria make no mention of this consideration. It is not clear what "distance to" the various categories of asset means. It is not clear what the "Points Scored" Column is indicating. Does it imply that if a site includes three Listed Buildings is scores -1?
59	Table 4.1, SA Objective 14	Dependant upon how they are implemented, the Local Plan Priorities of "Get York Moving" and "Build Strong Communities" could impact upon SA Objective 14 (the historic environment). However, the effect will depend upon how each of those Priorities is implemented. Consequently, it would be more accurate to record the effect as a "I" The Local Plan Priority for the Natural Environment would be likely to benefit the historic environment. Consequently, it would be more accurate to record the effect as a "+"
105	Figure 4.4, SA Objective 14	We have concerns about how you have evaluated the impact of these sites against SA Objective 14. In our response to the Plan, we have set out that, in our opinion, the development of several of these sites is likely to harm the special character or setting of the historic city. In the case of two of them (ST15 and ST14), this harm is likely to be so severe that it ought to be recorded as *Very Negative*. There needs to be closer read-across between the conclusions of the *Heritage Impact Assessment* (although it needs some significant amendments) and this Sustainability Appraisal.
108	Figure 4.5	On the whole we would concur with the assessment of the likely effects which the development of these sites would have upon the historic environment (SA Objective 14). However, Site H37 should be re-evaluated in the light of our comments to the Plan. In our view the development of this site should be evaluated as *Very Negative* because of its impact

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Page	Section	Comments
		upon the Green Belt and the setting of the historic City. This change would need to be reflected in Paragraph 4.4.72 with a recommendation that it is not allocated.
115	Paragraph 4.4.71 and 4.4.72	In our response to the Plan we have identified 17 sites that are likely to impact upon designated heritage assets.
116	Paragraph 4.4.41	In our responses to the plan we have set out a number of considerations that will need to be taken into account either before allocating certain sites or, if allocated, as part of the site's development. These measures should be included in this Table as mitigation measures.
Appendix 6, page 25	Policy SS2 against SA Objective 14	From the sites which it is proposing to bring forward for development, it appears that the chosen Option (Option 3) is likely to have an adverse impact upon elements which contribute to the special character and setting of York. Consequently, Option 1 (Prioritising social and economic spatial principles) is likely to have a greater impact upon the historic environment. As a result, we would suggest that Option 1 should be scored as "- - "
Appendix 6, page 43	Policy SS3 against SA Objective 14	From the sites which it is proposing to bring forward for development, it appears that the chosen Option (Option 1) is likely to have an adverse impact upon elements which contribute to the special character and setting of York. Consequently, we would suggest that Option 1 should be also be scored as "- "
Appendix 6, page 135	Policy H1 (Housing Growth) against SA Objective 14	Whatever scale of housing is chosen, it could impact upon elements which contribute to the special character and setting of York. Although Option 1 is likely to have less impact upon SA Objective 14 than the alternatives, nonetheless, we would suggest that Option 1 should be scored as "? "
Appendix 6, page 143	Policy H1 (Housing Supply Buffer) against SA Objective 14	It is unclear why it has been concluded that the housing land supply buffer will have no impact upon York's historic environment. The larger the buffer, the larger the likelihood that the special character and setting of York will be harmed. At the very least, the effects of each Option upon SA Objective 14 are likely to be "?" and, in all probability will be "-" with Option 4 being "- -"
Appendix 8, page 28	Site ST5 (York Central) against SA Objective 14	Key challenges should also include the following:- *"That part of the site between the City Walls and the railway line is an extremely sensitive area. It is essential that the height of the new buildings in and around the Station are of a scale which will not harm the character or appearance of the Central*

Page	Section	Comments
		Historic Core Conservation Area, or detract from the setting of either the Listed Buildings in and around the site or those elements which contribute to the significance of the City Walls".
Appendix 8, page 34	Site ST6 (Land east of Grimston Bar) against SA Objective 14	In his Report to the York Green Belt Local Plan in 1994, the Inspector considered that the swathe of open countryside between the eastern edge of the built-up area and the Ring Road was particularly important to the setting of the City, and was particularly vulnerable where the edge of the built-up area is close to the Ring Road [see, for example, Inspector's Report, page 81, Paragraph C66.5]. The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. It would also reduce the separation of the edge of the City from the Livestock Centre to the south of Murton further eroding its rural setting. The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York. Consequently it should be assessed as "- -"
Appendix 8, page 40	Site ST7 (Land east of Metcalfe Lane) against SA Objective 14	In his Report to the York Green Belt Local Plan in 1994, the Inspector considered that the swathe of open countryside between the eastern edge of the built-up area and the Ring Road was particularly important to the setting of the City, and was particularly vulnerable where the edge of the built-up area is close to the Ring Road. In the case of an objection to a site lying to the south Bad Bargain Lane he considered that:- *This countryside is characterised by fields and hedgerows and forms a pleasant and important landscape setting for the historic city. This countryside setting is particularly important in views from the Ring Road …Encroachment into the countryside in this area would undermine the objectives of Green Belt policy." [Inspector's Report, page 74, Paragraph C61.5* The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. It would also reduce the separation of the edge of

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Page	Section	Comments
		the City from Murton further eroding its rural setting. The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York. Consequently it should be assessed as "- -"
Appendix 8, page 46	Site ST8 (Land north of Monk's Cross) against SA Objective 14	In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter"* [Inspector's Report, Paragraph A7.28, page 12]. The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. As currently depicted, the development of this area seems likely to harm one of the elements which contributes to the special character and setting of York. Consequently it should be assessed as "- -"
Appendix 8, page 54	Site ST10 (Land at Moor Lane, Woodthorpe) against SA Objective 14	In his Report to the York Green Belt Local Plan in 1994, the Inspector considered that :- *"Moor Lane provides a clear and satisfactory edge to the developed area of York".* He felt that this land helped:- *"to separate York and Copmanthorpe and to prevent further sprawl of the built-up area"* In his opinion development south of Moor Lane would:- *"... be very harmful to the underlying objectives of the Green Belt"* [Inspector's Report, page 95, Paragraph C78.4]. Given that little has changed in either the character of this part of the City or the purposes of the York Green Belt, the Inspector's conclusions as to the appropriateness of this area as an allocation appear just as relevant. The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York.

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Page	Section	Comments
		Consequently it should be assessed as "- -"
Appendix 8, page 66	Site ST11 (Land at New Lane, Huntington) against SA Objective 14	This site includes the Roman Camp on Huntington South Moor which is a Scheduled Monument. National policy guidance makes it clear that substantial harm to the significance of such an asset should be wholly exceptional. Huntington Grange, to the west of this area, is a Grade II Listed Building. There is a requirement in the 1990 Act that *"special regard"* should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Consequently, before allocating this area, there would need to be some assesment of what contribution this currently-undeveloped area makes to the signficance of these buildings and what effect its loss and subsequent development might have upon the significance of these assets. The presence of these designated heritage assets should be acknowledged in the accompnying text. As part of the mitigation should be included the following:- *"Before allocating this site it will have to be clearly demonstrated that residential development in this area would not result in harm to elements that contribute to the significance of the Scheduled Monument, including its setting. If, after undertaking this assessment, it is considered appropriate to allocate this area, the need to safeguard those elements which contribute to the significance of this monument needs to be stated in the Policy and in its justification."* and *"Proposals would also need to ensure that those elements which contribute to the significance of the Listed Building to the west is not likely to be harmed."*
Appendix 8, page 84	Site ST14 (Land north of Clifton Moor) against SA Objective 14	In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that he did not consider that the elements which contributed to the rural setting of York were restricted

Page	Section	Comments
		solely to land lying within the Ring Road and that the special character of York can be harmed by development which goes beyond it. Site ST14 lies in the open countryside beyond the northern Ring Road in an area which forms part of the rural setting of the historic City. By development extending beyond the Ring Road, it will not only fundamentally change the relationship of the northern edge of York with the settlements of Skelton and Haxby but also threaten the separation between these settlements and the main built-up area of the City (this development will only be 0.6km from the eastern edge of Skelton and 1.2km from the western edge of Haxby). By resulting in development on both sides of the Ring Road, it will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report). Overall, therefore, we consider that the allocation and development of this area would be likely to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning Policy. Consequently it should be assessed as "- -".
Appendix 8, page 91	Site ST15 (Whinthorpe) against SA Objective 14	In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that he did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York can be harmed by development which goes beyond it. He reaffirmed his view that development of sites in the open countryside beyond the ring Road would harm the rural setting of the historic city when considering the development of a site in the countryside at Clock Farm near Elvington:- *"It is in an area of flat open countryside which forms an important part of the countryside setting of York. Development of such as site would be seen as an intrusion into the*

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Page	Section	Comments
		countryside which would detract markedly from the setting of the historic city contrary to one of the aims of the Green Belt" [Inspector's Report, page 204, Paragraph E12.3] Site ST15 lies to the south of the area considered by the Inspector in his 1994 Report. Consequently, many of his conclusions would be applicable to the allocation and eventual development of this allocation. Site ST15 lies in open countryside which forms part of the rural setting of the historic City. By extending development up to the southern Ring Road, it will fundamentally change the relationship which the southern edge of York has with the countryside to its south. This development will only be 1.25km from the southern edge of Heslington and 0.9km from the buildings at the new University Campus. It will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report). Notwithstanding the above, even if an incursion of this size into the open countryside was acceptable in principle, the relationship of this area to the City does not reflect the way in which settlements have traditionally developed around York. Overall, therefore, we consider that the allocation and development of this area would be likely to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning Policy. Consequently it should be assessed as "- -".

English Heritage strongly advises that the conservation and archaeological staff of the Council are closely involved throughout the preparation of the SA of the plan. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

Finally, we should like to stress that this opinion is based on the information provided in the Report accompanying your e-mail dated 3rd June, 2013. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of

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the Plan) where we consider that, despite the SA/SEA, these would have an adverse effect upon the historic environment.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
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Local Plan,
City of York Council,
FREEPOST (YO239),
York,
YO1 7ZZ

Our Ref: HD/P5343/02

Your Ref:

Date: 26 July 2013

Dear Sirs,

City of York Local Plan - Preferred Options

Thank you for consulting English Heritage about the latest iteration of the Core Strategy.

General comments

As you will be aware, English Heritage was reasonably supportive of the 2011 *Submission Core Strategy* and the emphasis which it gave to the need to ensure that the historic environment of York was appropriately managed and the intention that the development strategy was delivered in a manner which preserved or enhanced the heritage assets of the City.

Whilst we welcome many elements of the policy framework for the City which is set out in this latest iteration of the plan, we are concerned that York's historic environment is given far less prominence than was the case in the *Submission Core Strategy*. The 2011 Plan made it clear that the starting point for the Plan was the need to ensure that York's unique historic environment was appropriately conserved and managed. In this latest document, however, this has been replaced by the desire for economic growth. It has always been our view that the foundation for any Plan for the City should be to ensure that, whatever strategy is adopted, it will safeguard and reinforce those elements which contribute to the distinct identity of York.

We are also concerned about the impact which the preferred development strategy and, in particular, some of the areas which have been chosen as future development sites, are likely to have upon elements which contribute to the special character and setting of the historic City. Whilst it is quite clear that some of the sites should not be developed because of their impact upon the historic environment, for a number of the others, however, there may be potential for some development to take place that would not harm the special character or setting of York. However, in order to be able to ascertain what changes are likely to be necessary in order to achieve this, there needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of the historic City which are set out in the *Heritage Topic Paper*. *The Heritage Impact Assessment* is a key tool which can assist in this process. We have set out in our accompanying letter how this document might be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special

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character and setting of York and how it can be used to shape the future strategy of the plan so that it delivers growth in a manner which safeguards its historic character.

Detailed comments

We have the following comments to make in response to the questions posed in the document:-

Question 3.1

- Other than the mention of York on the first line, the Vision is not particularly place-specific nor does it articulate the special qualities and distinctiveness of the historic city. York's character is its main selling-point. It is the reason why it gets so many visitors each year, what attracts businesses to invest in this part of Yorkshire, and why people choose to live and work in the City. Consequently, the starting point for the Vision should be to ensure that whatever happens in York, it does so in a manner which not only safeguards, but also strengthens, the city's unique environment. It is suggested, therefore, that the Vision is amended as follows:-

  "York aspires to be a City whose special qualities and distinctiveness are recognised worldwide, where its unique legacy of historic assets are preserved and enhanced, and where the full potential that its historic buildings, spaces and archaeology can contribute to the economic and social welfare of the community is realised. In the City of York over the next fifteen years…etc.

- Given the international importance of York's historic environment (and the fact that the Council has endorsed the City put forward as a possible World Heritage Site), the need for the plan to ensure that this resource is appropriately managed should be at the forefront of the plan. Compared to the 2011 Core Strategy, the importance of York's historic environment is given far less prominence in this latest document. In the earlier, now-withdrawn, Plan it was clear that the need to ensure that York's unique historic environment was appropriately conserved and managed was the starting point for the Plan's strategy. In this latest document, this has been replaced by the desire for economic growth. York's historic assets play such a key role in the economic well-being of the City, in the quality of life enjoyed by its communities, and in making York such an attractive distinct place, that, even in the current economic climate, this should be at the forefront of the plan. Therefore:-
  - In Section 2 (Spatial Portrait) the Section on *York's Unique Historic Environment* (Paragraph 2.22 et seq) needs to be moved to follow after Paragraph 2.8.
  - Section 3 should include a section specifically on the protection and enhancement of York's special historic character. Given the significance of its historic environment, it is not sufficient to simply relegate this to a general section on "the environment". This new Section (which should be based upon page 15 of the *Core Strategy Submission (Publication) Draft*) should follow immediately after the Vision.

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- We have the following detailed comments to make on the content of Sections 1 to 3:-

Page	Section	Comments	Suggested Changes
2	Paragraph 1.9, line 6	There is a requirement that Neighbourhood Plans should be in general conformity with the strategic policies of this Local Plan. In order to assist those preparing such documents, it would be helpful to set out which of the Policies in this document the local planning authority consider to be "strategic".	Amend accordingly
3	Local Strategic Context	The last iteration of the Core Strategy included, in that part of the plan which set out on local policy influences, a section on Professor Alan Simpson's *"York New City Beautiful: Towards and Economic Vision"* (2010). This set out an economic vision for York based upon its cultural, social and physical assets, working with businesses, the universities and colleges, the voluntary sector and communities. Reference is made to this document in a number of places throughout the plan (and it still appears on the Council's web-site as an Evidence Base Document). If it is still a current document which has been used to inform the Plan and its strategy, then reference should be made to it in this Section.	Include a section on *"York New City Beautiful: Towards and Economic Vision"* (based upon Paragraphs 1.6 to 1.8 of the *Core Strategy Submission (Publication) Draft).*
7	Section 2	This Section would benefit from a more logical ordering of its content and to better reflect the importance of the historic environment of York.	Reorder the beginning of Section 2 as follows:- (1) Geography (2) Landscape (3) York's historic environment (4) Population etc
11	Paragraph 2.13	This Paragraph provides a good summary of the landscape character of York. We support the identification of views of the Minster as one of the key defining features	-

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Page	Section	Comments	Suggested Changes
		of the City.	
13	Paragraph 2.22 to 2.25	This Section provides a good overview of the historic environment of the City and the challenges that it faces.	-
14	Paragraph 2.25	Paragraph 2.18 provides a summary of the vision for the future management of the Green Infrastructure that was set out in *"York New City Beautiful: Towards and Economic Vision".* For consistency, the corresponding section relating to the historic environment of the City should be included as an additional Paragraph in this Section.	Include a new Paragraph on the proposals for York's historic environment that was set out in *"York New City Beautiful: Towards and Economic Vision"* (based upon Paragraph 1.20 of the *Core Strategy Submission (Publication) Draft).*
27	Paragraph 3.8	Given the huge contribution that its historic assets make to the character of the City centre, its attractiveness as a place to visit and, consequently, its economic well-being, conserving the heritage assets of this part of York must be a key element in any strategy for the City Centre. This needs to be better reflected in the outcomes for this part of the plan area	Paragraph 3.8 add the following additional bullet-point:- *"Protecting and enhancing its unique heritage assets"*
29	Paragraph 3.17 and 3.18	As we have set out above, reconciling the assessed development needs of the City with the conservation of its heritage assets is, perhaps, the key issue that this plan needs to address. Consequently:- (1) These Paragraphs need to be expanded to encompass the matters that were set out on Page 15 of the *Core Strategy Submission (Publication) Draft),* (2) Its needs to be retitled to refer to *"York's Special Historic Environment",* and (3) The amended Section needs to be	Amend accordingly

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Page	Section	Comments	Suggested Changes
		inserted towards the beginning of this Section as set out above.	

Question 4.1

- Because of the importance of York, we support the intention to provide local level policy to guide sustainable development. However, sustainable development for York must have as its starting point the conservation of its heritage assets. Consequently, whilst we would broadly endorse the approach in Policy SD1 (which very much mirrors the Planning Inspectorate's model Policy), it should be amended as follows:-
  - *"Protecting York's historic environment"* should be the first bold heading under Criterion iv
  - Under this heading should be the following bullet-points:-
    - *Protecting and enhancing those elements which contribute to York's special historic character and setting*
    - *Conserving and enhancing York's heritage by ensuring that new development is of the highest standards in urban design and public realm.*

Question 5.1

Factors which shape growth

- Whilst this may not be the case, as currently structured, Section 5 gives the impression that the assessed development needs of the City will be the starting point for the plan and that, after the necessary sites have been found to accommodate this development, a Green Belt will be defined which will safeguard the special character and setting of the historic city. In order to provide an effective framework for the protection of the historic city, the definition of the Green Belt boundaries must be the starting point for the plan. Once the land which it is necessary to permanently keep open in order to safeguard the special character and setting of the City has been defined, then the assessed development needs should be factored in. There may be specific reasons why land which should be included within the Green Belt is either allocated for development or identified as safeguarded land, but this is something which should be done after the general extent of the Green Belt has been defined. Therefore, the Policies which define the extent of the Green Belt (Policy SS5) should be set out before Policy SS3 which identifies the sites for development.

Spatial distribution

- Based upon the sites which have been put forward as Strategic Allocations, the amount of development likely to come forward through Scenario 2 (which reflects the ambitions set out in the *York Economic Strategy* and the amount of new housing development which would be commensurate with this level of economic growth) seems likely to harm elements which contribute to the special character of the historic City. It may be the case that this level of growth can be accommodated. However, this is not demonstrated by the areas which the Plan is currently putting forward for development. The areas of

particular concern are ST14 (Land to the north of Clifton Moor) and ST15 (the proposed new settlement at Whinthorpe). The setting of York within its rural hinterland and the relationship which it has to the surrounding settlements is part of the special character and setting of the City as are views from the Ring Road. This aspect of York's setting would be compromised by the development of these areas.

For a number of these sites, however, there may be potential for some development to take place that would not harm the special character or setting of York. However, in order to be able to ascertain what changes are likely to be necessary in order to achieve this, there needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of the historic City which are set out in the *Heritage Topic Paper*. *The Heritage Impact Assessment* is a key tool which can assist in this process. We have set out in our accompanying letter how this document might be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special character and setting of York and how it this Assessment might be used to shape the future strategy of the plan so that it delivers growth in a manner which safeguards its historic character.

Role of York's Green Belt

- We fully support the identification of the preservation of the setting and special character of York as the primary purpose of the York Green Belt.

  Back in 1988, the booklet *"The Green Belts"* (Department of the Environment) stated that the primary purpose of the York Green Belt was to safeguard the character of the historic city which might be endangered by unrestricted expansion. This has been reaffirmed throughout the years by Ministerial Statements and by numerous Inspectors' decisions on Appeal. The Local Plan Inspector at the York Green Belt Local Plan Inquiry (1994) concluded *"Bearing in the national and international fame and importance of York, I can see no reason to anticipate any significant change or derogation from this aim in future".*

  Since the publication of the York Green Belt Local Plan Inspector's Report, the Government has issued SI2013 No. 117 which has reaffirmed that the Green Belt around York should be established to safeguard the special character and setting of the historic city.

  Whilst the York Green Belt performs a number of the other functions that are set out in Paragraph 80 of the NPPF to some extent, these are clearly secondary to the primary purpose of safeguarding the special character and setting of the historic City

Safeguarded land

- We support the principle of identifying sufficient development sites for the duration of the plan and of safeguarding land to provide options for future consideration during the life-time of the Green Belt. However, we have concerns about the implications which scale of growth which is being proposed might have upon York's special character and

setting and the choice of some of the sites which it is proposed to safeguard for development beyond the life-time of this plan.

- We have the following detailed comments to make on the content of Section 5:-

Page	Section	Comments	Suggested Changes
43	Policy SS1	In view of the importance of the historic environment of York, the conservation and enhancement of the City's heritage assets should be the starting point for the Development Strategy.	Policy SS1move Criterion vi to the beginning of the list of Criteria.
43	Policy SS1, Criterion vi	Whilst it is well recognised that the historic environment of York is outstanding, can the same be said of its natural environment? In any case, the natural environment is already adequately addressed in Criterion vii, so it would be far simpler (and more accurate) if Criterion vi simply dealt with the historic environment.	Policy SS1, Criterion vi delete *"and natural"*
43	Policy SS1, Criterion viii	This Criterion should set out the primary purpose of the Green Belt as set out in saved RSS Policy YH9C	Policy SS1, Criterion viii amend to read:- *"A Green Belt is defined around York which will safeguard the special character and setting of the historic City will safeguard the special character and setting of the historic city, the outer boundary of which will be about 6 miles from the City Centre"*
44	Paragraph 5.2, second bullet-point	Given that not all of those elements which contribute to the historic character of the City are "built", it would be more appropriate and accurate to refer to *"York's unique historic environment"*	Paragraph 5.2, second bullet-point amend to read:- *".... York's unique historic*

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Page	Section	Comments	Suggested Changes
			environment"
47	Factors which shape growth, fourth Paragraph	The need to protect York's historic environment should be the principal factor which shapes the future growth of the City. This should have its own separate heading (as has been done with the other environmental assets) and should be the first item set out under the *Factors which Shape Growth.* Line 1 of the fourth Paragraph - Whilst it is well recognised that the historic environment of York is unique, can the same be said of its natural environment? It would be preferable to delete the reference to the natural environment (especially as this is already addressed later in this section). The bullet-points on page 47 should reflect the six principal characteristics of the historic city which are identified in the *Heritage Topic Paper.* The section on the Green Belt needs to be moved to after the new first Paragraph on the historic environment. The Green Belt is one of the key Policy elements shaping the future growth of the City.	(1) Insert a new sub-heading following Factors Which Shape Growth as follows:- *"York's unique historic environment* (2) Move the fourth Paragraph (relating to the historic environment) under this new heading. (3) Amend bullets-points on page 47 to reflect the six principal characteristics of the historic city which are identified in the *Heritage Topic Paper.* (4) Move the Paragraphs relating to the Green Belt to follow the new section on the historic environment.
48	Figure 5.3	Whilst we would broadly concur that the areas identified on this diagram are the main ones which help to safeguard elements which contribute to the special character and setting of the historic city, one of the areas which it fails to	Figure 5.3 and its supporting text needs to make it clear that land beyond the Ring Road can also

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		adequately depict is the contribution which the rural landscape setting makes to the character and setting of the City. As illustrated, Figure 5.3 implies that no land beyond the Ring Road is important to keep open in order to safeguard the rural setting of the historic City. This is clearly not the case. In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that he did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York could be harmed by development which went beyond it. He reaffirmed his view that development of sites in the open countryside beyond the Ring Road would harm the rural setting of the historic city when considering the development of a site in the countryside near Elvington. He opined:- *"It is in an area of flat open countryside which forms an important part of the countryside setting of York. Development of such as site would be seen as an intrusion into the countryside which would detract markedly from the setting of the historic city contrary to one of the aims of the Green Belt"* [Inspector's Report, page 204, Paragraph E12.3]	contribute to the special character and setting of the historic city.

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		Indeed, if it were the case that only land within the Ring Road contributed to the rural setting of York, there would be no requirement to define a Green Belt with an outer boundary six miles from the city centre.	
49	Factors which shape growth, Paragraph following Figure 5.3	Whilst the areas identified on Figure 5.3 are, on the whole, the main areas of Green Belt in relation to fulfilling the function of safeguarding the special character and setting of the historic city (although see comments above), the white areas may also fulfil other Green Belt functions and, therefore, should be included within the Green Belt.	Amend accordingly.
54	Policy SS2, Criterion i first bullet-point	It is important that the scale of growth is consistent with safeguarding the special character and setting of York. This should be reflected in this bullet-point.	Policy SS2, Criterion i first bullet-point amend to read:- *"... North Yorkshire Sub Region consistent with safeguarding the special character and setting of York"*
54	Policy SS2, Criterion ii	In order to achieve sustainable development, it is important that not only the locations of growth safeguard its environmental assets, but also the scale of growth in each area.	Policy SS2, Criterion ii amend to read:- *"The location and scale of development through the plan .... etc"*
55	Policy SS3,	A number of the areas identified for development under the provisions of this Policy seem likely to harm elements which contribute to the special character or setting of the historic City. Our detailed comments on each of the sites within Policy SS3 are set out in the Table below.	There needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of

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			the historic City which are set out in the *Heritage Topic Paper. The Heritage Impact Assessment* is a key tool which can assist in this process. We have set out in our accompanying letter how this document might be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special character and setting of York and how it this Assessment might be used to shape the future strategy of the plan so that it delivers growth in a manner which safeguards its historic character. Following this assessment either:- (1) Delete those sites detailed in the Table below whose development would be likely to harm the special

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			character and setting of the historic city, or (2) Where it is possible, amend the size and extent of these areas (or their location) in order that those elements which contribute to the special character and setting of York are not likely to be harmed, or (3) The Plan will need to clearly justify why it is necessary to develop areas which seem likely to which harm elements which contribute to the special character or setting of the historic city. This will need to include an explanation of the need for this development and the reasons why it cannot be accommodated in a manner which does not harm the historic environment of

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			the City.
56	Policy SS4	Subject to the concerns that we have about the potential impact which the development of some of the Strategic Sites might have upon the special character and setting of the historic city, we support this Policy especially Criterion v relating to the need to create locally-distinctive places that relate well to the surrounding area and historic character.	-
57	Paragraph 5.4, first bullet-point	We would disagree with the statement that the economic and housing growth aspirations are met in a way which *"recognises the character and setting of York"* or *" the relationship between York and its surrounding settlements".* In his Report, the Inspector of the York Green Belt Local Plan stated that:- *"Since the construction of the Ring Road views from that road are of especial significance…..I consider that in general there would be serious harm to views of the city from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it."*. [Inspector's Report, Paragraph A7.28, page 12]. Four of the strategic sites bring development right up to the Ring Road (Sites ST14, ST8, ST15 and ST19) and three would extend development beyond the Ring Road (ST19, ST14 and ST15). Site ST14 also threatens the separation of settlements in the Green Belt.	There needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of the historic City which are set out in the *Heritage Topic Paper. The Heritage Impact Assessment* is a key tool which can assist in this process. We have set out in our accompanying letter how this document might be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special character and setting of York and how it this Assessment might

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			be used to shape the future strategy of the plan so that it delivers growth in a manner which safeguards its historic character. Following this assessment either:- (1) Delete those sites detailed in the Table below whose development would be likely to harm the special character and setting of the historic city, or (2) Where it is possible, amend the size and extent of these areas (or their location) in order that those elements which contribute to the special character and setting of York are not likely to be harmed, or (3) The Plan will need to clearly justify why it is necessary to develop areas

Page	Section	Comments	Suggested Changes
			which seem likely to which harm elements which contribute to the special character or setting of the historic city. This will need to include an explanation of the need for this development and the reasons why it cannot be accommodated in a manner which does not harm the historic environment of the City.
59	Local Context, Green Belt, first Paragraph	This introductory sentence should state the primary purpose of the York Green Belt. It should also set out the statutory basis for the Green Belt as set out in SI2013 No. 117. This Paragraph should also make reference to the fact that, although the RSS was revoked, its Policies regarding the principle of defining a Green Belt around York, the primary purpose of the Green Belt, and its general extent was confirmed by the Government in 2013.	Local Context, Green Belt, first Paragraph amend the beginning of this Paragraph to read:- *"The principle of defining a Green Belt around York is long established. This was most recently confirmed by the Government when it saved the Policies for the York Green Belt following the revocation of the RSS. It also reaffirmed that the primary purpose of the York Green Belt*

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			is to preserve the special character and setting of the historic city. Some of the outer boundaries … etc"
59	Local Context, Green Belt	Policy guidance for the York Green Belt is also set out in saved Policy YH9 and Y1 of the RSS. The requirements of these Policies also need to be reflected in this section.	Local Context, Green Belt, inset the following Paragraph before the second Paragraph:- *"The saved Policies from the RSS require that, in defining the inner boundaries of the Green Belt, the plan should protect the nationally-significant historical and environmental character of York including its historic setting, views of the Minster and important open areas".*
59	Local Context, Green Belt, third Paragraph	The primary purpose of the York Green Belt was confirmed as recently as 2013. This needs to be better reflected in this Paragraph. As currently worded, this seems to imply that all of these carry equal weight.	Local Context, Green Belt, third Paragraph:- (1) Amend the sentence before the five bullet-points to read:- *"The primary purpose of the York Green Belt is to preserve the special character*

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			and setting of the historic City of York. The NPPF sets out four other purposes of a Green Belt. These are:-" (2) Delete the fourth bullet-point
60	Local Context, second Paragraph on page 60	This Paragraph states that there are no alternative suitable and deliverable sites to meet the assessed development needs of York. As yet, this is not clearly established.	
61	Policy SS5, Criterion i	This Policy should more closely reflect the requirements set out in SI2013 No. 117, i.e. that the purpose of the York Green Belt is to safeguard the special character and setting of the historic city. At present there is no reference to the historic element.	Policy SS5, Criterion i amend to read:- *The primary purpose of the Green Belt is to safeguard the special character and setting of the historic city of York. It also has …etc"*
62	Policy SS6	Whilst we support the principle of identifying land to meet the longer-term development needs of the City and the safeguarding of these areas, some of the sites which have been identified, as possible locations for longer-term development, appear to fulfil the primary purpose of the York Green Belt and, if developed, look likely to harm elements which contribute to the special character of the historic City. We have particular concerns about the Sites to the north of ST14, to the east of ST15 and around ST19. Our detailed comments on these areas are set out in the Table below.	There needs to be a more robust assessment of the impact which the development of these sites might have upon the six principal characteristics of the historic City which are set out in the *Heritage Topic Paper. The Heritage Impact Assessment* is a key tool which can assist in this

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			process. We have set out in our accompanying letter how this document might be used more effectively to evaluate the likely effects which the development of the Strategic Sites might have upon the special character and setting of York and how it this Assessment might be used to shape the future strategy of the plan so that it delivers growth in a manner which safeguards its historic character. Following this assessment either:- (1) Delete those sites detailed in the Table below whose eventual development would be likely to harm the special character and setting of the historic city, or (2) Where it is possible, amend the size and extent of these

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			areas (or their location) in order that those elements which contribute to the special character and setting of York are not likely to be harmed, or (3) The Plan will need to clearly justify why it is necessary to develop areas which seem likely to which harm elements which contribute to the special character or setting of the historic city. This will need to include an explanation of the need for this development and the reasons why it cannot be accommodated in a manner which does not harm the historic environment of the City.

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- We have the following comments to make regarding the sites which are proposed as allocations under the provisions of **Policy SS3**:-

Sites for economic development (Policy SS3, Criterion i)

Site No.	Site Name	Comments
ST5	York Central	That part of the site between the City Walls and the railway line is an extremely sensitive area. It is essential that the height of the new buildings in and around the Station are of a scale which will not harm the character or appearance of the Central Historic Core Conservation Area, or detract from the setting of either the Listed Buildings in and around the site or those elements which contribute to the significance of the City Walls. However, there may be capacity within parts of the York Central site for the development of some taller structures where it can be demonstrated that it would not harm key views across the City.
ST8	Land north of Monks Cross	In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter"* [Inspector's Report, Paragraph A7.28, page 12]. The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. As currently depicted, the development of this area seems likely to harm elements which contribute to the special character and setting of York.
ST19	Northminster Business Park	Whilst there is already a long-established employment area at the Northminster Business Park, some of the areas which are identified for future development could harm elements which contribute to the special character and setting of the City. In particular, the south-easternmost site would conflict with the 1994 Inspector's Report on the Green Belt Local Plan Inquiry that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter"* [Inspector's

Site No.	Site Name	Comments
		Report, Paragraph A7.28, page 12]. It would also substantially reduce the gap between the existing development at the Northminster Business Park and the village of Knapton. As currently depicted, the development of this area seems likely to harm elements which contribute to the special character and setting of York.
ST16	Terry's	Part of this site lies within the Racecourse and Terry's Conservation Area. The site also contains several Grade II Listed Buildings. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of these assets are not harmed.

Housing sites within main built-up area (Policy SS3, Criterion ii)

Site No.	Site Name	Comments
ST5	York Central	That part of the site between the City Walls and the railway line is an extremely sensitive area. It is essential that the height of the new buildings in and around the Station are of a scale which will not harm the character or appearance of the Central Historic Core Conservation Area, or detract from the setting of either the Listed Buildings in and around the site or those elements which contribute to the significance of the City Walls. However, there may be capacity within parts of the York Central site for the development of some taller structures where it can be demonstrated that it would not harm key views across the City.
ST6	Land east of Grimston Bar	In his Report on the York Green Belt Local Plan in 1994, the Inspector considered that the swathe of open countryside between the eastern edge of the built-up area and the Ring Road was particularly important to the setting of the City, and was especially vulnerable where the edge of the built-up area is close to the Ring Road [see, for example, Inspector's Report, page 81, Paragraph C66.5]. The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect

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Site No.	Site Name	Comments
		views towards the City and its rural setting. It would also reduce the separation of the edge of the City from the Livestock Centre to the south of Murton further eroding its rural setting. The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York.
ST17	Additional land at Nestle South	Part of this site lies within the Nestle/Rowntree Conservation Area. The Joseph Rowntree Memorial Library, on the eastern side of this site, is a Grade II Listed Building. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of these assets are not harmed.

Housing provided on urban extensions to the main built-up area (Policy SS3, Criterion iii)

Site No.	Site Name	Comments
ST7	Land to the east of Metcalf Lane	In his Report on the York Green Belt Local Plan in 1994, the Inspector considered that the swathe of open countryside between the eastern edge of the built-up area and the Ring Road was particularly important to the setting of the City, and was especially vulnerable where the edge of the built-up area is close to the Ring Road. In the case of an objection to a site lying to the south Bad Bargain Lane he considered that:- *"This countryside is characterised by fields and hedgerows and forms a pleasant and important landscape setting for the historic city. This countryside setting is particularly important in views from the Ring Road ...Encroachment into the countryside in this area would undermine the objectives of Green Belt policy."* [Inspector's Report, page 74, Paragraph C61.5] The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. It would also reduce the separation of the edge of the City from Murton further eroding its rural setting.

Site No.	Site Name	Comments
		The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York.
ST8	Land north of Monks Cross	In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter"* [Inspector's Report, Paragraph A7.28, page 12]. The development of this site would substantially reduce the gap between the edge of the built-up area and the Ring Road. As such, it would adversely affect views towards the City and its rural setting. As currently depicted, the development of this area seems likely to harm one of the elements which contributes to the special character and setting of York.
ST10	Land at Moor Lane, Woodthorpe	In his Report to the York Green Belt Local Plan in 1994, the Inspector considered that :- *"Moor Lane provides a clear and satisfactory edge to the developed area of York".* He felt that this land helped:- *"... to separate York and Copmanthorpe and to prevent further sprawl of the built-up area"* In his opinion development south of Moor Lane would:- *"... be very harmful to the underlying objectives of the Green Belt"* [Inspector's Report, page 95, Paragraph C78.4]. Given that little has changed in either the character of this part of the City or the purposes of the York Green Belt, the Inspector's conclusions as to the appropriateness of this area as an allocation appear just as relevant. The development of this area seems likely to harm one of the elements which contributes to the special character and setting of York.
ST11	Land at New Lane, Huntington	This site includes the Roman Camp on Huntington South Moor which is a Scheduled Monument. National

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Site No.	Site Name	Comments
		policy guidance makes it clear that substantial harm to the significance of such an asset should be wholly exceptional. Before allocating this site, therefore, it will have to be clearly demonstrated that residential development in this area would not result in harm to elements that contribute to the significance of this asset, including its setting. Huntington Grange, to the west of this area, is a Grade II Listed Building. There is a requirement in the 1990 Act that *"special regard"* should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Consequently, before allocating this area, there would also need to be some assesment of what contribution this currently-undeveloped area makes to the signficance of this building and what effect its loss and subsequent development might have upon its significance. If allocated, development proposals would need to ensure that those elements which contribute to the significance of these assets (including their settings) are not likely to be harmed.
ST14	Land north of Clifton Moor	As illustrated, Figure 5.3 implies that no land beyond the Ring Road is important to keep open in order to safeguard the rural setting of the historic City. This is clearly not the case. In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that the Inspector did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York could be harmed by development which goes beyond it.

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Site No.	Site Name	Comments
		Site ST14 lies in the open countryside beyond the northern Ring Road in an area which forms part of the rural setting of the historic City. By development extending beyond the Ring Road, it will not only fundamentally change the relationship of the northern edge of York with the settlements of Skelton and Haxby, but also threaten the separation between these settlements and the main built-up area of the City (this development will only be 0.6km from the eastern edge of Skelton and 1.2km from the western edge of Haxby). By resulting in development on both sides of the Ring Road, it will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report as contributing to the special character of York). Overall, therefore, we consider that the allocation and development of this area would be likely to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning Policy.

Housing provided through new settlement at Whinthorpe (Policy SS3, Criterion iv)

Site No.	Site Name	Comments
ST15	New Settlement at Whinthorpe	As illustrated, Figure 5.3 implies that no land beyond the Ring Road is important to keep open in order to safeguard the rural setting of the historic City. This is clearly not the case. In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that the Inspector did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York could be harmed by development which goes beyond it.

Site No.	Site Name	Comments
		He reaffirmed his view that development of sites in the open countryside beyond the Ring Road would harm the rural setting of the historic city when considering the development of a site in the countryside at Clock Farm near Elvington. He opined:- *"It is in an area of flat open countryside which forms an important part of the countryside setting of York. Development of such as site would be seen as an intrusion into the countryside which would detract markedly from the setting of the historic city contrary to one of the aims of the Green Belt"* [Inspector's Report, page 204, Paragraph E12.3] Site ST15 lies to the south of the area considered by the Inspector in his 1994 Report. Consequently, many of his conclusions would be applicable to the allocation and eventual development of this allocation. Site ST15 lies in open countryside which forms part of the rural setting of the historic City. By extending development up to the southern Ring Road, it will fundamentally change the relationship which the southern edge of York has with the countryside to its south. This development will only be 1.25km from the southern edge of Heslington and 0.9km from the buildings at the new University Campus. It will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report as contributing to the special character and setting of the City). Notwithstanding the above, even if an incursion of this size into the open countryside was acceptable in principle, the relationship of this area to the City does not reflect the way in which settlements have traditionally developed around York. Overall, therefore, we consider that the allocation and development of this area would be likely to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning Policy.

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- We have the following comments to make regarding the sites which are proposed as Safeguarded Land under the provisions of **Policy SS6**:-

Site No.	Site Name	Comments
SF2	Land north of Clifton Moor	As illustrated, Figure 5.3 implies that no land beyond the Ring Road is important to keep open in order to safeguard the rural setting of the historic City. This is clearly not the case. In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that he did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York could be harmed by development which goes beyond it. Site SF3 lies in the open countryside beyond the northern Ring Road in an area which forms part of the rural setting of the historic City. By development extending beyond the Ring Road, it will not only fundamentally change the relationship of the northern edge of the City with the settlements of Skelton and Haxby but also threaten the separation between these settlements and the main built-up area of the City (this development will only be 0.6km from the eastern edge of Skelton and 1.2km from the western edge of Haxby). In combination with Site ST14 to the south, this area will result in development on both sides of the Ring Road, which will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report as contributing to the special character of the City). Overall, therefore, we consider that the safeguarding and eventual development of this area would be likely

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Site No.	Site Name	Comments
		to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning Policy.
SF3	Land at Whinthorpe	As illustrated, Figure 5.3 implies that no land beyond the Ring Road is important to keep open in order to safeguard the rural setting of the historic City. This is clearly not the case. In his 1994 Report on the Green Belt Local Plan Inquiry, the Inspector considered that:- *"... in general there would be serious harm to views of the City from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it"* [Inspector's Report, Paragraph A7.28, page 12]. It is clear, therefore, that the Inspector did not consider that the elements which contributed to the rural setting of York were restricted solely to land lying within the Ring Road and that the special character of York could be harmed by development which goes beyond it. He reaffirmed his view that development of sites in the open countryside beyond the ring Road would harm the rural setting of the historic city when considering the development of a site in the countryside at Clock Farm near Elvington. He opined:- *"It is in an area of flat open countryside which forms an important part of the countryside setting of York. Development of such as site would be seen as an intrusion into the countryside which would detract markedly from the setting of the historic city contrary to one of the aims of the Green Belt"* [Inspector's Report, page 204, Paragraph E12.3] This site lies to the south of the area considered by the Inspector in his 1994 Report. Consequently, many of his conclusions would be applicable to the allocation and eventual development of this site. Site SF3 lies in open countryside in an area which forms part of the rural setting of the historic City. By extending development up to the Ring Road, in

Site No.	Site Name	Comments
		combination with Site ST15, the development of this area it will fundamentally change the relationship of the southern edge of York with its countryside to the south (development will only be 0.7km from the buildings at the new University Campus). It will also alter people's perceptions when travelling along this route about the setting of the City within an area of open countryside (an element identified by the Inspector in his Report as contributing to the special character of the City). Notwithstanding the above, even if an incursion of this size into the open countryside was acceptable in principle, the relationship of this area to the City does not reflect the way in which settlements have traditionally developed around York. Overall, therefore, we consider that the safeguarding and eventual development of this area would be likely to harm the special character and setting of the City and, therefore, would conflict with the saved Policies of the RSS and national planning policy.
SF8	Northminster Business Park	Whilst there is already a long-established employment area at the Northminster Business Park, some of the areas which are safeguarded and identified for long-term future development could harm elements which contribute to the special character and setting of the City. In particular, the northern area of Safeguarded land would drastically reduce the gap between the existing development at the Northminster Business Park and the settlement of Nether Poppleton . As currently depicted, the safeguarding and eventual development of parts of this area seems likely to harm elements which contribute to the special character and setting of York.

Question 6.1

- Overall, we would endorse the strategy which this Section sets out for the City Centre and welcome the recognition given to the need to ensure that its heritage assets are appropriately managed.

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Question 6.2

- We would broadly support the amendments to the boundary of the City Centre. This amended boundary now includes those areas which have a city centre function.

- We have the following detailed comments to make on the content of Section 6:-

Page	Section	Comments	Suggested Changes
66	Policy YCC1, first Paragraph	The Policy should also include an intention to improve/enhance those elements which currently detract from this character.	Policy YCC1, first Paragraph, line 1 amend to read:- *"Its special qualities and distinctiveness will be conserved and enhanced whilst .. etc"*
67	Policy YCC1	We support the development principles set out on page 67, especially Criteria i to iv, vii, viii and xi. Together these principles should help to safeguard and enhance those elements which contribute to the special character of this part of York.	-

Question 7.1

- We would broadly endorse the approach to the development of York Central that is set out in this Section.

- We have the following detailed comments to make on the content of Section 7:-

Page	Section	Comments	Suggested Changes
75	Policy YC1, Criterion v	Whilst we support the inclusion of a requirement that York Central be developed as a place of outstanding quality and design which complements and enhances the existing historic urban fabric of the city, this Criterion also needs to make it clear that safeguarding those elements which contribute to the significance of the heritage assets in its vicinity assets is also a key consideration.	Ad to the end of Policy YC1, Criterion v:- *"... and safeguards those elements which contribute to the distinctive historic character of the City"*
76	Figure 7.2, area allocated for Office/Leisure	That part of the site between the City Walls and the railway line is an extremely sensitive area. It is essential that the height of the new buildings in and around the	Amend accordingly.

Page	Section	Comments	Suggested Changes
	development	Station are of a scale which will not harm the character or appearance of the Central Historic Core Conservation Area, or detract from the setting of either the Listed Buildings in and around the site or those elements which contribute to the significance of the City Walls. This should be referred to within the supporting text in Paragraph 7.2	

Question 8.1

Employment growth

- Based upon the sites which have been put forward as Strategic Allocations, the amount of development likely to come forward through pursuing Scenario 2 (which reflects the ambitions set out in the *York Economic Strategy* and the amount of new housing development which would be commensurate with this level of economic growth) in conjunction with the associated level of housing growth seems likely to harm elements which contribute to the special character of the historic City. It may be the case that this level of growth can be accommodated. However, this is not currently demonstrated by the areas which the Plan is currently putting forward for development.

Question 9.1

- We support the intention to maintain the City Centre as the main focus for future retail and commercial activity. The continued viability and vitality of the heart of the City is essential if its historic environment is to be maintained.

- We have the following detailed comments to make on the content of Section 9:-

Page	Section	Comments	Suggested Changes
95	Policy R3	We support that aspect of this Policy which relates to the reuse of existing buildings subject to there being no historic building or conservation constraints (third bullet-point) and improvements to the public realm (final bullet-point).	-
95	Policy R3, first bullet-point and Paragraph 9.18	Because of the importance of Castle Piccadilly to the delivery of the retail strategy for the City Centre, the sensitivity of this area, and the number of potential constraints upon the scale, form and design of any new development, it is essential that the Castle Piccadilly site	Amend accordingly

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Page	Section	Comments	Suggested Changes
		(including the area on Piccadilly) is developed comprehensively. Therefore, the Plan should include a clear statement that a Masterplan will be developed for this area and that piecemeal development which would be likely to prejudice the development and realisation of a comprehensive scheme for this area will not be permitted.	

Question 10.1

Housing growth

- Based upon the sites which have been put forward as Strategic Allocations, Option 2 (which reflects the economic ambitions set out in the York Economic Strategy and the amount of new housing development which would be commensurate with this level of employment growth) seems likely to harm elements which contribute to the special character of the historic City. It may be the case that this level of growth can be accommodated. However, this is not currently demonstrated by some of the areas which the Plan is currently putting forward for development as Strategic Housing sites (see comments above).

Housing density

- We welcome the requirement that the density of new developments should be informed by the character of the local area. This will help to ensure that new residential schemes respond sensitively to the distinctive character of the various parts of the City.

Housing Allocations

- We have the following comments to make regarding the sites which are proposed as Housing Allocations under the provisions of Policy H3 (Our comments on the Strategic Sites are set out in relation to Policy SS3, above):-

York Main Urban Area

Site No.	Site Name	Comments
H1	Former Gas Works, 24 Heworth Green	This site adjoins the boundary of the Heworth Green/East Parade/Huntington Road Conservation Area. 26 Heworth Green, on the northern side of this site, is a Grade II Listed Building. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of these assets are not harmed.
H2	Sites by Racecourse,	The Pinfold, at the western edge of this site, is a Grade II Listed Building. In addition, this site also

Site No.	Site Name	Comments
	Tadcaster Road	lies within the Tadcaster Road Conservation Area. In view of the requirement in the 1990 Act that *"special regard"* should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess and the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas, before allocating this area, there would need to be some assesment of what contribution this currently-undeveloped area makes to the signficance of these assets and what effect its loss and subsequent development might have upon their significance. If allocated, development proposals would need to ensure that those elements which contribute to the significance of these assets (including their setting) are not likely to be harmed.
H4	St Joseph's Monastery	The sisters' house, church, externs' house, priests' house, and precinct walls of the Convent of St Joseph, Lawrence Street have recently been Listed Grade II. There is a requirement in the 1990 Act that "special regard" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Consequently, before allocating this area, there would need to be some assesment of what contribution this currently-undeveloped area makes to the signficance of these buildings and what effect its loss and subsequent development might have upon the significance of these assets. If allocated, development proposals would need to ensure that those elements which contribute to the significance of these assets (including their setting) are not likely to be harmed.
H10	Barbican Centre (remaining land)	This site lies opposite the City Walls. Given the importance of the City Walls, great care would need to be taken to ensure that the elements which contribute to their significance are not

Site No.	Site Name	Comments
		harmed.
H11	Land at Frederick House	This site adjoins the boundary of the Fulford Road Conservation Area. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of this area are not harmed.
H14	32 St Lawrence Street	There is a row of Grade II Listed dwellings at Ellen Wilson Hospital to the east of this site and the Church of St Lawrence is also Grade II Listed. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of these assets are not harmed.
H19	Land at Mill Mount	This site lies within the Central Historic Core Conservation Area. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of this area are not harmed.
H24	Former Bristow's Garage, Fulford Road	This site adjoins the boundary of the Fulford Road Conservation Area. Consort House, to the south, is a Grade II Listed Building. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of these assets are not harmed.

Village/rural

Site No.	Site Name	Comments
H30	Land to the south of Strensall Village	This site adjoins the boundary of the Strensall Conservation Area. In view of the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas including their setting, there will need to be some assessment of what contribution this area makes to the landscape setting of the Conservation Area. If this area does make an important contribution to the character of the Conservation Area, then the plan would need to explain why its loss and subsequent development is considered to be acceptable. If, after undertaking this assessment, it is considered appropriate to allocate this area, development proposals would need to ensure

Site No.	Site Name	Comments
		that those elements which contribute to the significance of this area are not harmed.
H32	The Tannery, Strensall	This site adjoins the boundary of the Strensall Conservation Area. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of this area are not harmed.
H34	Land north of Church Lane, Skelton	In view of the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas including their setting, there will need to be some assessment of what contribution this area makes to the landscape setting of the Conservation Area. If this area does make an important contribution to the character of the Conservation Area, then the plan would need to explain why its loss and subsequent development is considered to be acceptable. If, after undertaking this assessment, it is considered appropriate to allocate this area, development proposals would need to ensure that those elements which contribute to the significance of this area are not harmed.
H36	Land at Blairgowerie House, upper Poppleton	This site lies within the Upper Poppleton Conservation Area. When originally designated, it is presumed that this open area was considered to make an important contribution to the character or appearance of the Conservation Area. Therefore, one might assume that its loss and subsequent development would result in harm to that part of the designated area. In view of the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas, there will need to be some assessment of what contribution this plot of land makes to the character of the Conservation Area. If this area does make an important contribution to the character of the Conservation Area, then the plan would need to explain why its loss and subsequent development is considered to be acceptable. If, after undertaking this assessment, it is

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Site No.	Site Name	Comments
		considered appropriate to allocate this area, development proposals would need to ensure that those elements which contribute to the significance of this area are not harmed.
H37	Land at Greystone Court, Haxby	In his Report to the York Green Belt Local Plan in 1994, the Inspector considered that the development of this site would:- *"... be seen as an encroachment into the countryside and would markedly weaken the degree of separation which currently exists between Haxby/Wigginton and New Easrwswick/York. In my opinion this would undermine one of the principal objectives of the Green Belt."* [Inspector's Report, page 120, Paragraph D47.6] Consequently, the development of this area seems likely to harm one of the elements which contributes to the special character and setting of York and should not be allocated.
H41	Land adjacent to 26 and 38 Church Lane, Bishopthorpe	This site lies within the Bishopthorpe Conservation Area. In view of the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas, there will need to be some assessment of what contribution this plot of land makes to the character of the Conservation Area. If this area does make an important contribution to the character of the Conservation Area, then the plan would need to explain why its loss and subsequent development is considered to be acceptable. If, after undertaking this assessment, it is considered appropriate to allocate this area, development proposals would need to ensure that those elements which contribute to the significance of this area are not harmed.
H42	Builder's Yard, Church Lane, Bishopthorpe	This site lies within the Bishopthorpe Conservation Area. If allocated, development proposals for this area would need to ensure that those elements which contribute to the significance of this area are not harmed.
H43	Manor Farm Yard,	This site adjoins the boundary of the Copmanthorpe Conservation Area. If allocated,

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Site No.	Site Name	Comments
	Copmanthorpe	development proposals for this area would need to ensure that those elements which contribute to the significance of this area are not harmed.
H44	R/O Surgery and 2a/2b Petercroft Lane, Dunnington	This site lies within the Dunnington Conservation Area. When originally designated, it is presumed that this open area was considered to make an important contribution to the character or appearance of the Conservation Area. Therefore, one might assume that its loss and subsequent development would result in harm to that part of the designated area. In view of the duty on the Council to preserve or enhance the character or appearance of its Conservation Areas, there will need to be some assessment of what contribution this plot of land makes to the character of the Conservation Area. If this area does make an important contribution to the character of the Conservation Area, then the plan would need to explain why its loss and subsequent development is considered to be acceptable. If, after undertaking this assessment, it is considered appropriate to allocate this area, development proposals would need to ensure that those elements which contribute to the significance of this area are not harmed.

Question 11.1

Sites for gypsy, traveller and showpeople

- In terms of the Policies for gypsy, traveller and showpeople, whichever sites are eventually chosen, it is essential that the development of these areas does not harm the special character or setting of York. Several of the areas of search include land which, if developed, could compromise the Green Belt objectives relating to the preservation of the historic city. Consequently, it is important that Policy ACHM4 includes a requirement for any sites to safeguard those elements which contribute to the special character and setting of the historic City.

Question 15.1

- We support the proposed approach and guidance which the policies in this Section provide for development associated with the Universities.

- We have the following detailed comments to make on the content of Section 15:-

Page	Section	Comments	Suggested Changes
155	Policy U2	We support this Policy which will help to retain the distinctive character of the campus and its landscape setting.	-
156	Policy U3	Given the location of this campus adjacent to the Green Belt and in close proximity to Heslington Conservation Area, we support the requirement that any amendments to the current S106 Agreement will be required to reflect its parkland setting, that they should be sensitive to its Green Belt surroundings and the setting of Heslington village.	-
157	Policy U4	The Lord Mayor's Walk Campus lies opposite the City Walls, partly in a Conservation Area, and includes a number of Listed Buildings. Consequently, we support the requirement that future development on this site needs to take account of its sensitive setting.	-
-	Green Belt boundary around the Heslington East Campus	The Proposals Map shows whole of the Campus including the undeveloped land to the south and east of the existing buildings as being excluded from the Green Belt. In order to ensure that the special character and setting of York is not threatened by expansion of the University towards the Ring Road (and, potentially merging with the new settlement), all of the undeveloped land to the south and east of the existing Campus buildings (or which has been identified for the longer-term development needs of the University) should be included within the Green Belt.	Amend Green Belt boundary accordingly

Question 16.1

- Given the significance of York's historic environment, it is absolutely essential that the Plan sets out a robust Policy framework for the management of this resource. Indeed, national policy guidance makes it clear that Local Plans should set out a *"positive*

strategy for the conservation and enjoyment of the historic environment". Overall, we consider that the approach set out in this Section provides the basis for a Policy framework which will comply with the requirements of the NPPF. However, in order to meet the requirements of NPPF Paragraph 126 (and also to demonstrate that the strategy is truly sustainable) it is not sufficient for the Plan to simply include a good suite of Policies for the historic environment. The plan, as a whole, has to set out a positive strategy for the historic environment. This includes ensuring that the eventual development of the sites which it is proposing to allocate will not result in harm to the heritage assets of the area. As we have set out, above, we have some significant concerns about the potential impact which some of the proposed strategic development sites might have upon the special character and setting of the historic City.

- We have the following detailed comments to make on the content of Section 16:-

Page	Section	Comments	Suggested Changes
162	Policy DHE1	We support this Policy. This should help to ensure that the special character of the City is safeguarded. We particularly endorse the final Paragraph of the Policy. Given the importance of York's historic environment, it is absolutely right that development proposals that fail to take account of York's special qualities should be refused.	
164	Policy DHE2	It is not entirely clear what the purpose of this Policy is. The first Criterion sets out some general considerations relating to heritage assets (all of which (with the exception of non-designated heritage assets) are addressed in the other Policies in this Section). The second and third Criteria relate to information required to support applications much of which appears to be included in the subsequent historic environment Policies. Consequently, it would be worth reviewing whether or not this Policy is needed.	Review whether or not Policy DHE2 is required.
165	Policy DHE3	We support this Policy. This should help to ensure that the landscape of the City and its wider setting is safeguarded.	-
166	Policy DHE4	We support this Policy. This should help to ensure that this important element of the City's character is safeguarded. We particularly welcome the inclusion of a	-

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Page	Section	Comments	Suggested Changes
		requirement that the City's key views as defined in the *York City Historic Core Conservation Area Appraisal* will be protected.	
167	Policy DHE5	We support this Policy for York's streets and spaces, especially the improvement of the public realm.	-
168	Policy DHE6	Subject to the changes below, we support this Policy which sets out a good framework for managing change which could impact upon York's Conservation Areas.	-
168	Policy DHE6, first line	National policy guidance makes it clear that the significance of a heritage asset can also be affected by development proposals within its setting.	Policy DHE7, line 1 amend to read:- *"Development proposals within or likely to affect the setting of a Conservation Area will be supported where they:-"*
168	Policy DHE6, final Paragraph and Paragraph 16.19	Conservation Area Consent is due to be replaced later this year. Consequently, it would be preferable to amend the wording of this Paragraph	(1) Policy DHE7, final Paragraph amend to read:- *"Demolition of buildings which make a positive contribution to a Conservation Area will be resisted"* (2) Paragraph 16.19 amend to read:- *"Permission for the demolition ...etc"*
169	Policy DHE7	We support this Policy which sets out a good framework for managing change which could impact upon York's Listed Buildings.	-

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Page	Section	Comments	Suggested Changes
170	Policy DHE8	We support this Policy especially the protection that is given to the retention of high-quality or historic shop fronts. York has many fine historic shopfronts which make a valuable contribution to the distinctive character of the area in which these buildings are located.	-
171	Policy DHE9	We support this Policy which sets out a good framework for the control of advertisements. This should help to ensure that the character of the City is maintained.	-
172	Policy DHE10	We support this Policy which sets out a good framework for the control of security shutters. Poorly-designed security shutters can considerably detract from the character of an area and its vitality. This Policy should help to ensure that the character of the City is maintained.	-
172	Policy DHE11	Because of the importance of the City Walls, we wholly support the inclusion of a Policy to manage change in their vicinity. However, the Policy would benefit from a few amendments as set out below.	
172	Policy DHE11, third Paragraph	The significance of the City Walls can also be harmed by development which adversely affects their setting. Conceivably, this could be some distance from the Scheduled area. As currently worded, however, this Policy only applies to development proposals "adjacent" to the Scheduled area.	Policy DHE11, third Paragraph amend to read:- *"Development proposals adjacent to, or likely to affect their setting of, the City Walls designated as Scheduled Monuments will only be permitted where:-"*
172	Policy DHE11, third Paragraph, Criterion i	It would be preferable to include the need for a Heritage Statement as a separate Paragraph at the end of the Policy. The remainder of this Criterion is already addressed by the rest of the Policy and	Policy DHE11:- (1) Delete Criterion i

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Page	Section	Comments	Suggested Changes
		could be deleted.	(2) Add a new Paragraph to read:- *"Development proposals likely to impact upon the City Walls must be accompanied by a Heritage Statement that clearly assesses the impact which the proposals are likely to have upon the elements which contribute to their significance and the six principle characteristics of the City as identified in the Heritage Topic Paper."*
172	Policy DHE11, third Paragraph, Criterion iii	It would be preferable to reword this bullet-point to more clearly articulate its intentions	Policy DHE11, third Paragraph, fourth bullet-point amend to read:- *"Designed not to cause harm to those elements which contribute to the significance of the Walls including their setting".*
172	Policy DHE11	One of the key requirements for any development in the vicinity of the Walls is that it should be of the highest quality design. This element should be included as one of the Criteria of the third Paragraph..	Policy DHE11, third Paragraph, add an additional Criterion to read:- *"Of the highest*

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Page	Section	Comments	Suggested Changes
			design quality which, where possible, enhances or better reveals the significance of the walls"
173	Paragraph 16.33	In order to guide development in and around the City Walls, it is suggested that the City Council and English Heritage produce joint guidance which can be used as SDP. This should be referred to in the justification to this Policy.	Amend accordingly
173	Paragraph 16.33, final sentence.	Given the importance of the York City Walls, there should be a clear statement that proposals which harm their significance will not be permitted.	Paragraph 16.33, final sentence amend to read:- *"Proposals that harm the character or significance of the City Walls will not be permitted".*
173	Policy DHE12	Whilst we support the inclusion of a Policy for archaeology, it would benefit from some revisions to more clearly articulate the approach to developments likely to affect archaeological remains.	Amend Policy DHE12 as follows:- *"Development proposals which would result in harm to Scheduled Monuments or other nationally important archaeological remains will not be permitted.* *Development proposals affecting other archaeological features and deposits will be supported where*

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Page	Section	Comments	Suggested Changes
			they are consistent with the following:- *i In the historic core, they accord with the principles set out in the "York Development and Archaeology Study" or its successor* *ii. Elsewhere, they are designed to avoid harm to archaeological deposits. Where harm is unavoidable, detailed mitigation measures …* [include the remainder of the current Criterion iii of Policy DHE12] *Development proposals within the historic core or likely to affect archaeological remains must be accompanied by an evidence-based heritage statement that describes the significance of the archaeological deposits affected and includes a*

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Page	Section	Comments	Suggested Changes
			desk-based assessment and, where necessary, reports on intrusive and non-intrusive surveys".
174	Paragraph 16.38	Given the importance of the archaeological resource, it is suggested:- (1) That the Council produce an SPD to help guide those proposing development in the City, and (2) The *York Development and Archaeology Study"* or its successor is also adopted as SPD. These should be referred to in the justification to this Policy.	Amend accordingly
174	Paragraph 16.37	Copies of these reports should also be deposited with OASIS (the Online Access to the Index of Archaeological Investigation). OASIS is the online access to the index of archaeological investigations. The project is designed to provide an index to all archaeological 'grey literature' allowing access through a searchable database. In order to achieve this, all archaeological fieldwork whether undertaken commercially, for academic research or by volunteers can be submitted through an online form to be added to the ArchSearch database. OASIS is intended to become the routine method of capturing archaeological intervention data throughout England. When this happens, it is anticipated that other data gathering methods will not be required to any significant extent. This will allow resources to be focussed on validation of data, dissemination, and analysis. In the meantime however there is	Paragraph 16.37 line 3 amend to read:- *"... York HER and OASIS"*

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Page	Section	Comments	Suggested Changes
		still a need to record interventions and reports which are not being entered on OASIS.	
175	Policy DHE13	Subject to the amendment set out below, we support this Policy which will assist in safeguarding York's Historic Parks and Gardens.	
175	Policy DHE13	It is important that reference is also made in the Policy to:- (1) safeguarding any important views out of these landscapes, and (2) ensuring that proposals do not prejudice any future restoration	Policy DHE13, (1) Criterion I amend to read:- *"character, amenity, setting or key views into or out of the park"* (2) Criterion ii amend to read:- *"... park or garden and do not prejudice any future restoration"*
175	Policy DHE14	We support this Policy. However, it is important that the Policy makes it clear that all assessments should be deposited with the HER once completed.	Policy DHE14 add the following additional Paragraph:- *"Copies of all heritage statements and reports on archaeological interventions whether pre- or post-determination must be deposited with the City of York HER".*
-	Policy omission	In view of the fact that the Council are consulting on a framework for Locally Listed Buildings, the plan should include a	Insert and additional Policy along the

Page	Section	Comments	Suggested Changes
		Policy for considering development proposals which may affect them.	following lines:- *"Development which would remove, harm or undermine the significance of a heritage asset on the Local List, or its contribution to the character of a place will only be permitted where the public benefits of the development would outweigh the harm".*

Question 17.1

- We support the proposed approach and guidance which the policies in the Section provide for Green Infrastructure and welcome the recognition of the contribution which the City's heritage assets make to the Green Infrastructure network.

- We have the following detailed comments to make on the content of Section 17:-

Page	Section	Comments	Suggested Changes
181	Policy GI1	We support this Policy and especially the recognition in Criterion v of the contribution which the City's heritage assets make to the Green Infrastructure network	-
183	Policy GI3	We support this Policy especially the requirement, in the third bullet-point, that trees which contribute to the character of a Conservation Area or Listed Building or are an element of a designed landscape should be retained. However, as currently worded, this aspect of the Policy only applies to trees which contribute to the setting of a Conservation Area. In many cases, there are trees within the Conservation Area	Policy GI3, third bullet-point amend to read:- *"... retains trees that make a significant contribution to the character or setting of a Conservation Area, to the setting of a Listed*

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Page	Section	Comments	Suggested Changes
		itself which contribute to its character.	*Building, … etc"*

Question 18.1

- We support the proposed approach and guidance which the policies in this Section provide for proposals within the Green Belt especially insofar as they seek to safeguard the special character and setting of the historic city.

- We have the following detailed comments to make on the content of Section 17:-

Page	Section	Comments	Suggested Changes
191	Policy GB1	We support the general thrust of this Policy. However, Criterion c includes a seemingly random selection of the elements which contribute to York's special character. It would be far better to make this element of the Policy less specific so that all those elements which contribute to York's special character and setting are covered	Policy GB1, Criterion c amend to read:- *"it would not harm those elements which contribute to the special character and setting of York"*

Question 20.1

- We support the proposed approach and guidance to renewable energy especially insofar it seeks to safeguard the special character and setting of the historic city.

- We have the following detailed comments to make on the content of Section 20:-

Page	Section	Comments	Suggested Changes
217	Policy CC1, Criterion iii	We support the requirement that proposals for renewable energy development should demonstrate that there will be no significant adverse impacts upon the landscape character, setting, views, heritage assets or Green Belt objectives. This will help to ensure that those elements which contribute to the character of York are retained.	-

Question 22.1

- We would broadly endorse the approach to waste and minerals that is set out in this Section.

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Question 22.2

- Given that the NYCC, the City of York Council and the Yorkshire Dales National Park Joint Minerals and Waste Pan will form part of the Local Plan for the City and the other authorities, it seems a bit pointless each Local Plan setting out its own strategic policy in their respective Local Plans, each of which could be challenged and each of which would then be subject to consideration by a separate Local Plan Inspector. It would make things far easier (and ensure consistency in the strategic framework) if the Joint Minerals and Waste Plan set out a single Strategic Policy which could be used in the all the local plans covered by the Joint MWLP.

Question 23.1

- We would broadly endorse the approach to transport that is set out in this Section and particularly welcome the measures that are set out in Policy T11 for improving city centre accessibility.

- We have the following detailed comments to make on the content of Section 23:-

Page	Section	Comments	Suggested Changes
252	Policy T1 Criterion vi	Several existing public rights of way, such as the network of snickleways, are a key element of York's historic character. The Policy should make it clear that the loss of such rights of way will not be permitted.	Policy T1 Criterion vi add to the end:- *"Extinguishment of public rights of way which contribute to the special character of the historic city will not be permitted".*
257	Policy T3, final Paragraph	We support the proposals to enhance the Grade II* Station and its setting.	-
262	Policy T6, Criterion ii	We support the requirement that higher density development should not have an adverse impact upon the historic environment of the surrounding area.	-
266	Policy T11	We welcome the intention to review the extent and function of the footstreets across the City centre. The extensions of the footstreets to cover Fossgate is welcomed but should also be extended to encompass Goodramgate, Duncombe Place and Piccadilly as originally proposed in the AAP for the City Centre. This	*Amend accordingly*

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Page	Section	Comments	Suggested Changes
		would help improve the setting of the historic buildings in theses areas, and is likely to enhance the visitor experience of these parts of the City. We also support the proposals to revitalise the environment of Micklegate and its connecting streets. This historic thoroughfare into the City at present has numerous vacant premises and is in need of investment to improve its vitality.	

Question 24.1

- We support the proposed approach and guidance to communications infrastructure especially insofar as they seek to safeguard the special character and setting of the historic city.

- We have the following detailed comments to make on the content of Section 24:-

Page	Section	Comments	Suggested Changes
272	Policy CI1, Criterion iv	We support the statement that proposals for communications infrastructure will only be supported where there will be no significant adverse impacts upon the landscape character, setting, views heritage assets or Green Belt objectives. This will help to ensure that those elements which contribute to the character of York are retained.	-

Question 25.1

- We support the proposed approach and guidance to infrastructure and developer contributions. We particularly welcome the intention to use such funding to help secure public realm improvements, protection and improvement of the historic environment, and for Green Infrastructure including public open space.

Other comments

- The Proposals Map should also show the following heritage assets:-
  - Conservation Areas
  - Historic Parks and Gardens
  - Scheduled Monuments

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If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
Historic Environment Planning Adviser (Yorkshire)
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ID. 3

Strudwick, Caroline

From: Leung, Meryl [meryl.leung@environment-agency.gov.uk]
Sent: 31 July 2013 16:53
To: localplan@york.gov.uk
Cc: julian.sturdy.mp@parliament.uk
Subject: City of York Local Plan Preferred Options – June 2013
Attachments: Final EA response.pdf

Please find attached the Environment Agency's response to the above consultation.

Kind regards

Meryl Leung MRTPI
Sustainable Places – Planning Advisor

Tel: 01904 822607 (Internal 728 2607)
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Environment Agency
Coverdale House
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Part of the Environment Agency's Yorkshire and North East Region

Mr Martin Grainger - Head of
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City of York Council
Planning & Sustainable Development
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York
YO1 6GA

Environment Agency

Our ref: RA/2012/121344/CS-01/PO1-L01
Your ref: No reference

Date: 31 July 2013

Dear Mr Grainger

City of York Local Plan Preferred Options June 2013

Thank you for referring the above consultation which was received on the 6 June 2013.

I have attempted to answer the questions as set out under the sections in the Local Plan under the following sub-headings within the Environment Agency's remit:

- Management of water resources
- Flood risk
- Groundwater and contaminated land
- Waste

Unfortunately this makes it quite repetitive which I apologise for in advance.

This is followed by comments made from reviewing the Sustainability Appraisal. Then finally specific flood risk comments to the strategic housing sites that have come forward since the previous Core Strategy consultation process in 2011.

We believe that the management of water resources in the Local Plan Preferred Options needs to be fully addressed now so that when it gets to the point of submission, the document will be found to be sound.

We would very much welcome the opportunity to discuss with you our comments with a view to ensuring the finalised Local Plan submitted to the Planning Inspectorate adequately addressed the objectives of the Water Framework Directive.

Should you require any additional information, or wish to discuss these matters further, please contact me on the number below.

Yours sincerely

Meryl Leung MRTPI
Sustainable Places – Planning Advisor

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Local Plan Preferred Options

SECTION 1: STRATEGIC FRAMEWORK

1.13 Local Strategic Context
We are pleased to see the objective of making York a leading environmentally friendly city included.

1.14 iv.
This ambition of using development to improve the environmental sustainability of the city is aspirational and in accordance with national policy.

SECTION 2: SPATIAL PORTRAIT

2.15 Green Infrastructure
We are pleased to see that the importance of green infrastructure to the sustainability of the city is recognised. However, more should be said regarding the need to increase green infrastructure, specifically within more urban areas, and the wider social benefits this could bring.

2.20 Green Infrastructure
Great emphasis is placed throughout this section on the high quality green infrastructure which is already present within the city. However, looking forward, it would be prudent to include a short section which highlights the need, and the desire, to expand green infrastructure provision within the city centre, linking existing green infrastructure with new habitats and new green space within urban areas.

SECTION 3: SPATIAL VISION AND OUTCOMES

Question 3.1- this is our preferred approach to the vision do you think this is appropriate or should one of the alternatives or a different approach be taken?

Management of water resources
We welcome that the document acknowledges broad priorities of sustainability such as climate change. However, we consider that reference to the efficient use and effective management of water resources, being a valuable and important resource within the district is lacking in paragraph 3.21. Neither water resources nor water quality are addressed in the preferred approach and no reference is made to the Water Framework Directive (WFD) and the obligation under this legislation to protect and prevent deterioration of the water environment. With this mind, we would like another bullet point to be added to paragraph 3.21:

'Safeguard water resources and to protect and improve water quality with an overall aim of getting waterbodies to 'good' status under the Water Framework Directive'.

By including the strategic bullet point above, it will help support the very likely compatible impact for Sustainability Appraisal objective 10 – improve water efficiency and quality. We would like to point out that the objectives for WFD can be summarised as follows:

1. achieve 'good' status for all water bodies by 2015 (or later dates of 2021 or 2027 subject to criteria set out in the Directive);
2. prevent deterioration in the status of water bodies;
3. reduce pollution from priority polluting substances;

4. prevent and/ or limit pollution input into groundwater;
5. conserve aquatic ecosystems, habitats and species;
6. mitigate the effects of floods and droughts; and
7. promote sustainable use of water as a natural resource, and balance abstraction and recharge.

The need for growth does not necessarily have to have a detrimental impact on the need to protect and enhance the natural and built environment as mitigation measures from development can help to achieve the above objectives when developed in a holistic manner.

The WFD objectives also help achieve other sustainability framework objectives such as 2 (improve health and well-being of York's population), 8 (conserve or enhance green infrastructure, bio-diversity, geodiversity, flora and fauna for accessible high quality and connected natural environment) and 9 (use land resources efficiently and safeguard their quality).

Groundwater and contaminated land
We are pleased to see that paragraph 2.66 of section 2: Spatial Portrait in the Local Plan acknowledges former land contamination as an environmental constraint. Unfortunately this is not set out in this section which is the spatial vision and outcomes. This is highlighted in the last (8th) bullet point of paragraph 3.21, natural resources and environmental protection which states;

'Ensure that any development will not introduce any risk to the health of current and future residents'.

This focuses on human health and disregards whether the environment is being polluted from previous contaminants already embedded on the site. We would like to see a more sustainable and holistic approach and suggest this is reworded to the following:

'Ensure that any development will not introduce any risk to the health of current and future residents, property nor surrounding environment'.

Flood risk
We are satisfied that the flood risk principle of the technical guidance to the NPPF (bullet point three) is acknowledged strategically, however the word '*appropriate*' in this sentence is misleading. We would suggest this bullet point is reworded to:

'Ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall'.

The use of the word '*acceptable*' in the technical guidance of the NPPF is used in context of whether the proposed development use is suitable within a particular flood zone. This is why we've recommended the bullet point so that it relates to the flood zone compatibility explained later in the flood risk policy, FR1. Including the term, reductions in flood risk overall, is key within the policy as it is using the opportunities offered by new development to reduce the causes and impacts of flooding.

We strongly recommend that a sequential approach to the development of sites is included in a flood risk policy. This should be made clear throughout the Local Plan so that developers are aware they must take a sequential approach to the layout of their development, locating it in the areas of lowest risk within the site.

Biodiversity
The fourth priority to "*Protect the Environment*" is not an aspirational aim, and does not tie in with the Strategy for York vision of "*being a leading environmentally friendly city*". We believe that a better priority to take account of this would be to 'Protect and enhance the environment'. Paragraph 3.19 for the natural environment, this sentence is very vague and refers only to the enhancement of green infrastructure. No mention is made of the aspiration to increase green infrastructure provision, which must be addressed.

SECTION 4: SUSTAINABLE DEVELOPMENT

Question 4.1 – this is our preferred approach to sustainable development. Do you think this is appropriate or should one of the alternatives or a different approach be taken?

Management of water resources
We are disappointed to see that the efficient use and effective management of water resources, being a valuable and important resource within the district is lacking in policy SD1 under 'Protect the environment'.

Neither water resources nor water quality are addressed in the preferred approach and no reference is made to the Water Framework Directive (WFD) and the obligation under this legislation to protect and prevent deterioration of the water environment. Having examined appendix 6 of the Sustainability Appraisal (SA) for this approach, objective 10 is currently identified as having '*No significant effect or clear link*'. We believe there is a missed opportunity in achieving a 'likely positive impact for environmental objective 10 (improve water quality and quality) from excluding a policy to conserve and enhance the water environment. In addition, it is misleading within section 26: delivery and monitoring of the Local Plan, table 26.1 shows that SA objective 10 has been included which contradicts appendix 6. We will explain this in detail within section 21 of the Local Plan.

Flood risk
We would like to reiterate our suggested wording again from the earlier question which is:
'Ensure that new development is not subject to unacceptable levels of flood risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall'.

We strongly recommend that a sequential approach to the development of sites is included in a flood risk policy. This should be made clear throughout the Local Plan so that developers are aware they must take a sequential approach to the layout of their development, locating it in the areas of lowest risk within the site.

Waste
We are pleased to see waste being addressed under natural resources and environmental protection which encourages waste reduction and the provision of appropriate sites for waste management. SA objective 11 of appendix 6 should be updated from 'no significant effect or clear link' to having a '*positive impact likely*' in line with the Planning Policy Statement 10: Planning for sustainable waste management which remains in place until the National Waste Management Plan is published.

Groundwater and contaminated land
The topic of land contamination is incorporated in section 21: environmental quality however is not referenced in the third bullet point under Natural resources and environmental protection. We would like this to be reworded to the following:

'Improve air quality, former contaminants are appropriately remediated and limit environmental nuisance including noise, vibration, light, dust, odour, fumes and emissions from development'.

Common pollutants such as asbestos, hydrocarbons (such as oils and fuels), hazardous heavy metals and solvents might be present in either the soil or groundwater or both. Activities on site have the potential to mobilise any contamination and present a risk to human health and the environment.

From the accompanying sustainability appraisal, we believe there is a missed opportunity in achieving a *'likely positive impact'* for environmental objective 10: improve water quality and quality from excluding a reference to land contamination which enhances the water environment.

SECTION 5: SPATIAL STRATEGY

Question 5.1 – this is our preferred option to the spatial strategy do you think this is appropriate or should one of the alternatives or a different approach be taken?

Management of water resources
We are disappointed to see that the efficient use and effective management of water resources is lacking in this section for example policy SS1: York sub area. Part ix of policy SS1 relates to adjacent local authorities and as river catchments often dissects through more than one local planning authority's boundaries, water resource should be acknowledged. From a water management point of view the River Ouse falls within a number of different water catchments; Swale, Ure, Nidd and Upper Ouse .

We would suggest the following wording for part ix:
'Development within the City of York area will not lead to environmental related problems such as flood risk, air and water quality, waste and transport congestion for adjacent local authority areas'.

Overall neither water resources nor water quality are addressed in the preferred approach and no reference is made to the Humber River Basin Management (for which the River Ouse, Foss and Derwent fall into) under the Water Framework Directive (WFD) legislation. WFD's main objectives are to protect and enhance the water environment and ensure the sustainable use of water resources for economic and social development.

Having examined appendix 6 of the Sustainability Appraisal (SA) for this approach, objective 10 is currently identified as having *'No significant effect or clear link'*. We believe there is a missed opportunity in achieving a 'likely positive impact for environmental objective 10 (improve water quality and quality) from acknowledging the need to conserve and enhance the water environment.

Waste
We are disappointed to see that waste has not been addressed within the spatial strategy. It appears that no waste document was used as a key evidence base, for example we would expect to see "Let's talk rubbish: A municipal waste management strategy for the City of York and North Yorkshire 2006 – 2026" as it covers the period of the Local Plan. Strategically this document should be used to influence waste reduction and the provision of appropriate sites for waste management.

SA objective 11 of appendix 6 should be updated from 'no significant effect or clear link' to having a '*positive impact likely*' in line with the Planning Policy Statement 10: Planning for sustainable waste management which remains in place until the National Waste Management Plan is published. In addition this will support table 26.1 of section 26: delivery and monitoring of the Local Plan, which shows that SA objective 11 has been included.

We would suggest the following wording for part ix:

'Development within the City of York area will not lead to environmental related problems such as flood risk, air and water quality, waste and transport congestion for adjacent local authority areas'.

Flood risk

As set out in the Local Context box, we support the statement made on page 51 that:

"To reduce future damage to property and infrastructure and maximise public safety, greenfield areas subject to high flood risk (Flood Risk Zones 3a and 3b) are considered inappropriate for future development for housing or employment."

We would therefore expect to see this approach adopted when allocating and developing sites for housing or employment, and as such it should be incorporated into policy.

SECTION 11: AIDING CHOICE IN THE HOUSING MARKET

Question 11.1 – this is our preferred approach to aiding choice in the housing market do you think this is appropriate or should one of the alternatives of a different approach be taken?

Flood risk

We strongly recommend that policy ACHM4 add another bullet point to the first six to state that sites for gypsies, travellers and showpeople will be located outside of Flood Zone 3. This is because Flood Zone 3 is inappropriate for this type of development due to the associated flood risk and vulnerability classifications. Caravans and mobile homes intended for permanent residential use are classed as 'highly vulnerable'. Reference should be made to the council's Strategic Flood Risk Assessment and its associated tables 4.1 and 4.2 that would support this bullet point.

SECTION 17: GREEN INFRASTRUCTURE

Question 17 – this is our preferred option to Green Infrastructure do you think this is appropriate or should one of the alternatives or a different approach be taken?

Policy G11: Green Infrastructure

We are pleased that green infrastructure has been recognised as an important and valuable asset, and the Humber River Basin Management Plan has been identified as a key document/strategy within part ii of policy G11.

We support the Council's aspirations to enhancing green infrastructure, but believe that there is room for improvement as the current draft lacks direction and gives no confidence that the measures outlined in the policy would achieve the Council's objectives for green infrastructure. One key failing is point vi. which states:

"requiring applicants to submit green infrastructure assessments with all but minor applications".

Neither the policy nor the supporting text defines a green infrastructure assessment or indicates whether applicants would be required to show conservation of existing asset or indeed expansion or enhancement. Currently this policy fails to secure any meaningful improvement or show positive planning. In order to bring the policy in line with NPPF, point vi. for example, could be rewritten as:

"requiring applicants to submit a green infrastructure assessment showing how the development would contribute to the conservation and expansion of green infrastructure within the city".

We believe it should be made clear in this policy that green infrastructure have a dual use as flood storage areas for river or surface water flows. This applies to both existing green infrastructure and new proposed infrastructure. We note that paragraph 17.2 mentions how green space will help to mitigate climate change and contribute to flood mitigation. In addition, this policy links very well with policy FR2: surface water management as paragraph 19.6 refer to use of green roofs in the different types of sustainable drainage systems available.

The policy should also reference green infrastructure in relation to an intention for green walls, roofs and soft borders. We would like to bring your attention to Sheffield Council's green roof policy in their draft City Policies DPD as a guide. Green roofs can significantly improve the environmental performance of buildings by:-

- Reducing the quantity of surface water run-off therefore helping to reduce the risk of flooding.
- Improve the quality of surface water run-off.
- Improve air-quality and reducing urban heat island effect.
- Improve biodiversity; and
- Create higher visual qualities

As any green roofs are going to be on new developments which would require planning permission, a green roof policy could be monitored and delivered as shown below.

Policy	Targets	indicators	Key delivery partners	How will the policy be implemented ?	Which SA objectives this policy meets
Section 17:Green Infrastructure	Number of new buildings failing to incorporate green roofs - 0	% green roofs incorporated into new development.	Council in partnership with private developer.	Planning applications and sustainability statements.	4, 7, 8, 12 and 13.

We feel that there is great potential to enhance and increase green infrastructure provision within the city and would welcome the opportunity to work closer with the Council to produce a Green Infrastructure policy which better reflects the aspirations and unique opportunities which the city offers.

Policy GI2: Biodiversity

As with policy GI1, elements of this policy, specifically the first two bullet points, are vague and would be difficult to enforce or monitor. However, the policy is aspirational and shows that the council is seeking to enhance biodiversity. The third bullet point, relating to on site impacts, does need redrafting to reflect the objectives of both the Council and NPPF in

furthering the enhancement of biodiversity. Instead of seeking "no net loss" the Council should be seeking a net gain in biodiversity. To achieve this, the policy should be redrafted as

"results in a net gain to biodiversity, appropriate with the scale of the development".

We believe it would significantly further the aims of the Council with regard to protecting and enhancing the environment.

The remainder of this bullet point also needs to be updated to better reflect the hierarchy set out in paragraph 118 of NPPF, as the current wording gives no regard to the primary method of biodiversity protection, that of avoidance. This bullet point could be rewritten as:

"results in a net gain to biodiversity. In the first instance, developments should be located in areas which do not impact on biodiversity. Where this is not possible, adequate mitigation should be incorporated. If this is unachievable, compensation must be provided. If this cannot be incorporated, development will not be supported".

Policy GI6: Green Corridors

We fully support this policy and believe that it is robust, aspirational and deliverable.

SECTION 19: FLOOD RISK MANAGEMENT

Question 19.1 – this is our preferred approach to flood risk do you think this is appropriate or should one of the alternatives or a different approach be taken?

We generally support the contents of this section and the policies FR1 and FR2, with the following specific comments:

FR1

Rather than quoting the NPPF tables verbatim, policy FR1 should make reference to the relevant parts, and also its own Strategic Flood Risk Assessment to inform developers regarding flood risk, and surface water requirements. By taking out table 19.1 of policy FR1, it frees up four pages and makes the policy easier to read.

It is briefly mentioned in paragraph 19.3 in the second bullet point that where possible, development will reduce flood risk overall. However we believe the council should be taking a more positive stance and seek betterment from developers to mitigate against future flood risk. This could be in the form of restricting new development on greenfield sites to the existing run-off rate from a lower order storm event, e.g. a 1 in 1 year storm, and the provision of attenuation storage up to and including a 1 in 100 year storm event, plus an appropriate allowance for climate change.

Within the Local context of section 19, reference is made to flood risk legislation and the Environment Agency's Catchment Flood Management Plans. We support the inclusion of this information however references should be made to:

- City of York Council's emerging Local Flood Risk Management Strategy and
- Derwent Catchment Flood Management Plan

In regards to the Catchment Flood Management Plans, a number of actions of relevance to planning have been omitted. We recommend that further actions, for example those associated with flood resilience and sustainable drainage are included. It is also important that a caveat is made regarding the future of these plans. Under the Flood Risk Regulations, we will continue to work with City of York Council to review the existing actions within these plans. This will result in more site specific actions being developed.

These actions will replace those published in the Catchment Flood Management Plans and will be available for consultation in summer 2014.

Paragraph 19.2 – this paragraph states the process used for sequential testing a site but does not specially state whether or not a site which contains various different flood zones should adopt a sequential approach to its layout. We believe this should be included within policy FR1:

'A sequential approach to the layout of the site must be taken, and that development must be located within the area of lowest risk. Areas of greater risk (i.e. Flood Zones 2 or 3) should be utilised for green infrastructure spaces.'

This would tie in with the statement mentioned on p51 of the Local Plan that residential / employment development on Greenfield sites would be inappropriate within Flood Zones 3a and 3b as shown below:

"To reduce future damage to property and infrastructure and maximise public safety, greenfield areas subject to high flood risk (Flood Risk Zones 3a & 3b) are considered inappropriate for future development for housing or employment."

FR2

We support Policy FR2 where you state that for development on brownfield sites that there should be a 30% reduction in surface water run-off.

We are of the opinion that for both brownfield and greenfield sites, the standards of attenuation storage should be provided, and included as part of the policy and recommend the following wording:

'Sufficient attenuation and long term storage should be provided to accommodate at least a 1 in 30 year storm. Any design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into a watercourse.'

We also suggest that you consider how you will incorporate Sustainable Drainage Approval Boards (SABS) into this policy regarding surface water, as these are likely to be in place by the time the Local Plan reaches the Submission stage.

We support the paragraph in FR2 stating '*Measures to restrict surface water run-off rates shall be designed and implemented to prevent an unacceptable risk to contamination of groundwater*' however we believe that this can easily be incorporated into the sustainable drainage section. The next sentence '*The acceptable level of this risk shall be agreed with the Environment Agency*' is too prescriptive for a policy and the onus should be placed on the developer to demonstrate this especially as they have to explore the technical feasibility and viability of various forms of SuDS. Perhaps a more fitting sentence would be:

'The type of SuDS used should be appropriate to the site in question, and should ensure that there is no pollution of the water environment including both ground and surface waters.'

SECTION 20: CLIMATE CHANGE

Question 20.1 – this is our preferred approach to climate change do you think this is appropriate or should one of the alternatives or a different approach be taken?

Management of water resources
We have no issue with the preferred option chosen however part A of policy CC2: Sustainable design and construction only mentions cutting carbon and energy efficiency. We consider more should be done to recognise the importance of water efficiency and demand in the future especially when bearing in mind climate change. Water is a precious resource. Climate change predictions show that our summers are likely to become hotter and drier and that the likelihood of droughts will increase. Increased demand on our water supplies from new development and new homes will add to the pressure on our water resources. Water efficiency can help to meet greenhouse gas emissions targets - if society uses less water, less needs to be treated, delivered, collected and treated again as waste. All of these processes use energy. Less water means less energy used, and fewer greenhouse gases released. The efficient use of water resources is therefore important as a climate change adaptation and mitigation measure. Planning authorities have a key role in managing water resources via spatial plans that contain policies promoting efficient use of water resources.

SECTION 21: ENVIRONMENTAL QUALITY

Question 21.1 – this is our preferred approach to environmental quality do you think this is appropriate or should one of the alternatives or a different approach be taken?

Conserving and enhancing the water environment
Although we agree with the preferred approach taken, unfortunately water resources and water quality are not clearly addressed throughout the plan. Water efficient buildings are loosely covered within the Local Plan but there is no real commitment towards promoting water efficient fixture and fittings is made.

The Local plan does not make adequate provision for or policies aimed at protection of the water environment. In particular the plan does not make reference to the Water Framework Directive and the obligation under this legislation to protect and prevent deterioration of the water environment. As the key piece of legislation now governing the water environment across the EU it should form an important part of the natural environment policies to ensure protection of the water environment.

Under this directive River Basin Management Plans have been produced setting out plans for the protection, improvement and sustainable use of the water environment. The Environment Agency is the competent authority in England and Wales for implementing the directive however the necessary actions require the involvement of many stakeholders including local government. The Humber River Basin Management Plan was published on 31st December 2009. Given the importance of the WFD legislation we feel it is necessary that the York Core strategy reflects measures outlined in the Humber RBMP.

Annexe C of the Humber River Basin Management Plan (RBMP) identifies pressures and actions where local authorities have a role. These include the promotion of sustainable drainage systems, tackling drainage issues in areas without mains drainage (village drains, septic tanks, avoiding proliferation of private sewage treatment etc.), street and drain management, promoting ecological awareness, control of non-native invasive species and habitat improvements in river corridors.

The need to have appropriate policies and measures in place to prevent deterioration of watercourses is of importance within York given the rural and urban nature of the local authority area and the risk of contamination and pollution of its watercourses.

Regulation 17 of the Water Environment (WFD)(E&W) Regulations 2003 places a duty on each public body including local planning authorities to 'have regard to' river basin management plans (RBMP), this should be referred to in the strategy. York sits wholly within the Humber RBMP, reference needs to be made to the plan and measures within it that are a requirement of the LA.
A water quality policy would ensure applicants assess the implications of their proposals on water quality, including mitigation of negative impacts where necessary. Proposals are encouraged to improve water quality and physical habitat, particularly in areas where watercourses are below expected standards. Any works near watercourses should actively seek to improve the morphology of the river as well as improve the water quality. Where a proposal causes physical modifications to any waterbody or the discharge of polluted water into a waterbody an assessment will need to be carried out to ensure compliance with the EU Water Framework Directive objective to prevent or mitigate against deterioration of that waterbody.

With this in mind, we would **strongly recommend** that another policy specific to the water environment is included in this section which considers rivers and water resources separate to flooding. They need to be recognised as a natural resource which need protecting. There is a small section on water availability which is related to Water Company Plans. Yorkshire Water is currently rewriting their Water Resource Management Plan and it may be worth contacting them to get an up to date picture of their resources. The York area sits within two areas of water management – the Swale, Ure, Nidd and Upper Ouse catchment and the Derwent catchment. The Environment Agency produce Catchment Abstraction Management Strategies for both these areas which were updated earlier this year and are available on our website. We would expect an overview of water availability to be included in the natural resources section of the plan.

We would strongly recommend that a water environment policy is shown in blue below:

Proposals will be supported which:

- conserve and enhance:
  - the natural geomorphology of watercourses,
  - water quality; and
  - the ecological value of the water environment, including watercourse corridors; and
- contribute towards achieving 'good status' under the Water Framework Directive in the district's surface and groundwater bodies; and
- manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling; and
- improve water quality through the incorporation of appropriately constructed and maintained Sustainable Drainage Systems.

Please note that other local authorities in Yorkshire and Humber have successfully integrated specific water policies into their Local Plans and we are happy to continue dialogue with you following this consultation.

Groundwater and contaminated land
The Local plan does not adequately address the management and protection of the water environment, including rivers and groundwater. It should also incorporate the requirements and objectives of policies like the Water Framework Directive (WFD) and include actions to improve the resilience to impacts of Climate Change. Particularly the WFD is now the key legislation governing the water environment and requires that all surface water bodies and

groundwater bodies achieve 'good' status in terms of water quality and to prevent any deterioration of current quality and ecological status.

The city of York is situated on top of Sherwood Sandstone, which is classified by the Environment Agency as a Principal aquifer. This means that the aquifer provides a high level of water storage and supports water supply and river base flow on a strategic scale. The area of the city is overlain by a mixture of superficial drift of varying type and depth, which protect the principal aquifer from direct contamination.

The Sherwood Sandstone aquifer belongs to two different Catchment Abstraction Management Strategies (CAMS). According to the Wharfe and Lower Ouse CAMS there is restricted groundwater availability on the lower Sherwood sandstone and there has been identified high risk of saline intrusion in that part of the aquifer. Therefore additional abstraction licensing might be allowed depending on the local groundwater conditions.

Groundwater supplies in England and Wales are under pressure from pollution and from the ever greater demand for water from an increasing population – all against the background of the threat posed by climate change and its likely effects (including drought).

In the city of York area, groundwater provides essential water supply for various industrial and agricultural demands (such as the golf course and the racecourse in the city) and provides base flow for the rivers Ouse, Foss and Derwent and smaller becks in the area. Additionally groundwater boreholes have been designed to supplement the river Ouse in case of severe drought events, when the river is at risk of running dry and the potable water supply is threatened.

Groundwater supplies in the city of York are under pressure from pollution and from the ever greater demand for water from an increasing population – all against the background of the threat posed by climate change and likely drought events. Some development and uses of land threaten the quality and availability of groundwater. This means that land-use planning policies and procedures play a significant role in protecting groundwater effectively.

Groundwater quality can affect the quality of surface water. Groundwater is also used as a resource for private dwellings and in industry, agriculture and leisure. Our surface waters are closely linked with groundwater and therefore protection of both should be assured. Preventing pollution is by far the most sustainable and cost-effective way of maintaining good groundwater quality. Pollution may only become apparent much later when, for example, the groundwater quality at an abstraction borehole is affected, or when contaminated baseflow has a noticeable effect on the chemical quality or ecology of a watercourse. This time lag means that a large volume of aquifer can become polluted before the impacts are readily noticeable

Developers proposing schemes that pose a risk to groundwater resources, quality or abstractions must provide an acceptable hydrogeological risk assessment (HRA) to the Environment Agency and the local planning authority. If the HRA identifies unacceptable risks to groundwater then the developer must propose mitigation measures to reduce the risk of pollution and to enhance the water quality. Developers proposing schemes at sites with a high probability of land contamination should follow the guidelines of policy EQ3 of the city plan.

SECTION 22: WASTE AND MINERALS

Question 22.1 – this is our preferred approach to waste and minerals do you think this is appropriate or should one of the alternatives or a different approach be taken?

We are supportive of the preferred approach and are satisfied that policy WM1 is a good summary of the aspirations on moving waste up the hierarchy and enabling waste prevention, reuse and recycling.

Questions 22.2 – do you think that our preferred approach of including strategic policies in the City of York Local Plan and more detailed policies in the Joint City of York, North Yorkshire and North Yorkshire Moors Waste and Minerals Local Plan is appropriate?

We believe this is appropriate having strategic policies in the Local Plan then detailed policies in the joint minerals and waste plan. Acting as a statutory consultee on the first consultation on the Minerals and waste joint plan earlier this month, we are confident that detailed policies in the joint plan will address issues within the Environment Agency's remit.

Question 22.3 – do you think that the waste management and mineral policies provide the appropriate strategic direction for the more detailed policies which will be included in the Joint City of York, North Yorkshire and North Yorkshire Moors Waste and Minerals Local Plan?
We are supportive of the strategic direction of the waste and minerals policies which we believe will fit with the draft joint waste and minerals plan which is currently under development.

SECTION 25: INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS

Question25.1 – this is our preferred approach to infrastructure and developer contributions do you think this is appropriate or should one of the alternatives or a different approach be taken?

Flood risk
Policy IDC1 should make specific reference to developers being required to provide contributions towards new flood alleviation schemes, the long-term maintenance of existing defences, and habitat creation (dual use of green infrastructure as flood storage & habitat) through the Community Infrastructure Levy (CIL). We would especially encourage City of York Council to seek developer contributions for any proposed development within the Foss Basin towards the maintenance / improvement of existing defences (e.g. the Foss Barrier).

SECTION 26: DELIVERY AND MONITORING

Whilst there are no specific questions asked for this section of the Local Plan, we would strongly recommend that the following targets are also included to support the success of the proposed policies in the Local Plan.

Section 21: Environmental quality

Policy	Targets	indicators	Key delivery partners	How will the policy be implemented ?	Which SA objectives this policy meets
Section 21:Environmental quality - EQ3: land contamination	No pollutants being released into local watercourses from developers remediating land contamination.	No deterioration in the WFD status of local watercourses in the catchment.	EA	Planning applications and sustainability statements.	2, 8, 10 and 15

OTHER ISSUES

POLICY SS4: STRATEGIC SITES DEVELOPMENT PRINCIPLES

We are pleased to see that there is part iv. of this policy which will ensure the highest standards of sustainability are embedded at all stages of the development. This is then followed by paragraph 5.7 confirming the council's ambition of an eco-settlement. However appendix 6 of the Sustainability Appraisal for policy SS4 is worded less positively. We would like this to be corrected so it matches and is line with the proposed policy to ensure a positive objective and outcome.

Section 7: York Central

Due to the majority of the site being dominated by the former British Sugar buildings and its previous operations, regulators often find it difficult for such a large site to be remediated properly when it comes down to individual developers dealing with piecemeal parts of the site - particularly as what may be satisfactory for one part of the site may cause complications for another developer. For this reason, we would prefer alternative number 3 which is provide detailed local criteria/site allocations to guide development in York Central, or this to be covered in a Supplementary Planning Document.

Strategic housing sites

We have specific comments to make on the strategic housing allocations that have come forward in this consultation which can be found at the end of this letter.

Sustainability Appraisal

Flood Risk

Figure 2.3: Relevant Plans and Programmes

Regional - There is a key document missing from the regional evidence which is the Humber River Basin Management Plan (2009). This has been prepared under the Water Framework Directive (WFD), which requires all countries throughout the European Union to manage the water environment to consistent standards. Please note the River Ouse through the York District falls into the Swale, Ure, Nidd and Upper Ouse catchment within the Humber RBMP.

Local - There is a plan which has been missed from the local evidence and this is the City of York Council's Surface Water Management Plan (December 2012). This is the basis for the emerging Local Flood Risk Strategy which City of York Council, as the Lead Local Flood Authority) now has a legal duty to produce since the Flood and Water Management Act 2010 came into place. In the absence of the Local Flood Risk Strategy, we would like to draw attention to the inclusion of the Surface Water Management Plan in this figure.

We would like to bring to your attention that the River Ouse Flood Risk Management Strategy is not a statutory document as it was never formally approved by the Environment Agency nor City of York Council. We would suggest this strategy is omitted from figure 2.3.

Paragraph 2.5.53

This paragraph fails to specifically acknowledge flooding from surface water and solely concentrates on fluvial sources (from the river). CoYC's Surface Water Management Plan outlining the preferred strategy for the management of surface water throughout the city should be referenced as this establishes a long term action plan and to influence future strategy development for surface water maintenance, investment, planning and engagement.

Water resources

Water, flooding and flood risk

Paragraph 2.3.51

We noticed that in paragraph 2.3.51, our publication 'Swale, Ure, Nidd and Upper Ouse Catchment Abstraction Management Strategy (CAMS) dated 2004 is used as the baseline however this was updated in February 2013. This should be corrected as the 2013 publication supersedes the 2004 issue and gives the most up to date information for water resources. Although the CAMS document is mentioned, the contents of figure 2.13 only summaries the Humber River Basin Management Plan (RBMP) and there is no explanation of water resources related data within this chapter.

We are pleased to see that data from the Humber River Basin Management Plan has been pulled together to form figure 2.13 however the stand alone data is not explained nor does it give any context into how it fits into the baseline data and its relevance to the improvement of the water quality in the catchment in the Local Plan. For example, what measures in the Local Plan will be taken to increase the percentage of the biological status by more than half (up to 11%) for the Yorkshire Derwent catchment?

We would like further clarification on the data for the Derwent Humber (3rd row of table) as to our knowledge, there is no such catchment called that in the Humber RMBP.

Paragraph 2.3.43

Confusingly, water resource is mentioned earlier in paragraph 2.3.43 but without referring to the Swale, Ure, Nidd and Upper Ouse CAMS. CAMS relate to how water resources of a

catchment will be managed and contribute to implementing the Water Framework Directive. CAMS is measured at Assessment Points which are significant points on the river and there are three Assessment Points that fall within the City of York. These Assessment Points are located at Skelton GS, Foss and Naburn. Assessment Point 1 for Naburn is the more significant out of the three as it is identified as having '*restricted water available*' for licensing.

We believe that this key issue has been missed off the baseline of 2.3.43 as the bullet point states that '*water resources is not likely to have a significant effect on York as the household consumption has been built into Yorkshire Water's model*'. However what if non-domestic water intensive users want to locate in York or existing water intensive users in the district want to expand and thus need to abstract more water? This should be discussed and clarified in the baseline data as water is particularly relevant to climate change as trends for the UK are hotter, drier summers and warmer wetter winters, with more extreme events such as drought.

Paragraph 2.3.53
The baseline data for flood risk in York city is quite poor as it is not based on any facts or evidence other than a history of flooding from the River Ouse. It is important that all sources of flooding within the district are properly acknowledged. Looking back at appendix 3, there is no acknowledgement of the River Foss, River Derwent, ordinary watercourses in the district, tidal influences from the River Humber, groundwater sources nor surface water. The updated 2013 Strategic Flood Risk Assessment and the City of York's Surface Water Management Plan adopted in 2012 should also be acknowledged. By adding the missing information to the baseline data, it will strengthen the flood risk policies in the Local Plan.

The indicators used; number of flooding events and its magnitude to measure flooding are also poor as these are not influenced by development. There should be an indicator of critical infrastructure at risk, number of properties that have signed up to flood warning and surface water indicators are needed.

Flood risk comments to strategic housing sites

We would expect to see the guidances below used at the following allocations.

ST2 – Former civil service sports ground, Millfield Lane
ST3 – The Grainstores, Water Lane
ST4 – Land adjacent Hull Road and Grimston Bar
ST6 – Land east of Grimston Bar
ST10 – Land at Moor Lane, Woodthorpe
ST12 – Land at Manor Heath Road, Copmanthorpe
ST13 – Land at Moor Land, Copmanthorpe
ST14 – Land to north of Clifton Moor

Flood Zone 1 guidance
The allocations listed above lie entirely within Flood Zone 1. For any development site, located in Flood Zone 1, that is 1 hectare in size or more, a Flood Risk Assessment (FRA) will be required in line with the guidance contained in the National Planning Policy Framework. This should pay particular attention to drainage. For further information / guidance regarding the requirements for an FRA the applicant should refer to the Environment Agency's website.

Surface water management guidance
For **all** the proposed strategic housing allocations, there must be no increase in surface water run-off from any site. As a minimum we would want to see any surface water discharge restricted to the existing greenfield run-off rate. If not calculated, then the greenfield run-off from a 1 in 1 year storm (1.4 litres/second/hectare) should be used. The applicant must also provide sufficient attenuation and long term storage at least to accommodate a 1 in 30 year storm. The design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into a watercourse.

We are keen to promote the use of Sustainable Drainage systems (SuDS) and draw attention to Paragraph 103 of the National Planning Policy Framework. SuDS tackle surface water run-off problems at source using features such as soakaways, permeable pavements, grassed swales, infiltration trenches, ponds and wetlands, and, green roofs to attenuate flood peak flows, produce water quality improvements and environmental enhancements. We seek to promote the use of SuDS techniques to this site and expect the developer of the site to submit detailed investigations such that the use of SuDS has been fully explored. Please find below a link to our green roof toolkit www.environment-agency.gov.uk/business/sectors/91967.aspx

ST5 – York Central
The site lies within Flood Zones 1 and 2. There are known surface water and fluvial issues for this area. We are aware that a bid has been submitted by City of York Council as the Lead Local Flood Authority (LLFA) for a study to identify options and steps to be taken, which will require contributions from both City of York Council and developers. As this action falls under the remit of the LLFA to carry out, we would suggest that no further development take place on this site until such a time as the study and any required works have been identified and completed, in order to mitigate against both fluvial and surface water flooding. We recommend that our surface water management guidance and the following sequential approach guidance are followed:

Sequential approach guidance
A sequential approach to the site layout must be taken, with development steered to the areas of lowest risk. If required, the sequential and exception tests must be passed.

ST7 – Land to the east of Metcalfe Lane
The site lies within Flood Zones 1, 2 and 3. Development must take a sequential approach to the layout of the site in line with our sequential approach guidance. As there are large areas of Flood Zone 1 we would expect to see all development located wholly within Flood Zone 1, with the smaller areas of Flood Zones 2 and 3 being used for green/ public open space. We recommend that our surface water management guidance is followed.

ST8 – Land north of Monks Cross
We are aware that City of York Council as LLFA is managing a study in conjunction with the internal drainage board looking at South Beck. As this action falls under the remit of the LLFA to carry out, we would suggest that no further development take place in this location until the study has been undertaken, and any required works have been identified and completed, in order to mitigate against fluvial and surface water flooding. We recommend that our Flood Zone 1 and surface water management guidances are followed.

ST9 – Land north of Haxby
The existing watercourse in this area, Westfield Beck, is constricted by the limited capacity of an existing downstream culvert. We are aware that City of York Council as LLFA require a study to be carried out on Westfield Beck in order for further development to take place in the Haxby, Wigginton and New Earswick area. As this action falls under the remit of the LLFA to carry out, we would suggest that no further development takes place on this site until such a time as the study and any required works have been identified and completed, in order to mitigate against both fluvial and surface water flooding. We recommend that our Flood Zone 1 and surface water management guidances are followed.

This is especially important as run-off from this site eventually drains into the river Foss which is a source of flooding in York and which has a complex interaction with the river Ouse and relies upon ongoing management of the Foss Barrier and its associated pumps.

ST11 – Land at New Lane, Huntington
We are aware that City of York Council as LLFA is managing a study in conjunction with the Internal Drainage Board looking at South Beck. As this action falls under the remit of the LLFA to carry out, we would suggest that no further development take place in this location until the study has been undertaken, and any required works have been identified and completed, in order to mitigate against fluvial and surface water flooding.

The site lies predominantly in Flood Zone 1 with a small area within Flood Zone 2. Development must take a sequential approach to the layout of the site in line with our sequential approach guidance. We recommend that our surface water management guidance is followed.

ST15 – Whinthorpe new settlement
The site lies within Flood Zones 1, 2 and 3. Development must take a sequential approach to the layout of the site in line with our sequential approach guidance. As there is a large area of Flood Zone 1 we would expect to see all development located wholly within Flood Zone 1, with the areas of Flood Zones 2 and 3 being used for green/ open public space. This would tie in with City of York Council's statement mentioned earlier (page 51 of the Local Plan) that residential / employment development on Greenfield sites would be

inappropriate within Flood Zone 3. We recommend that our surface water management guidance is followed.

Please note that the site is located directly east of Heslington Tilmire SSSI, and a strategic green wedge. Also, the site contains a number of small watercourses and Tilmire Drain crosses through the southern section of the site managed and maintained by Ouse and Derwent Internal Drainage Board. As such, development of the site provides a unique opportunity to enhance existing habitats and increase green infrastructure provision through development design. Much of the southern section of the site lies within flood zone 3 and is therefore inappropriate for residential development. However, this area could be used as a multifunctional green space which contained flood storage and surface water attenuation within a SuDS scheme and public open space. Such an approach would have the potential to create an exemplar sustainable scheme which fully embraces the need to work with natural processes, through SuDS and green infrastructure creation which provides social benefits to residents.

ID. 7

HAMBLETON DISTRICT COUNCIL

Local Plan
City of York Council
York
YO1 7ZZ

Your Ref:
My Ref: York Local Plan
Dealt with by: Mr RG Banks
Planning Policy and Conservation
Typetalk: 18001 0845 1211 555
2 August 2013

Dear Martin

City of York Local Plan Consultation

Thank you for consulting Hambleton District Council on your Preferred Options Plan.

I have considered the Plan in relation to strategic matters of cross boundary significance and am generally satisfied that there are few issues arising for Hambleton District.

We are pleased to see that you expect to meet the City's assessed growth needs within the plan area, without putting development pressure on your neighbouring local authorities such as Hambleton. We particularly like the commitment in Policy SS1 to not adversely affecting adjacent local authority areas (eg congestion and pollution) and delivering benefits to the wider sub-region (eg shopping, leisure, education and economic driver/employment), which Hambleton's residents and businesses appreciate.

Development will require major infrastructure to be delivered to ensure development proceeds and we are pleased to note that you are progressing with a CIL mechanism alongside this Plan to provide for developer contributions, so development should not be delayed from lack of funding.

The large scale of housing development proposed (and safeguarded for the future) north of Clifton Moor (ST14) is of particular concern to Hambleton Council in terms of how it would impact on the A1237(T) ring road, which suffers from congestion. Policy T4 promotes dualling of the most congested sections of the A1237 ring road, but this is not programmed until 2024. By then the new housing development will have progressed to a large extent and increased congestion, leading to increased journey times for Hambleton's residents and workforce using this part of the strategic highway network. This will be a matter for the Highways Agency/ North Yorkshire County Council (Highways) to address, in terms of how it impacts more widely on areas such as Hambleton and whether this is acceptable.

Some of the potential areas of search identified for renewable energy (ie wind farms) in Policy CC1 lie adjacent to or close to our boundary, and these are not subject to any joint working or discussion with

Hambleton District Council
Civic Centre, Stone cross,
Northallerton, North Yorkshire DL6 2UU
0845 1211 555 hambleton.gov.uk

Hambleton Council. We have no such areas identified in Hambleton and it will be important to work closely on any proposals that come forward as they would impact on Hambleton.

If you would like to discuss any of the above further then please get back to me.

Yours sincerely

Graham Banks
Planning Policy Manager
t: 01609 767097
e: graham.banks@hambleton.gov.uk

ID. 1264

Our ref:V212151

Simon Jones
Highways Agency
Lateral
8 City Walk
Leeds
LS11 9AT

Direct Line: 0113 283 6486

29th July 2013

Dear Sir/Madam,

YORK LOCAL PLAN PREFERRED OPTION

The Highways Agency (The Agency) has reviewed the document and would wish to comment on issues that are relevant to the interests of the Agency.

The Agency's key concern is to protect the primary role of the Strategic Road Network (SRN) and to ensure its safe and efficient operation. The Agency would therefore have concerns over any development proposals or plans which could have a material impact on this. Circular 02/2007, Planning and the Strategic Road Network, sets out the Agency's role in the Local Plan process. Department for Transport has undertaken a consultation on a new policy document earlier this year which would replace Circular 02/2007. The comments in this response therefore encapsulate this evolving policy situation. With material consideration to the consultation document *"The Strategic Road Network and the Delivery of Sustainable Development"*.

Section 3: Spatial Vision and Outcomes

3.1 This is our preferred approach to the vision do you think this is appropriate or should one of the alternatives or a different approach be taken?

The Agency fully supports the Vision in relation to the intention to deliver a fundamental shift in travel patterns and the focus of promoting sustainable development through the location of development in areas of good accessibility.

The key for the Agency will be selecting locations that are accessible and sustainable, making maximum use of public transport and minimising car use in order to minimise the adverse traffic impact on the safe and efficient operation of the SRN and its junctions with the local primary road network.

Section 4: Sustainable Development

4.1 This is our preferred approach to sustainable development. Do you think this is appropriate or should one of the alternatives or different approach be taken?

The Agency supports the principles of delivering sustainable development in planning terms. Decisions on future development should consider the emerging Agency policy which indicates that:

"... development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In this light, development proposals are likely to be acceptable provided that they would not result in either capacity of a section (link or junction) of the strategic road network being exceeded or an increase of demand for use of a section that is already operating at over capacity levels."

Section 5: Spatial Strategy

5.1 This is out preferred approach to the spatial strategy do you think this is appropriate or should one of the alternatives or a different approach be taken?

The spatial principles expressed in Policy SS2 Delivering Sustainable Growth for York are welcomed by the Agency, in particular the location of development will be guided by:

- Ensuring accessibility to sustainable modes of transport and a range of services; and
- Preventing unacceptable levels of congestion, pollution and/or air quality.

The Agency is not yet in a position to be able to consider if the Spatial Distribution outlined in Policy SS3 is acceptable as adequate analysis has not been provided on the impact of policy. The Agency propose to continue to work in partnership with City of York Council (and neighbouring local authorities where appropriate) following this consultation in order to establish the implications of the Local Plan on the SRN this will enable the Agency in partnership with City of York Council to determine if and where physical mitigation measures might be needed to provide additional capacity on the SRN or whether there are any situations where it is not possible to provide additional capacity. The evidence already available from the City of York Council[1] illustrates that the A64 between A1036 Tadcaster Road and A1079 Hull Road are close to exceeding or exceeding theoretical capacity even with the transport improvements already identified by City of York Council.

The Agency believe that spatial distribution and particularly the development of land opportunities in the south and western part of York including Strategic Sites, Urban Extensions and the New Settlement should be dependent upon agreement of a **Management Strategy for the A64** and its junctions with the local primary road network by the Agency and the Council.

The development principles for strategic sites outlined in Policy SS4 are welcomed by the Agency specifically the aims to:

- Maximise integration, connectivity and accessibility to and from the site giving priority to sustainable travel options; and
- To ensure as many trips as possible are able to be taken by sustainable travel modes and to promote and facilitate modal shift from the car to sustainable forms of travel by maximising opportunities for walking, cycling and public transport.

The Agency would also support the preparation of Supplementary Planning Documents (SPDs) for all Strategic Sites. However the Agency is clear that **any infrastructure essential to the delivery of a Strategic Site should primarily be identified within the Local Plan document and Infrastructure**

[1] Transport Implications of the City of York Local Plan Preferred Options, June 2013, Figure 9

Delivery Plan. This is fundamental to the soundness of the Local Plan to the Agency and the ability of the authority to deliver the Local Plan.

Finally in relation to Policy SS6 Safeguarded Land any future work on the impact of the new proposed settlement at Whinthorpe should also consider the SF3 site safeguarded for longer term development.

Section 6: York City Centre

6.1 This is our preferred approach to York City Centre do you think this is appropriate or should one of the alternatives or a different approach be taken?

The expressed intention that the city centre will remain a focus for a number of development types is supported in principle by the Agency. The emphasis on accessibility and sustainable transport is also supported.

6.2 Do you think the City Centre boundary should be revised in line with Figure 6.2 or should it stay the same or should a different approach be taken?

No comment

Section 7: York Central

7.1 This is our preferred approach to York Central do you think this is appropriate or should one of the alternatives or a different approach be taken?

York Central is described as a Special Policy Area where radical change is expected to take place during the life of the plan. It is not yet clear from the analysis the impact of this policy area on the SRN. The Agency propose to continue to work with City of York Council to assess the impact of the Local Plan aspirations on the SRN and identify physical mitigation required to facilitate development.

The Agency supports the principles of development set out for York Central specifically:

- Maximise integration, connection and accessibility, including inter-modal connectivity improvements at York Railway Station;
- Ensure as many trips as possible are taken by sustainable travel modes and to promote and facilitate modal shift from the car; and
- Minimise the environmental impact of vehicular trips.

As highlighted previously the Agency supports the production of SPDs to support Strategic Sites and Special Policy Areas, however for the Agency to consider the Local Plan sound the policies and supporting Infrastructure Delivery Plan should identify any strategic infrastructure required to deliver Strategic Sites and Special Policy Areas.

Section 8: Economy

8.1 This is our preferred approach to the Economy do you think this is appropriate or should one of the alternatives or a different approach be taken?

The key for the Agency is the location of development in appropriate *'highly accessible locations'* and the provision of employment opportunities for the local communities to reduce the impact of traffic on the SRN.

The Agency is not yet in a position to be able to consider if the Strategic Employment Locations outlined in Policy EMP1 and employment land outlined in EMP2 is acceptable as adequate analysis has not been provided on the impact of policy. The Agency propose to continue to work in partnership with City of York Council following this consultation in order to establish the implications of the Local Plan on the SRN this will enable the Agency in partnership with City of York Council to determine if and where physical mitigation measures might be needed to provide additional capacity on the SRN or whether there are any situations where it is not possible to provide additional capacity.

In terms of the intention for Monk Cross to be a priority location for office development (12.74ha), further office development in this area will generate additional road traffic, reassurance is needed from City of York Council that the location of additional office development at this location can be accommodated by the SRN in particular the A64 Hopgrove junction.

Section 10 Housing Growth and Distribution

10.1 This is our preferred approach to housing growth and distribution do you think this is appropriate or should one of the alternatives or different approach be taken?

The Agency does not intend to comment upon Policy H1: The Scale of Housing Growth setting out the quantum of future housing development in the plan area. It is the distribution of housing that is of particular interest to the Agency which, together with the distribution of existing and planned employment, sets the pattern for travel to and from work which, in turn, dominates peak period travel demand.

The Agency is not yet in a position to be able to consider if the housing allocations outlined in Policy H3 is acceptable as adequate analysis has not been provided on the impact of policies. The Agency propose to continue to work in partnership with City of York Council following this consultation in order to establish the implications of the Local Plan on the SRN this will enable the Agency in partnership with City of York Council to determine if and where physical mitigation measures might be needed to provide additional capacity on the SRN or whether there are any situations where it is not possible to provide additional capacity.

The Agency's overall position has therefore been reserved until the results of further analysis are available after which it will be possible to determine where and if physical capacity enhancement is available on the SRN at a cost that is affordable and where and if there are any locations where there is no solution.

The Agency want to understand how the phasing outlined within Policy H3: Housing Allocation fits with the planned provision of infrastructure given that a large number of the sites are allocated as short to medium (1 – 10 years), medium to long (6 – 15 years) or life time of the Plan. The Agency want to understand the evidence and justification for the combination of phasing and the use of life time of the plan as a phase, this is particularly pertinent given that these categories apply to 94% of the allocated dwellings.

10.2 Do you know of any further sites that would be suitable for housing development?

No comment

Section 23: Transport

23.1 This is our preferred approach to sustainable transport do you think this is appropriate or should one of the alternatives or a different approach be taken?

On the whole the plan contains strong policy direction on sustainable transport. However this is not enough, both demand management and additional highway improvements will be required.

As a point of clarification for Policy T1 public transport accessibility criteria, do all of the criteria have to be met for a location to be considered accessible or just one?

The Agency has concerns regarding the accessibility criteria for the sub urban locations and the lack of specific criteria for the new settlement, given that sub urban and the new settlement equate to almost 40% of the allocated housing not already committed.

In relation to Policy T7: Demand Management, alongside the flow of traffic in and around the city centre, City of York Council need to consider the flow of traffic on the SRN. The A64 undoubtedly plays a role in local trips within York however it has a significant strategic purpose which will be undermined by the level of congestion likely to arise from this plan. It is acknowledged that given the level of aspirations within the Plan, York are unlikely to achieve a no worse off with development position and moving forward this is unlikely to be the Agency's position. However the level of congestion which is acceptable on the local network is likely to be different to that which is acceptable on the SRN which has a wider function. The Agency will continue to work with City of York Council to determine whether it would be possible to **implement traffic management measures on the local road network that would regulate overall traffic flows in line with the available capacity on the SRN**.

With regards Policy T8 given that the policy specifies major development proposals the Agency request that Travel Plans should also accompany Transport Statements. The Agency also note that the thresholds for what is classed as major development (and therefore what would be required to undertake a Transport Statement or Transport Assessment) differ from those set out in the DfT *Guidance on Transport Assessment*. The Agency request clarification from City of York Council on how thresholds within Policy T8 have been derived and evidence to support the departure from the thresholds outlined in the DFT guidance.

23.2 Do you think the higher degree of transport infrastructure investment in the longer term is required or should more low cost 'soft measures' be pursued?

On the whole the plan contains strong policy direction on sustainable transport. However the Agency's current view is that this is not likely to be enough, both demand management and physical mitigation will be required.

It is not clear from the analysis within the transport evidence where specifically on the network the benefit of the currently proposed infrastructure is being achieved. i.e. does an intervention completely remove delay on one stretch of road or incrementally reduce delay across the whole network. This is a particular issue to the Agency as Figure 9 of the transport evidence indicates significant capacity issues on the A64, yet no interventions to address this are allowed for or identified within any of the Local Plan documentation or evidence base. It is a particular concern that the Infrastructure Delivery Plan makes no reference to required improvements on the A64.

At present adequate analysis has not been provided on the impact of development aspirations. The Agency propose to continue to work in partnership with City of York Council following this consultation in order to establish the implications of the Local Plan on the SRN this will enable the Agency in partnership with City of York Council to determine if and where physical mitigation measures might be needed to provide additional capacity on the SRN or whether there are any situations where it is not possible to provide additional capacity. Physical mitigation will be considered following analysis of the demand taking account of sustainable transport solutions and demand management measures.

The Agency has serious concerns in relation to the lack of evidence to support Policy T4. Without further evidence on the case for the specified improvements and traffic impact of the Local Plan as a whole; and particular concentrations of development (e.g. the new settlement at Whinthorpe, urban extension at land east of Metcalf Lane) the Agency would consider this policy unsound.

The Agency wants to continue to work with City of York Council with the objective of resolving these matters through the development of a more comprehensive evidence base relating to the impacts of the Local Plan on the SRN.

23.3 If you think the higher degree of transport infrastructure investment in the longer term over and above that already committed or programmed is required do you think it is deliverable and if so how can other agencies and organisation (e.g. scheme promoters or developers) work with the council to deliver it?

The Agency's overall position has been reserved until the results of further analysis are available after which it will be possible to determine where and if physical capacity enhancement is available on the SRN at a cost that is affordable and where and if there are any locations where there is no solution.

Section 25: Infrastructure and Developer Contributions

25.1 This is our preferred approach to infrastructure developer contributions do you think this is appropriate or should one of the alternatives or a different approach be taken?

The Agency supports the principle that new development will not be permitted unless *'the necessary infrastructure to meet local and wider (strategic) demand generated by development can be provided and coordinated.'*

The Agency is concerned that any physical measures which are identified on the SRN or at its junctions with the local primary road network in order to mitigate the impact of development traffic can be funded through CIL or other appropriate mechanisms. It is considered essential that the Agency is party to future discussions on CIL and, in particular, on the criteria and priorities to be applied in the allocation of CIL funds.

I hope that the above comments are helpful. Should you require further information or clarification, please do not hesitate to contact me.

Yours sincerely

Simon Jones
Asset Development Manager
Yorkshire & North East
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ID. 2

31 July 2013

Our ref: 88470

Your ref:

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BY EMAIL ONLY

Dear Mr Grainger

Planning consultation: Local Plan – Preferred Option
Location: City of York

Thank you for your consultation dated 5 June 2013, which we received on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Policy H3: Housing Allocations

ST10: Land at Moor Lane, Woodthorpe

Site ST10 is located approximately 200m from Askham Bog Site of Special Scientific Interest (SSSI). This nationally protected site is recognised for its fen communities, including fen woodland and fen meadows. The site is also renowned for its insect fauna which includes scarce beetles and moths.

Askham Bog SSSI citation can be found at:

http://www.sssi.naturalengland.org.uk/citation/citation_photo/1000196.pdf

Given Askham Bog's sensitivity to hydrological changes, Natural England is concerned that site ST10 has the potential to adversely affect the quality and quantity of water within the SSSI.

The Sustainability Appraisal (Appendix 8) recognises the importance of Askham Bog as one of the most botanically diverse sites in the region and nationally important for invertebrate fauna. It also identifies the potential damage as a result of changes to site hydrology and recreational impacts. It concludes that the impacts are significantly negative. Natural England concurs with this view.

National Planning Policy Framework (NPPF) paragraph 118 states that development likely to have an adverse effect on a SSSI interest feature should not normally be permitted. Without further ecological assessments of hydrological and recreational effects, and the identification potential avoidance/mitigation measures, Site ST10 should not be progressed within the next iteration of the plan.

Should ST10 be retained, Natural England would welcome further discussions regarding these assessments and potential mitigation to avoid a significant negative impact.

ST15: Whinthorpe New Settlement

The proposed new settlement at Whinthorpe is directly adjacent to Heslington Tillmire Site of Special

Scientific Interest (SSSI). Due to significant adverse effects upon the interest features of the SSSI and limited ecological evidence supporting its inclusion within the plan, Natural England believe that, if retained in the Plan, the allocation is **unsound**. This is on the basis of a lack of robust and credible evidence supporting its inclusion in the Plan, a lack of evidence to demonstrate that this is the most suitable option when considered against alternatives and the allocation being contrary to national policy contained in the NPPF with regard to the impacts on SSSIs.

Identified in the SSSI citation (link below), Heslington Tillmire's interest features are its tall herb fen, fen meadow and rush pasture plant communities, and breeding wetland bird species, including lapwing, snipe, curlew, and redshank. The SSSI citation also highlights that the site's location within intensively farmed arable and improved grassland makes it of particular importance to birds.

The citation for Heslington Tillmire can be found at:

http://www.sssi.naturalengland.org.uk/citation/citation_photo/1006072.pdf

According to the most recent survey (August 2011), the Tillmire is currently in a favourable condition and delivering its conservation objectives.

Natural England believe the close proximity of 5,580 homes is likely to adversely affect the SSSI's interest features due to an increase in recreational disturbance, trampling of habitat, predation by pets and pests, dog fouling, litter/fly tipping, invasive species and fire risk.

The development of 5,580 homes may also affect the SSSI's hydrology as a result of increased runoff and potential drainage and water source impacts (e.g. abstractive, waste water treatment), with significant consequences for the plant communities and the wetland birds.

The Tillmire is Countryside and Rights of Way (CROW) Act open access land and has rights of way on its boundaries. Therefore opportunities for mitigation, through access controls are limited. Furthermore the Local Plan proposes cycleways either side of the Tillmire which will increase access and disturbance.

Wetland and other ground nesting birds are especially prone to disturbance by walkers and dogs. During the breeding season, recreational disturbance interrupts egg incubation and feeding, leading to breeding failure. Although in a rural location the SSSI already suffers disturbance from walkers and dogs and this is thought to be impacting the wetland birds. Given the proximity, current legal access and proposed creation of cycleways, the development of 5,580 homes would inevitably increase recreational use and disturbance in the SSSI, with severe consequences for ground nesting birds such as lapwing, curlew and redshank.

Increased recreational use would also increase trampling of habitats, including the tall herb fen plants. This would further reduce nest site opportunities and the site's attractiveness to ground nesting birds. Indirectly, increased recreational use may threaten the site's agricultural viability and consequently the management of the site.

It is noted that similar nature conservation sites within the Vale of York which have high recreational use (e.g. Walmgate Stray and Hob Moor), do not support significant numbers of ground nesting birds. Conversely Heslington Tillmire SSSI, though suffering some disturbance issues, is recognised as an important site for breeding waders in the Vale of York and remains in a favourable condition.

Alone the increased recreational use of the SSSI would, in Natural England's view, result in total loss of breeding bird interest and adverse effects upon the tall herb fen plant species. In-combination urban edge effects have the potential to further increase harm to the SSSI's interest features. Urban edge effects such as fly tipping, encroachment of invasive species, fire risk and pest/pet predation are likely to increase given the ease of site access and the proximity of the allocation.

The Sustainability Appraisal (SA) and Site Selection Paper (Annex 11) both identify the proximity of the SSSI as a consideration, however the SSSI's importance for breeding wetland birds isn't recognised,

nor are the allocation's effects upon the SSSI (identified above) thoroughly assessed.

Although significant buffering is suggested to ensure the integrity of the SSSI is maintained, there are no details regarding the extent or type of buffer, or an ecological justification that this will mitigate the likely effects of the allocation which are identified above. Natural England is concerned that the mitigating effects of the buffer will be negated by its accessibility (providing a public area between the residential area and the SSSI) and the creation of cycleways, which will be used by pedestrians.

Natural England conclude that even with a significant buffer, the proximity of the allocation to Heslington Tillmire SSSI and its ease of access is likely to have significant adverse affects on its interest features. In the case of wetland birds, these are likely to be totally lost. Paragraph 118 of the NPPF states that *"proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI should not normally be permitted."* Given the scale of harm to wetland bird species, and likely urban edge effects, this allocation is therefore contrary to the NPPF and **unsound**.

Paragraph 118 however states that "*where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site and any broader impacts on the national network of SSSIs*".

Should City of York Council proceed with the allocation, and adverse effects remain, it must comply with this policy approach. At present however, neither the SA and Site Selection Paper or their appendixes contain sufficient evidence to undertake the weighting of adverse effects versus the benefits of the new settlement in this location.

Given the lack of assessment within the SA nor a thorough consideration of alternatives Natural England advises that the current draft of the SA does not comply with the requirement of the Strategic Environmental Assessment (SEA) Directive. Article 5(1) of the SEA Directive outlines that '*the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, should be identified, described and evaluated*'. Furthermore the rationale for each option should also be clearly recorded and the environmental report must include 'an *outline of the reasons for selecting the alternatives dealt with*' (Annex I(h)).

Natural England would welcome further discussions with City of York Council regarding alternative approaches for the Whinthorpe New Settlement should they be proposed, including the potential to relocate the allocation to a less ecologically sensitive location, and SSSI management measures. This discussion should also entail the rerouting of the proposed cycleways away from Heslington Tillmire SSSI.

Policy ACHM3: Gypsy, Traveller and Showpeople Allocations

Part i. of policy ACHM3 identifies a gypsy and traveller site at Common Lane and Hassacarr Lane, Dunnington. This site is adjacent to Hassacarr Pond, a proposed local nature reserve which, although small, provides an important habitat for invertebrates and amphibians. It's biodiversity is recognised as important educational resource for local schools.

Before allocating this gypsy and traveller site, City of York Council must be satisfied that less environmentally sensitive areas are not available. If allocated, measures must be taken to mitigate any adverse effects upon this site and if necessary compensate for any loss of ecological interest.

Given the close proximity and accessibility of the site, mitigation to prevent significant effects may not be possible. Therefore, it may be preferable to relocate this allocation rather than compensate for the loss of ecological value. This issue should also be explored further within in the SA when assessing alternatives.

Policy CC1: Supporting Renewable and Low Carbon Energy Generation

Part ii of policy CC1 states that a positive response will be made to renewable energy applications within the potential areas of search on the proposals map. Whilst this positive renewable energy policy is welcomed, there is a limited assessment of their ecological effects within the SA and HRA to support their identification.

Without ecological assessment these areas of search have not be justified and are unsound.

Natural England is particularly concerned about those areas of search adjacent to the Lower Derwent Valley SPA, SAC and Ramsar, River Derwent SSSI, Derwent Ings SSSI, Heslington Tillmire SSSI and Acaster South Ings SSSI.

It is likely they will adversely affect these international and nationally protected sites, and therefore should not be allocated. If retained, a thorough ecological assessments (including Habitats Regulations Assessment) must be undertaken.

Policy GI1: Green Infrastructure

Natural England welcomes this overarching policy which highlights the multifunctional benefits of Green Infrastructure.

Policy GI2: Biodiversity

Policy GI2 makes no distinction between the levels of protection afforded to international, national or local nature conservation sites. Instead, it relies on catch all policy which seeks to ensure retention and enhancement of features within all sites or habitats. This is supported by a requirement to address requirements within the Biodiversity Audit and Action Plan. Whilst such a broad policy is acceptable in a Core Strategy (where comprehensive policies follow), within a Local Plan, a more detailed policy (or policies) is required in order to determine planning applications.

The NPPF and Circular 06/2005 set out the required approaches when determining applications which affect nature conservation sites and species, this should be interpreted locally within the Local Plan. Whilst the BAP provides detailed ecological guidance, on what habitats/species should be protected and enhanced, policy GI2 and supporting text should, in accordance with paragraph 113, distinguish between international, national and locally designated sites, and the levels of protection which they are afforded.

For example developments which adversely affect the integrity of a Natura 2000 site cannot be permitted (in accordance with the Habitats Regulations), whilst applications adversely affecting SSSIs can only be permitted where the benefits of the development in that location outweigh the impact on the interest feature and/or wider network of SSSIs.

Both the third bullet of policy GI2 and paragraph 17.5 should reflect paragraph 118 of the NPPF (first bullet point) that where significant harm is unavoidable compensation is a last resort. Policy GI2 implies that compensation (loss and replacement) is as acceptable as mitigation (effect reduction). 'As a last resort' should be inserted before 'or compensated for'.

Paragraph 17.5 should read:

"In exceptional circumstances, where the locational benefits of a development clearly outweigh the adverse effects on a nature conservation site or species and this cannot be avoided, appropriate mitigation will be required. Compensation, or off-setting will only be accepted as a last resort."

Policy GI6: Green Corridors

Natural England supports policy GI6.

Policy GI7: Access to Nature

Natural England supports policy GI7 part a, as this delivers multiple benefits. However sites recognised for their bird interest (e.g. Heslington Tillmire SSSI) are especially sensitive to recreational disturbance and this should be recognised. In addition increased access has the potential to increase trampling of flora, litter, dog fouling, and risk of fire. Increased levels of access should be managed according to the nature conservation protection status and sensitivity.

Where ecologically acceptable, improved access will be reliant on landowner agreement and funding. To assist delivery, the Infrastructure Delivery Plan must identify improvements to Green Infrastructure as a priority.

Infrastructure Delivery Plan

Delivery of green infrastructure (GI) is limited within the IDP. Of most concern is the deferral of identifying future needs to the GI Strategy (paragraph 4.126) without any time table for this document's completion. The positive approach to GI and Biodiversity within the Local Plan should be mirrored within the IDP.

Given the potential requirement to provide natural greenspace/recreational buffers around allocations (notably sites ST10 and ST15), these infrastructure requirements should, at the very least, be identified in the IDP as the delivery of the allocations may depend on the delivery of this GI.

Reliance on developer contributions and focus on recreational open space (paragraph 4.128) without a strategy in place may jeopardise the delivery of a strategic GI and ecological network, as required by the NPPF.

Habitats Regulation Assessment

Conservation objectives

The HRA does not include the correct conservation objectives for the Natura 2000 sites. These can be found on Natural England's website at:

http://www.naturalengland.org.uk/ourwork/conservation/designations/sac/conservationobjectives.aspx

Determination of likely significant affects requires an analysis of each policy's and allocation's effects on the delivery of these objectives.

In-combination effects

The determination of likely significant effects has not assessed in-combination effects of the Local Plan and other plans and projects. This omission is contrary to paragraph 6(3) of the Conservation of Habitats and Species Regulations 2010 (as amended).

There are a number of Natura 2000 sites within the City of York's boundary that extend into neighbouring local planning authority areas (East Riding, Selby, and Ryedale) where in-combination effects may be significant. These sites are:

- Lower Derwent Valley SAC, SPA and Ramsar;
- River Derwent SAC; and
- Strensall Common SAC

The HRA should ensure that the adopted and emerging plans within these areas do not have in-combination effects.

In addition, there is the potential for in-combination effects upon those sites outside York's boundary. All sites identified within the HRA should be assessed for the possibility of likely significant effects in-

combination.

Mitigation

Paragraph 2.3.1 correctly sets out the approach to mitigation, it states that mitigation should be proved to be viable, timely and possible. Where avoidance or mitigation measures are identified in the HRA these should be included in the plan to ensure the plan is compliant with the habitats regulations and are deliverable.

The HRA's appropriate assessment identifies a number of adverse effects upon integrity. Notably recreational pressure/disturbance upon Strensall Common SAC, River Derwent SAC and Lower Derwent Valley SAC, SPA and Ramsar, and renewable energy disturbance upon Lower Derwent Valley SPA.

Mitigation and suggested alterations to the plan are proposed, this entails the following amendment to policies CC1 and GI2:

"No development will be permitted which may have an adverse effect on the integrity of any SAC, SPA or Ramsar site alone, or in-combination, with other plans and projects."

Whilst this policy amendment is welcomed and would address windfall proposals not foreseen within the local plan, this policy addition should not be relied upon where development policies and proposals in the plan are likely to adversely affect internationally protected sites. Doing so results in internal policy conflicts, as policies or allocations may not comply with the Habitats Regulations and therefore may not be deliverable.

It is acceptable to defer the assessment of a policy to the application stage, where alternatives exist to avoid adverse effects on a site. However, in this case, allocations have been identified without alternatives and their effects can be predicted. Therefore mitigation should, in accordance with paragraph 2.3.1, be assessed and identified, not deferred to the application stage.

If requested, Natural England can advise further on the HRA.

This concludes Natural England comments on City of York's Local Plan, supporting SA and HRA.

For any queries relating to this consultation only you are welcome to contact me directly - telephone: 0300 060 4129 or email: john.king2@naturalengland.org.uk. For all other consultations and correspondence, please contact the above address.

Yours sincerely

John King
Land Use Operations

ID. 1466

Strudwick, Caroline

From: Wayman Jeremy [Jeremy.Wayman@networkrail.co.uk]
Sent: 31 July 2013 16:33
To: localplan@york.gov.uk
Subject: York Draft Local Plan - Comments from Network Rail

New Stations

It is noted that a number of new stations are being proposed within the LP.

Any new station proposal needs to be developed along Rail Industry guidelines which are available on our web site. The key criteria for any new station is whether it will generate a positive business case and whether it fits with existing rail services or what level of service is required to meet demand. It normally needs to be cost neutral to the taxpayer i.e. generate enough income through the fare box to cover the capital cost of construction and ongoing station maintenance / lease costs or have an agreed ongoing subsidy to support any losses in its early years.

Any new station proposal should be supported by the Local Plan and should be accompanied by a Transport Needs Assessment to confirm that all transport modes have been effectively considered and to demonstrate why a new station has been identified as the best public transport solution. The draft Plan includes a proposal for a new station north west of York, Haxby and Strensall. It is also our understanding that a new station at York hospital is being considered which does not appear to be in the draft plan.

Any new station needs an agreement from the Train Operating Company that they will call here to be incorporated into a franchise agreement

The business case for any new station will need to examine new demand, abstraction as well as the loss in revenue from extending existing customer journey time unless it is prepared to consider line speed increases to offset the station dwell time. 3 new stations (Hospital, Haxby and Strensall) could extend journey time by circa 6-9 minutes on this route. There is currently strong stakeholder support to speed up the journey time between Scarborough and York / beyond and the economic benefits of doing this may outweigh those of a new station. Impact on level crossings will need to be assessed for any new Stations.

York Central / York Station

Proposed Policies YCA and T3 are, in general, supported. The proposed approach of development of an SPD for the York Central site is supported.

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12 August 2013

Dear Mr Grainger

York Local Plan Preferred Options Consultation : Response of North Yorkshire County Council

Thank you for consulting North Yorkshire County Council on the City of York (Preferred Options) Local Plan (June 2013). Whilst there are significant aspects and principles of the Plan that the County Council welcomes and supports, the authority also has a number of more detailed concerns at this stage. These issues are all set-out below.

Whilst there has historically been a good track record at both officer and Elected Member level of collaborative working on strategic planning matters between our authorities, the County Council has already expressed its views in relation to the nature of engagement on the run-up to public consultation on the draft Local Plan. The draft Local Plan differs markedly in a number of fundamental respects from the proposed Local Development Framework Core Strategy that preceded it in terms of both the scale and distribution of development. It was therefore disappointing that the County Council, both individually and through the Local Government North Yorkshire and York Spatial Planning and Transport Board, did not have the opportunity to discuss the Plan with the City Council prior to the commencement of public consultation. It is noted however that two informal officer meetings did take place between our authorities early in the year when the overall strategic approach to growth (rather than detailed policies, proposals and allocations) was beginning to be developed.

Notwithstanding, the County Council is committed to, and remains keen to positively engage with, an on-going process of genuine collaborative working with the City of York Council on the development of the York Local Plan. This includes work underway with the City of York and the North York Moors National Park Authority on a Minerals and Waste Joint Plan. It is therefore possible that through genuine and effective collaboration as the Local Plan is further developed that some of the issues raised within this representation may be able to be allayed or mitigated against in part or full.

/cont'd...

Mr M Grainger
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1. Spatial Strategy

During the informal officer discussions that took place earlier in the year, the County Council became aware of the likelihood of a shift of position in the Plan to one in which the City of York commits to meeting its full growth needs and aspirations within its boundaries. Indeed the County Council supports Policy SS1 (York Sub Area) in that it seeks to reflect the roles and functions of places in the York Sub Area, the North Yorkshire and York Sub-Region and Leeds City Region and commits to ensure that the housing needs of the City's population now and in the future are met within the City of York administrative area.

The County Council also supports in principle the commitment within the Plan to set-out the boundaries and extent of the York Green Belt insofar as it lies within the City's administrative area. Alongside this support, the County Council welcomes in principle the commitment to allocate land within the area currently considered to be Green Belt for development within the Plan period, as well as further safeguarded land for development thereafter. This general approach should allow for an enduring Green Belt; reduce unnecessary development pressure beyond the Green Belt boundary; and addresses concerns that the County Council raised in relation to the previous proposed LDF Core Strategy.

These areas of support in principle however do not over-ride the more specific comments that we have in relation to the overall scale of development planned for; its distribution; and the cross-boundary implications that this may present.

2. Scale, Distribution and Implications of Housing and Employment Growth

The County Council supports the principle of planning for economic growth in order that the City can perform its sub-regional role to the full. Indeed the economic aspirations are ambitious and challenging and therefore it is important that the City is confident that they are realistic and grounded upon robust and up-to-date evidence. Within this context the County Council notes and supports the need identified within the Plan to link economic and housing growth, however the precise mechanism proposed for ensuring this is not clear. The Authority would be concerned if housing land take-up outstripped economic growth as this would inevitably impact upon levels and patterns of commuting, particularly to destinations such as Leeds and across areas of the County. We therefore suggest that a robust mechanism for ensuring a balanced release of housing land in line with economic growth is set-out to operate throughout the lifetime of the Plan.

The County Council supports policies within the Plan that seek to promote the redevelopment of sustainable central sites including at York Central and within the City Centre. We support proposals to expand the Central Business District. The largest office and commercial allocations would appear to be at York Central and Monks Cross. It is recognised that a new, high quality City Centre office quarter would help York achieve its strategic ambitions and it appears that York Central is the only location that can provide this. However, significant constraints to development in full of these strategic sites are identified in the Plan and supporting documents but it is not clear how prejudicial these are to development in the Plan period. The County Council was assured at a meeting of the LGNYY Spatial Planning and Transport Board Technical Officers Group (31 July 2013) that the City is fully able to be confident that the currently proposed levels of development within these locations are viable and deliverable, and that further work will be undertaken to determine whether higher levels of development can be brought forwards during the Plan period. It is important that the City is able to have such confidence in the deliverability of these sites given a wider concern that should aspects of the York Central allocation prove to be undeliverable within the Plan period then that would be likely

to result in greater demand at locations such as Monks Cross and therefore greater pressure upon the A64 (T), the Outer Ring Road (A1237) and the wider highways network.

The County Council supports the policy thrust within the document to safeguard and promote the retail vitality of the City Centre. In particular Policy R4 and its aim of seeking to limit further retail development at Monks Cross is supported.

However we note that ST21 under Policy EMP2 provides for the provision of Employment Land for 12,000 sq. m of D2 Leisure at Naburn Designer Outlet on the A64(T) / A19 junction 'where it can be demonstrated that there would not be a detrimental impact on the city centre's vitality and viability'. D2 includes cinemas, bowling alleys and indoor leisure, and it is not clear as to what the need or justification is for such development at this location; what alternative locational options may be available; nor what its potential impact upon the wider highways network or nearby settlements could be. Further clarification of these matters would therefore be helpful, and it is suggested that this be the subject of further cross-boundary joint discussions between us.

Whilst the County Council welcomes the commitment for the City to meet its housing needs in full, the draft plan relies heavily upon two urban extensions (Clifton Moor and Holme Hill / Whinthorpe) which are presented for the first time. The County Council notes and queries the scale of these allocations, particularly the size that the new settlement at Whinthorpe could grow to given the allocation of safeguarded land at SF3. This settlement (perhaps in excess of 20,000 inhabitants) would be significantly larger than most of the nearby settlements within neighbouring districts. It is unclear at this time as to what other services (employment, retail, leisure, transport etc.) are needed or proposed in order to support the urban extensions and ensure their sustainability, and therefore what the related implications for the A64(T)/ Outer Ring Road (A1237), the wider highways network, and surrounding settlements might be. It is suggested that this be the subject of on-going cross-boundary discussions with neighbouring local authorities as the Plan is further developed.

A wider and core concern of the County Council at this time is that there would appear to be insufficient information available in relation to the resilience of the A64(T), the Outer Ring Road (A1237) and wider transport infrastructure to withstand the development pressures inherent within the Plan as proposed. Given the scale of housing development proposed in the vicinity of the A64(T) and Outer Ring Road; uncertainty as to what supporting uses and infrastructure will be needed to support them; as well as the potential for major developments at Monks Cross, Naburn Designer Outlet, and the A59 corridor, the County Council feels that detailed work is required in order to enable an understanding of the consequent cumulative impact upon this key element of the highway network which links the communities and businesses of larger parts of North Yorkshire to the City and beyond. The County Council remains committed to working in collaboration with the City Council, neighbouring local authorities including the East Riding of Yorkshire Council and the Highways Agency in relation to these matters.

Further comments on highways and transportation matters will be set-out within a separate representation from the North Yorkshire Local Highways Authority.

The County Council notes that the Infrastructure Delivery Plan accompanying the consultation identifies 'Leeds City Region Authorities' as a funding source for essential and major pieces of infrastructure. As a member of the Leeds City Region, the County Council seeks clarification that it is not the intention of the City Council to seek direct funding from it for the provision of essential infrastructure necessary to support the Plan.

The policy commitment at Policy SS1 (York Sub Area) for development within the City of York area not to lead to environmental problems including flood risk, air quality and transport congestion for adjacent local authority areas is welcomed. However there is the theoretical potential for the scale and distribution of growth within the Plan to have downstream implications for flooding and water management through parts of the County and needs to be fully understood.

Similarly there are strong linkages between climate change, flood management, green infrastructure and minerals planning agendas. As such the development of sand and gravel workings in the Swale and Ure valleys in North Yorkshire may provide an opportunity to help deliver flood alleviation in the City of York as well as providing other green infrastructure opportunities in locations relatively near to it. It is suggested that such policy linkages could be further explored through collaborative working between our authorities on relevant aspects of the Plan.

3. Minerals and Waste Planning

Policy WM1:

Part iii) – it would be helpful if greater clarity could be provided on the approach to provision of facilities for municipal waste. In particular, it is assumed that use in the 2nd line of the word "alternative" refers to a scenario where the AWRP facility is not delivered, however this is not totally clear from the policy or reasoned justification. Alternatively, reference could be made to a need to identify capacity for the management of all waste streams, as this may provide more flexibility including circumstances where a proportion of waste is managed outside the area.

Also within part iii), it would be helpful if clarity could be provided that the bullet point priority list is intended to apply specifically to the delivery of facilities in the CYC area, as different priorities may be appropriate in other parts of the Joint Minerals and Waste Plan area.

Part iii) 4th bullet – typo (curtilages not cartilages)

Part iv) – it may be preferable to apply this requirement to significant new development only, as provision for waste management may not be appropriate or viable in some very small schemes.

Part v) – this may partly duplicate iv) through reference to provision for waste management and onsite management of waste at retail and commercial development

Reasoned justification para 22.5 – planning permission has been granted for the AWRP facility, but is subject to a legal challenge. In the last line of para 22.5 it may be preferable to refer to "..residual municipal waste.."

Policy WM1:

Part iv) – it would be helpful if it could be clarified that the criteria for site allocation are only intended to apply in the CYC area rather than across the whole of the joint plan area.

Part iv), 2nd bullet – it may not be realistic or necessary to meet this criteria for minerals development, where geological factors may be a fundamental constraint on location.

Reasoned justification para 22.12 – identification of an MSA for coal bed methane is unlikely to be feasible and probably unnecessary as it is unlikely to be sterilised by surface development.

Reasoned justification para 22.13 – 1st and 2nd lines. As it is not the specific role of the LAA to apportion mineral requirements it may be preferable to state that the LAA has not presented specific evidence on aggregate mineral requirements for the York area.

In the 3rd line it may be helpful to clarify whether the reference to fracking is intended specifically in the context of exploitation of shale gas (for which there is no apparent evidence of commercial interest in this area), or is intended to be read in association with the immediately following reference to coal bed methane, in which case it is suggested that the reference to fracking (which is a term not usually used in association with coal bed methane) be deleted.

4. Renewable Energy

The County Council notes that the plan identifies a number of areas of search for renewable energy generation, in many cases close to the boundaries of neighbouring authorities including within North Yorkshire. It is therefore important that cross-boundary discussions take place to consider the wider impact of such developments, individually and cumulatively. It may also be worth noting that where neighbouring North Yorkshire communities are affected by such developments then they may be entitled to receive a proportion of any community fund that is paid as a result of them.

5. Sustainability Appraisal

Generally the sustainability appraisal constitutes a very thorough assessment of preferred options and alternatives that seems consistent with the requirement for the SEA Directive and national regulations.

It is hoped that the following comments may help with the further refinement of the reports.

Sustainability Appraisal: Main Report:

Page 54. The 'assessment methodology' for the strategic sites and allocations is a little difficult to follow so there is likely to be some merit to providing further explanatory text in this section. The County Council would also suggest some further explanation of the assessment criteria for objective 13 (flood risk). While the SA scoring for this objective seems broadly appropriate for fluvial flooding (and we would advise you seek the views of the Environment Agency in this regard) it treats all development as equally vulnerable to flooding, when in fact the flood risk vulnerability of different development types often varies within the same flood zone according to the Technical Guidance to the National Planning Policy Framework. While it may make for an unwieldy assessment to refer to this in table 3.7, we would suggest that some text is included in the methodology to show that the assessment is not a replacement for the sequential testing process for locating sites away from flood risk, and will be considered alongside that sequential process. Paragraph 100 of the NPPF provides more explanation of the application of the sequential test (and where necessary the exception test) in relation to Local Plans.

Page 58. The assessment of the vision and objectives for compatibility with the SA objectives looks to be broadly accurate. However, there may be some merit in upgrading the scoring for the compatibility between 'improve air quality…' and 'natural environment', at least to 'I' (depends on implementation). This is because aspects of the natural environment / greenspaces play a regulatory role in improving air quality, e.g. certain trees planted in appropriate locations can play

a valuable role in trapping particulate air pollution on leaf surfaces as well as absorbing certain harmful gases (though some species may contribute to ozone formation, so appropriate species selection is always important).

Sustainability Appraisal Appendices

Page 327: While we agree that impacts on health will be identified under the Joint Plan SA (and would also suggest that wellbeing and safety are also key considerations under that SA), the current Joint Plan SA Scoping Report does not state that a formal Health Impact Assessment will be undertaken as suggested in the assessment table. Rather, the intention is to consider health via a specific health SA objective linked to health related baseline data. This may, of course, change as a result of the consultation exercise currently underway on the Joint Plan SA; so the summary on page 327 should be updated in line with the Joint Plan SA Scope when it is finalised.

6. Conclusions

The County Council generally supports the overall policy approach of the City of York (Preferred Options) Local Plan (June 2013). However, as this representation has outlined, there are a number of important issues that require further detailed work in collaboration with neighbouring local authorities and other stakeholders before some of the initial concerns raised above can be allayed or sufficiently mitigated. The County Council looks forward to the opportunity to participate in such collaboration.

Thank you again for consulting the County Council on this matter. If you would find any further clarification helpful then please do not hesitate to contact Carl Bunnage, Regional and Strategic Policy Team Leader, telephone: 01609 532523.

Yours sincerely

DAVID BOWE
Corporate Director – Business & Environmental Services

Roberts, John

From: Melisa Burnham [Melisa.Burnham@northyorks.gov.uk]
Sent: 14 August 2013 14:01
To: localplan@york.gov.uk
Subject: North Yorkshire County Council- Highways Response - Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Please find below a response from the Local Highways Authority, North Yorkshire County Council. Thanks again for consulting us on your Local Plan,
we look forward to continued communication regarding your Plan and related evidence base.

Kind Regards
Melisa Burnham
Senior Engineer- LP

York's Cross Boundary Working Document (June 2013) states the following;

- The North Yorkshire and York Spatial Transport Board is a process- Duty to Cooperate
- There is a Draft MoU between York sub Area joint infrastructure working forum and the Highways Agency for the A64
- York aim to continue and refine details as the LP Progress' to examination.

In Paragraph 5.7 of this document York recognise the movement between authorities across North Yorkshire, highlighting the important links with Craven and Harrogate.

5.13 of this document recognises that 'further engagement will take place with neighbouring authorities and prescribed bodies through continuing the joint working and cooperation process.'

Paragraphs 5.29 and 5.30 recognise Strategic issues but there is no mention of the Local Highways Authority and the Highway network in North Yorkshire.

City of York Economic and retail vision- Overall approach to transport, movement and access.

This document recognises the need to support highway infrastructure. York state; ' Supporting highway infrastructure previously identified, an acknowledgement in the emerging LDF in 2011 that highway infrastructure alone will not be sufficient to adequately meet the needs of city growth.'

Whilst North Yorkshire County Council and the Highways Agency have been recognised as statutory consultees the North Yorkshire Local Highway Authority (NY-LHA) has not been mentioned in any of these documents. As part of the Allocation and Designation the NY LHA Local Highways Authority (NYCC) would wish to see further analysis of sites and their cumulative impact on cross boundary links to North Yorkshire to destinations include including Harrogate (A59/ A168 junctions), Selby, Malton and Thirsk/Northallerton.

The NY LHA have worked closely with York's neighbouring authorities to address the Highway concerns and would welcome similar discussions with York as part of their 'LP progress to examination'. To date the NYLHA haven't seen any evidence to demonstrate that the additional development at York will not have a detrimental impact on North Yorkshire's highway network . this is of particular concern for (in particular the impact of the urban extensions at Clifton Moor and South East of the City at Holme Hill . The NY LHA would expect to see that the impact of growth has been identified through the site location planning process on the key transport corridors of neighbouring Authorities. The NYLHA would also request that at the Planning Application stage all Transport

Assessments for applications close to the York Boundary consider the impact on junctions/ roads of the neighbouring Authorities.

The NY LHA have welcomed engagement at the recent Duty to Cooperate meeting (31st July) and have provided comments on the 'City of York Local Plan preferred Options' Analysis of wider impacts of strategic parties' in a separate email. It is hoped that future meetings can build on the comments made and progress the above.

ID. 50

Date: 26th July 2013

Mr Martin Grainger
Head of Integrated Strategy
City of York Council
West Offices
Station Rise
York
YO1 6GA

Response & Reassurance Directorate

Dear Mr Grainger,

North Yorkshire Police response to City of York Local Plan Preferred Options consultation.

Thank you for your recent consultation notice in respect of the preparation of a new Local Plan for the City of York.

North Yorkshire Police wish to confirm our desire for both the City of York Council and North Yorkshire Police to continue to work closely in partnership to deliver against the Police and Crime Plan 2013 – 2017 and The City of York Council Plan 2011 – 2015, as well as looking forward towards 2030 when the Local Plan will be achieved in full.

The consultation to date has been welcomed and the agreed amendments to the Local Plan, as per our consultation on the 24th July 2013, are received with thanks.

North Yorkshire Police welcome the opportunity to continue to maintain constructive consultation, thereby ensuring the Local Plan is cognisant of the Policing needs for the City of York and North Yorkshire.

Yours sincerely,

Phil Cain
T/Superintendent
York Safer Neighbourhood Commander
North Yorkshire Police

Police Station | Fulford Road | York | YO10 4BY
Fax 01904 669313 | DX No 68900 YORK 11

RYEDALE DISTRICT COUNCIL

ID. 6

Planning Services
Jill Thompson
Ext: 327
jill.thompson@ryedale.gov.uk

16 August 2013

Ian Stokes
City of York Council
Integrated Strategy Unit
Directorate of City and
Environmental Services
West Offices
Station Rise
York, YO1 6GA

Dear Ian,

City of York Local Plan- Preferred Options (June 2013)

Thank you for consulting the District Council as part of your recent Local Plan Preferred Options consultation. As a neighbouring authority to the City of York, Ryedale is keen to contribute to the development of York's Local Plan and the consideration of cross boundary strategic issues. The production of a development plan for the City is an imperative. It will provide certainty around addressing development requirements and providing for growth for residents and businesses within the City but also provides certainty for those within surrounding areas. For these reasons, the District Council is keen to actively engage in the production of the Plan and to support the process where it can.

Against this context, I have confined Ryedale's response to the more strategic elements of the Plan and specific matters which are of interest to this Authority. These are as follows:

Spatial Strategy
The strategy of the emerging Plan recognises and builds on the City's role as a key economic driver and higher order economic, retail and service centre. The approach reflects longstanding agreement and support for this role, both in terms of the York sub-area and the role and influence of the City in the wider region.

The preferred approach reflects in principle, the strategy embodied in the former Regional Spatial Strategy. This was taken forward and endorsed by Local Government North Yorkshire and York when it agreed the North Yorkshire and York Sub-Area Strategy as a basis for advocating the strategic development priorities of the sub-region at a time when revisions to the RSS were no longer to be progressed. Most recently, the York/North Yorkshire and East Riding Local Economic Partnership has included the growth of the City of York as a priority in its Strategic Economic Plan.

It is considered that this background demonstrates that there is longstanding agreement, achieved by on-going collaborative working over the past ten years that such an approach is an appropriate development strategy for the City. The approach is entirely consistent with Ryedale's emerging Development Plan which recognises the functional economic area of the City of York, travel to work area patterns and housing market dynamics.

On this basis, the District Council is supportive of the overall spatial strategy of the emerging Plan and the York sub-area approach as outlined in Policies SS1 and SS2. Additionally, it is considered that the preferred role of the York Green Belt and approach

RYEDALE DISTRICT COUNCIL

to safeguarded land is appropriate. The existing Ryedale Local Plan makes it clear that the primary objective of the York Green Belt is to protect the character of the City, and it is considered that this remains a locally-specific, relevant and appropriate objective. The approach is consistent with the fact that the emerging Ryedale Plan seeks to maintain the outer boundary of the York Green Belt, which was defined in the Ryedale Local Plan to reflect the objective of protecting the historic character of the City.

The District Council has no detailed or specific comments to make in relation to the proposed spatial distribution of development and levels growth. It is concerned about the impact of growth on cross boundary strategic infrastructure, most notably the A64. It is keen to continue to work with the City, other adjoining Authorities and the Highways Agency to ensure that the cumulative impact of growth can be addressed, and a co-ordinated approach to developer contributions/ CIL to secure improvements can be considered and agreed.

Economy
The proposed approach reflects the strategic role of the City. The Plan recognises that York will act as an economic driver for the wider sub-region and building links to the York economy forms an element of the economic strategy of this District. In this respect, it would be useful if the Plan could reflect the economic opportunities associated with the FERA site on the York/ Ryedale boundary. The North Yorkshire/ York and East Riding Local Economic Partnership is focussed on the delivery of an agri-tech/innovation campus at the Sand Hutton site which will have strong links with the University of York and Science City York. The project is entirely consistent with York's economic strategy ambitions as an innovation capital, as well as being consistent with the ambitions of neighbouring authorities.

Housing
The District Council is, in principle, supportive of the level of housing growth proposed in the Plan. It is a level of housing in excess of current household projections, and is one which is aimed at integrating housing and economic growth. This is entirely appropriate given the strategic role of the City. It is an approach which will improve choices for those wishing to live and work in the City, and is one which should serve to ease some of the pressures in the wider housing market area that have been experienced in the past.

I hope that this letter confirms the District Council's views on key strategic elements of your emerging Plan. If you require any further clarification of the points that I have made in this letter, please do not hesitate to contact me.

I should point out that at this stage this response is an Officer-level response. The District Council will provide Member-level representations to the Plan as it reaches its formal stages. In the meantime, I will ensure that Members of the District Council are regularly briefed and informed of the on-going development of the City of York Plan.

Yours sincerely,

J Thompson

Jill Thompson
Forward Planning Manager

Ryedale District Council, Ryedale House, Malton, North Yorkshire, YO17 7HH
Tel: 01653 600666 Fax: 01653 690834
Email: lpandc@ryedale.gov.uk

ID. 9

Roberts, John

From: Stokes, Ian
Sent: 11 September 2013 11:13
To: Roberts, John
Subject: FW: Response from Selby District Coucnil

Follow Up Flag: Follow up
Flag Status: Flagged

Dear John,

I realise this (see below) is after the normal consultation deadline and the extension given to neighbouring local authorities, but please will you include this as a response to the Local Plan Preferred Options.

Regards,

Ian Stokes | Development Officer (Transport Strategy)
t: 01904 551429 | e: ian.stokes@york.gov.uk

City of York Council |Integrated Strategy Unit |
Directorate of City and Environmental Services
West Offices | Station Rise | York | YO1 6GA
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From: Andrew McMillan [mailto:amcmillan@selby.gov.uk]
Sent: 11 September 2013 10:59
To: Stokes, Ian
Subject: Response from Selby District Coucnil

Dear Sir/Madam

RE: emerging plans

At its meeting on 5 September 2013, The Executive agreed the following response to be submitted to you in order to fulfil the Duty to Cooperate to maximise the effectiveness of policies for strategic matters in Local Plans. Selby District Council broadly supports your Local Plan (including LDF, Core Strategy, Allocations, and other policy documents) approach and the policies within them. The Council is satisfied that there has been satisfactory ongoing cross-boundary cooperation between Selby District Council and your authority through Officer and Member bodies, not least the Leeds City Region and York & North Yorkshire Board/Technical Officer Group.

The Executive would make the following specific points with regard to your emerging plans, but restricts its observations to strategic issues, or those that may have a direct impact upon Selby District.

It is understood from discussion with Officers at CYC that the Preferred Options version of the York Local Plan should be considered not as a fine-tuned draft plan. Instead, it should be considered as a discussion paper that adds a spatial dimension to previous consultation exercises. It adds flesh to the bones to create something that is more meaningful to non-planners and can therefore generate more useful responses than an abstract issues and options paper could. Selby's responses are presented on the basis of this interpretation.

Selby broadly supports York's recognition of itself as the Gateway to North Yorkshire, and the spatial planning responsibilities that brings as the leading settlement in the sub region (after Leeds). York's ambitious growth targets are acknowledged and supported in principle. Selby is pleased to be recognised as a key District that supports York's role through providing a ready workforce and customers, and also that Selby provides an attractive countryside

setting for the city. Selby is well placed to bene[illegible]ic overspill of York whilst it retains its own rural character.

Selby is satisfied that York can realise its growth aspirations within its own territory. While there is clearly a lot of cross-boundary activity in terms of commuting, Selby and York retain distinctly different housing and employment characters that work in harmony. The Council would refer CYC to Selby Core Strategy that was recently found Sound by the Inspector. The Core Strategy is scheduled for Adoption in Autumn this year. The relationship between CYC and Selby are set out in that document and its background documents.

Looking beyond the high level strategic vision of the CYC Local Plan, Selby would comment on a number of details set out within it as follows:

Policy SS3 iv): Site ST15 "Whinthorpe village" is a departure from the recent (abandoned) Core Strategy approach. SDC is concerned at the lack of information available to prepare a detailed response on this matter which is clearly a significant new settlement of 5580 close to the Selby Border. Selby's concerns are centred around highway impact on the already congested A64. Selby's own growth will potentially add a significant number of journeys on to the A19 to York, and without certainty of Whintorpe's access arrangements Selby cannot properly consider the implications. Selby considers that the broad location has not been fully explored and evaluated in the context of alternative sites.

Specifically, significant investment in public transport infrastructure (including for example new railway stations at Haxby) could be more beneficial locations for such large scale growth, instead of remote locations such as site ST15 that have no existing infrastructure to build upon. At a proposed 50 dwellings per hectare it is considered that there is a risk that the new village could be high-rise and a significant visual intrusion in the flat landscape. The potential for a further 174ha of safeguarded land for development beyond the plan period is also of concern for the same reasons. Selby DC is not formally objecting to Whinthorpe at this stage, however it has raised concerns about Whinthorpe that can only be addressed through the provision of additional information to assess any potential impact upon Selby District.

SDC supports the expansion and improvements of Park and Ride facilities at the Designer Outlet. SDC also notes the designation of the Outlet for leisure development, but would query the reasoning behind this as it is a shopping centre, not leisure destination. Any development that increases the attractiveness of this out of centre location must be rigorously considered with more information to assess the potential strategic impact upon Selby Town as a Principal Town (as set out in the former Regional Strategy). In a town centre hierarchy, if there are no suitable sites in York City Centre it is considered that Selby should be the priority for development before the out of centre location.

Like York, SDC is also looking to review the York Green Belt (where it applies in Selby District). A coordinated approach would be beneficial, and is something we can develop together at the appropriate time. SDC would welcome exploration of opportunities for joint commissioning where appropriate.

SDC is considering its future options towards renewable energy generation in the context of wind farming, and notes the significant areas of search highlighted on the Proposals Map adjacent to Selby District. SDC would welcome joint working in further studies to address this issue in a coordinated manner.

I trust the above is useful, however should you require clarification or further discussion or comment, do not hesitate to contact me.

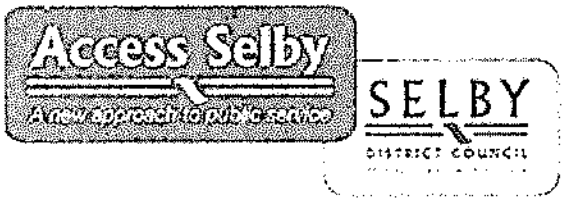
Yours sincerely

Andrew McMillan
Policy & Strategy Team

Andrew McMillan
Policy Officer

t: 01757 705101
e: amcmillan@selby.gov.uk
w: www.selby.gov.uk

Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.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DISTRICT COUNCIL

ID. 295

Bellerby, Neil

From: Walsh, Alexandra
Sent: 31 July 2013 13:40
To: localplan@york.gov.uk
Subject: FW: York Local Plan Preferred Options - Yorkshire Water's consultation response
Attachments: Schedule of Sites.xlsx; York Local Plan PO Housing Allocations site specific comments.docx; York WWTW capacity 2013.xlsx; YW policy response 2013.docx

-----Original Message-----
From: Matthew.Gibson@Yorkshirewater.co.uk
[mailto:Matthew.Gibson@Yorkshirewater.co.uk]
Sent: 26 July 2013 14:42
To: localplan@
Cc: Stokes, Ian; Walsh, Alexandra
Subject: York Local Plan Preferred Options - Yorkshire Water's consultation response

Dear Sir/Madam,

Please find attached Yorkshire Water's response to the current consultation related to the Local Plan Preferred Option document. Our response contains detailed site specific comments related to infrastructure constraints and sewer network capacity, an update on capacity at our WwTW's within York and a response to the policies contained within the document.

(See attached file: Schedule of Sites.xlsx)(See attached file: York Local Plan PO Housing Allocations site specific comments.docx)(See attached file: York WWTW capacity 2013.xlsx)(See attached file: YW policy response 2013.docx)

If you have any questions or require any further clarification on any issues then please do not hesitate to contact me.

regards

Matthew

Matthew Gibson BA(Hons) MSc MRTPI
Senior Development Planner
Land Property & Planning, Yorkshire Water Services Ltd 2nd Floor, Western House, Western Way, Halifax Road, Bradford, BD6 2SZ T 01274 692916 E
matthew.gibson@yorkshirewater.co.uk
www.yorkshirewater.com

http://www.yorkshirewater.com/about-us/land-property-and-planning.aspx

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http://www.yorkshirewater.com/savewater

Yorkshire Water Services Limited
Registered Office Western House, Halifax Road, Bradford, BD6 2SZ Registered in England and Wales No 2366682

Yorkshire Water response to York's Local Plan Preferred Options

Prepared by Matthew Gibson, Senior Development Planner, Yorkshire Water

Tel: 01274 692916 Email: matthewgibson@yorkshirewater.co.uk

Please refer to additional documents for site specific comments and capacity comments.

Section 2- Spatial portrait

Within Section 2, spatial portrait, there is no mention of water or drainage. Sections are attributed to green infrastructure, climate change and carbon footprint, waste and minerals and environmental quality. Within these water, other than the Rivers Ouse, Foss and Derwent, is not mentioned.

York states green infrastructure (paragraph 2.15) as including strays, waterways, formal parks and gardens , woodlands, street trees, green corridors, nature reserves and open countryside. YW recommend this be extended to include other water based blue infrastructure.

Section 3- Spatial vision and outcomes

YW support the inclusion of paragraph 3.21 which states that the local plan will ensure that new development is not subject to, nor contributes to, inappropriate levels of flood risk, including from the Rivers Ouse, Foss and Derwent and other sources and it will ensure that new development delivers sustainable drainage solutions.

Section 4- Sustainable Development

Policy SD1: Sustainable Development states under Natural Resources and Environmental Protection that it aims to reduce flood risk by ensuring that new development is not subjected to or does not contribute to flooding. Point two states that the plan will ensure sustainable design techniques are incorporated in new developments and maximise the generation and use of low carbon/renewable energy. We feel that similar wording and encouragement should be given to using water sustainable urban design techniques to reduce flooding and the use of water saving devices in new development.

Section 5- Spatial Strategy

Policy SS2, Delivering Sustainable Growth, states that the location of development will be steered by (among other things) ensuring flood risk is appropriately managed.

Policy SS4, Strategic Sites Development Principles - The council will prepare SPDs regarding all strategic sites. We see this as an opportunity to develop, test and encourage new and emerging technologies related to sustainable drainage and water saving. YW would welcome the opportunity to work with the Council, developers and stakeholders to pursue these possibilities.

Section 6- York City Centre

YW support the inclusion of **Policy YCC1** x. , which states that community and recreational facilities, including green space, should be provided to help combat the effects of flooding.

Section 7- York Central

The York Northwest corridor is being promoted as an Urban Eco settlement with sustainable living at the core. York central falls within this. **Policy YC1**: York central special policy area has no mention of SUDs, drainage or water management. York Central will be further outlined in the preparation of a SPD which may present the opportuntity to include more detail on water management although YW would prefer to see additional reference to this important issue within the policy.

Section 17- Green Infrastructure

The definition as given for green infrastructure is not particularly strong. It states that 'green infrastructure is the term used for the overarching framework related to all green assets.' Further to paragraph 2.15 (as mentioned above) there is no information regarding what could be considered green infrastructure.

There is no specific mention of water or blue infrastructure further to mentioning the River's as green corridors. There are specific policies within this section regarding issues such as biodiversity, trees, open space and playing pitches, new open space and green corridors. SUDS represent an important step in managing the effects of climate change and reducing flood risk. SUDS in new developments may include ponds, scrapes, drainage channels etc and it is likely that these would be designed as part of green infrastructure. Could a separate policy be promoted for blue infrastructure and its contribution to open spaces, biodiversity etc?

Section 18- Green Belt

Under policy GB5: Major developed sites in the Green Belt, Elvington WTW, Naburn, Rawcliffe and Haxby Walbutts WWTW are all listed as large developments. Limited infilling will be permitted upon these sites providing it meets certain criteria. The criteria should allow for YW to continue developing the works to meet the growth in housing and population proposed by the City Council. As currently written, the criteria may impede YW's ability to create additional capacity and develop new and sustainable technologies. YW would request that the policy criteria are altered to allow for certain exceptions if proved necessary.

Section 19- Flood Risk Management

YW are supportive of Policy FR2: Surface Water Management which advocates the use of SDS within new development, stating it is an expectation for their incorporation unless it can be otherwise demonstrated it is not technically possible or would compromise the viability of the scheme.

As standard new development on brownfield sites are expected to reduce surface water runoff by 30% and on greenfield sites there is expected to be no increased in runoff rates. This requirement is aligned with YW's preferred approach.

YW need to be involved in the design and feasibility of SDS in all new development where the system will eventually communicate with a public sewer. Wording should be included within the text to encourage developers to open dialogue with YW at an early stage. This will become critical once the legislation for compulsory adoption is introduced in April 2014.

The local plan refers to the adoption (2012) of the City of York Surface Water Management Plan. Links to this plan could be strengthen.

Paragraph 19.6 states that the Local Plan will promote SDS through a Sustainable Design and Construction SPD which will address issues of flood resilience and resistance along with SDS adoption.

Policy FR3: Ground water management and the text in 19.7 and 19.8 appear to be slightly confused. The policy states that new development will not be permitted to allow outflow from ground water/and or land drainage to enter public sewers. It also calls for existing land drainage systems within new development to be adequately maintained. We suggest seeking further clarification on these issues and considering separate policies on land drainage and ground water management.

Section 20- Climate Change

Policy CC2: Sustainable Design and Construction focuses purely on energy demand and renewable technology and fails to include information and requirements related to water saving and sustainable drainage. Designing in and retrofitting water saving technology into developments is key to ensuring an adequate supply of clean water for future generations. Reducing the reliance on drinking water for tasks such as flushing toilets and watering gardens etc. should be considered in all new development.

Section 21: Environmental Quality

Water quality is not specifically referred to.

Section 22: Waste and Minerals

Policy WM2: Safeguarding Mineral Resources and Local Amenity, the criteria for allocating new mineral sites should include the following:

- There is no detrimental impact on existing utilities within the site

Yorkshire Water response to York's Local Plan Preferred Options

Site specific comments

Prepared by Matthew Gibson, Senior Development Planner, Yorkshire Water

Tel: 01274 692916 Email: matthewgibson@yorkshirewater.co.uk

Proximity to Waste Water Treatment Works

The strength of odours from a Waste Water Treatment Works (or Pumping Station) at any particular time will depend on a number of factors, including the type of processes undertaken on the site, distance from the source, wind strength and direction and ambient temperature. The concentration of odour will normally diminish as the distance from the source increases. Therefore, a Cordon Sanitaire around a Works should ensure that dwellings, offices and other odour sensitive developments are not in a location likely to be affected by odour nuisance.

Based on our experience of odour from Waste Water Treatment Works, we would recommend safeguarding a Cordon Sanitaire of distance 400 metres for the Works. This is reflective of the recommended distance used for planning purposes as outlined in The Town and Country Planning (General Permitted Development) Order 1995: Part 6 (Agricultural Buildings and Operations) which sets out a requirement that protected buildings should not have accommodation for livestock or for the storage of slurry or sewage sludge located within 400 metres of their curtilage. The water industry nationally adopted the 400m 'Cordone Sanitaire' as being a reasonable comparison between the odours generated by livestock waste and that arising from the treatment of human sewage. This distance may be flexible in certain circumstances (following consultation with Yorkshire Water) on a case by case basis subject to the provision of verifiable evidence and site specific mitigation.

The most effective way of mitigating the risk of future occupiers of new development from suffering loss of amenity is through the land use planning system, ensuring no land is allocated for housing adjacent to a WwTW.

H26- Land at Dauby Lane, Elvington

YW wish to highlight concerns regarding site allocation H26, Land at Dauby Lane, Elvington. This site is within a 200m proximity of the operation boundary of Elvington Waste Water Treatment Works. Given the proximity of existing residential properties and the small scale of the WwTW there may be no issue however the layout should reflect the proximity and potential for nuisance.

H27- Land at the Brecks, Strensall

YW wish to highlight concerns regarding site allocation H27, Land at the Brecks, Strensall. Parts of this site are within a 400m proximity to Haxby Walbutts Waste Water Treatment Works' operation boundary which should be taken into consideration when designing a layout. YW acknowledge the

current existence of a tree buffer beyond the eastern site boundary and recommend that this should remain in place to help mitigate against any adverse effects from this WwTW.

ST21- Naburn Designer Outlet

YW wish to highlight some concerns regarding site allocation ST21, Naburn Designer Outlet. Parts of this site are just within the 400m proximity to Naburn Waste Water Treatment Works' operational boundary. This should be considered as part of any development proposals.

Infrastructure layout

H40- West Fields, Copmanthorpe

YW wish to highlight concerns regarding site allocation H40, West Fields, Copmanthorpe. Crossing the site are surface water and foul sewers. The current positioning of the sewers will significantly affect the layout of the site. Alternatively, diversion of the sewers may be a suitable option.

WWTW	Housing Numbers	Population Equivalent	Job Equivalent	Total	Capacity 2013 update
Haxby Walbutts	977	2443	0	2443	There is capacity at Haxby Walbutts for the level of growth proposed over the plan period
Elvington	122	305	40	345	There is no capacity at Elvington and the level of growth in the catchment will trigger a requirement for investment in the works. Sites allocated in this catchement will have to be phased to coordinate with any investments required at the WwTW
Naburn	12132	30330	588	30918	There is significant capacity at Naburn for the level of proposed growth however investment will be needed in the later stages of the plan period to accommodate the numbers proposed over the whole plan period. Phasing will be required to ensure sites are delivered alongside necessary upgrades to the WwTW. This is particularly important with the strategic site at Whinthorpe New Settlement (ST15)
Rawcliffe York	6289	15723	161	15884	There is limited capacity at Rawcliffe and the level of growth over the plan period (medium to long term) in the catchment will trigger a requirement for investment in the works. Sites allocated in this catchment will have to be phased to coordinate with any investements required at the WwTW. This is particularly important with the strategic site at Land North of Clifton Moor (ST14)
Rufforth	24	60	15	75	There is capacity at Rufforth for the level of growth proposed over the plan period
Wheldrake	75	188	38	226	There is capacity at Wheldrake for the level of growth proposed over the plan period
			Total PE Employ and Housing	**49890**	

York ref	YW ref	Site location	Size	Yield	WWTW	Infrastructure within/near site	Constraints (Not definitive)	Sewer Capacity (All comments assume SW not disposed to existing public sewer
Stragetic sites								
ST1	YK0100	British Sugar/ Manor School	38.14	998	Naburn	Foul rising main and sewer within boundary in north east corner		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development. There is apparatus under the control of Yorkshire Water within/near the site. Access (including with vehicles) will be required at all times (24 hours/7days). The proximity of this installation may mean a loss of amenity for future occupiers/users.
ST2	YK0101	Former Civil Service sports ground, Millfield Lane	11	308	Naburn	Foul rising main across south of site		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development.
ST3	YK0102	The Grainstores, Water Lane	7.75	216	Rawcliffe York			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST4	YK0103	Land adj. Hull Road and Grimston Bar	7.54	211	Naburn	Large water mains adajcent to west and north boundary lines.		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST5	YK0104	York Central	7.3	438	Naburn	Various sewers and mains within the site. Keyland Freehold land within centre of the site		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST6	YK0105	Land East of Grimston Bar	5.5	154	Naburn			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST7	YK0106	Land to East of Metcalfe Lane	60	1800	Naburn	Foul rising main through site, with legal easement.	Current position of rising main may affect design of the site within the south of site.	Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development.

ST8	YK0107	Land North of Monks Cross	52.3	1569	Rawcliffe York	Water main and legal easement across the north east corner		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST9	YK0108	Land North of Haxby	24.89	747	Walbutts			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST10	YK0109	Land at Moor Lane, Woodthorpe	17.02	511	Naburn	Surface water sewer on site boundary at north		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST11	YK0110	Land at New Lane, Huntington	13.7	411	Rawcliffe York	Water main on western site boundary		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST12	YK0111	Land at Manor Heath Road, Copmanthorpe	14.75	354	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
ST13	YK0112	Land at Moor Lane, Copmanthorpe	5.5	115	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
ST14	YK0113	Land to North of Clifton Moor	134	4020	Rawcliffe York	Large main across site with legal easement.	Current position of main may affect design of the site within the south of site.	Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application. It may be necessary to consider a new wastewater treatment works.
ST15	YK0114	Whinthorpe New Settlement	217	5580	Naburn	Large foul rising main with legal easement runs along site boundary at north.		Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application. It may be necessary to consider a new wastewater treatment works.
ST17	YK0115	Redesignation of commercial land (excl. Ancillary retail) at Nestle South to residential	7.17	130	Naburn	Water mains along eastern boundary. Surface water sewer in north east corner.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
Housing Allocations								
York main urban area								
H1	YK0116	Former gas works, 24 Heworth Green	3.33	240	Naburn	Trade effluent sewer in west of site. Large water main and legal easement just beyond eastern boundary.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.

H2	YK0117	Sites by racecourse, Tadcaster Road	2.88	115	Naburn			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal.
H3	YK0118	Burnholme School (exsiting building footprint)	2.7	108	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H4	YK0119	St Josephs Monsatry	2.62	141	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H5	YK0120	Lowfield School (exsiting building footprint)	2.24	72	Naburn	Water main and meter within site boundary in west		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H6	YK0121	Land RO The Square, Tadcaster Rd	2.04	65	Naburn	Surface water sewer along west and across north of site. Manholes.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development.
H7	YK0122	Bootham Crescent	1.72	69	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H8	YK0123	Askham Bar park and ride	1.57	50	Naburn	Large combined sewer across centre of site. Surface water sewer across north of the site. Combined sewer enters site in the north. Foul sewer in east of the site.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development. There is apparatus under the control of Yorkshire Water within/near the site. Access (including with vehicles) will be required at all times (24 hours/7days). The proximity of this installation may mean a loss of amenity for future occupiers/users.
H9	YK0124	Land off Askham Lane	1.3	42	Naburn	Water main within northern boundary.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H10	YK0125	Barbican Centre (remaining land)	0.78	56	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H11	YK0126	Land at Frederick House, Fulford Road	0.78	33	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H12	YK0127	Land RO Stockton Land/ Greenfield Park Drive	0.77	33	Naburn	Surface water and foul sewer just enter site in the west.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H13	YK0128	Our Lady's Primary School (existing footprint)	0.68	29	Naburn	Surface water sewer across site at east		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H14	YK0129	32 Lawrence Street	0.55	42	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H15	YK0130	Beckfield Lane Depot	0.49	18	Naburn	Small foul and surface water sewer through site		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H16	YK0131	Sessions, Huntington Road	0.47	17	Rawclife York	Meter and valve within site boundary at west.		

H17	YK0132	Burnholme WMC	0.43	19	Naburn			
H18	YK0133	Land off Woodland Chase, Clifton Moor	0.4	14	Rawclife York	Surface water sewer along east and half of south boundaries.		
H19	YK0134	Land at Mill Mount	0.36	16	Naburn			
H20	YK0135	Oakhaven EPH	0.33	15	Naburn	Surface water sewers just within site boundary in south west corner. Main and legal easement close to eastern boundary.		
H21	YK0136	Woolnough House EPH	0.29	11	Naburn			
H22	YK0137	Heworth Lighthouse	0.29	13	Naburn			
H23	YK0138	Grove House EPH	0.25	11	Naburn			
H24	YK0139	Former Bristow's Garage, Fulford Road	0.22	10	Naburn			
H25	YK0140	Heworth Green North (remaining land)	0.22	20	Naburn			
Village/rural (inc. village expansion)								
H26	YK0141	Land at Dauby Lane, Elvington	4.05	97	Elvington		Within a 200m proximity of Elvington STW. YW recommend an odour assesment where sensitive uses may be placed upon the site.	Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal.
H27	YK0142	Land at the Brecks, Strensall	3.9	82	Walbutts	Three foul rising mains across north of site.	Areas of the site within a 400m proximity to Haxby Walbutts STW. YW recommend an odour assessment where sensitive uses may be placed upon the site.	There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development. There is apparatus under the control of Yorkshire Water within/near the site. Access (including with vehicles) will be required at all times (24 hours/7days). The proximity of this installation may mean a loss of amenity for future occupiers/users.
H28	YK0143	Land to the North of North Lane, Wheldrake	3.15	75	Wheldrake	Legal easement across north west corner of site. Legal easement just out western boundary of site with surface water sewer. Foul sewer in south of site.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. There is sewerage infrastructure crossing the site. Stand off distances for each sewer will apply and so affect the layout of future development.
H29	YK0144	Land at Moor Lane, Copmanthorpe	2.65	64	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H30	YK0145	Land to the South of Strensall Village	2.53	61	Walbutts			anticipated foul water flows from the proposal site.
H31	YK0146	Eastfield Lane, Dunnington	2.51	60	Naburn			anticipated foul water flows from the proposal site. Due to the location of the
H32	YK0147	The Tannery, Strensall	2.22	53	Walbutts	Foul rising main in north of site. Trade effluent sewer in centre of site.		There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H33	YK0148	Water Tower Land, Dunnington	1.8	43	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.

H34	YK0149	Land North of Church Lane, Skelton	1.74	42	Rawcliffe York			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H35	YK0150	Land at Intake Lane, Dunnington	1.59	38	Naburn			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
H36	YK0151	Land at Blairgowerie House, Upper Poppleton	1.5	36	Naburn			There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.
H37	YK0152	Land at Greystone Court, Haxby	1.4	34	Walbutts	Legal easement in north east corner.		
H38	YK0153	Land RO Rufforth Primary School, Rufforth	0.99	24	Rufforth		Within Angram SPZ III	
H39	YK0154	North of Church Lane, Elvington	0.92	25	Elvington	Foul water rising main across centre of site.		
H40	YK0155	West Fields, Copmanthorpe	0.82	22	Naburn	Surface water and foul sewers diagonally across centre of site. Legal easement across the south of site.	Position of sewers would be likely to affect the layout. Diversion may be a suitable alternative.	
H41	YK0156	Land adj. 26 & 38 Church Lane, Bishopthorpe	0.55	15	Naburn			
H42	YK0157	Builder Yard, Church Lane, Bishopthorpe	0.33	9	Naburn			
H43	YK0158	Manor Farm Yard, Copmanthorpe	0.25	7	Naburn			
H44	YK0159	R/O Surgery & 2a/2b Petercroft Lane, Nether Poppleton	0.23	6	Naburn			
H45	YK0160	Land adj. 131 Long Ridge Lane, Nether Poppleton	0.2	5	Naburn			
Employment								
E1	YK0164	York City Centre, Hungate	1.51	E	Naburn	Multiple mains and sewers across the site. Mainly situated along existing roads.		
E2	YK0165	Land north of Monks Cross Drive	0.4	E	Naburn	Main within western boundary. Private main and meter in south east corner.		
E3	YK0172	Ford Garage, Jockey Lane	1.67	E	Rawcliffe York			
E4	YK0173	Land at Layerthorpe	0.2	E	Naburn			
E5	YK0174	Sites at James Street	0.2	E	Naburn	Water main and hydrant across centre of site.		
E6	YK0175	Common Lane, Dunnington	0.9	E	Naburn			
E7	YK0176	Wheldrake Industrial Estate	0.5	E	Wheldrake			
E8	YK0177	Wheldrake Industrial Estate	0.45	E	Wheldrake	Main across western corner		
E9	YK0178	Elvington Industrial Estate	1	E	Elvington			
E10	YK0179	Chessington Park, Dunnington	0.24	E	Naburn			
E11	YK0180	Annamine Nurseries, Jockey Lane	1	E	Rawcliffe York	Main and meter just within site boundary at south.		
E12	YK0167	Land at York Business Park	0.8	E	Naburn	Two legal easements along south of site. Surface water sewer along southern boundary. Water mains along western boundary of site.		
E13	YK0168	End of Great North Way	2.5	E	Naburn			
E14	YK0169	Site to the south of York Business Park	0.2	E	Naburn			
ST5	YK0161	York Central	3.33	E	Naburn	Various sewers and mains within the site. Keyland Freehold land within centre of the site		

ST18	YK0162	Monks Cross North	12.74	E	Rawcliffe York			Within the vicinity of the site the public foul sewer network does not have adequate capacity available to accommodate the anticipated foul water discharge from this proposal. Due to the location of the proposed development it is anticipated that connection to the public sewer network will incur additional costs Developers are encouraged to carry out a site inspection prior to the submission of a planning application.
ST16	YK0163	Terrys	2.8	E	Naburn			
ST19	YK0166	Northminster Buisness Park	15	E	Rufforth			
ST20	YK0170	Castle Piccadilly	2.2	E	Naburn	Combined sewer along south west and south of site. Main along eastern boundary of site.		
ST21	YK0171	Naburn Designer Outlet	8.98	E	Naburn	Surface water sewer and legal easement along south of site, within exisiting road network.	Some areas just within 400m proximity to York Naburn STW. YW recommend an odour assement where sensitive uses occur.	There is adequate capacity in the public foul sewer network to take reasonably anticipated foul water flows from the proposal site.

Annex B: Summary of Petitions

1. Huntington and New Earswick
668 signatures
I/We the undersigned oppose Labour's plans to use Green Belt land across York to build 22,000 houses on over the next 15 years – 2,000 of them in Huntington and New Earswick Ward.

2. Save Acomb Moor Petition
59 signatures
We the undersigned object to the inclusion of part of Acomb Moor as a development site (H9) in the Council's Local Plan. We believe that site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the City and avoids the dominance that any buildings near the Great Knoll would have on the surrounding area. The moor is an important informal recreation amenity for local residents and this should be recognised in the Local Plan.

3. Save the Green Belt Petition
81 signatures
We the undersigned object to the inclusion of land lying between Wetherby Road and Knapton as a "showperson's" camp in the Council's Local Plan. We believe that this site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the City. The introduction of large areas of hard surfacing, together with intrusive storage facilities and maintenance activities, would have a substantial impact on nearby residential areas. Such facilities should be located in commercial estates.

4. (Cllr Ann Reid – see Council Meeting 18th July 2013 agenda item 6 (ii))
2302 signatures
I/We the undersigned oppose Labour's plans to use Green Belt land across York to build 22,000 houses on over the next 15 years.

5. Dunnington Gypsy and Traveller Site
5 signatures
We the undersigned object to the proposal in the City of York Local Plan Preferred Options for a Gypsy and Travellers Site at Common Road/Hagg Lane Dunnington. It will adversely affect: Hassacarr Nature Reserve, the open aspect of the gateway to the village, village green and conservation area, and the parking provision for sporting events.

6. Proposed Siting of Gypsy and Travellers' Site on Common Road, Dunnington by City of York Council
136 signatures
We, the undersigned, object to a travellers' site on Common Road

7. Dunnington Parish Council
1323 signatures
We the undersigned petition the City of York Council to stop the building of a permanent 15 pitch Gypsy/Traveller site using land at Common Lane and Hassacarr Lane in Dunnington, York. It's located on Green Belt land, adjacent to Hassacarr

Nature Reserve and will have a major impact on the people living in the surrounding area, homes and businesses. There are plenty of area around York that would be suitable for these traveller locations that would not affect local residences and businesses. City of York Council needs to support our petition and keep residents happy by providing areas and communities that people feel content to live in.

8. Objection to H37, ST04 and SF4

89 signatures

The signatories below would like to express their objections to the Local Plan Development as defined in the accompanying document: Objects to The York Local Plan in relation to H37, ST04, SF4.

9. Copmanthorpe

879 signatures

We, the undersigned, petition the council to amend the draft Local Plan and save the traditionally Greenbelt-protected sites adjacent to Copmanthorpe from being developed, either for housing or renewable energy generation.

10. Petition against the Huntington Travellers Site

139 signatures

We the undersigned petition the council to stop the building of a permanent site for 20 pitches (20-80 caravans) on a 3 acre plus site, Huntington York. The placement of this travellers site right at the heart of an established community would be disastrous. Locating it immediately adjacent to homes, nature reserve and businesses indicates a complete lack of concern, by the council, for the impact this will have on the way of life of Huntington & Heworth residents. It is hard to conceive of a more inappropriate proposal.

11. Wheldrake

43 signatures

We the undersigned petition the council to listen to residents of Wheldrake and NOT build on Greenfield sites and Natural woodlands inbetween The Cranbrooks & Valley View as part of the York Local Plan (H28).

12. Save the Green Belt Petition (Cllr Lynn Jeffries - see Council Meeting 18th July 2013 agenda item 6 (ii))

124 signatures

We the undersigned object to the proposals in the council's Local Plan for the development of land lying between the existing urban area and the ring road. We wish to see this land retained in the "Green Belt" Instead we believe that the Council should concentrate any new buildings at previously developed, but now unused, sites such as Terry's, Nestle South, British Sugar and the area behind the railway station. We specifically object to the inclusion of part of Acomb Moor as a development site (H9) in the Council's Local Plan. We believe that site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the City and avoids the dominance that any buildings near the Great Knoll would have on the surrounding area. The moor is an important informal recreation amenity for local residents and this should be recognised in the Local Plan.

13. Stop the Clifton Gate Proposals (Julian Sturdy MP)
14 signatures
I/We the undersigned petition the Council to amend the draft Local Plan and save the 330 acres of traditionally Greenbelt-protected land to the North of Clifton Moor from the development of over 4000 new homes. We believe the proposed development of this portion of land is completely inappropriate on the Greenbelt and entirely unsustainable, putting too much strain on the local infrastructure.

14. Stop the Travelling Showpeople Site (Julian Sturdy MP)
288 signatures
I/We, the undersigned, do not want the proposed site on Wetherby Road, Knapton to be used as a base for travelling show people. The proposed plan in the City of York Local Plan is to offer 20 plots, with a minimum size of 500m2 each, to be used as a permanent show people yard on Wetherby Road, Knapton. The proposed site will have a detrimental impact on the area and we see it as an inappropriate development on Green Belt land.

15. Protect York's Greenbelt (Julian Sturdy MP)
416 signatures
I/We the undersigned petition the council to amend the draft Local Plan and save a number of traditionally Greenbelt-protected sites from being developed upon. The sites which have been earmarked by the Council for large scale housing development include Holme Hill and various plots of land at Clifton Moor, Osbaldwick, Copmanthorpe, Woodthorpe, Haxby and Monks Cross. We want to see the character of our villages surrounding York protected. We acknowledge the need for more housing in York, but believe the figure of 22,000 homes to be too high and the loss of over 1000 acres of Greenbelt land to be unsustainable. We believe it is absolutely vital that Brownfield sites are used first.

16. "Save the Green Belt" Petition (Cllr Ann Reid - see Council Meeting 18th July 2013 agenda item 6 (ii))
1084 signatures
We the undersigned object to the proposals in the council's Local Plan for the development of land lying between Wetherby Road and Knapton village. We believe that the site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the city which would otherwise begin to merge with the outer ring road.

17. Petition opposing the development of land at Moor Lane (Cllr Ann Reid - see Council Meeting 18th July 2013 agenda item 6 (ii))
259 signatures
We the undersigned object to the designation of land west of Woodthorpe of house building (ST10). Successive local plans have indicated that this land is important in enhancing York's rural setting. The nearby Askham Bogs nature reserve could be adversely affected by any development. Residents are concerned that development in this area would exacerbate the traffic congestion problems which are already evident at certain times of the day. We therefore petition that the land continue to be included in the "Green Belt".

18. The Future of Huntington
53 signatures
We are residents of Forge Close and Sadlers Close, York YO32 who oppose strongly to the proposed Local Plan which affects our local community and is detrimental to the local infrastructure.
(For more detail see accompanying comment form and statement setting out reasons for objection)

19. Gypsy & Travellers Site, Malton Road, Huntington
1036 signatures
We the undersigned petition the council to stop the building of a permanent site for 20 pitches (20-80 caravans) on a 3 acre plus site, Huntington York. The placement of this site right at the heart of an established community, locating it immediately adjacent to homes, a nature reserve and businesses would not be appropriate in this locality, by virtue of its potential impact on Huntington & Heworth residents,. We believe it is hard to conceive of a more inappropriate proposal.
(For more comments see accompanying email)

20. Dunnington WI– Response to Local Plan Preferred Options
26 signatures
We have decided to deal with this in the same way as a petition to reflect that it is a collective response from an organisation but also to recognise and register each of the signatories.

21. Travellers Site in Huntington E-Petition
87 signatures
We the undersigned petition the council to stop the building of a permanent site for 20 pitches (20-80 caravans) on a 3 acre plus site, Huntington York. The placement of this site right at the heart of an established community, locating it immediately adjacent to homes, a nature reserve and businesses would not be appropriate in this locality, by virtue of its potential impact on Huntington & Heworth residents.We believe it is hard to conceive of a more inappropriate proposal.

Annex C: Extract from Minutes of Council Meeting 10th October 2013

35. 35. PETITIONS

A. Petitions regarding the Council's Local Plan

In view of the number of signatories to the following petitions relating to the Council's Local Plan and in accordance with the Council's current petitions scheme, these were discussed by Members. Consideration was also given to a background report from the Assistant Director for City and Environmental Services:

- Presented by Cllr Ann Reid – Council Meeting, 18th July 2013
  2302 signatures

  "I/We the undersigned oppose Labour's plans to use Green Belt land across York to build 22,000 houses over the next 15 years."

- Dunnington Parish Council
  1323 signatures

  "We the undersigned petition the City of York Council to stop the building of a permanent 15 pitch Gypsy/Traveller site using land at Common Lane and Hassacarr Lane in Dunnington, York. It's located on Green Belt land, adjacent to Hassacarr Nature Reserve and will have a major impact on the people living in the surrounding area, homes and businesses. There are plenty of areas around York that would be suitable for these traveller locations that would not affect local residences and businesses. City of York Council needs to support our petition and keep residents happy by providing areas and communities that people feel content to live in."

- Presented by Cllr Ann Reid - Council Meeting, 18th July 2013
  1084 signatures

  "We the undersigned object to the proposals in the council's Local Plan for the development of land lying between Wetherby Road and Knapton village. We believe that the site should continue to be included in the Green Belt as it protects the rural setting of the western approach to the city which would otherwise begin to merge with the outer ring road."

- Gypsy & Travellers Site, Malton Road, Huntington
  1036 signatures

  "We the undersigned petition the council to stop the building of a permanent site for 20 pitches (20-80 caravans) on a 3 acre plus site, Huntington York. The placement of this site right at the heart of an

established community, locating it immediately adjacent to homes, a nature reserve and businesses would not be appropriate in this locality, by virtue of its potential impact on Huntington & Heworth residents. We believe it is hard to conceive of a more inappropriate proposal."

- Say No to the proposed plans for a 16 acre permanent travellers site in Knapton York
  1204 signatures (closed 1st September 2013)

  "We the undersigned petition the council to stop the building of a permanent site for 20 static caravans on a 16 acre site, Knapton York. The council of York want to build it for 'show men ' as a permanent home. The site is bigger than the whole village of knapton put together. Its green belt land and the owner hasn't even been approached about the proposal. This will have a major impact on the people living in the surrounding area, homes and businesses. There are plenty of areas around York that would be suitable for these traveller locations that would not affect local residences and businesses in the York area. York Council needs to support our decisions and keep residents happy by providing areas and communities that people feel content to live in."

- Protect York's Greenbelt
  1232 signatures on 2nd October 2013 (closes 31st December 2013)

  "We the undersigned petition the council to amend the draft Local Plan and save a number of traditionally Greenbelt-protected sites from being developed upon. The sites which have been earmarked by the Council for large scale housing development include Holme Hill and various plots of land at Clifton Moor, Osbaldwick, Copmanthorpe, Woodthorpe, Haxby and Monks Cross. We want to see the character of our villages surrounding York protected. We acknowledge the need for more housing in York, but believe the figure of 22,000 homes to be too high and the loss of over 1000 acres of Greenbelt land to be unsustainable. We believe it is absolutely vital that Brownfield sites are used first."

Following the debate the Lord Mayor confirmed that the petitions and debate had been noted and would be taken into account as the Council progressed consideration of its Local Plan.

DRAFT

Annex D: Delivering Strategic Sites

Introduction

The National Planning Policy Framework (NPPF) promotes sustainable development and encourages planning authorities to plan positively for their area. The Local Plan is the key document delivering this sustainable development and reflects the vision and aspirations of local communities.

The setting of strategic priorities within the Local Plan is set out within the NPPF (para 156). This advocates strategic policies to deliver the homes and jobs needed in the local authority and broad locations for strategic development as well as additional specific site allocations for promoting development (para 157). In addition, the NPPF requires proportionate evidence base to be submitted to support the plan (para 158). In particular, the NPPF requires that Local Plans' pay careful attention to viability to ensure that the plan is deliverable. With regards to this, paragraph 173 of the NPPF states:

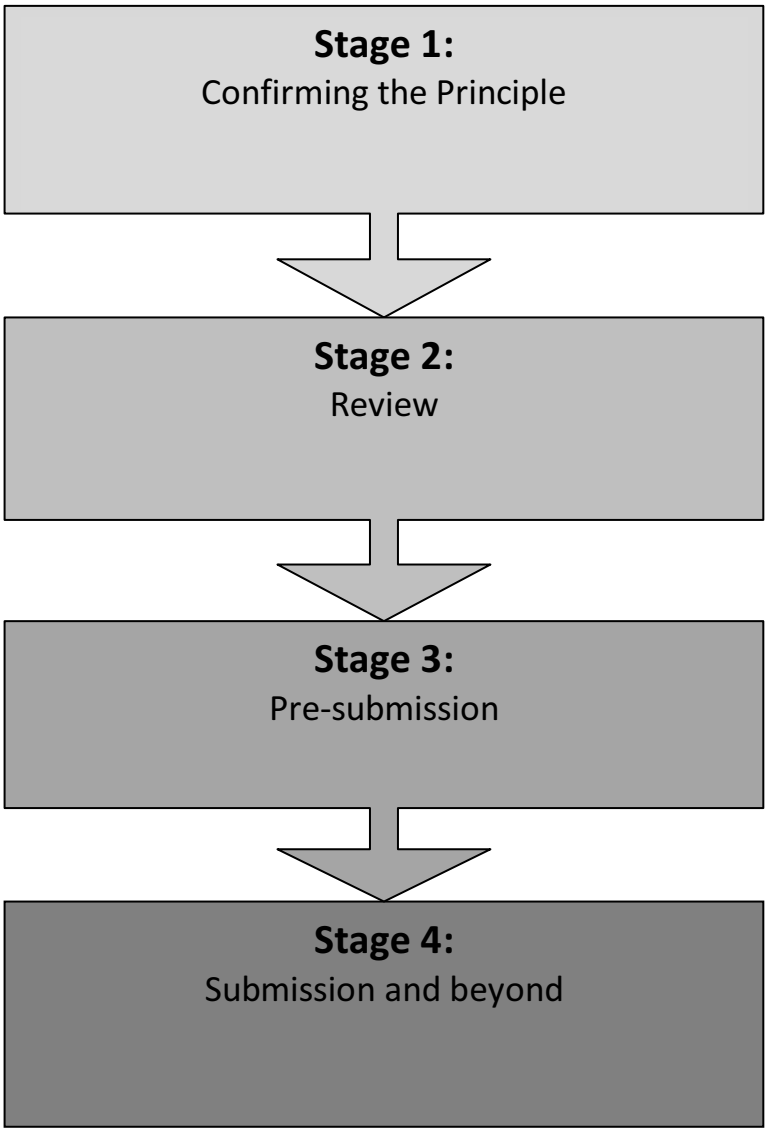
"The sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing standards, infrastructure contributions or other requirements should when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."

What is this Framework?

In order to achieve the requirements of the NPPF, City of York Council want to ensure that the strategic sites within the Local Plan are viable and deliverable. This Framework sets out key milestones leading up to the submission of the Local Plan for examination and the proportionate evidence base that is required to prove that the site should be contained within the plan.

The Level of detail required to meet the checklist will be influenced by when you are intending to deliver the site – for sites proposed for delivery within the first five years, confidence on delivery will be greater. The framework is intended to give you a general understanding of what we will need by when and will also assist in future discussions and negotiations with the Council during the plan preparation, to ensure that between us, we are able to provide a robust evidence base to support the Local Plan.

Timescales:


Stage 1:
Confirming the Principle
Stage 2:
Review
Stage 3:
Pre-submission
Stage 4:
Submission and beyond

Framework

Stage 1	Stage 2	Stage 3	Stage 4
Confirming the principle We need a general understanding of what your site will deliver and for you to confirm that this site should be included within the plan. We need to know that the landowner/developer is willing	**Review** We need to have confidence that the site can stay in the Local Plan. We need to understand and agree when the site can potentially be delivered We need to know how any 'showstoppers' can be dealt with	**Pre-submission** Where the site is to be delivered early on in the plan period, we will need to know the site is deliverable and viable. In other cases, we will need to know how we will work towards delivery We need to know when and what you are going to deliver	**Submission and beyond** We need you to submit your evidence to prove deliverability. For early deliverable sites we will need to demonstrate site viability and for others, an indication of what issues are outstanding Preparation of an outline applicatio early delivery
Checklist for this stage: ✓ Set out the vision and aims for your site ✓ Explain the relationship to the Local Plan Vision ✓ Confirm that the Landowner/ developer is proved to be willing and working together for delivery ✓ Demonstrate you are aware of any Potential 'showstoppers' or critical issues affecting deliverability, inc. viability ✓ Set out potential levels and timescale of delivery; i.e. indicative numbers, phasing, density	Checklist for this stage: ✓ Likely trajectory for delivery inc. phasing and delivery ✓ An understanding of general, key infrastructure requirements for the site ✓ An understanding of key constraints and potential 'showstoppers' and critical issues ✓ Addressing issues raised through Local Plan Preferred Options Consultation	Checklist for this stage: ✓ 'Showstoppers' are capable of being addressed within the timescales set out for delivery ✓ Delivery trajectory and phasing is understood ✓ Where sites are coming forward early in the plan period: ○ An indication of high level viability. ○ An indicative concept plan ✓ For sites proposing delivery later in the period: we will need a general 'route map' to delivery of how key issues will be addressed	Checklist for this stage: ✓ Evidence to include: ○ Aims and objectives ○ Identification and mitigati of show-stoppers ○ Land-uses and proposals ○ Infrastructure needs ○ Phasing and delivery ○ Implementation route map and key milestones NB: the level of detail required in relation to the above will depend on when the site is likely to come forward.