

**Notice of a public meeting of
Executive**

To: Councillors Aspden (Chair), Ayre, Craghill, D'Agorne, Mason, Runciman, Smalley, Waller and Widdowson

Date: Thursday, 26 January 2023

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Monday, 30 January 2023**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 12)

To approve and sign the minutes of the Executive meeting held on 15 December 2022.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Executive.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Tuesday, 24 January 2023.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Forward Plan (Pages 13 - 18)

To receive details of those items that are listed on the Forward Plan for the Executive meetings in February and March 2023.

5. City of York Local Plan (Pages 19 - 306)

The Corporate Director of Place to present a report which sets out the Local Plan proposed modifications and associated evidence base, and seeks approval to commence consultation on the proposals in order to move forward with the Local Plan adoption process.

Note: Annexes 2, 4, 5, 6, 7 and 8 to the above report have not been included in the printed or PDF version of the agenda pack but are available to view online with the agenda.

6. Introduction of Community Infrastructure Levy (Pages 307 - 322)

The Corporate Director of Place to present a report which outlines a draft CIL Charging Schedule setting out proposed changes to support delivery and mitigate impacts of development arising from the emerging Local Plan, and seeks approval to consult on the draft.

Note: The annexes to the above report have not been included in the printed or PDF version of the agenda pack but are available to view online with the agenda.

7. Recommissioning of Domestic Abuse Services (Pages 323 - 344)

The Director of Public Health to present a report which seeks approval to approach the market for the recommissioning of Domestic Abuse Services in York, with the procurement to be led by the North Yorkshire Police, Fire and Crime Commissioner on behalf of City of York Council and North Yorkshire County Council.

8. Urgent Business

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

Democratic Services officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 552030
- E-mail – fiona.young@york.gov.uk

For more information about any of the following please contact the Democratic Services officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

**Ta informacja może być dostarczona w twoim
własnym języku. (Polish)**

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

City of York Council

Committee Minutes

Meeting	Executive
Date	15 December 2022
Present	Councillors Aspden (Chair), Ayre, Craghill, D'Agorne, Mason, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Douglas
Officers in attendance	<p>Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell – Chief Finance Officer Neil Ferris – Corporate Director of Place Jamaila Hussain - Director of Prevention & Commission James Gilchrist – Director of Environment, Transport & Planning Tracey Carter - Director of Housing, Economy & Regeneration Claire Foale – Assistant Director, Policy & Strategy Vicky Japes – Head of Housing Strategy and Performance Andrew Bebbington – Housing Development Co-ordinator Laura Bartle – Principal Strategic Planning Policy Officer Steve Wragg – Flood Risk Manager Michael Howard - Senior Transport Project Manager</p>

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

60. Declarations of Interest

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Aspden, Ward Councillor and Fulford Parish Councillor confirmed that he had an Other Registrable Interest in item 9, Germany Beck Flood Alleviation Scheme Update, this was due to the Parish Council being a landowner affected by the flooding. He confirmed that having spoken to the Monitoring Officer he was able to speak his view on the item then leave the room for that item.

61. Minutes

Resolved: That the minutes of the Executive meeting held on 22 November 2022 be approved and then signed by the Chair as a correct record.

62. Public Participation

It was reported that there had been six registrations to speak at the meeting under the Council's Public Participation Scheme.

Libbie Waddleton spoke on Agenda Item 9 (Germany Beck Flood Alleviation Scheme Update), outlining the impact of flooding on the Germany Beck area which, during major floods, left residents stranded.

Flick Williams spoke on Agenda Item 10 (Bus Network Review), that a reduced schedule was better than losing bus routes altogether. She noted that buses should be run as a public service and not for profit and asked about the reopening of the Poppleton Bar Park and Ride which if opened could have reduced pressure on Christmas traffic.

Rob Gilbert spoke on Agenda Item 9 (Germany Beck Flood Alleviation Scheme Update), noting the flooding impacts on local residents and those traveling, such as school coaches which will use the route that currently floods.

Cllr Pavlovic spoke on Agenda Item 7 (2023-2028 Housing Asset Management and Energy Efficiency Retrofit Plan), raising concerns about the standard of Council homes. He also questioned the Council's focus on projects such as building more expensive Passivhaus homes than focusing on more house building.

Cllr Fenton spoke on Item 10 (Bus Network Review), highlighting the challenges to maintaining the bus network and encouraged the Executive to support the recommendation due to the importance of securing an operator for the no.12 route which was due to be withdrawn by First Bus on 22 January.

Graham Collett spoke on behalf of York Bus Forum on Item 10 (Bus Network Review). He welcomed the reports recommendation and asked how BSIP funding would be used. He suggested that more marketing be undertaken to encourage bus use and the reopening of Poppleton Bar Park and Ride.

63. Forward Plan

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published. The Executive requested that an update item on the Lowfield development site be added to the Forward Plan.

64. York 2032: The 10-Year Plan

[See also under Part B]

The Chief Operating Officer and Assistant Director, Policy & Strategy presented a report which invited Members to review and recommend to Council a 10-year plan entitled 'York 2032: The City Plan.

The Plan, attached as Annex A to the report, was founded on the ambitions and goals set out in the three 10-Year strategies considered by Executive on 22 November 2022. developed by working closely with city partners, it comprised an overarching vision with agreed priorities, together with 5 pledges and a series of actions on which city partners would work together. It was not a fixed plan and would continue to evolve over the months and years ahead providing an opportunity for further consultation to maintain an effective plan.

Recommended: That Council approve and adopt the York 2032: 10-Year Plan on behalf of the city.

Reason: To engage partners, city leaders, businesses, stakeholders and residents to work together on key agreed priority areas and actions that aim to actively improve the quality of life for all York's residents.

65. Financial Strategy 2023/24 to 2027/28

The Chief Finance Officer presented a report which provided background information for the council's overall Financial Strategy, outlining some of the key challenges the Council faced which included an approximate £10 million gap in the Council's current budget for 2023/24.

The Executive noted the challenges for Council's across the country and the issues with finding further efficiencies after over a decade of cuts to funding. It was confirmed that consultation on the budget would be held at the January Finance and Major Projects Executive Member Decision Session. The servicing of debt and the capital programme was discussed and it was requested that future budget reports show a further breakdown of funds used in the capital programme.

Resolved:

- i. That the financial challenges being faced by the council, and the high-level financial assumptions that feed into the forecast budget gap, be noted;
- ii. That the budget consultation process, as outlined in paragraphs 20 to 28 of the report, be noted;
- iii. That the decision-making process and timeline outlined in the report be noted.

Reason: To ensure that the Council has a robust, balanced budget.

66. 2023-2028 Housing Asset Management and Energy Efficiency Retrofit Plan

The Director of Housing, Economy & Regeneration presented a report which set out an investment of capital and revenue funding over 5 years to improve and increase council housing stock in York, together with a Retrofit Action Plan to support this asset management approach.

The Executive welcomed the report and the plan to have all Council homes raised to an EPC C in five years. The speed of tackling repairs, damp, and mould were discussed. Officers noted that during the pandemic some tenants had not taken up an option from tenancy choice and would be given the option again before the next schedule for the programme was started. With any Council tenants waiting significant time for repairs regarding standing water or damp Ward Councillors were encouraged by the Executive to raise these issues with Council officers.

Resolved:

- i. That the Housing Asset Management approach for 2023-28, as outlined in the report, be approved, ensuring that the council invests well in its housing stock in order to provide safe, sustainable, affordable and good quality homes by:
 - a. continuing to deliver to the government's Decent Home Standard;
 - b. adopting the enhanced York Standard;
 - c. continuing to identify and work to deal with damp and mould in homes;
 - d. adapting more homes to meet the needs of people with mobility difficulties, older and disabled people, including children with long term illnesses and complex conditions;
 - e. delivering homes for older people that support and enhance independence, safety and care; and
 - f. building new homes to a high standard to meet the growing and changing needs of the city's residents.
- ii. That the expected HRA business plan investment of around £53m over the next 5 years into the repair, modernisation and improvement of existing properties, with the ambition to increase this sum via the award of government grant and other funds to drive forward energy efficiency retrofit, be noted.
- iii. That the Retrofit Action Plan at Annex A to the report, which provides a strategic framework to improving the energy efficiency and the thermal performance of

both council houses and those in the private sector, be approved.

- iv. That an annual report be brought to the Decision Session of the Executive Member for Housing & Safer Neighbourhoods describing performance against the ambitions of the Asset Management and Retrofit objectives outlined in the report, providing increased oversight and transparency for council house residents.

Reason: To provide a robust asset management approach to the council's capital investments, ensuring council homes are safe, sustainable, affordable and good quality.

67. City of York Planning Policy Housing Delivery Action Plan (HDAP) Update and Local Development Scheme (LDS) Update

The Corporate Director of Place presented a report which sought approval for an update to the Planning Policy Housing Delivery Plan, prepared in response to the government's publication of the 2021 Housing Delivery Test results, together with a Local Development Scheme setting out a planning work programme for the council from November 2022 to December 2024.

It was confirmed that the plan had been considered by the Local Plan Working Group. The Executive welcomed the work of the Housing Delivery Action Plan and noted the consent that had been provided to private developers and the challenges in seeing homes built in the private sector with many sites having permission but not being built on. The Council's policies for building on Council sites was discussed in relation to the Council's housing waiting list, the percentage of affordable homes that should be on a site verses the cost of building and the use of private sales of Council built properties.

Resolved:

- i. That the update to the Housing Delivery Action Plan at Annexes A and B be approved, and that the

continued implementation of the Plan across corporate teams be supported.

Reason: To ensure that the council complies with its duties within the NPPF and PPG (setting out appropriate actions for the council to consider and explore in the short, medium and long term in an attempt to increase housing supply and delivery), and to fulfil the council's commitment within the 2019-2023 Council Plan to 'creating homes and world-class infrastructure'.

- ii. That authority be delegated to the Corporate Director of Place to include within the Housing Delivery Action Plan the motion approved by Council on 22 October 2022 calling on Executive to action work concerning 'controlling the concentration of short term and holiday lets'.

Reason: To acknowledge and reflect this stream of work in the Housing Delivery Action Plan.

- iii. That authority be delegated to the Corporate Director of Place to sign off the publication version of the HDAP.

Reason: To agree the presentation of the publication version of the HDAP.

- iv. That the Local Development Scheme Update at Annex C be approved.

Reason: To ensure that the Council Complies with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

68. Germany Beck Flood Alleviation Scheme Update

Cllr Aspden noted the damage done by flooding to the area and the need for a flooding plan before leaving the meeting for the item as confirmed during Declarations of Interest, Cllr D'Agorne chaired this item.

The Director of Environment, Transport & Planning presented a report which set out progress to date on the development of a flood alleviation scheme in Fulford and sought approval to submit a planning application for the project.

The Executive noted the challenges for residents in Germany Beck with those living on Fordlands Road being isolated in past flooding events. The introduction of permeant flood prevention measures was welcomed alongside work across the city to reduce the risk of flooding such as the new Foss Barrier.

Resolved:

- i. That the contents of the report, and the progress of the scheme to date, be noted;
- ii. That approval be given to submit a planning approval application for the project and commence all further approvals based on work developed to date;
- iii. That approval be given to undertake a procurement process to procure a contractor to carry out the construction phase and that authority be delegated to the Director of Place (in consultation with the Executive Member for Environment & Climate Change, the Chief Finance Officer and the Director of Governance or their delegated officers) to take such steps as are necessary to procure, award and enter into the resulting contract, subject to the winning bid being within the budget set out in paragraph 37 of the report;
- iv. That, in the event that the winning bid is in excess of the budget set out in paragraph 37 of the report, a further report be brought to Executive to seek approval to award the contract to the winning bidder.

Reason: To ensure that the flood alleviation scheme in Fulford can be delivered.

69. **Bus Network Review**

Cllr Aspden returned to the meeting and resumed as chair.

The Director of Transport, Environment & Planning presented a report which provided an update on actions taken so far and made further recommendations to stabilise the local bus network. It was confirmed that the majority of York's buses were run commercially with some routes which were deemed to not be profitable by private operators were commissioned by the Council and subsidised. It was also confirmed that the Council covers any concessionary bus fares to the operators. With the industry having shrunk to 80% of its pre-pandemic level operators were threatening to withdraw funding for some services.

The Executive noted the issues outlined regarding government funding currently running out in March 2023 and welcomed the Council's successful securing of BSIP funding. It was confirmed that that the Council had gone out to tender for a new operator for the number 12 bus and were working with the LEP around driver training and nearby local authorities on cross boundary services. It was confirmed that the Council was looking where required, to move to fewer buses per hour rather than allowing some routes to end. It was noted that officers would review the results of changes which was hoped would result in more buses arriving on time and therefore while having less buses would create a more reliable service.

Resolved:

- i. That the principle that maintaining the extent of the bus network is the key priority within the budgets available be agreed, and that preserving the routes takes priority over preserving bus frequency, to the extent that the council won't fund current commercial services where a reduction in frequency is an option for the operator without significant impact on communities.

Reason: Keeping the bus network, even with a reduced frequency if necessary, gives a better basis to build back in the future. There is limited funding to deliver bus subsidy.

- ii. That authority be delegated to the Director of Transport, Environment & Planning (in consultation with the Leader of the Council, Executive Member

for Transport and the Director of Governance, Section 151 Officer or their delegated officers) to:

- a. work with the Enhanced Bus Partnership to deliver bus support funding through the BSIP allocation;
- b. reduce bus frequency requirements of subsidised bus services to maintain the network if the overall bus subsidy is greater than the budget;
- c. work with all partners, Bus Operators, North Yorkshire County Council and the YNYLEP to identify ways of encouraging recruitment and driver training;
- d. work with the Park and Ride Operator towards reopening Poppleton Bar Park and Ride and returning all other Park and Ride sites to pre-pandemic levels of service by Easter 2023.

Reason: To give officers the flexibility to act at pace and ensure the services are maintained.

- iii. That the removal of the bus subsidy criteria for a period of one year be approved.

Reason: To give officers the flexibility to maintain services within the budget.

- iv. That a report be brought to Executive in the summer providing an update on the Government funding situation, the current levels of bus usage, the progress of action identified in the current report and the impact on bus services.

Reason: To enable Executive to have oversight and to review the options and next steps.

PART B - MATTERS REFERRED TO COUNCIL

70. York 2032: The 10-Year Plan

[See also under Part A]

The Chief Operating Officer and Assistant Director, Policy & Strategy presented a report which invited Members to review

and recommend to Council a 10-year plan entitled 'York 2032: The City Plan.

The Plan, attached as Annex A to the report, was founded on the ambitions and goals set out in the three 10-Year strategies considered by Executive on 22 November 2022. developed by working closely with city partners, it comprised an overarching vision with agreed priorities, together with 5 pledges and a series of actions on which city partners would work together. It was not a fixed plan and would continue to evolve over the months and years ahead providing an opportunity for further consultation to maintain an effective plan.

Recommended: That Council approve and adopt the York 2032: 10-Year Plan on behalf of the city.

Reason: To engage partners, city leaders, businesses, stakeholders and residents to work together on key agreed priority areas and actions that aim to actively improve the quality of life for all York's residents.

Cllr Aspden, Chair

[The meeting started at 10.32 am and finished at 12.40 pm].

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Forward Plan: Executive Meeting: 26 January 2023

Table 1a: Items scheduled on the Forward Plan for the Executive Meeting on 9 February 2023

Title and Description	Author	Portfolio Holder
<p>Housing Delivery Programme Update</p> <p>Purpose of Report</p> <p>To provide an update on the Housing Delivery Programme, specifically delivery progress on Lowfield Green and enabling works on Ordnance Lane. The report will set out a development budget Willow House project for design and engagement work prior to the submission of a planning application.</p> <p>Executive will be asked to: agree future the allocation of a Willow House development budget from the agreed HRA capital programme and agree further preparatory works on Ordnance Lane and options for remaining plots on Lowfield Green.</p>	Sophie Round	Executive Member for Housing & Safer Neighbourhoods
<p>Capital Programme 2022/23 Monitor 3</p> <p>Purpose of Report</p> <p>To provide an update on the capital programme.</p> <p>Executive will be asked to: note the issues, and recommend to Full Council any changes as appropriate</p>	Emma Audrain	Executive Member for Finance & Performance
<p>Finance & Performance 2022/23 Monitor 3</p> <p>Purpose of Report</p> <p>To present details of the overall finance and performance position.</p> <p>Executive will be asked to: note the report.</p>	Debbie Mitchell & Ian Cunningham	Executive Member for Finance & Performance

Title and Description	Author	Portfolio Holder
<p>Capital & Investment Strategy</p> <p>Purpose of Report</p> <p>To set out a framework for all aspects of the council's capital and investment expenditure including prioritisation, planning, funding and monitoring. Executive will be asked to: recommend the strategy to Full Council.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Financial Strategy 2023/24</p> <p>Purpose of Report</p> <p>To present the Financial Strategy, including detailed revenue budget proposals. Executive will be asked to: recommend the proposals to Full Council.</p>	Helen Malam	Executive Member for Finance & Performance
<p>Treasury Management Strategy Statement 2023/24 - 2027/28</p> <p>Purpose of Report</p> <p>To set out the treasury management strategy, including the annual investment strategy and the minimum revenue provision policy statement and prudential indicators. Executive will be asked to: recommend the strategy to Full Council</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Capital Budget 2023/24 to 2027/28</p> <p>Purpose of Report</p> <p>To present the capital programme, including detailed scheme proposals. Executive will be asked to: recommend the proposals to Full Council</p>	Debbie Mitchell	Executive Member for Finance & Performance

Table 1b: Item scheduled on the Forward Plan for the Executive Meeting on 14 February 2023

Title and Description	Author	Portfolio Holder
<p>Devolution – Outcome of Consultation</p> <p>Purpose of Report</p> <p>To summarise the findings from the recent statutory consultation on the draft Scheme for York and North Yorkshire Devolution.</p> <p>Executive will be asked to: consider any amendments to the Scheme following consultation and agree submission of the Scheme and Consultation Summary to Government</p>	Will Boardman	Executive Leader (incorporating Policy, Strategy and Partnerships)
<p>York Local Transport Strategy Consultation</p> <p>Purpose of Report</p> <p>To seek approval to commence consultation on the high level principles and priorities for York that will underpin future Transport Strategies. This will be required regardless of devolution as it will shape both the city councils’ policies and help shape their priorities as they will become the Transport authority for the City setting Transport Policy. After consultation and pending guidance from the Department for Transport, further reports will be brought to Executive to adopt any Transport Policy which will then feed into a new Local Transport Plan that will require public decision before adoption.</p> <p>Executive will be asked to: approve the consultation and resident engagement on future transport policy.</p>	Julian Ridge	Executive Member for Transport

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 16 March 2023

Title and Description	Author	Portfolio Holder
<p>Re-commissioning of Sexual Health Services</p> <p>Purpose of Report</p> <p>To comply with the mandatory duty to provide appropriate access to free sexual health and contraception services, currently fulfilled by commissioning an Integrated Sexual Health Services (ISHS) contract with York and Scarborough Hospitals NHS Foundation Trust and Long-Acting Reversible Contraception (LARC) via a contract with NIMBUS Ltd representing GP Practices across York. These contracts are due to end on 30 June 2024.</p> <p>Executive will be asked to: approve the decision to recommission sexual health services.</p>	<p>Philippa Press</p>	<p>Executive Member for Adult Social Care & Public Health</p>
<p>Internal Re-organisation and Security of Clifton Green Primary</p> <p>Purpose of Report</p> <p>To set out proposals for the re-organisation and security of Clifton Green Primary school.</p> <p>Executive will be asked to: approve the expenditure for the re-organisation and security of Clifton Green Primary.</p>	<p>Claire McCormick</p>	<p>Executive Member for Children, Young People & Education</p>

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason
Housing Delivery Programme Update <i>See Table 1 for details.</i>	Sophie Round	Executive Member for Housing & Safer Neighbourhoods	26/1/23	9/2/23	To allow further analysis of options to take place.
Re-commissioning of Sexual Health Services <i>See Table 2 for details.</i>	Philippa Press	Executive Member for Adult Social Care & Public Health	9/2/23	16/3/23	To provide additional time for market engagement with potential providers and further legal consideration of the options for recommissioning sexual health services.

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Executive**26 January 2023**

Report of the Corporate Director of Place
Portfolio of the Executive Member for Finance and Major Projects

City of York Local Plan**Summary**

1. The purpose of this report is to seek agreement on the Local Plan proposed modifications and associated evidence base, propose the production of a range of thematic SPD's, consider an Article 4 Direction and further evidence gathering in relation to how best to control short term holiday lets and HMOs to support the implementation of the Local Plan and to recommend Members to move forward with the Local Plan adoption process.

Recommendations

2. The Executive is asked to:
3.
 - i. approve the schedules of modifications and evidence provided at Annexes 1 to 8 inclusive and Table 1 of this report and agree to commence consultation on the Proposed Main Modifications and the associated evidence base.
 - ii. delegate authority to Corporate Director of Place, in consultation with the Executive Member for Finance and Major Projects, to agree any minor (non-material) amendments and to sign off the publication version of the Local Plan Proposed Modifications prior to public consultation.

Reason: For the Local Plan found to be 'sound' the proposed modifications must be formally consulted as set out in the Town and Country Planning (Local Planning (England) Regulations 2012. (Regulations 23,24,25 relating to Examination period)

- iii. to delegate authority to Corporate Director of Place, in consultation with the Executive Member for Finance and Major Projects, to collate the results of the consultation on the Proposed Main Modifications and the associated evidence base, and submit them to the Inspectors for them to draft their report; and
- iv. in the event that there are no material changes following the conclusion of the consultation exercise on the Proposed Main Modifications and the associated evidence base and following receipt of the Inspectors' report, to agree to the submission of the Local Plan (as modified in accordance with the Proposed Main Modifications and the associated evidence base) and the Inspectors' report to Full Council by the Leader, in consultation with Corporate Director of Place, to recommend adoption.

Reason: To support progress towards adoption of the Local Plan, which will ensure the Council meets its statutory and national planning policy requirements.

- v. approve the proposed list of Supplementary Planning Documents (SPD's) to be produced to support the implementation of the Local Plan

Reason: To support implementation of the Local Plan.

- vi. agree the preparation of an evidence base to support the possible introduction of an Article 4 direction to remove permitted development rights to allow changes of use from office to residential.

Reason: To support implementation of the Local Plan.

- vii. note the evidence gathering in relation to short term lets and HMOs.

Reason: To establish how best to monitor and control these uses and support implementation of the local plan.

Local Plan Proposed Modifications and Evidence Base

- 4. The Publication Draft Local Plan ("Draft Plan") was submitted for independent Examination on 25 May 2018. Examination hearings commenced on 10 December 2019 with Phase 4 hearings closing on 22 September 2022. The hearings addressed all of the topics and issues covered by the Local Plan, including housing requirement; housing sites;

employment sites and policies, infrastructure provision, environmental and sustainability policies and Gypsy and Traveller provision.

5. The purpose of the Examination process is for the Planning Inspectors to assess whether the Draft Plan is “sound”; that is:
 - **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** – – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

6. During the examination, a number of matters were identified that required modifications to make the Draft Plan “sound”. A consultation on the proposed Main Modifications to the Draft Plan is proposed to take place from early February 2023 for a period of six weeks.

7. This consultation is focused on the proposed Main Modifications to both policy text and the associated policy map. Comments from representors can relate only to the proposed Main Modifications and must address matters of soundness as detailed above.

8. The consultation will include the following (provided as Annexes to this report):
 - Annex 1 – Local Plan Main Modifications Schedule
 - Annex 2 - Local Plan Additional Modifications Schedule
 - Annex 3 - Local Plan Policy Map Modifications Schedule
 - Annex 4 – Sustainability Appraisal Addendum
 - Annex 5 – Sustainability Appraisal ST15a
 - Annex 6 – Habitat Regulation Appraisal Addendum
 - Annex 7 – Habitat Regulation Appraisal ST15a
 - Annex 8 – Equalities Impact Assessment Addendum

9. A schedule of additional modifications will also be published for information and to help with clarity. These are modifications to aid clarity, fix text errors and update references but which do not make changes to the policy intent or content.
10. A summary of the key changes to both policy and maps is provided below for clarity.

Key Local Plan Main Modifications

University of York

- Policy ED1: University of York
 - Policy ED2: Campus West
 - Policy ED3: University of York Campus East
11. The policy text for the three policies directly related to the University has been modified. Despite the significant drafting amendments, the intent of the policies remain broadly the same as originally drafted. As part of discussions with the University and with Historic England the key change in approach is to remove the general 23% density limitation on both Campus West and Campus East. This has been replaced with a design and masterplanned led approach.

Student Housing

- Policy ED5: York St. John University Further Expansion
 - Land at Heworth Croft (SH1)
12. York St John University has land allocated at Heworth Croft (SH1) for student housing in Policy ED5. During Phase 3 hearings the inspectors requested that the Council identified an appropriate capacity and proposed policy modifications to that effect. Following discussions with the University and upon review of some initial capacity work, modifications seek to clarify that the site can potentially support a development of around 400 student bedspaces.

Affordable Housing

- Policy SS1: Delivering Sustainable Growth for York
- Policy H10: Affordable Housing

13. As part of the Inspectors' scrutiny of the overall affordable housing need in York and the plan's response to it, the Council was asked to consider quantifying the proportion of need that could achievably be delivered by 2033. Accordingly, a target of 45% has is introduced in Policy SS1 by way of modification. The target balances realistic delivery expectations with ambition, being based on reasonable assumptions that the estimated delivery of affordable housing will be supplemented by other sources of supply.
14. Policy H10 sets out the Council's approach to affordable housing contributions from new residential development. On smaller sites (less than 14 dwellings), the policy requires an off-site financial contribution. A potentially complex approach to calculating the off-site contributions is proposed to be replaced with a flat rate of 10% on all proposals of between 5 and 14 dwellings.

Student Housing and Affordable Housing

- Policy H7: Off Campus Purpose Built Student Housing
15. The inspectors also requested the Council explore the potential for contributions to affordable housing to be sought from student housing developments (off-campus and/or not university owned sites). Viability testing was subsequently carried out, which demonstrated that a contribution could be introduced without compromising development viability.
 16. On this basis of the viability evidence, modifications are proposed to Policy H7 which require student housing proposals to make a financial contribution to affordable housing at a rate of 2.5% per bedspace. Requiring student housing schemes to make financial contributions to affordable housing is one of the measures proposed to help increase provision and move towards the 45% target (referred to in paragraph 12).

Gypsy and Traveller

- Policy SS1: Delivering Sustainable Growth for York
 - Policy H5: Gypsies and Travellers
 - Policy H6: Travelling Showpeople
17. The Draft Plan proposed the following provision for Gypsy and Travellers and Travelling Showpeople:

- 3 additional pitches on CYC sites to meet the needs of Gypsies and Travellers that do meet the definition.
 - 44 pitches to be delivered on Strategic Sites for Gypsies and Travellers that did not meet the definition.
 - 3 plots for Travelling Showpeople.
18. However, this provision was based on a Gypsy and Traveller Accommodation Assessment (GTAA) undertaken in 2017 and was not considered to reflect up-to-date need. The Council commissioned an update to the GTAA in June 22. This GTAA identified a different requirement for Gypsy, Traveller and Travelling Showpeople to that originally proposed within the Plan. Whilst the overall numbers of pitches has not increased, the updated evidence identified a change in the need and delivery required.
19. Modifications are proposed as below to address the updated identified need:
- 10 additional pitches on CYC sites to meet the needs of Gypsies and Travellers that do meet the definition.
 - 30 pitches to be delivered on Strategic Sites for Gypsies and Travellers that do and do not meet the definition.
 - 4 plots for Travelling Showpeople Policy SS1: Delivering Sustainable Growth for York.
20. Further work has been done in response to the Inspectors' request for the location and delivery trajectory of the 10 pitches on CYC sites to be provided. This information has been submitted to the Inspectors, published on the Examination Library website and is also provided as Annex 9.

Key Policy Map Main Modifications

21. The Local Plan Policy map will set detailed inner and outer greenbelt boundaries for the first time. These proposed detailed boundaries are shown on the Policy Map. As part of the discussion at the Local Plan hearings and to address the Inspectors concerns, modifications have been proposed to some boundaries. A number of these amendments were formally consulted on in 2019 and 2021. The boundaries were later discussed in detail during the phase 3 and 4 sessions in 2022 and further modifications proposed.

22. Post the hearing sessions, Inspectors issued additional comments on specific sites and the proposed greenbelt boundaries. A detailed response was submitted to the Inspectors, published on the Examination Library website and is also provided as Annex 10.
23. The Proposed Modifications Schedule at Annex 3 supersedes all previous Policy Map Proposed Modifications Schedules. It incorporates all of the policy map changes that are proposed to be taken forward. Where a modification appears in a previous schedule but is not within the current Proposed Map Modifications Schedule it has not been taken forward. The key changes to the Policy Map which have not been formally consulted on before are listed below:
- An area of the central campus of Askham Bryan is proposed to be removed from the greenbelt
 - An additional area of land is proposed to be allocated for a secondary school if required as part of the site allocation at ST15. This is shown as ST15a
 - An area of land adjacent to the Imphal Barracks allocation is proposed to be removed from greenbelt
 - The boundary at St Peters School has been amended to remove land from the greenbelt
 - A 400m buffer zone is now shown on the Policy Map around Strensall Common to reflect the requirements of Policy GI2a. A 5.5km buffer zone is also identified in Policy GI2a and is shown on a separate inset map. Wording associated with Policy GI2a formed part of the 2021 consultation, but associated Policy Map additions were not.
24. The modifications include updates to boundaries and allocations where sites have been built out and only a small part of the site remains.
25. On the originally published Policy Map 'Conservation Areas' and 'Areas of Archaeological Importance' were denoted by a star. Both these designations are mapped by the Council and it is proposed to add these boundaries onto the Policy Map for ease and clarity of use.

Evidence Base

26. Alongside the Main Modifications, it is intended to formally consult on evidence published since the Local Plan was originally submitted and which has not yet been consulted on. Table 1 below provides a list of these documents along with the associated CYC Examination Library reference and date published.

Table 1: Updated Evidence

Examination Library Ref	Title	Date added
EX/CYC/76	Housing Supply Update 16 May 2022	16-May-22
EX/CYC/76a	Housing Land Supply Update Addendum Responses to representations made to EX/CYC/76 21 June 2022	24-Jun-22
EX/CYC/76b	Appendix 4 Part 1 - Major Sites with Consent	27-Jun-22
EX/CYC/76c	Appendix 4 Part 2 - Major Sites (Allocations) Consent	27-Jun-22
EX/CYC/76d	Appendix 4 Part 3 - Approved Communal Est Sites	27-Jun-22
EX/CYC/76e	Appendix 4 Part 4 - Allocations No Consent - Non-strategic	27-Jun-22
EX/CYC/76f	Appendix 4 Part 5 - Allocations No Consent - Strategic Sites	27-Jun-22
EX/CYC/76g	Appendix 4 Part 6 - Resolution to Grant	27-Jun-22
EX/CYC/76h	Appendix 4 Part 7 - Communal Estabs No Consent	27-Jun-22
EX/CYC/77	Windfall Update Technical Paper 2022	16-May-22
EX/CYC/79	Phase 2 Infrastructure Note May 2022	18-May-22
EX/CYC/86	Green Belt Topic Paper 1 Annex 7 update 23 June 2022	24-Jun-22
EX/CYC/87	Local Plan Forecasting Report	30-Jun-22
EX/CYC/87a	Local Plan Modelling Report	30-Jun-22
EX/CYC/88	Gypsy and Traveller Accommodation Assessment	07-Jul-22
EX/CYC/89	Sustainable Transport Study By Wood July 2022	08-Jul-22
EX/CYC/91	Comparative Effects Of Different Spatial Distributions	08-Jul-22
EX/CYC/92	Local Housing Needs Assessment By Icenl July 2022	08-Jul-22
EX/CYC/99a	Viability Assessment of ST7 - July 2022	21-Jul-22
EX/CYC/99b	Viability Assessment of ST14 - July 2022	21-Jul-22
EX/CYC/99c	Viability Assessment of ST15 - July 2022	21-Jul-22
EX/CYC/104	Draft Climate Change Strategy June 2022	24-Aug-22
EX/CYC/105	Draft Economic Strategy June 2022	24-Aug-22
EX/CYC/106	Air Quality Annual Status Report June 2022	24-Aug-22
EX/CYC/107/1	Housing Trajectory Note August 2022	24-Aug-22

EX/CYC/107/2	Affordable Housing Note August 2022	24-Aug-22
EX/CYC/107/3	Student Housing Policy H7 Note August 2022	24-Aug-22
EX/CYC/107/4	SH1 Land at Heworth Croft Capacity Note August 2022	24-Aug-22
EX/CYC/107/8	Infrastructure Gantt Chart May 2022 Revised August 2022	24-Aug-22
EX/CYC/119	Retail Strategic Sites Briefing Note November 2022	29-Nov-2022
	SA - Main Modifications incorporating SA Technical Note - ST15a	Published as part of this consultation
	HRA - Main Modifications incorporating HRA - ST15a	Published as part of this consultation

Post Consultation

27. Once the formal consultation period is finished the responses received will be reviewed. A report will be prepared summarising all representations along with the Council's response to points raised. This will then be submitted to the Planning Inspectors for consideration along with the final version of the main modifications. It is anticipated this will be in May of 2023.

Supplementary Planning Documents (SPDs)

28. In addition to the Local Plan Proposed Modifications, the Council is proposing to produce a range of thematic SPD's to further support the delivery and implementation of the plan. Following previous agreement at Executive in September 2018, the Council committed to producing the following SPDs:

- Strategic Site SPDs (for each of the strategic development sites);
- Sustainable Transport for Development;
- Health and Well-being;
- Cultural Well-being;
- Green Infrastructure;
- Affordable Housing;
- Gypsy and Travellers and Travelling Showpeople;
- Lower Derwent Valley;
- Low Emission;
- Sustainable Design and Construction;

- Managing Environmental Quality;
 - Local Heritage List;
 - Self Build and Custom Build Housing; and
 - a Review existing draft SPDs including HMOs, Sub-division of dwellings and house extensions.
29. However, following the progress of the Local Plan, it is considered that the originally agreed list may not be the best way to support the delivery of the Plan or represent the most effective use of resource. A revised approach is set out below.
30. It is not necessary for all the strategic sites allocated within the Plan to be subject to individual SPD's to support their delivery. A number of the strategic sites are beginning to advance pre-application discussions as the Plan progresses. The Local Plan policies for each site provide a clear framework for development and it is considered that the application process, including pre-application discussions, are sufficient to deliver the strategic sites. This is considered a better use of Council resource, particularly given an SPD would have to be produced in collaboration with the landowner/ developer. Moreover, the development of SPDs could potentially hinder rather than speed up delivery timeframes.
31. There are also SPD's that could be combined. The Green Infrastructure and Lower Derwent Valley SPDs would possibly be better as one broader SPD rather than two separate SPD's as they are closely related.
32. Additionally, it is considered that some of the individual topic SPD's would be more successfully delivered as themes running through all of the SPDs. Health and wellbeing, cultural wellbeing, equalities, disabilities and accessibility and environmental issues should be embedded approaches into all the SPD's. It is proposed that all SPD's include a delivery and monitoring section. This section may provide standard condition and informative wording to demonstrate how the Council would secure the requirements of the plan policies. Additionally, it could set out monitoring requirements (if appropriate) and how these would be secured.
33. It is considered that the below SPD's may better support the Local Plan.

Climate Change

34. This SPD is already in production and will provide overarching guidance on how to apply the climate change policies within the plan. It will also

include practical advice for homeowners on how to incorporate environmental measures into their improvement and extension schemes as well as advising on approaches to be taken in schemes of larger scale, including those of strategic importance.

Affordable Housing

35. This SPD is already in production and will explain how much affordable housing will be sought from different scales and types of development, the mechanisms for securing it and how and when viability will be considered. It will provide guidance on delivery of other types of housing which expand housing choices and will outline design considerations for ensuring affordable housing is well integrated and indistinguishable from market housing.

Gypsy and Travellers and Travelling Showpeople

36. This would provide detailed guidance on how to deliver Gypsy and Traveller pitches within the strategic site allocations and on Council sites as required by policy and the GTAA. Several of the strategic site sites are likely to come forward quickly as the Plan progresses to adoption and it is considered that this SPD is important to secure the delivery of the required number of pitches and also ensure they are provided to high standard of design.

Green Infrastructure and Biodiversity Net Gain

37. It is expected that this SPD would support applicants to follow the forthcoming legal requirement to ensure development results in a biodiversity net gain of at least 10%. It would set out the process for achieving biodiversity should that net gain not be achievable on an applicant's site, including the process by which landowners could offer land as a potential for hosting off-site biodiversity net gain.

Sustainable Transport

38. A Sustainable Transport SPD is required to set out the transport design standards for new development in York, including, but not limited to car and cycle parking standards, bus stop/ transport hub design, development masterplanning to maximise use of active modes, public transport services, vehicle charging infrastructure and highways design.

The document will consider all aspects of transport design and incorporate the guidance contained in central government's "Decarbonising Transport" and "Gear Change" documents, as well as the anticipated guidance to be given for production of Local Transport Plans and the upcoming revisions being made to Manual for Streets, amongst other policy documents.

Residential Design – alterations and extensions

39. The Council has an guidance related to residential design. This is broadly fit for purpose, and it is intended that a review and update. This will include up to date guidance on climate and environmental improvements (linking to the Climate Change SPD as necessary) as well as accessibility design guidance for homes.

Conversion, Small Sites and Self Build

40. In order to deliver the required housing to meet York's needs, approximately 2,600 homes are expected be delivered via windfall sites as well as conversions. Strategic sites are also required to deliver plots for people who wish to self build. This SPD will provide design guidance to support delivery on these often complex types of site typologies. It will also include up to date guidance on climate and environmental improvements (linking to the Climate Change SPD as necessary) as well as accessibility design guidance for homes.

HMOs

41. The Council has guidance related to the delivery of HMO's. This is considered to be broadly fit for purpose. However, it does require an update and additional guidance around how to best ensure through the use of conditions that the size of the HMO is secured appropriately via the planning process.
42. The Council also has licensing of HMO's with additional licensing coming into effect in early 2023. It is important that the planning service and the licensing service have a joined up approach to manage the impact of HMO's on the surrounding area. This can be done, in part, by including a new section within the updated SPD specifically related to delivery and monitoring. This could include standard conditions which could:
 - secure the number of occupiers
 - removal of permitted development rights if considered appropriate

- secure the number of car parking and cycle parking spaces required to be provided
 - secure the number of refuse containers required to be provided
43. A standard informative could also be included which would provide information relating to the licensing scheme and remind applications that this is a mandatory requirement.
44. A petition was received by the Council requesting an additional Article 4 Direction to remove Permitted Development Rights to extend existing HMOs in Use Class C4 within Badger Hill and other residential areas close to the University of York. The petition states that this is required due to “an increasing number of HMO’s are being enlarged with neither local residents nor the planning system being able to consider the impact of: littering and the accumulation of rubbish; noises between dwellings especially at night; increased parking problems and less commitment to maintain the quality of the local environment.
45. The issues raised in the petition can not necessarily be addressed via the removal of permitted development rights, although there may be instances in which this is an appropriate response. The update to the HMO SPD can set out a range of mechanisms that can help address the issue raised.
46. The additional licensing to be introduced early in 2023 will control numbers within HMO’s and the Council is working on a joined up approach to both enforcement and approving/licensing HMO’s initially.

Shopfront Design and Advertisements

47. Given the historic nature of the centre of York and the number of these type of applications received, it is considered that guidance on both shopfront design and the design and placement of adverts would aid both the Development Management team and applicants. It should simplify the submission process and speed up the determination as requirements would be clear for applicants.

S106 and CIL Guidance

48. This will provide detailed guidance for developers on the Council’s approach to securing S106 obligations to support a consistent approach by Development Management in respect of individual planning

applications. It will also seek to indicate how S106 agreements will work alongside CIL.

Heritage and Conservation SPD / City Walls SPD

49. This will provide detailed guidance on alterations and extensions to listed and historic buildings. It will detail how to ensure that development proposals (including signage/advertisements) would be consistent with and sympathetic to the scheduled monuments/listed buildings. It will also provide a detailed section on proposals directly affecting the City Walls as well as their setting.

Programming

50. The Climate Change and Affordable Housing SPD's are already in the process of being drafted and the timeline is shown in the Local Development Scheme approved by Executive 15 December 2022. The Gypsy and Travellers and Travelling Showpeople SPD is considered as a priority for the reasons detailed above. For the remainder of the proposed SPDs above, it is considered that the new administration should determine how suggested SPD's would be best programmed, to support the delivery of the Local Plan.

Article 4 Direction – removal of Permitted Development Prior Approval Rights to convert from Office to Residential

51. In 2013 the Government introduced a temporary prior approval process for changing office uses into residential. The prior approval process was made a permanent right in April 2016.
52. Applications for prior approval are not subject to the same assessment process as a planning application. There is no requirement to demonstrate the office use is no longer required and proposals are not required to provide for affordable housing or other policy requirements and mitigations.
53. Office to residential conversions via the prior approval process can lead to a significant loss of employment floorspace which can have a detrimental impact on economic development. Table 2 below provides details of the permissions granted under this type of application since 2013. Given the implications of changes in working patterns since 2020 and covid lockdown it is not clear if the downward trend will reverse.

Table 2: Number of prior approvals and associated office floor space

	No of Prior Approvals Granted	Amount of Lost Net Floor Space when implemented (M ²)
2013/14	7	0
2014/15	14	1647.7
2015/16	12	6613.8
2016/17	11	11493.6
2017/18	10	4024.8
2018/19	4	1646.1
2019/20	3	550
2020/21	1	9815
2021/22	1	0
Totals	63	35791

54. The Plan has an annual target to provide around 650 new jobs that will support sustainable economic growth, improve prosperity and ensure that York fulfils its role as a key economic driver within both the Leeds City Region and the York, North Yorkshire and East Riding Local Enterprise Partnership area. The ongoing loss of good quality office space could detrimentally impact on jobs growth by reducing the stock of available office space. It is considered that further investigation should be undertaken to ensure that remaining office space is protected where necessary.
55. Officers will be undertaking further research on this issue to establish whether there is sufficient evidence and a need to provide the basis for an Article 4 direction to remove this right either within the city centre, or subject to findings, a wider area to ensure that office space to support economic growth is protected.

Holiday Lets

56. In addition to the above list of suggested SPDs, the Council acknowledges that short term holiday lettings are becoming an increasing issue in the City, particularly as more people are holidaying in the UK. A Council Motion was tabled at Full Council on 20th October 2022, regarding controlling short term and holiday lets. The motion noted that Council has concerns about the unrestrictive nature of whole home lets and their wider impact on a city with a long-standing and serious

housing supply and affordability problem. In relation to work that could be delivered through Strategic Planning Policy specifically, the motion requested Executive to:

- Agree to commence the process of compiling an evidence base, from which the council can consider adopting a new policy in the future on controlling the spread of short term and holiday let accommodation, post-adoption of the Local Plan;
- Consider bringing forward, in a report to Executive in due course, options for S106 planning conditions that include, but are not restricted to:
 - Exclusivity sales periods for York residents on new build developments;
 - Main residence only conditions / restrictions on short terms lets on new developments;
- Consider the impact of short term holiday lets in the development of the council's various housing policies, including the loss of ordinary family and other housing in York;

57. Following the above motion at Full Council, officers will be undertaking further research on the issues highlighted, to establish an evidence base from which a potential policy approach can be explored.

58. The issue of short term holiday lets is also being considered in the Government's forthcoming Levelling Up & Regeneration Bill, which will place local communities at the heart of the planning system. The Government recognises that too many new homes are being bought by investors speculating on the housing market and leave them empty or flip them to short term holiday rentals. The Bill proposes to address these issues with council tax measures on empty homes, to supplement an additional stamp duty on non-residential buyers. As set out in his letter to all MPs on 5th December 2022, the Secretary of State for Levelling Up, Housing & Communities intends to table an amendment at Commons Report to enable a registration scheme for short term lets in England, which would be discretionary for local authorities. Consultation on how the scheme would be administered is likely to take place before Government's summer recess, with a view to the scheme being up and running as soon as possible afterwards. Additionally, it is proposed that a consultation will take place on reviewing the Use Classes Order to potentially define holiday and short terms lets separately within the Order.

Consultation

59. There has been wide consultation with colleagues across the council as modifications to the Local Plan have developed and evolved throughout the examination process, namely: Planning and Development Services, Transport, Highways and Environment, Housing, and Economy and Regeneration. Colleagues have also been consulted on the latest modifications and a formal six-week public consultation is proposed to commence early February as set out at paragraph 6.
60. Individual SPDs will be subject to separate consultation activities, which will be individually tailored as they come forward.

Options

61. Option 1 – Agree the consultation on the proposed modifications and evidence base to the Local Plan
62. Option 2 – Do not agree the modifications and evidence base for formal consultation
63. Option 3 – Agree the list of SPD's proposed to be delivered
64. Option 4 – Do not agree the list of SPD's and revert to the originally proposed SPD's.
65. Option 5 – Agree to evidence gathering related to the possibility of an Article 4 direction for the removal of permitted development rights for a change from office to residential use
66. Option 6 – Do not agree to evidence gathering for a possible article 4 direction.

Analysis

67. Option 1 would result in the formal consultation and submission to the Planning Inspectorate and allow the Local Plan to progress to adoption. As the plan progresses through the stages to adoption, the policies within the plan gain weight. This provides certainty to developers when considering bringing forward sites for development.

68. Option 2 would halt further progress of the Local Plan as without modifications being submitted to the Planning Inspectorate the Plan would not be capable of being found sound and its adoption therefore prevented. This presents a risk to the Council as this would mean York remains without an adopted Local Plan. In November 2017 the then Secretary of State for Communities and Local Government wrote to the Council and noted that the authority had yet to adopt a Local Plan, and there was ongoing failure to meet deadlines to achieve that aim. The letter also set out that intervention in the plan making process would be considered under certain criteria, including where:
- the least progress in plan-making has been made
 - policies in plans had not been kept up to date
 - there was higher housing pressure; and
 - intervention would have the greatest impact in accelerating Local Plan production
69. If the Local Plan is not progressed, there is a significant risk that national government would intervene in the plan making process.
70. Additionally, Option 2 would put at risk housing delivery as much of the planned housing is within allocations within the greenbelt. Without an adopted Plan housing land supply would be constrained and developers would be hesitant to invest in bringing forward sites.
71. This would also put the implementation of CIL at risk as the Council is required to have an up to date Local Plan to adopt a CIL.
72. Option 3 would mean that the Council would progress with appropriate SPDs to support the delivery of the Local Plan. The SPD's would provide guidance that would enhance the Local Plan policies and ensure that schemes were delivered to meet these policy objectives. Option 4 and a return to the original SPD's agreed would result in SPD's that may not support the plan's implementation in the most effective way.
73. Option 5 would allow officers to understand the impact that office to residential permitted development rights have had on the stock of office building within the City and whether this is sufficient evidence to consider an Article 4 direction to help protect the remaining office space. This would help support the Local Plan job growth target of 650 jobs a year by ensuring sufficient office space is available.

74. Option 6 would mean that the Council would not understand the impact of the impact that office to residential permitted development rights have had on the stock of office building.

Next steps

75. Following public consultation, all responses received would be reviewed and responses compiled. This assessment would then be submitted alongside the draft Local Plan and associated evidence base for the inspectors' final consideration. Following receipt of the inspectors' report, it is anticipated that the Plan would be taken to Full Council for adoption in Autumn 2023.
76. Once adopted, Government guidance requires Local Plans be regularly reviewed, with a legal requirement that they are reviewed at least every 5 years. The required review would use updated evidence base documents and would be carried out alongside ongoing work on SPDs and Neighbourhood Plans.

Council Plan

77. The Local Plan directly supports the achievement of all of the Council Plan 2019-2023 outcome areas as below:
- **Well-paid jobs and an inclusive economy**
By planning for 650 new jobs on average a year, providing a clear policy framework to achieve this and protecting and allocating land for employment uses.
 - **A greener and cleaner city**
By providing environmental and climate change policies to support new development to reach high levels of sustainability as well as mitigate impact on air quality.
 - **Getting around sustainably**
Through the use of sustainable transport policies to ensure planning applications to deliver sustainable transport initiatives along with cycling and pedestrian routes and incorporating these into new development.
 - **Good health and wellbeing**
The policies of the plan require provision of open space to support new development as well as protecting existing open space and sports facilities.
 - **Safe communities and culture for all**
Through design policies that require new development be designed for all ages and abilities as well as designing public spaces to be

accessible for all ages and life stages, including for those with limited mobility. The plan also requires considerations for how design may impact on crime or perception of safety.

- **Creating homes and world-class infrastructure**

By planning for 822 new homes a year on average and requiring supporting infrastructure in the form of sustainable transport, open space, pedestrian and cycle facilities.

- **A better start for children and young people**

Through the requirement for development to provide new schools via direct onsite provision or via off site contribution as well as protecting existing childcare provision

- **An open and effective council**

By clearly articulating the policy requirements, providing a clear framework for developers when looking to submit planning applications.

Implications

Financial

78. The work as presented in this report can be delivered and funded from reserves identified to complete the plan. The preparation and examination of the Local Plan has incurred significant one-off expenditure totalling over £2m over the last four years. Should the plan fail to proceed at this time and is restarted in the future similar sums of budget would need to be identified to refresh the evidence and prepare for new examinations.

Human Resources (HR)

79. There are no human resources (HR) implications. The work detailed within this report will be produced using resource within existing Strategic Planning Policy Team.

Equalities

80. The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise

of a public authority's functions). An addendum to update the original equalities impact assessment (EIA) of the Local Plan has been undertaken and is attached at Annex 8. The EIA has identified that the Local Plan is likely to have a positive effect on social considerations through the continued positive support and provision of housing delivery. SPD's identified in the report will be subject to their own EIA, undertaken as part of their individual preparation.

Legal

81. Legal advice has been sought and provided on the content of this report and the proposed modifications to the draft Local Plan.
82. The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012.
83. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
 - **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.
84. In order for the draft Local Plan to pass the tests of soundness, in particular the 'justified' and 'effective' tests, it is necessary for it to be based on an adequate, up to date and relevant evidence base. The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act).
85. In addition, the Council also has a legal "Duty to Co-operate" in preparing the Plan. (S33A 2004 Act).
86. The Secretary of State for Communities and Local Government wrote to the Council on 16th November 2017 emphasising the importance of up-to date local plans and expressing concern at the lack of progress City of

York had made up to that point. Since then, the Council has been in dialogue with the Secretary of State who continues to monitor progress on the Local Plan closely.

87. There remains a substantial risk of direct interventions by Government into the City's Local Plan making with the consequential inability to steer, promote or restrict development across its administrative area in accordance with its Local Development Scheme.

Crime and Disorder

88. There are no crime and disorder implications.

Information Technology (IT)

89. There are no IT implications.

Property

90. There are no property implications. Should property implications arise from work undertaken to implement the Local Plan or individual SPD's, these will be reported as appropriate.

Other

91. There are no other known implications.

Risk Management

92. The risks associated with not progressing the Local Plan through to adoption are detailed in the report above.

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Report Approved **Date** 10 January 2023

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

For further information please contact the author of the report

Background Papers:

CD001 - City of York Local Plan Publication Draft (Regulation 19 Consultation) (February 2018)

CD004A - City of York Publication Draft Local Plan Policies Maps – North

CD004B - City of York Publication Draft Local Plan Policies Maps - South

CD004C - City of York Publication Draft Local Plan Policies Maps - City Centre

EX/CYC/20 - Proposed Modifications June 2019

EX/CYC/58 - Composite Modifications Schedule April 2021

Controlling the Concentration of Houses in Multiple Occupation Draft 'Supplementary Planning Document (SPD)

House extensions and alterations (draft) Supplementary Planning Document (SPD)

Executive 27 September 2018 Agenda Reports Pack

Executive Thursday, 27 September 2018 Printed Decisions

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (available at:
<https://www.legislation.gov.uk/uksi/2012/767/contents/made>)
Environment Act 2021
(<https://www.legislation.gov.uk/ukpga/2021/30/enacted>)

Annexes

Annex 1 – Local Plan Main Modifications Schedule
Annex 2 - Local Plan Additional Modifications Schedule
Annex 3 - Local Plan Policy Map Modifications Schedule
Annex 4 – Sustainability Appraisal Addendum
Annex 5 – Sustainability Appraisal ST15a
Annex 6 – Habitat Regulation Appraisal Addendum
Annex 7 – Habitat Regulation Appraisal ST15a
Annex 8 – Equalities Impact Assessment Addendum
Annex 9 - Provision for Gypsies and Travellers and Travelling Showpeople
Annex 10 – Greenbelt Boundaries

List of Abbreviations Used in this Report

HMO - Houses in multiple occupation
GTAA - Gypsy and Traveller Accommodation Assessment
SPD - Supplementary Planning Document



City of York Local Plan

Consolidated Main Modifications

January 2023

CONTENTS

CONTENTS 2

1. SECTION 2: VISION 9

MM2.1 Paragraph 2.5 9

MM2.2 Policy DP2: Sustainable Development 9

MM2.3 Policy DP2: Sustainable Development 9

MM2.4 Policy DP2 explanation – paragraphs 2.19a and 2.19b 9

MM2.5 Policy DP4: Approach to Development Management 10

2. SECTION 3: SPATIAL STRATEGY 11

MM3.1 Policy SS1: Delivering Sustainable Growth for York 11

MM3.2 Policy SS1 explanation – new paragraphs 12

MM3.3 Key Diagram 13

MM3.4 Table 1a and 1b (housing supply and distribution) 16

MM3.5 Policy SS1 Explanation – paragraph 3.3 17

MM3.6 Policy SS2: The Role of York’s Green Belt 18

MM3.7 Policy SS3: York City Centre 18

MM3.8 Policy SS4: York Central 19

MM3.9 Policy SS4: York Central 19

MM3.10 Policy SS4: York Central 20

MM3.11 Policy SS5: Castle Gateway 20

MM3.12 Policy SS5: Castle Gateway 20

MM3.13 Policy SS5: Castle Gateway 21

MM3.14 Policy SS5 explanation – new paragraph 21

MM3.15 Policy SS6: British Sugar/Manor School 22

MM3.16 Policy SS7: Civil Service Sports Ground 22

MM3.17 Policy SS8: Land Adjacent to Hull Road 22

MM3.18 Policy SS9: Land East of Metcalfe Lane 23

MM3.19 Policy SS9: Land East of Metcalfe Lane 23

MM3.20 Policy SS9: Land East of Metcalfe Lane 23

MM3.21 Policy SS9: Land East of Metcalfe Lane 24

MM3.22 Policy SS9: Land East of Metcalfe Lane 24

MM3.23 Policy SS9: Land East of Metcalfe Lane 24

MM3.24 Policy SS9: Land East of Metcalfe Lane 25

MM3.25 Policy SS9 explanation – paragraph 3.48 25

MM3.26 Policy SS10: Land North of Monks Cross 25

MM3.27 Policy SS10: Land North of Monks Cross 25

MM3.28 Policy SS10: Land North of Monks Cross 26

MM3.29 Policy SS10: Land North of Monks Cross 26

MM3.30 Policy SS10: Land North of Monks Cross.....	26
MM3.31 Policy SS11: Land North of Haxby	26
MM3.32 Policy SS11: Land North of Haxby	27
MM3.33 Policy SS11: Land North of Haxby	27
MM3.34 Policy SS11: Land North of Haxby	27
MM3.35 Policy SS11: Land North of Haxby	27
MM3.36 Policy SS11 explanation – paragraph 3.56	28
MM3.37 Policy SS12: Land West of Wigginton Road	28
MM3.38 Policy SS12: Land West of Wigginton Road	28
MM3.39 Policy SS12: Land West of Wigginton Road	28
MM3.40 Policy SS12: Land West of Wigginton Road	28
MM3.41 Policy SS12: Land West of Wigginton Road	28
MM3.42 Policy SS12: Land West of Wigginton Road	29
MM3.43 Policy SS12: Land West of Wigginton Road	29
MM3.44 Policy SS12: Land West of Wigginton Road	29
MM3.45 Policy SS12: Land West of Wigginton Road	30
MM3.46 Policy SS12 explanation – paragraph 3.61	30
MM3.47 Policy SS13: Land West of Elvington Lane.....	30
MM3.48 Policy SS13: Land West of Elvington Lane.....	30
MM3.49 Policy SS13: Land West of Elvington Lane.....	30
MM3.50 Policy SS13: Land West of Elvington Lane.....	30
MM3.51 Policy SS13: Land West of Elvington Lane.....	31
MM3.52 Policy SS13: Land West of Elvington Lane.....	32
MM3.53 Policy SS13: Land West of Elvington Lane.....	32
MM3.54 Policy SS13: Land West of Elvington Lane.....	32
MM3.55 Policy SS13: Land West of Elvington Lane.....	33
MM3.56 Policy SS13: Land West of Elvington Lane.....	33
MM3.57 Policy SS13 explanation – paragraph 3.64	34
MM3.58 Policy SS13 explanation – paragraph 3.67	34
MM3.59 Policy SS14: Terrys Extension Sites	34
MM3.60 Policy SS15: Nestle South.....	35
MM3.61 Policy SS16: Land at Tadcaster Road, Copmanthorpe	35
MM3.62 Policy SS16: Land at Tadcaster Road, Copmanthorpe	35
MM3.63 Policy SS16: Land at Tadcaster Road, Copmanthorpe	35
MM3.64 Policy SS16: Land at Tadcaster Road, Copmanthorpe	35
MM3.65 Policy SS17: Hungate.....	36
MM3.66 Policy SS18: Station yard, Wheldrake	36
MM3.67 Policy SS18: Station yard, Wheldrake	36

MM3.68 Policy SS18: Station yard, Wheldrake	36
MM3.69 Policy SS18: Station yard, Wheldrake	37
MM3.70 Policy SS19: Queen Elizabeth Barracks, Strensall.....	37
MM3.71 Policy SS20: Imphal Barracks, Fulford Road	37
MM3.72 Policy SS20: Imphal Barracks, Fulford Road	37
MM3.73 Policy SS20: Imphal Barracks, Fulford Road	37
MM3.74 Policy SS20: Imphal Barracks, Fulford Road	38
MM3.75 Policy SS20: Imphal Barracks, Fulford Road	39
MM3.76 Policy SS21: Land South of Airfield Business Park, Elvington.....	39
MM3.77 Policy SS22: University of York Expansion.....	40
MM3.78 Policy SS22 Explanation.....	40
MM3.79 Policy SS23: Land at Northminster Business Park.....	43
MM3.80 Policy SS24: Whitehall Grange, Wigginton Road	44
3. SECTION 4: ECONOMY AND RETAIL	45
MM4.1 Policy EC1: Provision of Employment Land	45
MM4.2 Policy EC1 Provision of Employment Land	45
MM4.3 Policy EC1 explanation	47
MM4.4 Policy EC1 explanation – table 4.1	47
MM4.5 Policy EC1 Explanation paragraph 4.8a	48
MM4.6 Policy EC2 Explanation paragraph 4.9.....	49
MM4.7 Policy EC5: Rural Economy	49
MM4.8 Policy EC5 Explanation – paragraph 4.17.....	49
MM4.9 Policy R1: Retail Hierarchy and Sequential Approach.....	49
MM4.10 Policy R2: District and Local Centres and Neighbourhood Parades.....	50
MM4.11 Policy R3: York City Centre Retail.....	50
4. SECTION 5: HOUSING	52
MM5.1 Policy H1: Housing Allocations	52
MM5.2 Policy H1, table 5.1.....	52
MM5.3 Policy H1 Explanation – paragraphs 5.4 to 5.16.....	56
MM5.4 Policy H1 Explanation	57
MM5.5 Table 5.2	58
MM5.6 Policy H2: Density of Residential Development	59
MM5.7 Policy H2 explanation.....	59
MM5.8 Policy H3: Balancing the Housing Market	60
MM5.9 Policy H3: Balancing the Housing Market	61
MM5.10 Policy H4: Promoting and Custom House Building	61
MM5.11 Policy H5: Gypsies and Travellers.....	61
MM5.12 Policy H5: Gypsies and Travellers.....	62

MM5.13 Policy H6: Travelling Showpeople	62
MM5.14 Policy H6: Travelling Showpeople	63
MM5.15 Policy H5 and H6 Explanation Para 5.38 and Table 5.3.....	63
MM5.16 Policy H5 and H6 Explanation – paragraph 5.42	64
MM5.17 Policy H7: Student Housing	65
MM5.18 Policy H7 Explanation – paragraph 5.47	66
MM5.19 Policy H9: Older Persons Specialist Housing	66
MM5.20 Policy H9 explanation – paragraph 5.59	67
MM5.21 Policy H10: Affordable Housing.....	67
MM5.22 Policy H10 explanation.....	69
5. SECTION 6: HEALTH AND WELLBEING	73
MM6.1 Policy HW1: Protecting Existing Facilities	73
MM6.2 Policy HW1 explanation – paragraph 9.5.....	74
MM6.3 Policy HW1 explanation – paragraph 6.9.....	74
MM6.4 Policy HW1 explanation – paragraph 6.10.....	74
MM6.5 Policy HW2: New Community Facilities	75
MM6.6 Paragraph 6.12a	75
MM6.7 Policy HW3: Built Sport Facilities	75
MM6.8 Policy HW3 explanation – Paragraph 6.20.....	76
MM6.9 Policy HW4: Childcare provision	77
MM6.10 Policy HW5: Healthcare services.....	77
MM6.11 Policy HW5: Healthcare services.....	78
MM6.12 Policy HW5 explanation – Paragraph 6.36.....	79
MM6.13 Policy HW6: Emergency Services	79
MM6.14 Policy HW7: Healthy Places.....	80
6. SECTION 7: EDUCATION	82
MM7.1 Policy ED1; University of York.....	82
MM7.2 Policy ED1 explanation - paragraphs 7.1a (new) to 7.2	83
MM7.3 Policy ED1 explanation - paragraphs 7.2a, 7.2b, 7.2c, 7.2d and 7.2e	83
MM7.4 Policy ED2: Campus West.....	85
MM7.5 Policy ED2 explanation – paragraphs 7.4, 7.4b and 7.5	85
MM7.6 Figure 7.1.....	86
MM7.7 Policy ED3: Campus East	87
MM7.8 Policy ED3 explanation – paragraphs 7.6 to 7.12.....	88
MM7.9 Policy ED5: York St. John University Further Expansion.....	88
MM7.10 Policy ED5 explanation – paragraph 7.16	89
MM7.11 Policy ED5 explanation – paragraph 7.18a.....	89

7. SECTION 8: PLACEMAKING, HERITAGE, DESIGN AND CULTURE	90
MM8.1 Policy D1: Placemaking.....	90
MM8.2 Policy D1: Placemaking.....	90
MM8.3 Policy D2; Landscape Setting.....	91
MM8.4 Policy D3: Cultural Provision	91
MM8.5 Policy D4: Conservation Areas	92
MM8.6 Policy D4 Explanation – new paragraph 8.26a.....	93
MM8.7 Policy D5: Listed Buildings.....	93
MM8.8 Policy D5 Explanation – new paragraphs.....	94
MM8.9 Policy D6: Archaeology.....	95
MM8.10 Policy D6 Explanation.....	96
MM8.11 Policy D7: The Significance of Non-Designated heritage Assets.....	97
MM8.12 Policy D7 Explanation – paragraphs 8.35 to 8.37.....	97
MM8.13 Policy D8: Historic Parks and Gardens	98
MM8.14 Policy D8 Explanation – new paragraph.....	98
MM8.15 Policy D10: York City Walls and St Marys Abbey Walls (York Walls).....	99
MM8.16 Policy D13: Advertisements	99
8. SECTION 9: GREEN INFRASTRUCTURE	100
MM9.1 Policy GI1 Green Infrastructure.....	100
MM9.2 Policy GI2: Biodiversity and Access to Nature.....	100
MM9.3 Policy GI2: Biodiversity and Access to Nature.....	101
MM9.4 Policy GI2 explanation – paragraph 9.5	101
MM9.5 Policy GI2 explanation – paragraph 9.6	101
MM9.6 Policy GI2a: Strensall Common Special Area of Conservation (SAC)	102
MM9.7 Policy GI4: Trees and Hedgerows.....	105
MM9.8 Policy GI5: Protection of Open Space and Playing Fields.....	106
MM9.9 Policy GI5 explanation – paragraph 9.17	106
MM9.10 Policy GI6: New Open Space provision	106
MM9.11 Policy GI6: New Open Space provision	106
MM9.12 Policy GI6: New Open Space provision	107
9. SECTION 10: MANAGING DEVELOPMENT IN THE GREEN BELT	108
MM10.1 Policy GB1: Development in the Green Belt	108
MM10.2 Policy GB1 Explanation – paragraph 10.8	109
MM10.3 Policy GB1 Explanation – new paragraph	110
MM10.4 Policy GB2: Development in Settlements within the Green Belt.....	110
MM10.5 Policy GB3: Reuse of Buildings	110
MM10.6 Policy GB4: ‘Exception’ Sites for Affordable Housing in the Green Belt.....	110
MM10.7 Policy GB4.....	111

10. SECTION 11: CLIMATE CHANGE	112
MM11.1 Policy CC1: Renewable and Low Carbon Energy Generation Storage	112
MM11.2 Policy CC1: Renewable and Low Carbon Energy Generation Storage	112
MM11.3 Policy CC1 explanation – paragraph 11.8 – 11.11.....	113
MM11.4 Policy CC2: Sustainable Design and Construction of New Development.....	113
MM11.5 Policy CC2: Sustainable Design and Construction of New Development.....	113
MM11.6 Policy CC2: Sustainable Design and Construction of New Development.....	114
MM11.7 Policy CC2: Sustainable Design and Construction of New Development.....	114
MM11.8 Policy CC2: Sustainable Design and Construction of New Development.....	115
MM11.9 Policy CC2 explanation – paragraph 11.15.....	115
MM11.10 Policy CC2 Explanation	115
MM11.11 Policy CC2 Explanation	116
MM11.12 Policy CC2 explanation – paragraph 11.18 – 11.23.....	116
MM11.13 Policy CC3: District Heating and Combined Heat and Power Networks	117
MM11.14 Policy CC3 explanation – paragraph 11.28 – 11.34.....	118
11. SECTION 12: ENVIRONMENT QUALITY AND FLOOD RISK	119
MM12.1 Policy ENV1: Air Quality	119
MM12.2 Policy ENV1 Explanation.....	119
MM12.3 Policy ENV2: Managing Environmental Quality	122
MM12.4 Policy ENV3: Land Contamination.....	123
MM12.5 Policy ENV4: Flood Risk	123
12. SECTION 14: TRANSPORT AND COMMUNICATIONS	126
MM14.1 Section 14 Introduction – paragraphs 14.2-14.3	126
MM14.2 Policy T1: Sustainable Access	126
MM14.3 Policy T1 explanation – paragraph 14.4.....	127
MM14.4 Policy T2: Strategic Public Transport Improvements	127
MM14.5 Policy T2 Explanation – paragraphs 14.15 to 14.23	129
MM14.6 Policy T3: York Railway Station and Associated Operational Facilities	132
MM14.7 Policy T4: Strategic Highway Network Capacity Improvements	133
MM14.8 Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements	134
MM14.9 Policy T6: Development at or Near Public Transport Corridors, Interchanges and Facilities	136
MM14.10 Policy T7 Explanation – paragraph 14.49.....	137
MM14.11 Policy T8: Demand Management.....	137
MM14.12 Policy C1: Communications Infrastructure.....	138
13. SECTION 15: DELIVERY AND MONITORING	139
MM15.1 Policy DM1: Infrastructure and Developer Contributions	139
MM15.2 Policy DM1 explanation – paragraph 15.13	139
MM15.3 Policy DM1 explanation – paragraph 15.15 and Table 15.1	139

MM15.4 Policy DM1 explanation – paragraph 15.21 143

1. SECTION 2: VISION

Section 2: Vision		
Modification Reference	Proposed Modification	Reason for change
MM2.1 Paragraph 2.5	This will require the provision of sufficient land for minimum average annual net provision of 822 dwellings over the plan period to 2032/33 867 dwellings per annum and will include...	To reference the modified housing requirement figure as discussed in phase 2 hearings (matter 2).
MM2.2 Policy DP2: Sustainable Development	<p>iii. Development will help Conserve, Maintain and Enhance the Environment through:</p> <p>...</p> <ul style="list-style-type: none"> Maintaining the natural geomorphology of watercourse, water quality and the ecological value of the water environment including in the River Ouse, River Derwent and River Foss water corridors; Ensuring that there is no deterioration in the status of any surface or ground water body; Making positive progress towards achieving 'good' status or higher in surface and groundwater bodies, in line with the Water Framework Directive; remediation of polluted land/ groundwater or the protection of groundwater; <p>...</p>	To reflect the requirements of the Water Directive Framework as agreed in Statement of Common Ground with the Environment Agency (EX/SoCG/4).
MM2.3 Policy DP2: Sustainable Development	<ul style="list-style-type: none"> Mitigate and adapt to climate change through designing new communities and buildings, transport networks and services that support each community to be energy and resource efficient and reduce carbon emissions. 	To make explicit the Plan's contribution to, and requirement for the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004.
MM2.4 Policy DP2 explanation – paragraphs 2.19a and 2.19b	<p>2.19a The Water Framework Directive (WFD) establishes a legislative framework for the protection of surface waters (including rivers, lakes and coastal waters) and ground waters.</p> <p>2.19b The Water Environment (WFD)(E&W) Regulations 2017 place a duty on each public body, including Local Planning Authorities to 'have regard to' River Basin Management Plans (RBMP), and so the City of York Council must ensure that new development is compliant with the requirements of the WFD and Humber RBMP. York's water resources are a crucial part of the district's environment which provide important wildlife</p>	To reflect the requirements of the Water Directive Framework as agreed in Statement of Common Ground with the Environment Agency(EX/SoCG/4).

Section 2: Vision

Modification Reference	Proposed Modification	Reason for change
	<p>habitats and encourage biodiversity, provide opportunities for recreation and form an important element to alleviate flood risk to the city. Many of York’s watercourses have been physically changed over time for example by land drainage, culverting or being run through artificial channels, which can reduce their amenity value and harm their ecology. Opportunities to re-naturalise watercourses should be supported, for example by removing existing artificial engineering works. Any new physical changes to watercourses in the district should be avoided unless there are compelling grounds for doing so and all alternative options have been considered.</p>	
<p>MM2.5 Policy DP4: Approach to Development Management</p>	<p>Policy DP4 and explanation at paragraph 2.21 deleted.</p>	<p>Notwithstanding the transition arrangements, the NPPF section of DP4 is inconsistent with the latest NPPF (2021) which will technically apply to planning applications. For clarity and effectiveness, the policy is therefore to be deleted.</p>

2. SECTION 3: SPATIAL STRATEGY

Section 3: Spatial Strategy		
Modification Reference	Proposed Modification	Reason for change
MM3.1 Policy SS1: Delivering Sustainable Growth for York	<p>Policy SS1: Delivering Sustainable Growth for York</p> <p>Development during the plan period (2017 - 2032/33) will be consistent with the priorities below. To ensure Green Belt permanence beyond the plan period, sufficient land is allocated for development to meet a further, minimum, period of 5 years to 2038.</p> <ul style="list-style-type: none"> • Provide sufficient land to accommodate an annual provision of around 650 new jobs that will support sustainable economic growth, improve prosperity and ensure that York fulfils its role as a key economic driver within both the Leeds City Region and the York, North Yorkshire and East Riding Local Enterprise Partnership area. • Deliver a minimum average annual net provision of 867 new 822 dwellings over the plan period to 2032/33 and post plan period to 2037/38 that will support an overall housing requirement of at least 13,152 new homes. This will enable the building of strong, sustainable communities through addressing the housing and community needs of York's current and future population. • Deliver 15 new permanent pitches for Gypsies and Travellers and 4 permanent plots for Showpeople (as defined by Planning Policy for Traveller Sites) over the plan period. Whilst the needs of Gypsies, Travellers and Travelling Showpeople who do not meet the planning definition fall outside this allocation, in order to meet their assessed needs the Plan makes provision for 25 permanent pitches for Gypsies and Travellers who do not meet the definition. • Deliver at least 45% of the 9,396 affordable dwellings that are needed to meet the needs of residents unable to compete on the open market <p>The location of development through the plan will be guided by the following five spatial principles.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Modifications to the list of priorities make clear the approach to securing Green Belt permanence; the plan's overall housing requirement (including affordable housing); the Council's target for meeting affordable housing need; and, the plan's provision for Gypsies, Travellers and Travelling Showpeople. These matters were discussed during phase 2 and 3 hearings.</p> <p>Figures updated to reflect latest evidence in the Gypsy and Traveller Accommodation Assessment 2022.</p> <p>Basis for the affordable housing target set out in EX/CYC/107/2).</p> <p>Modification to spatial principles respond to matters discussed during phase 1, recognising that it is unreasonable to require brownfield redevelopment to come forward first.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • Conserving and enhancing York’s historic and natural environment. This includes the city’s character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function. • <u>Prioritise making the best use of previously developed land.</u> • <u>Directing development to the most sustainable locations, E</u>nsuring accessibility to sustainable modes of transport and a range of services. • Preventing unacceptable levels of congestion, pollution and/or air quality. • Ensuring flood risk is appropriately managed. • <u>Where viable and deliverable, the re-use of previously developed land will be phased first</u> <p>York City Centre, as defined on the <u>Proposals Policies</u> Map, will remain the focus for main town centre uses¹.</p>	
<p>MM3.2 Policy SS1 explanation – new paragraphs</p>	<p><u>3.1a The Plan’s strategic policies set out an overall strategy for the pattern, scale and quality of development over the Plan period.</u></p> <p><u>3.1b The Plan focusses on identifying sufficient land to meet housing and economic growth (spatial drivers) in a pattern of development aligned to the factors which shape growth (spatial shapers) set out in SS1. Development is directed to the most sustainable locations, making as much use as possible of suitable previously developed land (with some release of Green Belt land). As is set out in SS1, sustainable growth for York emphasises conserving and enhancing York’s historic environment. The scale and pattern of development is guided by the need to safeguard a number of key elements identified as contributing to the special character and setting of the historic City. These include the City’s size and compact nature, the perception of York being a free-standing historic city set within a rural hinterland, key views towards the City from the ring road and the relationship of the City to its surrounding settlements.</u></p> <p><u>3.1c Development is focussed on the main urban area of York and in new free-standing settlements with some urban and village extensions. The development strategy limits the amount of growth proposed around the periphery of the built-up area of York.</u></p>	<p>New text associated with MM3.1, MM3.3 and MM3.4</p>

Section 3: Spatial Strategy

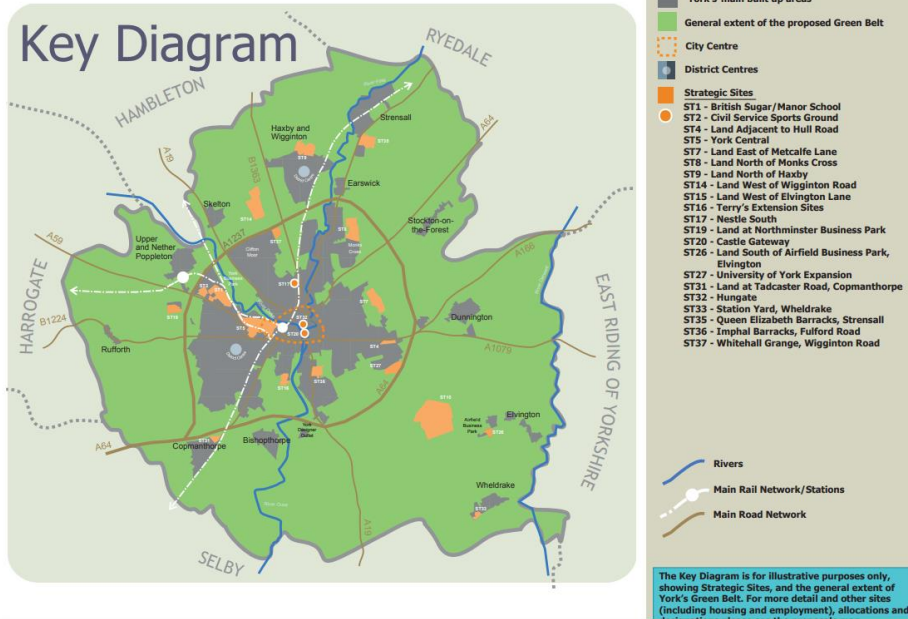
Modification Reference	Proposed Modification	Reason for change
	<p>While new settlements will clearly affect the openness of Green Belt in those locations, their impact is considered to be less harmful to the elements which contribute to the special character and setting of York. Their size and location has taken into account the potential impact on those elements, and on the identity and rural setting of neighbouring villages.</p> <p>3.1d There will also be opportunities for rural exception sites, these small scale developments provide affordable homes in locations where new homes would not usually be appropriate.</p> <p>3.1e The proposed distribution of development identified in the Plan's allocations and deliverable unimplemented consents is described in the following table (Table 1). The anticipated pattern of development as identified in the Plan's strategic allocations is shown on the Key Diagram.</p>	
<p>MM3.3 Key Diagram</p>	<p><u>KEY DIAGRAM</u> 2018</p>	<p>To clarify range of sites delivered within the Spatial Strategy and to be consistent with the recommendations of the HRA (2020) Key diagram amendments to clarify strategic allocations and their locations in line with the spatial strategy and the removal of ST35]</p>

Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change



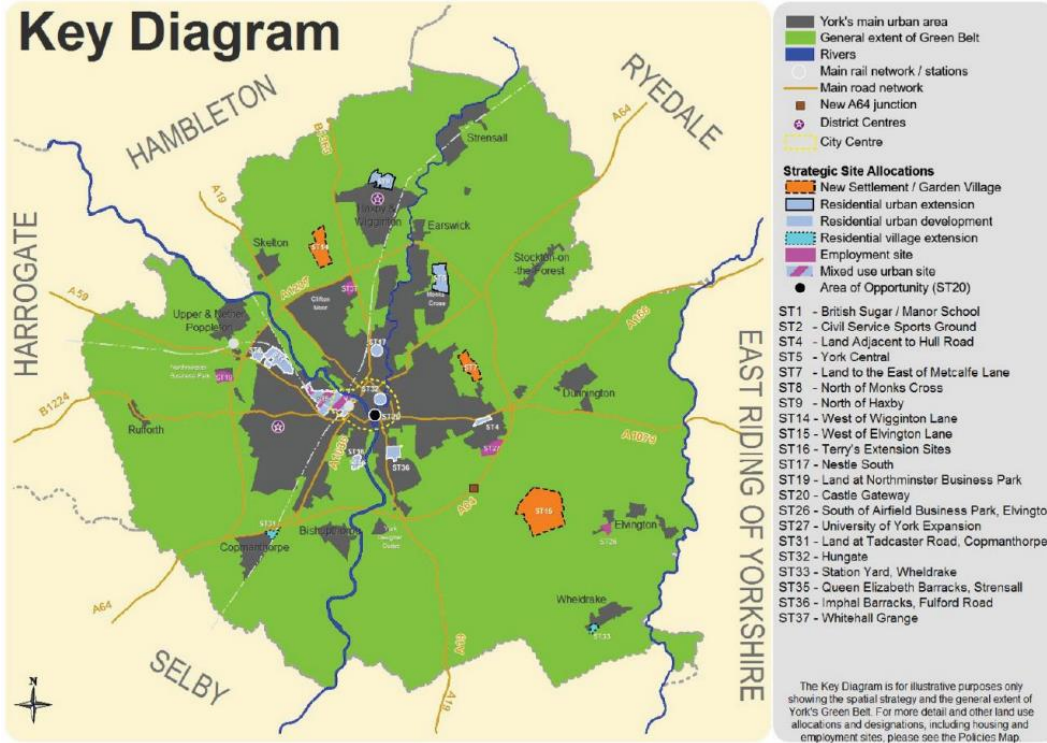
Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change

Proposed modification



Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change

MM3.4 Table 1a and 1b (housing supply and distribution)

Table 1a Sources of supply over the Plan period 2017-2032/33

Total Target (requirement)*	13,152
Net Completions (2017 – 2022)	3,767
Commitments (extant permissions at 1st April 2022)	2,149
Strategic Housing Allocations (ST sites)	8,160
Housing Allocations (H sites)	1,733
Windfall allowance (from 2025/26 @199 dpa)	1,592
Total	17,401

*Requirement = annual requirement (822dpa) x 16 years. Includes housing requirement for Gypsies and Travellers who do not meet the Planning definition.

Defined Gypsy and Traveller housing requirement (Gypsies/Travelling Showpeople)	18 (15/3)
Site allocations	18 (15/3)
Total	18

Informed by our spatial development strategy, the anticipated distribution of allocated sites is reflected in Table 1b below.

Table 1b: Spatial Strategy: Distribution of Housing allocations

Spatial Locations*	Residential Strategic Allocations (ST sites)	Housing Allocations (H sites)	Total Homes**
Residential urban development	6155	1501	7656

To provide clarity on the housing supply and distribution, reflecting EX/CYC/76 and 76a, EX/CYC/86, EX/CYC/88 and EX/CYC/107-1.

Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change

Residential urban extensions	1705	0	1705
Residential village extensions	305	232	537
New Settlements/ Garden Villages	5532	0	5,532
Total	13,697	1,733	15,430

*Note: in the first instance, provision is made within larger allocations for those Gypsies and Travellers not meeting the Planning definition. Alternative provision in line with policy H5 may alter the overall stated spatial distribution.
 ** Note: the figures in Table 1b include delivery of whole allocations which may extend beyond 2032/33 and for a minimum of 5 years to define a permanent Green Belt.

MM3.5 Policy SS1
 Explanation – paragraph 3.3

Housing Growth
 3.3 Technical work has been carried out by GL Hearn in the Strategic Housing Market Assessment Update (2017). This work has updated the demographic baseline for York based on the July 2016 household projections. ~~to 867 per annum.~~ Following consideration of the outcomes of this work, the Council aims to ~~meet~~ ~~address~~ an objectively assessed housing need of ~~867 new dwellings~~ ~~790 homes~~ ~~per annum for the plan period to 2032/33.~~ This produces a housing requirement amounting to a minimum average annual net provision of 822 dwellings over the plan period to 2032/33, including an allowance for ~~any a~~ shortfall in housing provision ~~against this need~~ from the period 2012 to 2017, ~~and for the post plan period to 2037/38.~~

Evidence suggests that there is a need for 9,396 affordable homes in York between 2017-2033. To help meet this need it is important that a reasonable, but viable, proportion of all new housing developments are affordable.

Additional explanation of the approach to meeting housing needs as evidenced during phase 2 and phase 3 hearings (and evidenced in EX/CYC/43a and EX/CYC/107/2).

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>Policies H7 and H10 set out the Plan's policy approach to this, and at least 2,360 affordable homes are expected to be delivered within the plan period through the operation of these policies. Combined with recorded completions (to 1st April 2022), other sources of forecast supply on windfall sites and known provision secured through the Council's Housing Delivery Programme, it is estimated that around 3,265 affordable homes will be delivered in the plan period.</p> <p>To help increase the proportion of need being met to more than 35%, the Council has set a target of providing at least 45% of its affordable housing need. Through its annual monitoring (in accordance with the delivery and monitoring framework at table 15.2), the Council will review progress on meeting the target and take appropriate action and intervention should delivery rates fall short.</p>	
<p>MM3.6 Policy SS2: The Role of York's Green Belt</p>	<p>...</p> <p>The general extent of the Green Belt is shown on the Key Diagram. Detailed Green Belt boundaries are shown on the proposals Policies Map. follow readily recognisable physical features that are likely to endure such as streams, hedgerows and highways.</p> <p>To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>
<p>MM3.7 Policy SS3: York City Centre</p>	<p>...</p> <p>Within the city centre, as defined on the Proposals Policies Map, the following development types are acceptable in principle:</p> <p>Retail (A4 E) – within the designated Primary Shopping Area (PSA). Outside of the PSA the sequential test and impact tests will apply in order to protect the vitality and viability of the city centre;</p> <p>Office (B4a E);</p> <p>Food and Drink (A3/A4/A5 E);</p>	<p>To align policy to use classes which came into force September 2020.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>...</p> <p>Finance and Professional Services (A2 E).</p> <p>As shown on the Proposals Policies Map, the following city centre sites have been allocated:</p> <p>ST32: Hungate (328 dwellings residential development); ST20: Castle Gateway (mixed use); and Elements of ST5: York Central falling within the city centre boundary (mixed use).</p> <p>The city centre will remain the focus for main town centre uses (unless identified on the Proposals Policies Map). Proposals for main town centre uses for non city centre locations will only be considered acceptable in accordance with Policy R1 where it can be demonstrated that they would not have a detrimental impact on the city centre's vitality and viability and that the sustainable transport principles of the Plan can be met. Change of use of existing retail (use class E), office (Use Class E) Use Class A, B1(a) and town centre leisure, entertainment, and culture uses will be resisted.</p> <p>...</p> <p>York Minster Cathedral Precinct is approximately 8 hectares in size (as shown on the proposals Policies Map).</p> <p>...</p>	
MM3.8 Policy SS4: York Central	York Central (ST5), as identified on the Policies Map , will enable the creation of a new piece of the city...	To make clear the location of York Central for effectiveness.
MM3.9 Policy SS4: York Central	The following mix of uses will be permitted within York Central: <ul style="list-style-type: none"> • Offices (B4a E); • Financial and Professional Services (A2 E); • Residential; • Hotels (C1) 	To align policy to use classes which came into force September 2020. To clarify that ancillary retail serving day to day needs does not require an impact assessment, in line with the requirements of Policy R1.

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • Culture, leisure, tourism and niche/ancillary retail facilities; • Open space, high quality public realm and supporting social infrastructure; • Rail uses, and; • Ancillary retail appropriate to serve the day to day needs of local residents and other site users, subject to a sequential assessment, and; • Non-ancillary retail, subject to an impact and sequential assessment. 	
MM3.10 Policy SS4: York Central	Land within York Central is allocated for 1,700 – 2,500 dwellings, of which a minimum of 1,500 (around 950 dwellings will be delivered in the plan period), and approximately 100,000 sq m of Office (E B4a).	Replacing 'minimum' with 'around' and including 'approximately' to provide appropriate flexibility. Revision to 950 dwellings is for consistency with the latest housing trajectory. Reference to class E to reflect use class which came into force September 2020.
MM3.11 Policy SS5: Castle Gateway	Castle Gateway (ST20) is allocated as an Area of Opportunity, as indicated on the Proposals Policies Map...	To correct the reference to the 'policies' map.
MM3.12 Policy SS5: Castle Gateway	... The purpose of the regeneration is to: <ul style="list-style-type: none"> • Radically enhance the setting of Clifford's Tower and other features within the Eye of York to recognise the significance of these historic assets and interpret their importance in York's history. • Promote opportunities for the significance of other historic assets in the wider Castle Gateway area to be better revealed or enhanced. ... To achieve these aims development in the Castle Gateway will be delivered through the following: <ul style="list-style-type: none"> • Removing the Castle Car Park to create new public space and high quality development opportunities. 	Additional regeneration purpose in recognition of the historic assets in the wider area. Text deleted for clarity and effectiveness, recognising the matters are duplicated within the sub-area criteria. Text moved to explanation (paragraph 3.33A).

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • Provision of a replacement car park within the Castle Gateway area. • The addition of a new landmark River Foss pedestrian cycle bridge. • Where possible, the opening up of both frontages of the River Foss with riverside walkways. • Engagement with stakeholders in the development of masterplan and public realm proposals. • Securing public realm, transport and infrastructure investment as a catalyst for wider social and economic improvement. • Funding the implementation of public space, transport improvements and infrastructure through developer contributions and commercial uplift from development sites across the area. 	
<p>MM3.13 Policy SS5: Castle Gateway</p>	<p>Development within the five Castle Gateway sub-areas will be <u>permitted delivered having regard to the above regeneration objectives and in accordance with</u> the following principles, <u>as appropriate</u>:</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012: Introduction to sub-area makes clear that, where appropriate, development should have regard to the broad regeneration objectives along with specific sub-area principles.</p>
<p>MM3.14 Policy SS5 explanation – new paragraph</p>	<p><u>3.33a To achieve these aims development in the Castle Gateway will be delivered through the following:</u></p> <ul style="list-style-type: none"> • <u>Removing the Castle Car Park to create new public space and high quality development opportunities.</u> • <u>Provision of a replacement car park within the Castle Gateway area.</u> • <u>The addition of a new landmark River Foss pedestrian cycle bridge.</u> • <u>Where possible, the opening up of both frontages of the River Foss with riverside walkways.</u> 	<p>Text moved to explanation in accordance with MM3.12</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • Engagement with stakeholders in the development of masterplan and public realm proposals. • Securing public realm, transport and infrastructure investment as a catalyst for wider social and economic improvement. • Funding the implementation of public space, transport improvements and infrastructure through developer contributions and commercial uplift from development sites across the area. 	
<p>MM3.15 Policy SS6: British Sugar/Manor School</p>	<p>i. Create a sustainable balanced community with an appropriate mix of housing informed by the Council's Strategic Housing Market Assessment.</p>	<p>Deleted because housing mix is addressed under policy H3.</p>
<p>MM3.16 Policy SS7: Civil Service Sports Ground</p>	<p>i. Create a sustainable balanced community with an appropriate mix of housing informed by the Council's Strategic Housing Market Assessment.</p> <p>ii. Be of a high design standard to give a sense of place and distinctive character.</p>	<p>Criteria deleted because matters addressed under policy H3 and D1 respectively.</p>
<p>MM3.17 Policy SS8: Land Adjacent to Hull Road</p>	<p>ii. Provide access to the site from a new roundabout created for the Heslington East development Kimberlow Rise via Field Lane, subject to detailed transport analysis. Other access (e.g. via Hull Road) is not preferred.</p> <p>iii. Deliver a sustainable housing mix in accordance with the Council's Strategic Housing Market Assessment.</p> <p>v. Maintain and enhance existing trees and hedgerows behind to the south of the site which act as a gateway for biodiversity</p> <p>vi. Provide appropriate contributions to expand existing education facilities, given that primary and secondary school facilities have limited existing capacity to accommodate the projected demand arising from the site. Secure developer contributions for education provision, including primary and secondary, which meet the needs generated by the development</p> <p>...</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012: At vii and viii to make clear the requirement for impacts to be mitigated.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>vii. Undertake an air quality assessment as there is potential for increased traffic flows which may present new opportunities for exposure if not designed carefully. The assessment should also consider the impact of the University of York boiler stacks. <u>Identified adverse impacts should be appropriately mitigated.</u> .</p> <p>viii. Undertake a noise survey given the site's proximity to the A1079 and the Grimston Bar Park & Ride. <u>Identified adverse impacts should be appropriately mitigated.</u></p>	
<p>MM3.18 Policy SS9: Land East of Metcalfe Lane</p>	<p>ii. <u>Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy. Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site's boundary is not defined by recognisable or permanent features it should be addressed through the masterplan and design process in order for strong and defensible Green Belt boundaries to be created and secured.</u></p>	<p>Deleted because housing mix is addressed under policy H3. Replaced with wording to secure strong green belt boundaries around the site in response to the assessment at EX/CYC/59g.</p>
<p>MM3.19 Policy SS9: Land East of Metcalfe Lane</p>	<p>iv. <u>Deliver Secure developer contributions for education and community provision, including primary and secondary, which meet the needs generated by the development early in the scheme's phasing, in order to allow the establishment of a new sustainable community. A new primary facility and secondary provision (potentially in combination with Site ST8— North of Monks Cross) may be required to serve the development as there is limited capacity available in existing schools. Further detailed assessments and associated viability work will be required.</u></p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012: Recognition of further work that that has clarified onsite provision is not required (and consistency with modified wording across strategic site policies).</p>
<p>MM3.20 Policy SS9: Land East of Metcalfe Lane</p>	<p>v. <u>Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The transport and highways impacts of the site development should be assessed individually and cumulatively with sites ST8, ST9, ST14 and ST15 should be addressed. Where necessary, proportionate mitigation will be required</u></p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012: making clear a 'proportionate' approach is to be applied and that mitigation will be required where there is evidence of need. Wording consistent with modifications to other strategic site policies.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.21 Policy SS9: Land East of Metcalfe Lane</p>	<p>vi. Provide vehicular access from Stockton Lane to the north of the site and/or Murton Way to the south of the site (as shown <u>indicatively</u> on the <u>proposals Policies</u> Map), with a small proportion of <u>public transport</u> traffic potentially served off Bad Bargain Lane. Access between Stockton Lane and Murton Way will be limited to <u>public transport and</u> walking/ cycling links <u>only</u>, <u>and, if necessary and feasible, public transport.</u></p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM3.22 Policy SS9: Land East of Metcalfe Lane</p>	<p>vii. Deliver high quality, frequent and accessible public transport services through the whole site, to provide attractive links to York City Centre. <u>It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport.</u> Public transport links through the adjacent urban area will be sought, as well as public transport upgrades to either the Derwent Valley Light Rail Sustrans route, or bus priority measures on Hull Rd and/or Stockton lane, subject to feasibility and viability. <u>All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Travel Plan which has an overall aim to achieve upwards of 15% of trips by public transport.</u></p>	<p>For effectiveness, making clear how meeting the 15% target should be demonstrated through a travel plan.</p>
<p>MM3.23 Policy SS9: Land East of Metcalfe Lane</p>	<p>ix. <u>Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:</u></p> <ul style="list-style-type: none"> o <u>Create</u> <u>Creation of</u> new open space (as shown on the <u>proposals Policies</u> Map <u>as allocation OS7</u>) to protect the setting of the Millennium Way that runs through the site. Millennium Way is an historic footpath which follows Bad Bargain Lane and is a footpath linking York's strays and should be kept open. A 50m green buffer has been included along the route of the Millennium Way that runs through the site to provide protection to this Public Right of Way and a suitable setting for the new development. o <u>Open space provision that satisfies policies GI2a and GI6</u> 	<p>To ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.24 Policy SS9: Land East of Metcalfe Lane</p>	<p>x. Minimise impacts of access from Murton Way to the south on ‘Osboldwick Meadows’ Candidate Site of Importance for Nature Conservation and provide compensatory provision for any loss.</p>	<p>For clarity. Inclusion of ‘candidate’ recognises the habitats are still of value, but do not fully meet the SINC criteria.</p>
<p>MM3.25 Policy SS9 explanation – paragraph 3.48</p>	<p>Education and community provision should be made early in the scheme’s phasing, in order to allow the establishment of a new sustainable community. A new primary facility and secondary provision may be required to serve the development as there is limited capacity available in existing schools. Contributions towards secondary provision will be sought with a new facility provided in association with ST8 (Land North of Monks Cross). Further detailed assessments and associated viability work will be required.</p>	<p>Deleted for consistency with MM3.19.</p>
<p>MM3.26 Policy SS10: Land North of Monks Cross</p>	<p>i. Deliver a sustainable housing mix in accordance with the Council’s most up to date Strategic Housing Market Assessment. Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site’s boundary is not defined by recognisable or permanent features it should be addressed through the masterplan and design process in order for strong and defensible Green Belt boundaries to be created and secured.</p>	<p>Deleted because housing mix is addressed under policy H3. Criterion replaced with wording to secure strong green belt boundaries around the site in response to the assessment at EX/CYC/59g.</p>
<p>MM3.27 Policy SS10: Land North of Monks Cross</p>	<p>iv. Explore the creation of Provide a new green wedge to the west of the site south of the Garth Road link to play an important role in protecting ecological assets, safeguarding the historic character and setting of the city and conserving on-site heritage assets including Ridge and Furrow, archaeology, hedgerows and trees that contribute to the setting of Huntington. It should be linked into the adjacent new housing scheme currently under construction development at Windy Ridge/Brecks Lane...</p>	<p>For clarity and effectiveness, recognising the green wedge is deliverable south of the Garth Road link.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.28 Policy SS10: Land North of Monks Cross</p>	<p>vi. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:</p> <ul style="list-style-type: none"> o Create Creation of a new open space on additional land to the east of the Monks Cross Link Road (as shown on the proposals Policies Map as allocation OS8). This land remains in the Green Belt. Open space provision should still be provided to the required quantum within the main allocation boundary and 4 Traffic calming measures should be provided along Monks Cross Link Road alongside the provision of pedestrian footways and safe crossing points. Ecological mitigation is also required on land to the east of the Link Road. o Open space provision that satisfies policies GI2a and GI6 	<p>To ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated.</p>
<p>MM3.29 Policy SS10: Land North of Monks Cross</p>	<p>x. Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The site will exacerbate congestion in the area, particularly at peak times given its scale and the capacity of the existing road network. The transport and highway impacts of the site development should be assessed individually and cumulatively with sites ST7, ST9, and ST14, and ST35. Where necessary proportionate mitigation will be required should be addressed.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012: making clear a 'proportionate' approach is to be applied and that mitigation will be required where there is evidence of need. Wording consistent with modifications to other strategic site policies</p>
<p>MM3.30 Policy SS10: Land North of Monks Cross</p>	<p>xi. Deliver high quality, frequent and accessible public transport services through the whole site including facilitation of links to local employment centres and York City Centre. It is envisaged such measures will enable 15% of trips to be undertaken using public transport. All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Travel Plan which has an overall aim to achieve upwards of 15% of trips by public transport.</p>	<p>For effectiveness, making clear how meeting the 15% target should be demonstrated through a travel plan.</p>
<p>MM3.31 Policy SS11: Land North of Haxby</p>	<p>Land North of Haxby (ST9) will deliver approximately 735 dwellings...</p>	<p>For appropriate flexibility</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
MM3.32 Policy SS11: Land North of Haxby	i. Be of a high design standard which will provide an appropriate new extension to the settlement of Haxby. ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing.	Deleted because matters are addressed under policy H3 and other design and placemaking policy, including D1.
MM3.33 Policy SS11: Land North of Haxby	iii. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include: <ul style="list-style-type: none"> • Create Creation of new open space to the south of the site (in accordance with policy G16 shown on the proposals map) to reflect the needs of the Haxby and Wigginton ward. This may include including formal pitch provisions, informal amenity greenspace, play provision, cemeteries and allotments. The open space needs of the area should be assessed in detail, liaising with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents. • Open space provision that satisfies policies G12a and G16. 	To ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated.
MM3.34 Policy SS11: Land North of Haxby	i. Create new local facilities as required, subject to viability, to provide an appropriate range of shops, services and facilities to meet the needs of future occupiers of the development.	To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.
MM3.35 Policy SS11: Land North of Haxby	viii. Demonstrate that all transport issues have been addressed, in consultation with the Council as necessary, to ensure sustainable transport provision at the site is achievable. The transport and highway impacts of the site development should be assessed individually and cumulatively with sites ST7, ST8, ST14 and ST15. Where necessary proportionate mitigation will be required should be addressed.	To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 – making clear a ‘proportionate’ approach is to be applied and that mitigation will be required where there is evidence of need. Wording consistent with modifications to other strategic site policies.

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
MM3.36 Policy SS11 explanation – paragraph 3.56	The new open space shown on the proposals Policies Map...	To correct the map reference.
MM3.37 Policy SS12: Land West of Wigginton Road	... It will deliver approximately 1,348 dwellings, approximately 1200 1000 units of which will be delivered within the plan period....	To update the expected delivery beyond the plan period in accordance with EX/CYC/107
MM3.38 Policy SS12: Land West of Wigginton Road	ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.	Deleted because matters are addressed under policy H3 and H10.
MM3.39 Policy SS12: Land West of Wigginton Road	<ul style="list-style-type: none"> iv. Deliver on site, accessible combined nursery and primary education facilities, which meet the needs generated by the development, and are well connected to housing by dedicated pedestrian/ cycleways. v. Secure developer contributions for secondary school places as necessary to meet the need for new places generated by the development 	For clarity and effectiveness.
MM3.40 Policy SS12: Land West of Wigginton Road	vi. Ensure provision of new all purpose access roads to the east/south from A1237 Outer Ring Road/ Wigginton Road roundabout Clifton Moor Gate and off the Wigginton Road/B1363 (as indicatively shown on the proposals Policies Map). The internal layout of any future development on the site could be such that it creates discrete sectors, each with a specific access.	To correct the roundabout reference and make clear the locations on the policy map are indicative.
MM3.41 Policy SS12: Land West of Wigginton Road	vii. Demonstrate that all transport issues have been addressed, in consultation with the Council as necessary, to ensure sustainable transport provision at the site is achievable. The transport and highways impacts of the site development individually and cumulatively should be assessed with sites ST7, ST8, ST9, and ST15. and ST35 should be addressed. Where necessary, proportionate mitigation will be required.	For clarity and effectiveness; making clear a 'proportionate' approach is to be applied and that mitigation will be required where there is evidence of need. Wording consistent with modifications to other strategic site policies

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.42 Policy SS12: Land West of Wigginton Road</p>	<p>viii. Deliver local capacity upgrades to the outer ring road in the vicinity of the site, to include associated infrastructure to protect public transport journey times on junction approaches. Opportunities to provide grade separated, dedicated public transport routes across the A1237 should be explored in feasibility, viability and cost-benefit terms. Phased development which reflects the delivery of dualling works to the A1237 outer ring road, upgrades and creation of a 4th arm to the Clifton Moor Gate roundabout and pedestrian/cycle underpass to connect Clifton Moor to the site.</p>	<p>For clarity and effectiveness and to reflect the off-site highway works required.</p>
<p>MM3.43 Policy SS12: Land West of Wigginton Road</p>	<p>ix. Deliver high quality, frequent and accessible public transport services throughout the development site, which provide links to other local rural communities where feasible, as well as to main employment centres. It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport. All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Transport Strategy which has an overall aim to achieve upwards of 15% of trips by public transport.</p> <p>x. To encourage the maximum take-up of more active forms of transport (walking and cycling), ensure the provision of high quality, safe, direct and accessible pedestrian and cycle links which create well-connected internal streets and walkable neighbourhoods including that provide connectivity to:</p> <ul style="list-style-type: none"> a) the community, retail and employment facilities immediately to the south, (likely to take the form of an overbridge); via pedestrian/cycle underpass b) the surrounding green infrastructure network (with particular regard to public rights of way immediately west of the site) and improvements to A1237 crossing facilities); and c) existing pedestrian and cycle networks across the city via pedestrian/cycle underpass that will connect Clifton Moor to the site. 	<p>For clarity and effectiveness relating to active and sustainable transport requirements.</p>
<p>MM3.44 Policy SS12: Land West of Wigginton Road</p>	<p>xii. Protect and enhance local green assets, trees and hedge lines and enhance existing landscape character. Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site's boundary is not defined by recognisable or permanent features it should</p>	<p>To ensure strong green belt boundaries around the site are secured in response to the assessment at EX/CYC/59g.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	be addressed through the masterplan and design process in order for strong and defensible Green Belt boundaries to be created and secured.	
MM3.45 Policy SS12: Land West of Wigginton Road	xiv. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. Open space provision must satisfy policies GI2a and GI6.	To ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated.
MM3.46 Policy SS12 explanation – paragraph 3.61	The design and layout of the road should minimise the impact upon the openness of the Green Belt and demonstrate how it would safeguard those elements which contribute to the special character and setting of the historic City.	In response to ongoing negotiation, and to provide clarity on the wider access considerations.
MM3.47 Policy SS13: Land West of Elvington Lane	...It will deliver approximately 3,339 dwellings, around 2,200 of which it is expected that 560 units of which will be delivered within the plan period...	To update the expected delivery beyond the plan period in accordance with EX/CYC/107
MM3.48 Policy SS13: Land West of Elvington Lane	ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy	Deleted because matters are addressed under policy H3.
MM3.49 Policy SS13: Land West of Elvington Lane	iii. ...The south eastern and south western boundaries of the site are less well contained than to the north so it will be important for the site to establish its own landscape setting. Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site's boundary is not defined by recognisable or permanent features it should be addressed through the masterplan and design process in order for strong and defensible Green Belt boundaries to be created and secured.	To ensure strong green belt boundaries around the site are secured in response to the assessment at EX/CYC/59g.
MM3.50 Policy SS13: Land West of Elvington Lane	iv. Create new open space (as shown on the proposals map) within the site to maintain views of the Minster and existing woodland.	Correction to erroneous reference to the proposals map.

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.51 Policy SS13: Land West of Elvington Lane</p>	<p>v. Impacts to Elvington Airfield SINC and on biodiversity within the site and zone of influence will be addressed by following the mitigation hierarchy with the overall aim to prevent harm to existing biodiversity assets, delivering no net loss for biodiversity and maximise further benefits for biodiversity. Where required eCompensatory measures should take full account of the extent and quality of the asset being lost or damaged and equivalent or enhanced habitats should be provided within the development site of ST15, on the compensatory habitat of OS10 as provided for in Policy G16 and on the western part of the existing runway shown on the Policies Map.</p> <p>vi. Securing a minimum of 10% provision of biodiversity net gain in relation to ST15.</p> <p>vii. vi Follow a mitigation hierarchy to first seek to avoid impacts, then to mitigate unavoidable impacts or compensate unavoidable residual impacts on Heslington Tillmire SSSI and the Lower Derwent Valley SPA/Ramsar through the:</p> <ul style="list-style-type: none"> • incorporation of a new nature conservation area (as shown on the proposals Policies Map as allocation OS10 and included within Policy G16) including a buffer of wetland habitats, a barrier to the movement of people and domestic pets on to the SSSI and deliver further benefits for biodiversity. A buffer of at least 400m from the SSSI will be required in order to adequately mitigate impacts unless evidence demonstrates otherwise; and • provision of a detailed site wide recreation and access strategy to minimise indirect recreational disturbance resulting from development and complement the wetland habitat buffer area which will be retained and monitored in perpetuity. A full understanding of the proposed recreational routes is required at an early stage. <p>viii. vii Deliver ecological mitigation and compensation measures 5 years prior to pre- commencement of any development. They must be supported by a long term management plan (30 year minimum), and be retained and monitored in perpetuity.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.52 Policy SS13: Land West of Elvington Lane</p>	<p>ix. Viii Protect the character, setting and enjoyment of Minster Way, <u>otherwise referred to as Langwith Stray, within ST15.</u></p> <p>x. Provide an appropriate range of shops, services and facilities <u>for including social infrastructure such as</u> health, social, leisure, cultural and community uses to meet the needs of future residents. <u>Provision should be</u> made early in the scheme's phasing in order to allow the establishment of a new sustainable community. This should be principally focused around a new local centre</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM3.53 Policy SS13: Land West of Elvington Lane</p>	<p>xi. x Deliver <u>new on-site education provision to meet</u> nursery <u>and</u> primary <u>education facilities, which meet the needs generated by the development, and potentially secondary demand, to be assessed based on generated need. New nursery, primary and potentially secondary provision will be required to serve the earliest phases of development. Secondary school facilities should be provided on land identified on the Policies Map if there is evidence that the need generated by the development justifies this provision. If not, appropriate contributions to off-site provision will be secured.</u></p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 – recognising land identified for a secondary school if required.</p>
<p>MM3.54 Policy SS13: Land West of Elvington Lane</p>	<p>xii. xi Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England as necessary, to ensure sustainable transport provision at the site is achievable. The <u>transport and highway</u> impacts of the site <u>should be assessed</u> individually and cumulatively with site's ST7, ST8, ST9, ST14, ST27, ST35 and ST36 <u>should be addressed. Where necessary proportionate mitigation will be required.</u></p> <p>xiii. xii Ensure <u>phased</u> provision of necessary transport infrastructure <u>at the right time to access the site</u> with primary access via the A64 (as shown <u>indicatively</u> on the <u>proposals Policies</u> Map) and a <u>potential secondary</u> access via Elvington Lane. <u>The capacity of the local highway network including Elvington Lane and junctions is limited. Elvington Lane can service the early phase of the development, subject to delivering a new link road between Elvington Lane and Hull Road, as well as works to the south of Grimston Bar Interchange/Elvington Lane Junction. This is subject to detailed assessment at the application stage and is to be agreed through an approved phasing strategy.</u></p>	<p>Clarity and effectiveness on the approach to access and highway infrastructure requirements, recognising additional work that has been undertaken.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.55 Policy SS13: Land West of Elvington Lane</p>	<p>xiv. xiii Retain Common Lane/Long Lane/Langwith Stray as cycle/pedestrian routes only to ensure protection of the character of Heslington Village. These routes are very lightly trafficked roads, and could provide pleasant cycle and pedestrian routes from the site to Heslington. It is essential that there is no vehicular transport access to Heslington village along these routes to ensure the setting of Heslington village is maintained. Create cycle and pedestrian routes along Common Lane/Long Lane/Langwith Stray from ST15 to Heslington, ensuring no vehicular access from ST15 to Heslington village along these routes to ensure the setting of Heslington village is maintained</p> <p>xv. xiv Deliver improvements to Explore the potential for local bridleways (e.g. Fordlands Road/ Forest Lane) running through or near the site to be used as year round cycle routes.</p>	<p>Drafting improvements to aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>
<p>MM3.56 Policy SS13: Land West of Elvington Lane</p>	<p>xvi. Xv Provide dedicated secure access for existing local residents and landowners to be agreed with the community of Heslington. Appropriate solutions would need to ensure access is preserved for existing residents and landowners developed in consultation with the community of Heslington. Ensure that vehicular access to connect premises along Common Lane/Long Lane to Heslington is retained as part of the wider ST15 access arrangements.</p> <p>xvii. Xvi Deliver high quality, frequent and accessible public transport services through the whole site which provide links to and between new the on-site local centre and community facilities, as well as to York city centre and other appropriate service hubs, including the University of York. A public transport hub at the local centre should provide appropriate local interchange and waiting facilities for new residents. All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Transport Strategy, with the overall aim to achieve upwards of 15% of trips to be undertaken by public transport. It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport.</p> <p>...</p>	<p>Drafting improvements to aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>xix. Xviii Exploit Optimise synergies with the existing university campus and proposed university expansion in terms of site servicing including transport, energy and waste.</p>	
<p>MM3.57 Policy SS13 explanation – paragraph 3.64</p>	<p>...Any large-scale development solely relying on Elvington Lane would not be supported. Initial modelling work suggests that the Elvington Lane access can accommodate around 1,000 units (approximately 30% of final development at 3,339 units). Public transport improvements, as well as pedestrian and cycle connections, between ST15, ST26 and ST27 should be considered in order to maximise opportunities to secure non car travel between these three sites.</p>	<p>To reference to latest evidence on access and transport to support the effectiveness of Policy SS13.</p>
<p>MM3.58 Policy SS13 explanation – paragraph 3.67</p>	<p>A joined up transport approach would need to be taken to consider the site in combination with other potential developments in the city including the University Expansion Site (ST27) and Elvington Airfield Business Park (ST26). The provision of a new grade separated junction onto the A64 would remain form part of the essential infrastructure for any development in this location. In the interest of sustainability, opportunities should be explored to reuse the aggregates arising from the runway in ST15 in the construction of the new junction or other new highway infrastructure. The viability of delivering significant new or improved transport infrastructure has been must be considered and should be kept under review with evidence provided to demonstrate its robustness. Equally, detailed analysis would will be required to confirm that sustainable travel options (to avoid the site being heavily car dependent) were are realistic and financially sound. The site will require high frequency public transport services based on the overall a minimum target of 15% journeys by public transport bus. In order to minimise car use the development would need a robust transport strategy will be required documenting alternative routes including proposals for buses, walking and cycling.</p>	<p>To support the implementation and effectiveness of Policy SS13.</p>
<p>MM3.59 Policy SS14: Terrys Extension Sites</p>	<p>Terry's Extension Sites (ST16) will deliver 111 dwellings in total at these urban development sites, 22 dwellings on Terry's Clock Tower and approximately 33 dwellings on Terry's Car Park and approximately 56 dwellings on Land to the rear of Terry's Factory...</p>	<p>For clarity in recognition that the site rear of the factory (phase 3) is being developed for an alternative healthcare use.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>Terry's Extension Site (Phase 3) - Land to the rear of Terry's Factory</p> <ul style="list-style-type: none"> i. Retain and enhance the formal gardens area adjacent to the site. ii. Achieve high quality urban design which respects the character and fabric of the wider Terry's factory site and buildings of architectural merit. This includes conserving and enhancing the special character and/or appearance of the Tadcaster Road and the Racecourse and Terry's Factory Conservation Areas. iii. Development should complement existing views to the factory and clock tower. 	
<p>MM3.60 Policy SS15: Nestle South</p>	<p>Nestle South (ST17) will deliver 863 approximately 581 dwellings in total, 263 279 in Phase 1 and around up to 600 302 dwellings in Phase 2 at this urban development site.</p> <p>...</p> <ul style="list-style-type: none"> ii. Provide a mix of housing in line with the Council's most up to date Strategic Housing Market Assessment. 	<p>To provide flexibility around the quantum of development, but with updated reference to numbers of homes approved on the site.</p> <p>Criterion ii deleted because matters are addressed under policy H3.</p>
<p>MM3.61 Policy SS16: Land at Tadcaster Road, Copmanthorpe</p>	<p>Land at Tadcaster Road, Copmanthorpe (ST31) will deliver approximately 158 dwellings</p>	<p>For flexibility and effectiveness.</p>
<p>MM3.62 Policy SS16: Land at Tadcaster Road, Copmanthorpe</p>	<ul style="list-style-type: none"> i. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment 	<p>Criterion deleted because matters are addressed under policy H3.</p>
<p>MM3.63 Policy SS16: Land at Tadcaster Road, Copmanthorpe</p>	<ul style="list-style-type: none"> ii. Create new open space (as shown on the proposals Policies Map) within the site which should be delivered prior to the first phase of development occupation to ensure, in particular, the protection of the adjacent SSSI. 	<p>For clarity and to enhance developability.</p>
<p>MM3.64 Policy SS16: Land at Tadcaster Road, Copmanthorpe</p>	<ul style="list-style-type: none"> v. Provide site access via Tadcaster Road, with no secondary vehicle access from Learmans Way. <p>...</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012, recognising that Learmans Way does not adjoin the site.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>vii. Provide required financial contributions to existing local primary and secondary facilities to enable the expansion to accommodate pupil yield. Secure developer contributions for primary and secondary school provision as necessary to meet the need generated by the development.</p>	
<p>MM3.65 Policy SS17: Hungate</p>	<p>Hungate (ST32) – Phases 5+ as identified on the Policies Map will deliver approximately 328 570 dwellings at this urban development site. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the agreed site masterplan through existing outline and full planning consents. Development proposals should have regard to</p> <p>In line with the Hungate Development Brief vision, where appropriate. ST32 must be of the highest quality which adds to the vitality and viability of the city centre, is safe and secure, and which promotes sustainable development. Priority should be given to pedestrians, people with mobility impairments, cyclists and public transport. Design should respect local amenity and character whilst being imaginative and energy efficient. The special character and/or appearance of the adjacent Central Historic Core Conservation Area should be conserved and enhanced.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 – recognising that all undeveloped blocks on the Hungate site form part of the allocation. Requirement for compliance with planning permissions removed for flexibility.</p>
<p>MM3.66 Policy SS18: Station yard, Wheldrake</p>	<p>i. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing.</p>	<p>Criterion deleted because matters are addressed under policy H3.</p>
<p>MM3.67 Policy SS18: Station yard, Wheldrake</p>	<p>ii. Be of a high design standard to which will pProvide an appropriate new extension to Wheldrake whilst maintaining the character of the village.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM3.68 Policy SS18: Station yard, Wheldrake</p>	<p>iv. Undertake a comprehensive evidence based approach in relation to biodiversity to address potential impacts of recreational disturbance on the Lower Derwent Valley Special Protection Area (SPA)/Ramsar/SSSI. This will require the developer to publicise and facilitate the use of other, less sensitive countryside destinations nearby (e.g. Wheldrake Woods) and provide educational material to new</p>	<p>To clarify the mitigation required as detailed in the Habitat Regulation Assessment (2018).</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>homeowners to promote good behaviours when visiting the European site. The former could be supported by enhancing the local footpath network and improving signage.</p>	
<p>MM3.69 Policy SS18: Station yard, Wheldrake</p>	<p>viii. Provide required financial contributions to existing nursery, primary and secondary facilities to enable the expansion to accommodate demand arising from the development. Secure developer contributions for primary and secondary school provision as necessary to meet the need generated by the development.</p>	<p>For consistency with re-wording across strategic site policies.</p>
<p>MM3.70 Policy SS19: Queen Elizabeth Barracks, Strensall</p>	<p>Policy SS19 and explanatory text at paragraphs 3.82 – 3.88 deleted.</p>	<p>Site removed following Habitat Regulations Assessment (Feb 2019) which did not rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).</p>
<p>MM3.71 Policy SS20: Imphal Barracks, Fulford Road</p>	<p>Following the Defence Infrastructure Organisation's disposure disposal of the site by 2034 Imphal Barracks (ST36) will deliver approximately 769 dwellings at this urban development site. Development is not anticipated to commence until the end of the plan period....</p>	<p>For flexibility and effectiveness.</p>
<p>MM3.72 Policy SS20: Imphal Barracks, Fulford Road</p>	<p>Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England as necessary, to ensure appropriate provision is made for sustainable transport provision at the site is achievable. There are existing issues with traffic congestion in this area. The base traffic situation on the A19 is that it is at or exceeding capacity in the vicinity of Heslington Lane/Broadway. The potential transport implications transport and highway impacts of the site development must be fully assessed both individually and cumulatively with sites ST5 and ST15. Where necessary proportionate mitigation will be required.</p>	<p>For clarity and effectiveness; making clear a 'proportionate' approach is to be applied and that mitigation will be required where there is evidence of need. Wording consistent with modifications to other strategic site policies</p>
<p>MM3.73 Policy SS20: Imphal Barracks, Fulford Road</p>	<p>ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.</p>	<p>Criterion deleted because matters are addressed under policy H3.</p>

Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change

MM3.74 Policy SS20:
Imphal Barracks,
Fulford Road

- iii. An agreed masterplan to ensure the site's redevelopment will make a positive contribution to the character and distinctiveness of the local area, informed by:
 - o the architectural and historic interest of the site and its buildings, including the parade ground and other open areas, related to the site's military use and York's development as a garrison town; and,
 - o the impact of development on the Fulford Road Conservation Area
- The development of this area must be informed by an assessment of architectural and historic interest of the site and its buildings. Those buildings which are considered to be of historic interest should be retained and reused.
- iv. The parade ground and other open area which are important to the understanding of the site and its buildings should be retained as open spaces in any development.
 - v. If, following the City Council's review of the architectural and historic interest of this site, Imphal Barracks is included within the Fulford Road Conservation Area, development proposals would be required to preserve or enhance those elements which have been identified as making a positive contribution to its significance.
 - vi. Regardless of the outcome of the paragraph above, the significance of the site's historic environment should be addressed. This includes conserving and enhancing the special character and/or appearance of the adjacent Fulford Road Conservation Area.
 - vii. Be of a high design standard, ensuring the development reflects the history of the site and its previous military use. This site does not exist as an army barracks in isolation and has linkages to other military sites across the city and is linked to the development of York as a garrison town and this history should be reflected in the design of any scheme.
 - viii. Undertake an archaeological evaluation consisting of survey and excavation of trenches to identify the presence and assess the significances of archaeological deposits.

For clarity and effectiveness, and conformity with the NPPF regarding approach to retaining buildings of historic interest.

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.75 Policy SS20: Imphal Barracks, Fulford Road</p>	<p>x. Consider in detail the proximity and relationship of the site with Walmgate Stray, including undertaking further hydrological work to assess the potential impact of development on the Stray and to the value of the grassland, and to explore any water logged archaeological deposits. Recreational disturbance/pressure on the Stray and the Tillmire SSSI (individual and cumulative effects) should be considered assessed and, where necessary, mitigated.</p> <p>xii. Create new local facilities as required appropriate to meet the needs of future occupiers of the development.</p> <p>xiii. Retain and enhance recreation and open space for community use to mitigate any potential impacts on the adjacent Walmgate Stray.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>
<p>MM3.76 Policy SS21: Land South of Airfield Business Park, Elvington</p>	<p>Land South of Airfield Business Park, Elvington (ST26) will provide 25,080sqm of B1b, B1c, B2/B8 B1b, B1c, B2/B8 employment floorspace for research and development, light industrial/storage and distribution. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the following key principles, having regard to the following issues:</p> <p>...</p> <p>ii. Retain and enhance historic field boundaries where possible and reflect in the masterplanning of the site.</p> <p>...</p> <p>iv. Demonstrate that all transport issues have been addressed, in consultation with the Council as necessary, to ensure sustainable transport provision at the site is achievable. Impacts on Elvington Lane and Elvington Lane/A1079 and A1079/A64 Grimston Bar junctions will need to be mitigated. Demonstrate that all transport issues have been addressed including consideration of the provision of sustainable modes of transport.</p> <p>v. Further explore air quality, noise and light pollution and contamination issues.</p> <p>vi. Investigate further archaeological deposits on and around the site.</p> <p>...</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Modifications delete superfluous text, recognising that there is no justification to include reference to historic field boundaries and that issues related to criteria v and vii are dealt with under free standing development management policies.</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
<p>MM3.77 Policy SS22: University of York Expansion</p>	<p>New policy SS22, wholly replacing submission policy.</p> <p>Policy SS22: University of York Expansion</p> <p>As shown on the Policies Map as ST27, 21.2 ha of land to the south of the existing Campus East site is allocated for the future expansion of the university during the plan period. It will provide university uses consistent with Policy ED3 having regard to the following considerations together with those in ED1:</p> <ul style="list-style-type: none"> • Create an appropriate buffer between the site and the A64 where the boundary is adjacent to the A64 in order to mitigate heritage and noise impacts and address landscape and visual impacts. • Assess cumulative transport impacts with other sites including ST5 and ST15 and in relation to the University's impacts provide appropriate mitigation. • Explore feasibility of a junction on the A64 to the south of the site with delivery in conjunction with ST15 • Identify any opportunities with ST15 for managing development impacts in terms of site servicing including transport, energy and waste. • Deliver high quality, frequent and accessible public transport services to York City Centre. It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport • Optimise pedestrian and cycle integration, with access networks for a range of non-car uses to be accommodated. 	<p>The proposed changes will enhance the effectiveness of the Policy and improve clarity for decision making purposes in line with paragraph 154 of NPPF 2012. The modifications to Policy SS22 and Policy EC1 clarify the importance of the landscape setting without conflating it with reference to defined 'key' views.</p>
<p>MM3.78 Policy SS22 Explanation</p>	<p>Explanation</p> <p>3.97a The University of York retains a high profile in both the UK and in the rest of the world. The university's status is reflected in the high demand for student places, excellence in research and demand for research co-locations and it is currently projected that its growth will continue over the duration of the plan period. Without the campus</p>	<p>Changes to the supporting text reflect the amended policy wording. Text is proposed for inclusion more clearly describe the wider site context and its importance. The detailed text describing the site and boundaries is proposed for deletion as the content of</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>extension, the university will not be able to continue to grow beyond 2026. As one of the leading higher education institutions, the university needs to continue to facilitate growth, within the context of its landscaped setting which gives it a special character and quality, to guarantee its future contribution to the need for higher education and research and to the local, regional and national economies. The 21.5ha of land at ST27 is allocated for university uses to support this growth.</p> <p>3.98 The University of York is a key component of the long term success of the city and it is important to provide a long term opportunity for the University to expand. It offers a unique opportunity to attract businesses that draw on the Universities applied research to create marketable products. There is lots of evidence from around the country that shows the benefits of co-location of such businesses with a University. The University proposal is a key priority in the Local Economic Plan Growth Deal that has been agreed with the government and is also included as a priority area in the York Economic Strategy (2016) which recognises the need to drive University and research led growth in high value sectors. The existing campus and ST27 will include new knowledge-based business floorspace and research led activities appropriate to a university campus. The site will also facilitate the re-configuration of the existing Campus 3 site to provide additional on-campus student accommodation helping to reduce the impacts on the private rented sector.</p> <p><u>3.98a ST27 plays a critical part in the attractive setting of the city. The land to the west is particularly important for maintaining the setting of Heslington village and key views. it has a distinctive landscape quality and provides accessible countryside to walkers and cyclists on the land and public footpaths. The expansion will bring development close to the A64 Ring Road with implications for the interface between the southern edge of York and the countryside to its south. To mitigate any impacts on the historic character and setting of the city, the expansion site must provide a landscape buffer between development on the site and the A64. This can be provided within the site where parallel to the A64, but beyond it on the other boundaries – maximising the developable area while responding sensitively to the landscape setting.</u></p>	<p>this is unnecessary for inclusion as it neither justifies nor explains the policy. likewise</p>

Section 3: Spatial Strategy

Modification Reference

Proposed Modification

Reason for change

3.99 A broadly four sided site which is generally well contained on three sides. The northern boundary is Low Lane, a narrow single track country lane which runs from Heslington in an easterly direction, to the point where it turns northwards towards the University campus. The boundary treatment is a hedge with intermittent trees along its edge. From the point where Low Lane turns northwards, the site boundary heads south east towards the Ring Road and the flyover (track which leads towards Grimston Grange). This part of the boundary is denoted by a post and wire fence at the bottom of an embankment, overlooking the new velodrome. From this point, the sites south east boundary runs along the alignment of the Ring Road in a south westerly direction (with hedge and ditch boundary), to the next field boundary, where it cuts across the southern edge of the site. This boundary consists of a hedge field boundary to the point where it meets Green Lane, a narrow track bounded by hedges and trees on both sides, to the point where it meets Low Lane. Green Lane forms the western boundary of the site.

3.99a The site has a distinctive landscape quality and provides accessible countryside to walkers and cyclists on the land and public footpaths. The land to the west is particularly important for maintaining the setting of Heslington village and key views. To mitigate any impacts on the historic character and setting of the city the expansion site must create an appropriately landscaped buffer between development on the site and the A64. This can be buffer will be provided within the site where parallel to the A64, but beyond it on the other boundaries – maximising the developable area while responding sensitively to the landscape setting. This will be established through the masterplanning of the site.

3.100 Campus East was designed and established with the development area being car-free. It facilitates the majority of journeys being by non-car modes. Development of ST27 is expected to incorporate this principle. ST27 will be accessed from Hull Road via Campus East. In addition, the development should exploit any shared infrastructure opportunities arising from the proximity of the housing allocation at ST15: Land to the west of Elvington Lane to the University of York. The existing Heslington East campus is designed and established to offer significant proportions of journeys by walking, cycling

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>and public transport. Any future proposals must continue this existing provision (including bus services).</p> <p>3.101 'Vehicular access to ST27 will be from Hull Road or Field Lane via Kimberlow Lane and Lakeside Way, then south from Lakeside Way into the site'. The Heslington East Campus Extended Master Plan (June 2014) shows no additional entry points into the Campus from those already existing (Lakeside Way (bus and cycle only), Field Lane/Kimberlow Lane and Kimberlow Lane running south from Hull Road Grimston Bar Park & Ride link road.</p> <p>3.101a A development brief for ST27 will be prepared by the University in line with relevant Plan policies. The University will engage with the Council and communities in preparing this development brief,...</p>	
<p>MM3.79 Policy SS23: Land at Northminster Business Park</p>	<p>Land at Northminster Business Park (ST19) will provide 49,500sqm across the of Use class E office, research and development, light industrial uses, industrial (Use Class B2) and storage/ distribution (Use Class B8) B1, B2, B8 uses based on a split of approximately 40/60 office (Use class E) B4a to light industrial (Use Class E) / B2/B8 which is the current ratio at the existing business park. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the following key principles having regard to the following issues:</p> <ul style="list-style-type: none"> i. Provide for a sustainable business park to help meet the city's employment needs, ensuring that its composition reflects the economic vision of York. ii. Develop a comprehensive scheme which is linked to the existing business park. ... iv. Promote sustainable transport solutions linking the proposed site to the Park & Ride. v. Optimise integration, connectivity and access through the provision of new pedestrian, cycle, public transport and vehicular routes to ensure sustainable movement into, out of and through the site. The site is in a sustainable location 	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Modifications reflect changes to use classes and delete superfluous text, recognising that criteria i and ii do not add anything to the policy's effectiveness. Criterion iv is deleted as the links are dealt with in v.</p> <p>Criteria vii and viii are deleted as these matters are dealt with under separate development management policies (ENV2 and D6).</p>

Section 3: Spatial Strategy

Modification Reference	Proposed Modification	Reason for change
	<p>with access to the Poppleton Bar Park & Ride offering frequent bus routes to the city centre, access to Poppleton Rail Station and vehicular access to the A59. The site is in a sustainable location and all transport issues should be addressed including the optimisation of connectivity to sustainable modes of transport into, out of and through the site</p> <p>vi. Provide a high quality landscape scheme in in order, as appropriate, either to mitigate impacts and screen the development and/or to provide providing an appropriate relationship with the surrounding landscape. Attention should be given to the site's relationship with the countryside to the west of the site, to the southern boundary of the site, with Moor Lane (bridleway) and the village of Knapton.</p> <p>vii. Ensure that the residential amenity of neighbouring residential properties is maintained.</p> <p>viii. Prepare a desk based archaeological assessment to inform the site masterplan.</p>	
<p>MM3.80 Policy SS24: Whitehall Grange, Wigginton Road</p>	<p>Whitehall Grange, Wigginton Road (ST37) will provide up to 33,330sqm for B8 storage use. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the agreed site masterplan through the existing outline consent a masterplan secured by planning permission.</p>	<p>To provide appropriate flexibility.</p>

3. SECTION 4: ECONOMY AND RETAIL

Section 4: Economy and Retail																							
Modification Reference	Proposed Modification	Reason for change																					
MM4.1 Policy EC1: Provision of Employment Land	Provision for a range of employment uses during the plan period will be made on the following strategic sites (those over 5ha):	To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012																					
MM4.2 Policy EC1 Provision of Employment Land	<table border="1"> <thead> <tr> <th>Site</th> <th>Floorspace</th> <th>Suitable Employment Uses</th> </tr> </thead> <tbody> <tr> <td>ST5: York Central</td> <td>100,000sqm</td> <td>Office (Use Class E) B4a</td> </tr> <tr> <td>ST19: Land at Northminster Business Park (15ha)</td> <td>49,500sqm</td> <td>Light Industrial (Use Class E) B4e, Industrial (Use Class B2) and Storage/Distribution B8). May also be This site is suitable for an element of Office (Use Class E) in line with Policy SS23 B4a.</td> </tr> <tr> <td>Heslington Campus East and ST27: University of York Expansion (21.2ha)*</td> <td>40,000sqm*</td> <td>Knowledge based businesses (Use Class E)</td> </tr> <tr> <td>ST27: University of York Expansion (21.5ha)</td> <td colspan="2">Campus East and ST27 will across both sites deliver up to 25ha of B1b knowledge based businesses including research led science park uses identified in the existing planning permission for Campus East.</td> </tr> <tr> <td>ST26: Land South of Airfield Business Park, Elvington (7.6ha)</td> <td>25,080sqm</td> <td>Research & Development (Use Class E) B1b, B4e Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).</td> </tr> <tr> <td>ST37: Whitehall Grange, Wigginton Road (10.1ha)</td> <td>33,330sqm</td> <td>Storage/Distribution B8.</td> </tr> </tbody> </table>	Site	Floorspace	Suitable Employment Uses	ST5: York Central	100,000sqm	Office (Use Class E) B4a	ST19: Land at Northminster Business Park (15ha)	49,500sqm	Light Industrial (Use Class E) B4e, Industrial (Use Class B2) and Storage/Distribution B8). May also be This site is suitable for an element of Office (Use Class E) in line with Policy SS23 B4a.	Heslington Campus East and ST27: University of York Expansion (21.2ha)*	40,000sqm*	Knowledge based businesses (Use Class E)	ST27: University of York Expansion (21.5ha)	Campus East and ST27 will across both sites deliver up to 25ha of B1b knowledge based businesses including research led science park uses identified in the existing planning permission for Campus East.		ST26: Land South of Airfield Business Park, Elvington (7.6ha)	25,080sqm	Research & Development (Use Class E) B1b, B4e Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).	ST37: Whitehall Grange, Wigginton Road (10.1ha)	33,330sqm	Storage/Distribution B8.	<p>Updated to reflect changes in the Use Classes Order.</p> <p>References to York City Centre removed as covered under policies SS3, R1 and R2.</p> <p>Changes also reflect the Status of Employment Allocations identified in Policy EC1 Note August 2022 (EX/CYC/107/7)</p> <p>ST27: the 25ha quantum of knowledge business is deleted and replaced with 'approximately 40,000 sqm' provided that can be accommodated within the 21.2 ha of ST 27, and reflecting the latest estimates from the University. Expressing the quantum in square metres rather than hectares will make the policy more effective and monitoring delivery easier.</p>
	Site	Floorspace	Suitable Employment Uses																				
	ST5: York Central	100,000sqm	Office (Use Class E) B4a																				
	ST19: Land at Northminster Business Park (15ha)	49,500sqm	Light Industrial (Use Class E) B4e, Industrial (Use Class B2) and Storage/Distribution B8). May also be This site is suitable for an element of Office (Use Class E) in line with Policy SS23 B4a.																				
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ST37: Whitehall Grange, Wigginton Road (10.1ha)	33,330sqm	Storage/Distribution B8.																					
<p>*This is an approximate and indicative figure based on the University of York's predicated growth and may be reduced to accommodate other employment generating University uses identified in Policy ED1 York City Centre will remain the focus for main town centre uses (unless identified above). Proposals for main town centre uses for non city centre locations will only be considered acceptable where it can</p>																							

Section 4: Economy and Retail

Modification Reference

Proposed Modification

Reason for change

be demonstrated that they would not have a detrimental impact on the city centre's vitality and viability and the sustainable transport principles of the Plan can be met.

Provision for a range of employment uses during the plan period will be made on the following other sites:

Site	Floorspace	Suitable Employment Uses
E8: Wheldrake Industrial Estate (0.45ha)	1,485sqm	B1b, B1c, B2 and B8.
E9: Elvington Industrial Estate (1ha)	3,300sqm	B1b, B1c, B2 and B8. Research & Development (Use Class E), Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).
E10: Chessingham Park, Dunnington (0.24ha)	792sqm	B1c, B2 and B8. Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).
E11: Annamine Nurseries, Jockey Lane (1ha)	3,300sqm	B1a, B1c, B2 and B8. Office (Use Class E), Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).
E16: Poppleton Garden Centre (2.8ha)	9,240sqm	B1c, B2 and B8. Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8). May also be suitable for an element of Office (Use Class E) B1a.
E18: Towthorpe Lines, Strensall (4ha) *	13,200sqm	B1c, B2 and B8 uses. Light Industrial (Use Class E), Industrial (Use Class B2) and Storage/Distribution B8).

Section 4: Economy and Retail

Modification Reference	Proposed Modification	Reason for change																																																																					
	<p>* Given the site's proximity to Strensall Common SAC (see explanatory text), this site must take account of Policy GI2a.</p>																																																																						
<p>MM4.3 Policy EC1 explanation</p>	<p>4.6 ... The ELR Update (2017) has adjusted floorspace requirements to take account of development between 2012-2017 and to reflect the revised plan period inclusive of an additional 5 years to ensure Green Belt permanence (2012-2038). A 5% vacancy factor and an additional 2 year land supply to allow for time for developments to be complete has also been added to calculations. Overall, around 38ha of new employment land is required; within this the largest components are 13.8 17.6ha for office (formerly B1a) and 16.1 13.7ha for B8 uses, as shown at Table 4.1 below.</p>	<p>To update Plan period and reflected amendments to data in Table 4.1.</p>																																																																					
<p>MM4.4 Policy EC1 explanation – table 4.1</p>	<p>Table 4.1: Employment Land Requirements 2017-2038 (including 5% vacancy), Factoring in Change of Supply 2012-2017 and Including 2 Years Extra Supply, updated March 2022</p> <table border="1"> <thead> <tr> <th rowspan="2">Use Class</th> <th colspan="2">2021-33</th> <th colspan="2">2033-38</th> <th colspan="2">Total 2021-2038</th> </tr> <tr> <th>Floorspace (m2)</th> <th>Land (Ha)</th> <th>Floorspace (m2)</th> <th>Land (Ha)</th> <th>Floorspace (m2)</th> <th>Land (Ha)</th> </tr> </thead> <tbody> <tr> <td>Office (formerly B1a)</td> <td>137,588</td> <td>15.5</td> <td>12,310</td> <td>2.1</td> <td>149,898</td> <td>17.6</td> </tr> <tr> <td>Research and Development (B1b)</td> <td>15,655</td> <td>3.7</td> <td>1,644</td> <td>0.4</td> <td>17,299</td> <td>4.1</td> </tr> <tr> <td>Light Industrial (formerly B1c)</td> <td>11,218</td> <td>1.9</td> <td>1,435</td> <td>0.4</td> <td>12,653</td> <td>2.3</td> </tr> <tr> <td>General Industrial (B2)</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Storage and Distribution B8</td> <td>54,986</td> <td>10.5</td> <td>15,705</td> <td>3.2</td> <td>70,691</td> <td>13.7</td> </tr> <tr> <td>B Uses Sub Total</td> <td>219,447</td> <td>31.6</td> <td>31,094</td> <td>6.2</td> <td>250,541</td> <td>37.7</td> </tr> <tr> <td>D2</td> <td>-17,887</td> <td>-1.1</td> <td>4,398</td> <td>1.1</td> <td>-13,489</td> <td>0.0</td> </tr> <tr> <td>Totals</td> <td>201,560</td> <td>30.5</td> <td>35,492</td> <td>7.2</td> <td>237,052</td> <td>37.7</td> </tr> </tbody> </table>	Use Class	2021-33		2033-38		Total 2021-2038		Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)	Office (formerly B1a)	137,588	15.5	12,310	2.1	149,898	17.6	Research and Development (B1b)	15,655	3.7	1,644	0.4	17,299	4.1	Light Industrial (formerly B1c)	11,218	1.9	1,435	0.4	12,653	2.3	General Industrial (B2)	0	0	0	0	0	0	Storage and Distribution B8	54,986	10.5	15,705	3.2	70,691	13.7	B Uses Sub Total	219,447	31.6	31,094	6.2	250,541	37.7	D2	-17,887	-1.1	4,398	1.1	-13,489	0.0	Totals	201,560	30.5	35,492	7.2	237,052	37.7	<p>Updated Table 4.1, to take account of the changes to supply since Plan submission.</p>
Use Class	2021-33		2033-38		Total 2021-2038																																																																		
	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)																																																																	
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Section 4: Economy and Retail

Modification Reference

Proposed Modification

Reason for change

Table 4.1: Employment Land Requirements 2017-2038 (including 5% vacancy), Factoring in Change of Supply 2012-2017 and Including 2 Years Extra Supply

Use Class	2017-33		2033-38		Total 2017-2038	
	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Lane (Ha)	Floorspace (m2)	Lane (Ha)
B1a	94,771.32	11.7	12,310	2.1	107,081	13.8
B1b	7,883.40	2.1	1,644	0.4	9,527	2.5
B1c	8,480.60	1.5	1,435	0.4	9,916	1.9
B2	0.00	0.0	0	0	0	0.0
B8	69,034.70	12.9	15,705	3.2	84,740	16.1
B-uses-sub-total	180,170	28.2	31,094	6	211,264	34.3
D2	15,577	2.7	4,398	1.1	19,975	4
Total	195,747	30.9	35,492	7.1	231,239	38.1

MM4.5 Policy EC1 Explanation paragraph 4.8a

4.8a The location of allocation E18 adjacent to Strensall Common SAC means that a comprehensive evidence base to understand the potential impacts on biodiversity from further development is required. Strensall Common is designated for its heathland habitats but also has biodiversity value above its listed features in the SSSI/SAC designations that will need to be fully considered. Although the common is already under intense recreational pressure, there are birds of conservation concern amongst other species and habitats which could be harmed by the intensification of disturbance. In addition, the heathland habitat is vulnerable to changes in the hydrological regime and air quality, which needs to be explored in detail. The mitigation hierarchy should be used to identify the measures required to first avoid impacts, then to mitigate unavoidable impacts or compensate for any unavoidable residual impacts, and be implemented in the masterplanning approach. Potential access points into the planned development also need to consider impacts on Strensall Common.

To acknowledge the location of E18 and its relationship to Strensall Common SAC.

Section 4: Economy and Retail

Modification Reference	Proposed Modification	Reason for change
<p>MM4.6 Policy EC2 Explanation paragraph 4.9</p>	<p>When considering the loss of employment land and/or buildings the Council will expect the applicant to provide evidence proportionate to the size of the site of effective marketing the site/premises for employment uses for a reasonable period of time and in most cases not less than 18 months. Where an applicant is seeking to prove a site is no longer appropriate for employment use because of business operations, and/or condition, the council will expect the applicant to provide an objective assessment of the shortcomings of the land/premises that demonstrates why it is no longer appropriate for employment use. This includes all employment generating uses, not just office or industrial uses outside the B use classes...</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 and to reflect changes in the Use Classes Order.</p>
<p>MM4.7 Policy EC5: Rural Economy</p>	<p>In addition to the allocation in villages in Policy EC1, York's rural economy will be sustained and diversified through:</p> <ul style="list-style-type: none"> Supporting appropriate farm and rural diversification activity including office and leisure development (Use Classes B and D); permitting camping and caravan sites (on a temporary or permanent basis) for holiday and recreational use where proposals can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local facilities and within walking distance of public transport to York, and would not generate significant volumes of traffic. Such development would also need to address Green Belt policies, where relevant; and <p>...</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 and to cross-reference with relevant Green Belt policy.</p>
<p>MM4.8 Policy EC5 Explanation – paragraph 4.17</p>	<p>...The scale of the proposals will be an important factor as often small sites are assimilated into the landscape more easily than larger sites. In Green Belt locations, caravan sites are inconsistent with policy requirements to protect openness, temporary permissions may be considered, where other criteria are met.</p>	<p>To provide clarity and explanation relating to MM4.7 with regards Green Belt policy.</p>
<p>MM4.9 Policy R1: Retail Hierarchy and Sequential Approach</p>	<p>...Main town centre uses will be directed to the city, district and local centres defined in this policy and in accordance with other Local Plan policies in relation to specific uses.</p> <p>Proposals for main town centre uses outside an identified centre should undertake a sequential test to identify why the proposal cannot be accommodated in a sequentially preferable location.</p>	<p>To ensure conformity with the NPPF 2012 by requiring a sequential test for all main town centre uses outside of an identified centre.</p> <p>Clarity in relation to the requirements for new retail provision proposed as part of a strategic site.</p>

Section 4: Economy and Retail

Modification Reference	Proposed Modification	Reason for change
	<p>Proposals for main town centre uses outside a defined city, district or local centre must be subject to an impact assessment where the floorspace of the proposed development exceeds the following thresholds:</p> <ul style="list-style-type: none"> • outside York city centre: greater than 1,500 sqm gross floorspace. • outside a district centre: greater than 500 sqm gross floorspace. • outside a local centre: greater than 200 sqm gross floorspace. <p><u>These thresholds should also be applied where variation of condition applications are proposed to change the nature of goods sold within a unit.</u></p> <p><u>Where new retail provision is proposed as part of the development of a strategic site then this will not be subject to an impact assessment, providing the provision is appropriate in scale to serve only the local day to day shopping needs of residents of the site.</u></p> <p>Advice should be sought ...</p>	
<p>MM4.10 Policy R2: District and Local Centres and Neighbourhood Parades</p>	<p>...</p> <p><u>Development proposals for main town centre uses outside defined district and local centres that would result in significant adverse impact on the continued or future function, vitality and viability of a centre will be refused.</u></p>	<p>To provide clarity and avoid repetition.</p>
<p>MM4.11 Policy R3: York City Centre Retail</p>	<p>The vitality and viability of the city centre is supported and enhanced, with the Primary Shopping Area (PSA) as shown on the <u>proposals policies</u> map...</p> <p>In the PSA, proposals for new retail floorspace (use class <u>E A1</u>) will be <u>permitted supported</u>. Proposals...</p> <p><u>Primary Shopping Frontages</u> The concentration of <u>retail A1</u> uses in the primary shopping frontages, as defined on the proposal map, will be safeguarded and enhanced. Proposals that would involve the loss, by change of use or redevelopment, of ground floorspace class <u>E A1</u> shops will generally be resisted. However, proposals for other uses may be permitted if it can be demonstrated that:</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012 and update to reflect changes to the Use Classes Order.</p>

Section 4: Economy and Retail

Modification Reference	Proposed Modification	Reason for change
	<p>i.the proposal has an active frontage and contributes to the vitality and viability of the primary shopping frontage; the proposed uses will provide a service direct to members of the public and can demonstrate a comparable footfall generation to an retail A4 use;</p> <p>ii.the proposal will have an attractive shop front which contributes positively to the appearance of the street;</p> <p>iii.the proposal would not result in non-retail uses being grouped together in such a way that would undermine the retail role of the street;</p> <p>iv.a minimum of 70% E A4 uses will be required unless it can be demonstrated that it would be beneficial to the vitality and viability of the primary shopping frontage;</p> <p>...</p> <p><u>Secondary Shopping Frontages</u></p> <p>In secondary frontage areas, changes to non-retail use at ground floor level will be considered favourably permitted where it can be demonstrated that the proposal:</p> <p>...</p>	

4. SECTION 5: HOUSING

Section 5: Housing		
Modification Reference	Proposed Modification	Reason for change
<p>MM5.1 Policy H1: Housing Allocations</p>	<p>Policy H1: Housing Allocations</p> <p>In order to meet the housing requirement set out in Policy SS1 the following sites, as shown on the proposals Policies Map, and set out in the schedule below are proposed allocated primarily for residential use development.</p> <p>Planning applications for housing submitted for these allocations will be permitted if in accordance with the phasing indicated. An application on an allocated site in advance of its phasing will be approved if:</p> <ul style="list-style-type: none"> • the allocation's early release does not prejudice the delivery of other allocated sites phased in an earlier time period; • the release of the site is required now to maintain a five year supply of deliverable sites; and • the infrastructure requirements of the development can be satisfactorily addressed. <p>Where developers are seeking revisions to existing planning permissions and associated conditions and S106 agreements, changes in market conditions will be taken into account</p> <p>Where sites contain existing open space this will be an important consideration in the development of the site and the open space needs of the area will need to be fully assessed.</p> <p>This policy applies to all the sites listed in the Table 5.1 overleaf:</p> <p>Development proposals will be permitted where the following criteria are satisfied:</p> <ul style="list-style-type: none"> • For sites that contain existing open space (**), where appropriate, it should be retained on-site or re-provided off-site. • For sites located within 5.5km of Strensall Common SAC (#) the development must accord with the requirements of Policy GI2 and GI2a • On site H39 the western boundary is not defined by recognisable or permanent features and the design should create and secure a strong and defensible Green Belt boundary 	<p>Requirement for phasing deleted to aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Further modifications also for effectiveness and clarity, to identify notable development considerations for certain sites, including cross reference to Policy GI2a to ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated. Reference to existing open space relocated from below table 5.1.</p>
<p>MM5.2 Policy H1, table 5.1</p>	<p>Table 5.1: Housing Allocations</p>	<p>Updates to table to aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings ¹)	Estimatee Phasing
H1#	Former Gas Works, 24 Heworth Green (Phase 1 and 2)	2.87-3.54	274 607	Short to Medium Term (Years 1-10)
H1#	Former Gas works, 24 Heworth Green (Phase 2)	0.67	65	Medium Term (Years 6-10)
H3**#	Burnholme School	1.90	72-83	Short Term (Years 1-5)
H5**	Lowfield School	3.64	1652	Short to Medium term (Years 1-10)
H6	Land R/O The Square Tadcaster Road	1.53	928 ²	Short to Medium Term (Years 1-10)
H7**#	Bootham Crescent	1.72	86-93	Short to Medium Term (Years 1-10)
H8	Askham Bar Park & Ride	1.57	60	Short Term (Years 1-5)
H10	The Barbican	0.96	187	Short to Medium Term (Years 1-10)
H20	Former Oakhaven EPH	0.33	536 ²	Short Term (Years 1-5)
H22	Former Heworth Lighthouse	0.29	15	Short Term (Years 1-5)
H23	Former Grove House EPH	0.25	14	Short Term (Years 1-5)
H29	Land at Moor Lane Copmanthorpe	2.65	8892	Short Term (Years 1-5)
H31#	Eastfield Lane Dunnington	2.51	76 83	Short Term (Years 1-5)
H38	Land RO Rufforth Primary School Rufforth	0.99	33 21	Short Term (Years 1-5)
H39	North of Church Lane Elvington	0.92	32	Short Term (Years 1-5)

Phasing column deleted in accordance with MM5.1; various updates and corrections to site size and estimated capacity.

Completed sites deleted.

ST35 and H59 removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC).

SH1 included in acknowledgement of its contribution to housing supply.

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

H46**#	Land to North of Willow Bank and East of Haxby Road, New Earswick	2.74 4.90	104	Short Term (Years 1 – 5)
H52#	Willow House EPH, Long Close Lane	0.20	15	Short Term (Years 1 – 5)
H53#	Land at Knapton Village	0.33	4	Short Term (Years 1 – 5)
H55#	Land at Layerthorpe	0.20	20	Short Term (Years 1 – 5)
H56**#	Land at Hull Road	4.00	70	Short Term (Years 1 – 5)
H58#	Clifton Without Primary School	0.70	215	Short Term (Years 1 – 5)
H59**#	Queen Elizabeth Barracks Howard Road, Strensall	1.34	45	Medium to Long Term (Years 6 – 15)
SH1	Land at Heworth Croft	1.7	160 ²	Years 1-5
ST1**	British Sugar/Manor School	46.3	1,200	Lifetime of the Plan (Years 1 – 16)
ST2	Civil Service Sports Ground Millfield Lane	10.40	2636	Short to Medium Term (Years 1 – 10)
ST4#	Land Adjacent to Hull Road	7.54	211-263	Short to Medium Term (Years 1 – 10)
ST5	York Central	35.0	1,700 2,500	Lifetime of the Plan and Post Plan period (Years 1- 21)
ST7#	Land East of Metcalfe Lane	34.5	845	Lifetime of the Plan (Years 1 – 16)
ST8#	Land North of Monks Cross	39.5	968	Lifetime of the Plan (Years 1 – 16)
ST9#	Land North of Haxby	35.0	735	Lifetime of the Plan (Years 1 – 16)
ST14#	Land West of Wigginton Road	55.0	1,348	Lifetime of the Plan and Post

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

Modification Reference	Proposed Modification	Area (ha)	Number of Dwellings	Plan period (Years 1-21)
ST15#	Land West of Elvington Lane	159.0	3,339	Lifetime of the Plan and Post Plan period (Years 1-21)
ST16	Terry's Extension Site – Terry's Clock Tower (Phase 1)	2.18	22	Short Term (Years 1-5)
ST16	Terry's Extension Site – Terry's Car Park (Phase 2)		39 ² 3	Short to Medium Term (Years 1-10)
ST16	Terry's Extension Site – Land to rear of Terry's Factory (Phase 3)		56	Short to Medium Term (Years 1-10)
ST17#	Nestle South (Phase 1)	2.35	263 279	Short to Medium Term (Years 1-10)
ST17#	Nestle South (Phase 2)	4.70	600 302	Medium to Long Term (Years 6-15)
ST31	Land at Tadcaster Road, Copmanthorpe	8.10	158	Short to Medium Term (Years 1-10)
ST32#	Hungate (Phases 5+)	2.17 1.1	328 570	Short to Medium Term (Years 1-10)
ST33	Station Yard, Wheldrake	6.0	147-150	Short to Medium Term (Years 1-10)
ST35**	Queen Elizabeth Barracks, Strensall	28.8	500	Medium to Long Term (Years 6-15)
ST36**	Imphal Barracks, Fulford Road	18.0	769	Post Plan period (Years 16-21)
<p>*Allocated for specialist housing (Use Class C3b) for residential extra care facilities in association with the Wilberforce Trust.</p> <p>** Sites that contain existing open space</p> <p>Notes</p> <ol style="list-style-type: none"> Includes completed dwellings on sites where development has commenced. Sites expected to come forward for student housing or communal establishments (and reflected in estimated yield) 				

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

3. Site lies within settlement that is washed over Green Belt, but development does not require very special circumstances to be demonstrated.

MM5.3 Policy H1 Explanation – paragraphs 5.4 to 5.16

Sites with Existing Permissions

5.3 The sites allocated for housing will provide a range and choice of sites capable of meeting future requirements and in line with the spatial strategy for the City of York detailed in Section 3. An estimated yield is attributed to each site and is an indicative figure to demonstrate how the Local Plan housing requirement can be met. For sites with permission the figure is the total number of dwellings approved (as at 1 April 2022). Where the site is without planning permission, the figure is in most cases an estimate based on the size of the site, an assumption about the net developable area, and an assumption about the net residential density aligned to Policy H2. Site yields are only 'indicative', and do not represent a fixed policy target for each individual site. Developers are encouraged to produce the most appropriate design-led solution, taking all national policies and other Local Plan policies into account.

~~Planning permission will be renewed for housing on these sites providing that the proposal accords with the relevant policies in this plan and there have been no material changes to justify refusal of the permission. If renewal of a planning permission is sought the proposal will be tested against the relevant policies in the plan and changes to the previously permitted scheme may be required to ensure the proposed development properly addresses the now extant policies in the plan. Note: as at the 1st April 2017 there were extant planning permissions for 3,578 homes which will contribute towards meeting the overall housing requirement in the Plan.~~

Paragraphs 5.4 to 5.8 deleted

5.9 Local Planning Authorities are expected to demonstrate that they have a rolling five year supply of deliverable sites, measured against the housing requirement set out in Policy SS1, with an additional 5% or 20% buffer (for five years) depending on past delivery to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land. Developable sites or broad locations should be identified for years 6-10 and where possible for years 11-15. To fulfil these requirements and to provide additional certainty we have the Council has chosen to allocate land for the full plan period, including the Green Belt period, to 2037/38 to meet the minimum housing requirement as set out in Policy SS1 of 822 dwellings per year 867 additional dwellings. The Council accepts that there has been persistent under delivery of housing as defined in the NPPF and consequently has included enough land in the early years of the trajectory to ensure there is a 20% buffer in the 5 year supply. This land has been brought forward from later in the plan period. Progress on meeting delivery targets will be assessed

To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

Superfluous text removed where it does not relate to the implementation of Policy H1.

Section 5: Housing

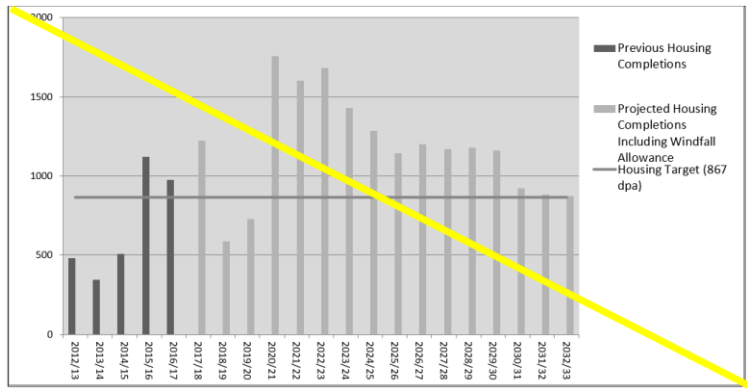
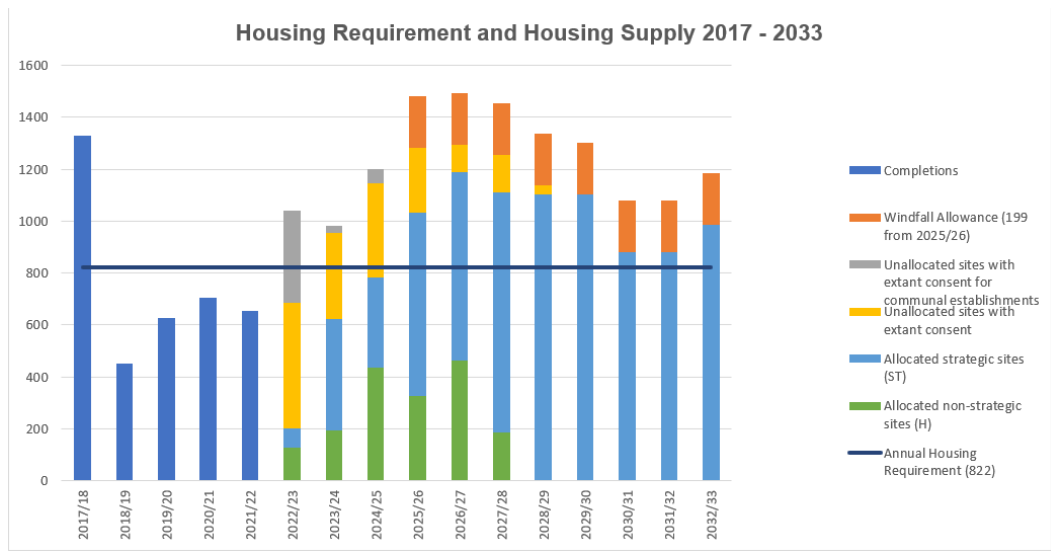
Modification Reference	Proposed Modification	Reason for change
	<p>through the authority monitoring report and the 20% buffer will be rolled forward within the 5 year supply until such time as the under delivery has been satisfactorily addressed. This does not mean that overall more land has been allocated in the plan, what it does mean is that the development trajectory (see Figure 5.1) ensures that in the early years of the plan additional land is available to address previous under delivery.</p> <p>5.10 A number of sites are not expected to complete within the plan period. The total allocated capacity of sites exceeds the Council's housing requirement and if delivery rates can be increased then these sites could provide additional supply to react to market signals.</p> <p>As part of our desire to generate development opportunities within the City of York, we wrote to and emailed nearly 2,000 contacts from our Local Plan and Strategic Housing Land Availability Assessment (SHLAA) database asking people to submit sites, which they thought had potential for development over the Plan period. The response to the call for sites along with previous proposals from the 2008 call for sites the SHLAA in 2011, the employment land review, and proposals put forward in response to the earlier consultations on this Local Plan generated over 800 sites all of which were tested through the site selection methodology which we consulted on as part of the preferred options Local Plan consultation in 2013 and subsequent consultations as part of the further sites consultation in 2014 and preferred sites consultation in 2016.</p> <p>Paragraphs 5.11 to 5.16 deleted</p>	
<p>MM5.4 Policy H1 Explanation</p>	<p>Figure 5.1: Housing Trajectory - replaced</p>	<p>Graph updated to reflect current position on housing supply in the context of the modified housing requirement.</p>

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change



MM5.5 Table 5.2

Table 5.2: Housing Trajectory (Start date 1st April 2017, end date 31st March 2033)

Table deleted given revisions to graph in MM5.4 and further supply information added to Section 3: Spatial Strategy (MM3.4)

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Year	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Projected Completions Including Windfall Allowance (From 2020/21)		590	730	1758	1602	1682	1433	1286	1144	1200	1169	1179	1162	924	884	874
Annual Housing Target	867	867	867	867	867	867	867	867	867	867	867	867	867	867	867	867
Inherited Shortfall (2012 - 2017) Annualised over Plan Period	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56
Annual Target (Inclusive of shortfall)	923	923	923	923	923	923	923	923	923	923	923	923	923	923	923	923
Over/Under Supply of Housing against cumulative annual target	299	-34	-227	608	1287	2046	2556	2919	3140	3417	3663	3919	4158	4158	4071	4071

MM5.6 Policy H2: Density of Residential Development

Where appropriate, development proposals on strategic sites that are not consistent with the rates above must provide satisfactory justification for a bespoke approach to site density. the specific master planning agreements that provide density targets for that site may override the approach in this policy, which should be used as a general guide.

For clarity and to aid effectiveness in line with paragraph 154 of NPPF 2012.

MM5.7 Policy H2 explanation

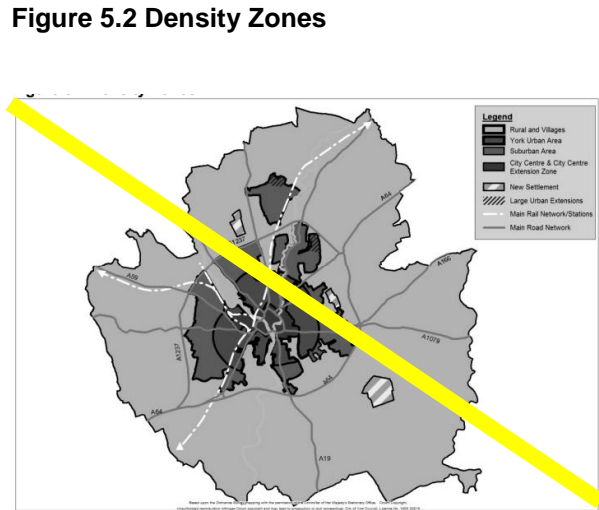


Figure replaced for clarity and effectiveness, with legend corrected to reflect zones in policy H2.

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change



MM5.8 Policy H3: Balancing the Housing Market

Policy H3: Balancing the Housing Market

The Council will expect developers to provide housing solutions that contribute to meeting York's housing needs, as identified in the latest Local Housing Needs Assessment (LHNA) and in any other appropriate local evidence. New residential development should therefore maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

seek to balance the housing market across the plan period and work towards a mix of housing identified in the Strategic Housing Market Assessment (SHMA). Proposals for residential development will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city. This includes flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people.

To aid effectiveness with reference to latest evidence and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>The housing mix proposed should have reference to the SHMA and be informed by:</p> <ul style="list-style-type: none"> Up to date evidence of need including at a local level; and The nature of the development site and the character of the local surrounding area. 	
<p>MM5.9 Policy H3: Balancing the Housing Market</p>	<p>Proposals will be supported that are suitable for the intended occupiers in relation to the quality and type of facilities, and the provision of support and/or care.</p> <p>Housing should be built as flexible as possible to accommodate peoples' changing circumstances over their lifetime. The Council will encourage developers to deliver an appropriate proportion of housing that meets the higher access standards of Part M Building Regulations (Access to and use of buildings), unless it is demonstrated that characteristics of the site provide reasons for delivery to be inappropriate, impractical or unviable.</p> <p>a broad cross section of society to help meet a wide range of needs.</p>	<p>To aid effectiveness, recognising the needs highlighted in the LHNA and to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM5.10 Policy H4: Promoting and Custom House Building</p>	<p>Policy H4: Promoting Self and Custom House Building</p> <p>As part of meeting housing need, proposals for self and custom house building, to be occupied as homes by those individuals, will be supported where they are in conformity with all other relevant local and national policies.</p> <p>Proposals for residential development on strategic sites (sites 5ha and above) developers will be required to supply at least 5% of dwelling plots for sale to self builders or to small/custom house builders subject to appropriate demand being identified by the Council. Plots should be made available at competitive rates...</p>	<p>To aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM5.11 Policy H5: Gypsies and Travellers</p>	<p>Safeguarding Existing Supply</p> <p>Proposals which fail to protect existing Gypsy and Traveller sites or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Gypsy and Traveller sites are shown on the proposals Policies Map, and are listed below:</p> <p>...</p> <p>a) Within Existing Local Authority Sites</p> <p>In order to meet the need of Gypsies and Travellers that meet the planning definition, 10 3 additional pitches will be provided identified within the existing three Local Authority sites at:</p> <ul style="list-style-type: none"> Water Lane, Clifton; and Outgang Lane, Osboldwick. 	<p>To ensure the Plan is justified, reflecting up to date evidence in the published 2022 GTAA, and to provide clarity, including in the application of the policy cascade.</p>

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>b) Within Strategic Allocations In order to meet the need of those 30 44-Gypsies and Traveller households that <u>do and</u> do not meet the planning definition:</p> <p><u>Residential development proposals on strategic sites Applications for larger development sites of 5 ha or more will be required to: provide a number of pitches within the site or provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches.</u></p> <p><u>Commuted sum payments to contribute to development of pitches elsewhere will only be considered where it is demonstrated that on site delivery is not achievable due to site constraints and that there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer</u></p> <ul style="list-style-type: none"> <u>• provide a number of pitches within the site; or</u> <u>• provide alterative land that meets the criteria set out in part (c) of this policy to accommodate the required number of pitches; or</u> <u>• provide commuted sum payments to contribute towards to development of pitches elsewhere.</u> <p>...</p>	
<p>MM5.12 Policy H5: Gypsies and Travellers</p>	<p>c) Planning Applications ... In addition, proposals will be expected to: ... vii. ensure that the size and density of pitches/plots <u>are in accordance with have regard to</u> best practice guidance;...</p>	<p>To ensure consistency with the NPPF and to provide clarity.</p>
<p>MM5.13 Policy H6: Travelling Showpeople</p>	<p>...</p> <p>Safeguarding Existing Supply Proposals which fail to protect existing Travelling Showpeople yards or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Travelling Showman yards are shown on the <u>proposals Policies</u> Map, namely The Stables, Elvington (temporary permission until 2020).</p> <p>Meeting Future Need</p> <p>There is a total need of <u>3-4</u> Showpeople plots over the plan period (this includes the plot with temporary planning permission at The Stables). <u>This is split into 2 plots in years 2016-21, and 1 plot in the period 2032.</u></p>	<p>To ensure the Plan is justified, reflecting up to date evidence in the published 2022 GTAA, and to provide clarity.</p>

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change																																
	...																																	
<p>MM5.14 Policy H6: Travelling Showpeople</p>	<p>... c) Planning Applications ... In addition, proposals will be expected to: ... vii. ensure that the size and density of pitches/plots are in accordance with have regard to best practice guidance;...</p>	<p>To ensure consistency with the NPPF and to provide clarity.</p>																																
<p>MM5.15 Policy H5 and H6 Explanation Para 5.38 and Table 5.3</p>	<p>... 5.38 Table 5.3 overleaf is taken from the City of York Gypsy and Travellers Accommodation Assessment (2022) Update (2017) and summarises the number of households in York which do/do not meet the definition.</p> <p>Table 5.3: Need for Gypsy and Traveller Households broken down by Local Plan Policy Type Meeting the Revised Definition of a Traveller</p> <table border="1" data-bbox="353 798 1438 1129"> <thead> <tr> <th>Delivery Status</th> <th>Gypsy and Traveller Policy</th> <th>Housing Policy</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Meet Planning Definition</td> <td>15</td> <td>0</td> <td>15</td> </tr> <tr> <td>Do not meet Planning Definition</td> <td>0</td> <td>25</td> <td>25</td> </tr> <tr> <td>Total</td> <td>15</td> <td>25</td> <td>40</td> </tr> </tbody> </table> <table border="1" data-bbox="367 1161 1460 1390"> <thead> <tr> <th>Households in York</th> <th>GTAA^[1]</th> <th>SHMA^[2]</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Households that meet the planning definition (incl. 10% of unknown need)</td> <td>3</td> <td>0</td> <td>3</td> </tr> <tr> <td>Households that do not meet the planning definition (incl. 90% of unknown need)</td> <td>0</td> <td>44</td> <td>44</td> </tr> <tr> <td>Total</td> <td>3</td> <td>44</td> <td>47</td> </tr> </tbody> </table>	Delivery Status	Gypsy and Traveller Policy	Housing Policy	Total	Meet Planning Definition	15	0	15	Do not meet Planning Definition	0	25	25	Total	15	25	40	Households in York	GTAA ^[1]	SHMA ^[2]	Total	Households that meet the planning definition (incl. 10% of unknown need)	3	0	3	Households that do not meet the planning definition (incl. 90% of unknown need)	0	44	44	Total	3	44	47	<p>To ensure the Plan is justified, reflecting up to date evidence in the published 2022 GTAA, and to provide clarity.</p>
Delivery Status	Gypsy and Traveller Policy	Housing Policy	Total																															
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Total	3	44	47																															

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

Showpeople households that meet the planning definition	3	0	3
Total	3	0	3

¹ GTAA – Gypsy and Traveller Accommodation Assessment

² SHMA – Strategic Housing Market Assessment

...

5.41 ~~Three Two~~ plots for Travelling Showpeople ~~have has~~ been identified for the first 5 years of the plan period at The Stables, Elvington, ~~with a further 1 plot in the same yard for the future expansion of the existing family in year 2032.~~

...

MM5.16 Policy H5 and H6 Explanation – paragraph 5.42

~~5.42 The suitability of the location of any further sites for Gypsies, Travellers or Travelling Showpeople which come forward during the plan period will be determined in accordance with criteria i-v of Policies H5 and H6. These consider the natural and historic environment, access to public transport and services, road access and congestion, flood risk and amenity. The development of the allocated sites and any further sites that come forward during the plan period will be determined in accordance with Policies H5 and H6 criteria vi-x. These consider the provision of storage and recreation space, amenity provision, size and density of pitches/plots, landscaping of the site, amenity of nearby residents and future occupiers of the site.~~

5.42 The suitability of sites not allocated for Gypsies, Travellers or Travelling Showpeople in this Local Plan will be assessed against the locational principles within criteria i-v of Policies H5 and H6 (Part C) as appropriate. All development proposals (including those forming part of a strategic allocation) will need to demonstrate that the site’s design and layout observes the principles within criteria vi-x of Policies H5 and H6, as appropriate.

Where proposals seek to provide a commuted sum in lieu of either on or off-site pitch provision, applications will need to comprehensively demonstrate the following:

1. That the design parameters (vi – x in part C of Policy H6) cannot be satisfactorily achieved through evidence of a site and masterplan appraisal (which should include layout and capacity assessments as well as a demonstration of all reasonable attempts to overcome any site constraints); and,

To provide clarity on the policy approach and planning application requirements

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>2. That there are no available sites which would be suitable for the number of pitches required. Evidence should include an appraisal of sites on the market at the time of the application with clear justification for their rejection.</p> <p>Committed sums will be calculated on the basis that costs are met in full including, where appropriate, land purchase, professional fees, construction, and operating costs.</p>	
<p>MM5.17 Policy H7: Student Housing</p>	<p>Policy H7: Off Campus Purpose Built Student Housing</p> <p>The University of York and York St. John University must address the need for any additional student housing which arises because of their future expansion of student numbers. In assessing need, consideration will be given to off campus provision and the capacity of independent providers of bespoke student housing in the city and whether it is economically prudent to provide additional student accommodation. To meet any projected shortfall, provision by the University of York can be made on either campus. Provision by York St. John University is expected to be off campus but in locations convenient to the main campus.</p> <p>SH1: Land at Heworth Croft, as shown on the proposals Policies Map, is allocated for student housing for York St. John University students.</p> <p>Proposals for new off campus purpose built student accommodation, other than the allocation at SH1, will be permitted supported where all of the following criteria are satisfied:</p> <ul style="list-style-type: none"> i. there is a proven need it can be demonstrated that there is a need for student housing which cannot be met on campus; and ii. it is in an appropriate location for education institutions and accessible by sustainable transport modes; iii. The rooms in the development are secured through a nomination agreement for occupation by students of one or more of the University of York and York St. John University; and iv. the development would not be detrimental to the amenity of nearby residents and the design and access arrangements would have a minimal impact on the local area. v. The accommodation shall be occupied only by full-time students enrolled in courses of one academic year or more and conditions or obligations shall be imposed to secure compliance with this requirement and for the proper management of the properties 	<p>To aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012, making clear the policy relates to off campus provision only.</p> <p>Approach to securing affordable housing contributions introduced in order to support the Plan's overall contribution to meeting affordable housing needs (in accordance with NPPF 2012 and evidence at EX/CYC/107-3)</p>

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>For new student accommodation a financial contribution should be secured towards delivering affordable housing elsewhere in the City. The contribution will be calculated on a pro rate basis per bedroom using the following formula:</p> <p style="text-align: center;">Average York Property price – Average York Fixed RP Price x 2.5% = OSFC per student bedroom</p> <p>The contribution will be required only from the number of units creating a net gain. For mixed-use developments of student accommodation with general housing a pro-rata approach will be used to determine whether a contribution is required, and how much this should be. Contributions towards affordable housing provision from new student accommodation will not be sought where the student accommodation site which at the date of adoption of the Plan is owned by a university and which will continue to be owned by a university to meet the accommodation needs of its students. Where a developer considers the contribution cannot be fully met they should justify the level of provision proposed through an open book appraisal to demonstrate to the Council's satisfaction that the development would not otherwise be viable.</p> <p>Developers may not circumvent this policy by artificially subdividing sites, and are expected to make efficient use of land.</p> <p>Conditions will be used to ensure the proper management of the accommodation in the interests of the amenity of adjacent properties and that any development remains occupied by students in perpetuity, unless and until an alternative use is approved by the Council.</p>	
<p>MM5.18 Policy H7 Explanation – paragraph 5.47</p>	<p>...</p> <ul style="list-style-type: none"> the likely future supply of accommodation based on extant planning permissions <u>and estate strategies of the relevant education provider.</u> <p>The assessment should form the basis of a formal agreement between a developer and an education provider, confirming the number of bedspaces and accommodation type required.</p>	<p>To provide clarity on the policy requirement in the context of changes included at MM5.5.</p>
<p>MM5.19 Policy H9: Older Persons Specialist Housing</p>	<p>...</p> <p><u>Residential development proposals on</u> Strategic sites (over 5ha) should incorporate the an appropriate provision of accommodation types for older persons <u>in accordance with Policy H3 within their site masterplanning.</u> For sheltered/extra care accommodations a mix of tenures will be supported.</p> <p>Where development falls within Use Class C3, affordable housing provision will be required <u>in line with the requirements set out in policy H10.</u></p>	<p>To aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

MM5.20 Policy H9 explanation – paragraph 5.59

Where specialist accommodation is provided, it will be important to ensure that it enables residents to live independently as far as possible by ensuring it is located close to facilities and services or that they are accessible by public transport. Residential development on strategic sites (of over 5ha) should incorporate a wider range of accommodation suitable for older people

To aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

MM5.21 Policy H10: Affordable Housing

Policy H10: Affordable Housing

To help maximise the planning system’s contribution to meeting affordable needs and to support the Council’s target to deliver 3,265 affordable dwellings, affordability across the housing market, the Council will support residential schemes for 25 or more dwellings will be permitted where the following criteria are satisfied which:

- i. reflect the relative viability of development land types in York by providing affordable housing is provided percentage levels for site thresholds as set out in accordance with Table 5.4 as a minimum. Higher rates of provision will be sought where development viability is not compromised.

Simplification of policy (justified by HS/P3/M1/AHP/1a) to aid effectiveness and clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

Table 5.4: Affordable Housing Site Thresholds

Threshold	Target
Brownfield sites => of 15 or more dwellings (gross)	20%
Greenfield sites => of 15 or more dwellings (gross)	30%
Urban, Suburban and Rural All sites 4-15 dwellings	210% ¹
Urban brownfield sites 5-10 dwellings ²	15% ¹
Urban greenfield sites 5-10 dwellings ²	19% ¹
Urban brownfield sites 2-4 dwellings ²	6% ¹
Urban greenfield sites 2-4 dwellings ²	10% ¹
Sub-urban brownfield sites 5-10 dwellings ²	10% ¹

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

Sub-urban greenfield sites 5-10 dwellings ²	15% ⁴
Sub-urban brownfield sites 2-4 dwellings ²	2% ⁴
Sub-urban greenfield sites 2-4 dwellings ²	7% ⁴
Rural brownfield sites 5-10 dwellings ²	11% ⁴
Rural brownfield sites 2-4 dwellings ² that	3% ⁴
Rural greenfield sites 5-10 dwellings ²	17% ⁴
Rural greenfield sites 2-4 dwellings ²	8% ⁴
<p>Notes to Table</p> <ol style="list-style-type: none"> 1. This is the target percentage to be used in the off-site financial contribution calculation following sub-clause (iii) below 2. For sites that have a maximum combined gross floorspace of more than 1,000sqm (excluding outbuildings) 	

- ii on sites of 15 homes and above on-site provision will be expected, unless off-site provision or a financial contribution of equivalent value can be robustly justified.
- iii. on sites of ~~2-15~~ **5-14** homes an off site financial contribution (OSFC) is required in accordance with the approved formula set out below:

$$\text{Average York Property price} - \text{Average York Fixed RP Price} \times \text{10\% Target} = \text{OSFC per dwelling}$$

- iv. ~~make~~ provision ~~which~~ reflects tenure split in terms of social renting and intermediate housing, as set out in the most up to date ~~SHMALHNA~~ or other best available evidence.
- v. ~~fully integrate~~ the affordable housing ~~is fully integrated~~ by pepper potting throughout the development with no more than two affordable dwellings placed next to each other. ~~The size and type of homes should be a pro rata mix of the total homes provided on site, taking into account current assessments of local need where on-site provision is required. The affordable housing should be~~ and is visually indistinguishable from the open market dwellings.

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>...</p> <p>This policy will apply if a development proposal below thresholds in table 5.4 is followed by an obviously linked proposal at any point where the original permission remains extant or up to 5 years following completion of the first scheme, and the combined total of dwellings (or floorspace) is 5 or more dwellings (or 1,000sqm or more floorspace).</p>	
<p>MM5.22 Policy H10 explanation</p>	<p>Thresholds</p> <p>5.60 NPPF (2012) requires Councils to set policies for meeting identified affordable housing need, and that those policies should be sufficiently flexible to take account of changing market conditions.</p> <p>5.61 Given the conclusions reached in the City of York Affordable Housing Viability Study (2010) and Annex 1 (2011) (AHVS) and the City of York Local Plan and CIL Viability Assessment (2017), Based on viability evidence prepared in support of the Local Plan, developments within York are expected should be able to provide the target minimum levels of affordable homes set out in Policy H10 approved for development management purposes. Therefore no individual site assessment will be required where submissions proposals achieve these policy requirements targets and this is to be encouraged in order to reduce time on further analysis and negotiation.</p> <p>...</p> <p>Types</p> <p>5.63 Affordable housing in York includes social rented and intermediate housing provided to specified eligible households whose needs are not being met by the open housing market, and who cannot afford to enter that market. The definition specifically excludes low cost market housing.</p> <p>Tenure/Mix</p> <p>5.64 The City of York Council SHMA and Addendum (2016) recommends an 80% social and affordable rented and 20% intermediate split.</p> <p>5.65 A full range of property sizes and types tenures are needed to satisfy the affordable housing needs of the city and providing small or poor quality accommodation will not be seen as satisfying the policy. In order to help build mixed and sustainable communities the mix and tenure of affordable homes provided on sites should have regard to the latest LHNA (or other available evidence) need to be pro-rata of the market homes, integrated within the site and indistinguishable from the market housing on site.</p>	<p>For clarification and to support interpretation of the modifications at MM5.9.</p>

Section 5: Housing

Modification Reference

Proposed Modification

Reason for change

5.66 The affordable homes should be visually indistinguishable from the open market dwellings and need to be fully integrated within the development by pepper potting throughout with no more than two affordable dwellings placed next to each other. The exception to this is apartment blocks if they are to be transferred freehold to Registered Providers. These affordable apartment homes should be provided in an apartment block rather than pepper potted throughout the development. The size and type of homes should be a pro rata mix of the total homes provided on site, taking into account current assessments of local need where on-site provision is required. The affordable housing should be visually indistinguishable from the open market dwellings.

5.67 The Council will make public any updates to the evidence on housing mix and tenure split that is currently provided in the SHMALHNA. Developers should consult the Council's web site prior to making any planning application to confirm the then current position on this matter. Information related to the average York property price and fixed RP price will also be provided on the Council's website.

Provision

5.68 In accordance with national guidance affordable housing provision for sites of 15 homes and above will normally be expected to be provided on-site. Following the change to national planning guidance, the council can no longer seek financial contributions towards affordable housing on rural schemes of 1 to 10 units with a gross area of no more than 1,000sqm. Planning obligations on affordable housing and other matters can only be applied to schemes of 11 new homes or more or 1 to 10 new homes with a total gross floorspace of more than 1,000sqm.

The commuted sum is calculated using the following formula and will be updated annually:

$$\text{Average York Property price} - \text{Average York Fixed RP Price} \times \% \text{ Target} = \text{OSFC per dwelling}$$

Table 5.5: Commuted Payment Calculation

Dwelling threshold	Average York property price (Land Registry March 2017)	Average York fixed RSL price	% target	Commuted payment
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Section 5: Housing

Modification Reference	Proposed Modification	Reason for change																																																												
	<table border="1"> <tr> <td data-bbox="380 255 784 351">Urban, Suburban and Rural sites 11-14 dwellings</td> <td data-bbox="806 303 929 335">£241,042</td> <td data-bbox="1041 303 1153 335">£75,000</td> <td data-bbox="1198 303 1265 335">20%</td> <td data-bbox="1400 303 1545 335">£33,208.40</td> </tr> <tr> <td data-bbox="380 391 784 454">Urban brownfield sites 5-10 dwellings¹</td> <td data-bbox="806 422 929 454">£241,042</td> <td data-bbox="1041 422 1153 454">£75,000</td> <td data-bbox="1198 422 1265 454">15%</td> <td data-bbox="1400 422 1545 454">£24,906.30</td> </tr> <tr> <td data-bbox="380 486 784 550">Urban greenfield sites 5-10 dwellings¹</td> <td data-bbox="806 502 929 534">£241,042</td> <td data-bbox="1041 502 1153 534">£75,000</td> <td data-bbox="1198 502 1265 534">19%</td> <td data-bbox="1400 502 1545 534">£31,547.98</td> </tr> <tr> <td data-bbox="380 558 784 622">Urban brownfield sites 2-4 dwellings¹</td> <td data-bbox="806 574 929 606">£241,042</td> <td data-bbox="1041 574 1153 606">£75,000</td> <td data-bbox="1198 574 1265 606">6%</td> <td data-bbox="1444 574 1545 606">£9,963</td> </tr> <tr> <td data-bbox="380 630 784 694">Urban greenfield sites 2-4 dwellings¹</td> <td data-bbox="806 654 929 686">£241,042</td> <td data-bbox="1041 654 1153 686">£75,000</td> <td data-bbox="1198 654 1265 686">10%</td> <td data-bbox="1400 654 1545 686">£16,604.20</td> </tr> <tr> <td data-bbox="380 718 784 782">Sub-urban brownfield sites 5-10 dwellings¹</td> <td data-bbox="806 734 929 766">£241,042</td> <td data-bbox="1041 734 1153 766">£75,000</td> <td data-bbox="1198 734 1265 766">10%</td> <td data-bbox="1400 734 1545 766">£16,604.20</td> </tr> <tr> <td data-bbox="380 790 784 853">Sub-urban greenfield sites 5-10 dwellings¹</td> <td data-bbox="806 813 929 845">£241,042</td> <td data-bbox="1041 813 1153 845">£75,000</td> <td data-bbox="1198 813 1265 845">15%</td> <td data-bbox="1400 813 1545 845">£24,906.30</td> </tr> <tr> <td data-bbox="380 861 784 925">Rural brownfield sites 5-10 dwellings¹</td> <td data-bbox="806 885 929 917">£241,042</td> <td data-bbox="1041 885 1153 917">£75,000</td> <td data-bbox="1198 885 1265 917">11%</td> <td data-bbox="1433 885 1545 917">£18,265</td> </tr> <tr> <td data-bbox="380 933 784 997">Rural brownfield sites 2-4 dwellings¹</td> <td data-bbox="806 957 929 989">£241,042</td> <td data-bbox="1041 957 1153 989">£75,000</td> <td data-bbox="1198 957 1265 989">3%</td> <td data-bbox="1444 957 1545 989">£4,984</td> </tr> <tr> <td data-bbox="380 1005 784 1069">Rural greenfield sites 5-10 dwellings¹</td> <td data-bbox="806 1029 929 1061">£241,042</td> <td data-bbox="1041 1029 1153 1061">£75,000</td> <td data-bbox="1198 1029 1265 1061">17%</td> <td data-bbox="1433 1029 1545 1061">£28,227</td> </tr> <tr> <td data-bbox="380 1077 784 1141">Rural greenfield sites 2-4 dwellings¹</td> <td data-bbox="806 1101 929 1133">£241,042</td> <td data-bbox="1041 1101 1153 1133">£75,000</td> <td data-bbox="1198 1101 1265 1133">8%</td> <td data-bbox="1433 1101 1545 1133">£13,283</td> </tr> <tr> <td data-bbox="380 1157 448 1189">Note</td> <td colspan="4" data-bbox="470 1189 1545 1220">1 For sites that have a maximum combined gross floorspace of more than 1,000sqm</td> </tr> </table>	Urban, Suburban and Rural sites 11-14 dwellings	£241,042	£75,000	20%	£33,208.40	Urban brownfield sites 5-10 dwellings ¹	£241,042	£75,000	15%	£24,906.30	Urban greenfield sites 5-10 dwellings ¹	£241,042	£75,000	19%	£31,547.98	Urban brownfield sites 2-4 dwellings ¹	£241,042	£75,000	6%	£9,963	Urban greenfield sites 2-4 dwellings ¹	£241,042	£75,000	10%	£16,604.20	Sub-urban brownfield sites 5-10 dwellings ¹	£241,042	£75,000	10%	£16,604.20	Sub-urban greenfield sites 5-10 dwellings ¹	£241,042	£75,000	15%	£24,906.30	Rural brownfield sites 5-10 dwellings ¹	£241,042	£75,000	11%	£18,265	Rural brownfield sites 2-4 dwellings ¹	£241,042	£75,000	3%	£4,984	Rural greenfield sites 5-10 dwellings ¹	£241,042	£75,000	17%	£28,227	Rural greenfield sites 2-4 dwellings ¹	£241,042	£75,000	8%	£13,283	Note	1 For sites that have a maximum combined gross floorspace of more than 1,000sqm				
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Urban brownfield sites 5-10 dwellings ¹	£241,042	£75,000	15%	£24,906.30																																																										
Urban greenfield sites 5-10 dwellings ¹	£241,042	£75,000	19%	£31,547.98																																																										
Urban brownfield sites 2-4 dwellings ¹	£241,042	£75,000	6%	£9,963																																																										
Urban greenfield sites 2-4 dwellings ¹	£241,042	£75,000	10%	£16,604.20																																																										
Sub-urban brownfield sites 5-10 dwellings ¹	£241,042	£75,000	10%	£16,604.20																																																										
Sub-urban greenfield sites 5-10 dwellings ¹	£241,042	£75,000	15%	£24,906.30																																																										
Rural brownfield sites 5-10 dwellings ¹	£241,042	£75,000	11%	£18,265																																																										
Rural brownfield sites 2-4 dwellings ¹	£241,042	£75,000	3%	£4,984																																																										
Rural greenfield sites 5-10 dwellings ¹	£241,042	£75,000	17%	£28,227																																																										
Rural greenfield sites 2-4 dwellings ¹	£241,042	£75,000	8%	£13,283																																																										
Note	1 For sites that have a maximum combined gross floorspace of more than 1,000sqm																																																													
	<p>5.70 Any other off site provision or commuted payment in lieu of on-site provision for affordable housing will only be acceptable if it is robustly justified. The commuted payment will be calculated as the difference between the transfer price and the market value of the specific home(s) on that site.</p>																																																													

Section 5: Housing

Modification Reference	Proposed Modification	Reason for change
	<p>Artificial Subdivision 5.71 Artificial subdivision where it is proposed to phase development, sub-divide sites or when there is a reasonable prospect of adjoining land being developed for residential purposes in tandem or the future, the Council, will consider the whole site for the purpose of determining whether the scheme falls above or below the thresholds</p> <p>...</p>	

5. SECTION 6: HEALTH AND WELLBEING

Section 6: Health and Wellbeing		
Modification Reference	Proposed Modification	Reason for change
MM6.1 Policy HW1: Protecting Existing Facilities	<p>The Council will work with local communities and voluntary sector organisations to help preserve and re-use existing community assets.</p> <p>Development proposals which involve the loss of existing community facilities, or facilities last used for community purposes, will not only be supported in <u>exceptional circumstances where</u>, unless it can be demonstrated that:</p> <ul style="list-style-type: none"> i. facilities of equivalent or greater capacity and quality (in terms of function, accessibility, adaptability and variety of use) are provided elsewhere on the site; or ii. <u>if site constraints do not allow on-site re-provision</u>, facilities of equivalent or greater capacity and quality (as defined above) are re-provided <u>off-site</u>, in a location that equivalently or better serves the local community's needs, <u>and is well served by public transport and easy to reach on foot and by bike</u>; iii. <u>robust evidence is submitted to demonstrate that</u> the facilities no longer serve a community function and demonstrably cannot be adapted to meet other community needs <u>or are surplus to requirements</u>; or iv. in the case of commercial facilities, evidence is provided that demonstrates the facilities are no longer financially viable <u>with no market interest</u> <p>Developers must consult with the local community about the value of the asset and the impact that a loss of facilities may have. If <u>Where</u> facilities are to be re- provided elsewhere, a clear commitment to replace them <u>will be secured as part of the planning permission or S106 agreement</u>. in a timely manner must be evidenced, in order for planning permission to be granted. <u>Where the facilities have been re-provided or re-located in advance, evidence of this re-provision should be included within any planning application.</u></p>	To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

Section 6: Health and Wellbeing

Modification Reference	Proposed Modification	Reason for change
<p>MM6.2 Policy HW1 explanation – paragraph 9.5</p>	<p>For the purpose of the policies within this section, community facilities should be taken to mean the buildings, facilities, and services that meet the day-to-day-needs of communities. This may include libraries, post offices, public houses and community meeting places, such as youth groups, places of worship, and parish and village halls.</p>	<p>To make clear that public houses fall within the remit of Policy HW1.</p>
<p>MM6.3 Policy HW1 explanation – paragraph 6.9</p>	<p>A loss of viable community facilities will only be permitted if they are replaced by facilities of equal or greater capacity and quality (and the replacement is secured by planning obligation) and met by developer contributions. In exceptional circumstances, their loss will be approved if it can be demonstrated that they no longer serve a community function and cannot be adapted to meet other community needs, or are surplus to requirements. Applications which involve the disposal of community assets must therefore include an assessment of the current function, accessibility, and adaptability of the facility. Any assessment which seeks to demonstrate that the facility is surplus to requirements must provide evidence of facilities in the immediate area which can appropriately cater for the loss of the relevant facility and is accessible for current users by public transport, foot and cycle. Applications must demonstrate how alternative other facilities will meet or exceed these standards of provision from the facility to be lost....</p>	<p>To add clarity on the planning application requirements.</p>
<p>MM6.4 Policy HW1 explanation – paragraph 6.10</p>	<p>The Local Plan has an important role to play in ensuring that community facilities are provided in the most effective and accessible way. Existing services must be protected as much as possible, however, it is also important to ensure that existing facilities are ‘fit for purpose’. Changes in the economic climate may mean that some commercial facilities (such as public houses) are no longer financially viable. Only in such circumstances, and when no alternative community use is possible, a loss of commercial facilities will be permitted. Evidence that the facilities have been appropriately marketed for a minimum of a two years year without success will be required to demonstrate they are unviable. This should consist of (as a minimum) a report explaining the marketing process and its outcomes, including the terms offered, any interest received and why it was not successful. In addition, an open book based viability appraisal must be submitted to demonstrate that the facility is not viable, and could not reasonably be made viable</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012. Making clear the marketing evidence and requirements in the case of loss of commercial facilities.</p>

Section 6: Health and Wellbeing

Modification Reference	Proposed Modification	Reason for change
<p>MM6.5 Policy HW2: New Community Facilities</p>	<p>Applications for strategic residential developments must be accompanied by an audit of existing community facilities and their current capacity, prepared by the applicant. Developments that place additional demands on existing services will be required to provide proportionate new or expanded community facilities, to meet the needs of existing and future occupiers. These should be provided on site or, where on site provision is not possible due to site constraints, or where the council agrees provision could better meet needs elsewhere, developer contributions will be sought to provide new or expanded facilities. these additional facilities.</p> <p>As the population grows and population demographics change over the plan period, new facilities will be required. The Council will work with communities and other partners to help address deficits in community facilities.</p> <p>The Council will support applications for new or expanded community facilities when an existing deficit or future need has been identified. Where appropriate, f Facilities should be designed to be adaptable and multi-purpose, in order to future-proof services and enable a wide range of community uses. Any new or expanded facilities must be accessible and well-served by public transport, footpaths and cycle routes.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>The second paragraph of the policy has been moved to supporting text.</p>
<p>MM6.6 Paragraph 6.12a</p>	<p>As the population grows and demographics change over the plan period, new facilities will be required. The Council will work with communities and other partners to help address deficits in community facilities.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>The second paragraph of Policy HW2 has been moved to supporting text.</p>
<p>MM6.7 Policy HW3: Built Sport Facilities</p>	<p>...</p> <p>For strategic sites facilities should be provided on-site, where possible. if Where off-site provision is necessary or more appropriate, facilities should still be accessible to the community it will serve residents; be well served by public transport; and be easy to reach on foot and by bike. Applications for strategic residential developments must be accompanied by an audit of existing built sports facilities and their current capacity, prepared by the applicant.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Reference to management arrangements has been deleted and incorporated into the supporting text - shown in the modification below:</p>

Section 6: Health and Wellbeing

Modification Reference

Proposed Modification

Reason for change

	<p>The loss of built sports facilities (either currently or last used for sports activities) will only be permitted in exceptional circumstances where:</p> <ul style="list-style-type: none"> • a needs assessment provided by developers, and in accordance with the most up to date Built Sports Facilities Strategy (or subsequent replacement strategy), identifies an over-provision in the area; or • the development only affects part of the site and does not impact on reduce its value capacity for sport; or • it would be replaced by a facility of equivalent or better quality and capacity, in a location that still serves the same community which is accessible by public transport, foot and bicycle. and that has adequate management arrangements. • the proposal is for alternative built sports facilities where the need outweighs the loss of the existing facility. <p>Development for new or expanded built sports facilities will be strongly supported where a deficiency in or future provision has been identified, and when it is well located, accessible to all in terms of age and ability, subject to the specific sports uses proposed, and when suitable infrastructure exists or can be created to manage and maintain the facility. Development of new sports facilities should be co-located with other health and community facilities and schools, where possible, to encourage participation in exercise. Any future demand should, in the first instance, be met through extensions and expansion of existing high-quality sustainable sites.</p>	
<p>MM6.8 Policy HW3 explanation – Paragraph 6.20</p>	<p>6.20 New development must not compromise current or future residents’ health and wellbeing and the Council will work to safeguard existing sports facilities. Where new facilities are required to address need arising from a new development, suitable management arrangements and/or an appropriate operator would be required to be secured as part of the obligations. York’s built sports facilities will be protected unless it can be demonstrated that the use is no longer viable, is surplus to need, or that high-</p>	<p>Reference to management arrangements has been deleted from the policy text and incorporated into the supporting text.</p>

Section 6: Health and Wellbeing

Modification Reference	Proposed Modification	Reason for change
	<p>quality alternative provision can be made that maintains a service in the existing area of benefit.</p>	
<p>MM6.9 Policy HW4: Childcare provision</p>	<p>The Council will support development proposals for new or expanded childcare provision where that helps meet the city’s need for childcare provision</p> <p>All new strategic sites Applications for strategic residential developments, and as listed in Table 5.1 must be accompanied by will be expected to conduct an audit of existing childcare facilities and their current capacity. If increased demand from new residents would be expected to exceed the existing capacity of facilities in the vicinity, additional new facilities must be incorporated into the masterplanning of the site. Developer contributions will be sought to provide new or expanded facilities. and supported by developer contributions unless it can be demonstrated that this is not viable or deliverable.</p> <p>Proposals which fail will lead to the loss of to protect existing childcare facilities must will be refused unless it can be demonstrated that the provision is no longer required, or no longer viable, or if that equivalent replacement facilities can will be provided elsewhere. This will be secured as part of the planning permission or S106 agreement.</p> <p>Applications for new childcare provision should be accompanied by an assessment that demonstrates the need for additional childcare provision in the locality. The Council will work with schools, parents and carers to ensure that their needs are understood.</p> <p>Any proposed new or replacement childcare facilities should be sited in accessible locations within or near to the areas of identified need, they should be well-served by public transport, and be easily accessible by walking and by bike.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM6.10 Policy HW5: Healthcare services</p>	<p>Primary and Secondary Care The Council will work closely with GPs and the NHS Vale of York Clinical Commissioning Group (or any successor organisation) to understand the current and projected primary care needs of communities.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>The first paragraph is moved to the explanatory text.</p>

Section 6: Health and Wellbeing

Modification Reference

Proposed Modification

Reason for change

	<p>The Council will support the provision of new or enhanced primary and secondary care services when there is an identified need.</p> <p>Improved, enlarged or additional primary or secondary healthcare facilities will may be required to support residential developments that place additional demands on services beyond their current capacity, in line with the National Planning Policy Framework. Developer contributions will be required to support the increase in provision. An assessment of the accessibility and capacity of existing primary and secondary care services will be required at the application stage for all residential strategic sites.</p> <p>Development P proposals which fail to protect include existing primary or secondary care services must re-provide the service as part of the proposal or involve the loss of services, will not be supported, unless it can be demonstrate d the facilities are no longer required or that relocating facilities would better meet the community's needs.</p> <p>Any new primary or secondary care facilities must be easily accessible by public transport, walking, and cycling.</p> <p>Secondary Care</p> <p>The Council will work closely with the York Teaching Hospital NHS Foundation Trust, and with Tees, Esk and Wear Valley NHS Foundation Trust (or any successor organisations), to understand their needs; help ensure their sites are fit for purpose; and enable them to provide safe, effective and sustainable healthcare, for the plan period and beyond.</p>	<p>Primary and secondary care have been combined into one for clarity and consistency and to avoid repetition.</p>
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MM6.11 Policy HW5: Healthcare services

York Teaching Hospital NHS Foundation Trust
 The Council will support the redevelopment of York Teaching Hospital NHS Foundation Trust (as identified on the **Proposals Policies** Map) to enable it to expand its capacity; to uphold and improve the quality of secondary care it delivers; and ultimately to remain on its existing site for the long term, ensuring the optimum delivery of secondary care services in York.

To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012

The final line is moved to the explanatory text.

Section 6: Health and Wellbeing

Modification Reference	Proposed Modification	Reason for change
	<p>The Council will support the redevelopment of the staff car park on the existing York Teaching Hospital NHS Foundation Trust site to meet its immediate need for increased capacity in Accident and Emergency. The Council will work with York Teaching Hospital NHS Foundation to develop a new</p> <p>A Travel Plan will form part of any detailed planning application to ensure that the loss of car parking facilities will be appropriately managed to ensure not compromise access of to care is not compromised.</p> <p>To enable the Trust to expand existing clinical facilities the Council will support the development of the extension to York NHS Hospital Trust site (as shown on the Proposals Policies Map as HC1), for health and social care purposes, such as a GP practice or short-term residential care. The Council will continue to work with the Trust to help them make additional changes to their site as their needs change over the plan period.</p> <p>Tees, Esk and Wear Valley NHS Foundation Trust ... as shown on the proposals policies map as HC2).</p>	
<p>MM6.12 Policy HW5 explanation – Paragraph 6.36</p>	<p>6.36 Healthcare services must be responsive to the current and projected needs of local communities. The assessment submitted to support planning applications should reflect the catchment for each kind of healthcare facility, reflecting that primary and secondary care facilities provide very different services and their catchment areas reflect that. This is contingent upon having appropriately located sites, which are able to cope with local demand and provide a sustainable and effective service. The Council will help protect existing healthcare facilities and support the relevant bodies to expand their premises, or seek alternative, more suitable sites, where appropriate.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM6.13 Policy HW6: Emergency Services</p>	<p>The Council will work closely with Yorkshire Ambulance Service NHS Foundation Trust, North Yorkshire Police, and North Yorkshire Fire and Rescue Service, to ensure that their changing needs are understood. The Council will support the development of new</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 6: Health and Wellbeing

Modification Reference

Proposed Modification

Reason for change

	<p>emergency service facilities, where there is a demonstrable need, and in appropriate locations that enable them to meet necessary response times.</p> <p>The Council will support the Yorkshire Ambulance Service NHS Foundation Trust's new 'Hub and Spoke' estate model. Hubs provide essential clinical and maintenance and facilities, while spoke facilities provide additional opportunities for ambulances to be stationed close to areas of demand. The Council will support the development of additional sites for ambulances at key points in densely populated areas, close to major highways.</p> <p>The following sites have been identified as requiring additional spoke facilities:</p> <ul style="list-style-type: none"> • ST7: Land East of Metcalfe Lane • ST8: Land North of Monks Cross • ST9: Land North of Haxby • ST15: Land West of Wigginton Road <p>Such facilities would need to provide:</p> <ul style="list-style-type: none"> • A 6 x 3m serviced building with water, electricity and drainage. • Parking facilities for two ambulances. <p>These facilities would need to be located within the development and close to the main highway.</p>	<p>The modifications reflect the latest discussions with the Yorkshire Ambulance Service.</p>
<p>MM6.14 Policy HW7: Healthy Places</p>	<p>Proposals for major residential developments must provide a statement as part of any detailed planning application, proportionate to the size of the development, showing how the following design principles have been adequately considered and incorporated into plans for development:</p> <ul style="list-style-type: none"> • well-designed streetscapes that encourage residents to spend time outdoors; • the provision of safe, easy to navigate and attractive public footpaths and cycle paths between dwellings, to encourage physical activity; 	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 6: Health and Wellbeing

Modification Reference

Proposed Modification

Reason for change

- the incorporation of formal and informal play spaces and outdoor gyms to encourage physical activity for all age groups and abilities;
 - good connections to neighbouring communities and green spaces, in the form of footpaths and cycle routes, including the extension and protection of public rights of way, where appropriate;
 - ~~spaces for communities to come together;~~
 - ~~adaptations to designing~~ buildings and public spaces ~~to be accessible for all ages and life stages, including for~~ those with limited mobility;
 - considerations for how the design may impact on crime or perception of safety, including lighting strategies for public spaces; and
 - buildings that are adaptable to the changing needs of residents.
- Details of how these principles have been considered should be ~~noted~~ included in the Design and Access Statement accompanying the proposal.
- All new strategic sites must complete a Health Impact Assessment (HIA) ~~prior to the submission of a~~ and submit as part of the planning application. HIAs are a means to systematically assess the potential health risks and benefits of new developments on existing and future communities. They promote the development of actions to mitigate negative impacts and maximise community benefit.

6. SECTION 7: EDUCATION

Section 7: Education		
Modification Reference	Proposed Modification	Reason for change
MM7.1 Policy ED1; University of York	<p>New policy text, wholly replacing submission policy.</p> <p>To enable the continuing development of the University of York, the following range of higher education and related uses will be permitted on the University's existing campuses as identified in Figure 7.1:</p> <ul style="list-style-type: none"> • academic, teaching, research and continuing professional development uses • housing for staff and students • arts, cultural, sports and social facilities ancillary to higher education uses • conference facilities • research/knowledge-based businesses, including University-led collaboration projects with industry • other uses ancillary to the university, including support services for the uses identified above. <p>The University of York must address the need for any additional student housing which arises because of its future expansion of student numbers taking account of on site provision and the capacity of independent providers. Provision will be expected to be made on campus in the first instance where this can be accommodated, or off-campus, in line with considered under Policy H7.</p> <p>Policies ED2 campus west and ED3 campus east address specific matters concerning those parts of the University Campus but the following requirements apply to all development on the University campuses and ST27 (the expansion site):</p> <ol style="list-style-type: none"> i. Proposals for new facilities or uses should be supported by an up to date development brief to cover campus west, campus east and the extension site which should demonstrate the need for these in the context of the University's estate strategy. ii. Proposals should have regard to the historic setting of York and should where appropriate be accompanied by a heritage impact assessment iii. Satisfactory integration of development within the existing campus west, east (and ST27) so that it conserves or enhances its character and open space iv. Proposals for landscaping are required to integrate with the existing development and/or to screen as appropriate 	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>This policy relates to university development as a whole and modifications are intended to clarify the overarching approach removing repetition with ED2 and ED3. Modifications also clarify the relationship with Policy H7 related to student housing and Green Belt matters related to the development of the University Heslington Campus.</p>

Section 7: Education		
Modification Reference	Proposed Modification	Reason for change
	<p>v. <u>Proposals should ensure that existing student housing capacity meets need from expansion in student numbers and that the student housing capacity of Campus West is not reduced below 3,586 unless re-provided on Campus East</u></p> <p>vi. <u>Make an efficient use of land, including optimising densities, within the scope of the applicable constraints.</u></p> <p>vii. <u>Appropriate connections to transport including connections to the city centre and walking and cycling links within the campus or externally</u> <u>Facilities for sport, and essential operations to support this, and for landscaping, adjacent to campus west, campus east and ST27 may be located within the Green Belt if they are appropriate development, preserve the openness of the Green Belt, and meet the above criteria.</u></p>	
<p>MM7.2 Policy ED1 explanation - paragraphs 7.1a (new) to 7.2</p>	<p><u>The University of York has an important role in the City (as well as nationally and internationally). It can help:</u></p> <ul style="list-style-type: none"> • <u>enable the city of York to contribute directly to the delivery of national growth strategies;</u> • <u>enable key Local Enterprise Partnership priorities to be realised;</u> • <u>support the York Economic Strategy; and</u> • <u>contribute to delivering the local plan vision of supporting the delivery of sustainable economic growth.</u> <p>The Heslington campus <u>comprises Campus West, the original campus laid out in the 1960s and Campus East, open since 2009. Site allocation ST27 provides for the further expansion of Campus East.</u> To ensure that the Heslington Campus can the existing campuses forming the University <u>they it continues</u> make a full contribution to the life of the city, it is important that <u>they it continues</u> to be used for predominantly higher educational and related uses. It is also vital that opportunities are maintained for the University's cultural, social and sports facilities to be used by the wider public.</p>	<p>Changes to the supporting text reflect modifications to policy wording. A clearer statement of the University of York's role in the city and the form of Heslington Campus is included for clarity Linked to this, the map at 7.1 is replaced to show the correct extent of University of York's Heslington Campus.</p>
<p>MM7.3 Policy ED1 explanation - paragraphs 7.2a, 7.2b, 7.2c, 7.2d and 7.2e</p>	<p><u>7.2a Campus West (shown in Figure 7.1) contains a number of listed buildings and features and much of the campus is listed as Registered Park and Garden. It is an important asset to the city. It was designed as a park campus with buildings; it is a 'set piece'. In that respect the ratio of open space to buildings is fundamental to the original design concept. This has shifted over time but it is important to ensure that in any future development that there is not harm to the composition. The built footprint at Campus West is approximately 23%; However, it was the quality of the initial design ambition and visionary approach to landscape vision that has resulted in the success of</u></p>	<p>Changes to the supporting text reflect modifications to policy wording.</p>

Section 7: Education

Modification Reference	Proposed Modification	Reason for change
	<p>the campus, not just the application of built footprint principles. It is this quality of design and innovative landscaping approach which is sought to be met through the policy.</p> <p>7.2b Development at Campus East has been established in an outline planning permission and approved design brief. Further development and the proposed ST27 extension (shown on Figure 7.1) will need to maintain the parkland setting, established at Campus West to create a cohesive campus, and the high design quality established there. The location near the A64 has an important role in maintaining the setting and compact nature of the city. A high visual quality and good design, whilst also enhancing public amenity in terms of access to the countryside and wildlife interest, is therefore essential. This includes preservation and, where possible, enhancement of the views that can be seen from the site. This should support the realisation of a similarly ambitious and committed approach to Campus West, which must be developed, controlled and implemented through a masterplanned approach.</p> <p>7.2c This masterplanned approach to development at the Heslington campuses will be formalised in a Development Brief prepared by the University in consultation with Historic England. This should also involve appropriate engagement with surrounding communities. It is important that this Development Brief optimises the use of the existing estate, making the most efficient use of land and buildings across Campus East and West. To enable this, the Development Brief will be informed by the University's 5 to 10-year estates strategy (or integrated infrastructure plan or equivalent). Such a strategy is likely to address plans for student growth, for research activity and for business collaboration in the context of the University's funding and resource constraints (and wider government policy) and set out capital investment plans and programmes. The Development Brief should reflect evidence in the estate strategy which ensures, and provides evidence to show, that current space and land is efficiently used within accepted constraints having regard to the performance and fitness of the existing estate. The University and the Council will continue to engage closely and maintain regular dialogue on the definition and evolution of any strategy.</p> <p>7.2d An annual student housing survey should also be submitted to the Council. If in any year an annual survey demonstrates that there is unmet student housing demand on the site in excess of 50 bedspaces, the university must undertake to bring forward and implement plans to provide additional accommodation on site as a priority or offsite in line with Policy H7.</p> <p>7.2e The University was established in the city centre in 1962 at Kings Manor, Campus West following in 1964 and Campus East in 2009. A business start-up hub facilitated by the University has been</p>	

Section 7: Education		
Modification Reference	Proposed Modification	Reason for change
	<p>established in offices at the Guildhall. The Council will work with the University to accommodate research/ knowledge business uses in the City Centre and elsewhere consistently with other policies in this Plan.</p> <p>7.3 Campus East provides the potential for a cluster of knowledge based companies to locate, to the benefit of city and University. Such uses will contribute to the implementation of the York Economic Strategy (2016) and to the vitality of the University's research activities.</p>	
MM7.4 Policy ED2: Campus West	<p>New policy text, wholly replacing submission policy</p> <p>Policy ED2: Campus West</p> <p>Proposals for new development on University of York Campus West (including the extension and redevelopment of existing buildings) will be permitted having regard to the following requirements together with those in ED1:</p> <ul style="list-style-type: none"> Development at this site should maintain the parkland setting of the campus and preserve the integrity of the original design. This will include ensuring the heights of new buildings are appropriate to their surroundings and do not exceed the height of any high mature tree canopies, unless heritage impacts can be appropriately managed justifying a greater height. Maintenance and where required expansion of an adequate internal cycle and pedestrian network which links to entrance points and bus stops General car parking (excluding accessible parking spaces) does not exceed 1,520 spaces 	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Modifications reduce duplication with the overarching Policy ED1 as modified.</p> <p>Modifications delete the 23% built footprint restriction and better articulate the importance and relevance of the parkland setting and landscape requirements.</p>
MM7.5 Policy ED2 explanation – paragraphs 7.4, 7.4b and 7.5	<p>7.4 Campus West is shown overleaf at Figure 7.1. To ensure that university buildings on Campus West meet the requirements of a modern higher education institution, the replacement of buildings that are no longer fit for purpose and life expired will be supported. Proposals for extension or redevelopment should be in accordance with the provisions of the emerging University of York Development Brief, the principles of which are set out in Policy ED2 above. For information on the uses permitted at Campus West please see Policy ED1. The starting point for proposals should be to gain an understanding of the significance of the campus as a designed heritage asset (landscape and buildings) to determine whether further development is possible and where this is best located. The landscape and buildings were composed as a unified whole. It is important that development at Campus West:</p> <ul style="list-style-type: none"> Maintains the spatial relationship between open green and blue space and developed land (buildings, carparking and other hardstanding) across the campus. 	<p>Changes reflect the amended policy wording (MM7.4). More detailed explanatory text is included in light of the protected historic assets accommodated on Campus West, justifying and explaining the policy approach.</p>

Section 7: Education

Modification Reference

Proposed Modification

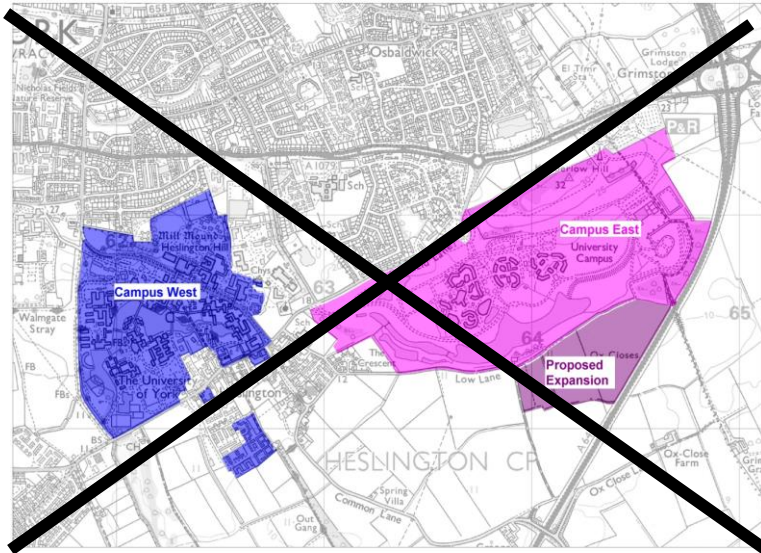
Reason for change

- Limits the height of new buildings, including extensions to existing buildings, and should not in most cases break or intrude above the existing skyline of high canopy trees
 - Respects the composition of the designed landscape, which as a Registered Park and Garden should be conserved and enhanced.
- 7.4b Car parking is restricted at this site, which is well served by buses. Car travel should be minimised with a focus on walking and cycling both to and across the campus and priority should be given to sustainable modes of travel.
- 7.5 In accordance with the Section 106 legal agreement for Campus East, the level of student housing capacity at Campus West must be retained at least at the level at 2006, at the date of the agreement. This was established at 3,586 bedspaces.

MM7.6 Figure 7.1

Delete Figure 7.1

Figure replaced with clearer map showing the correct extent of University of York's Heslington Campus.



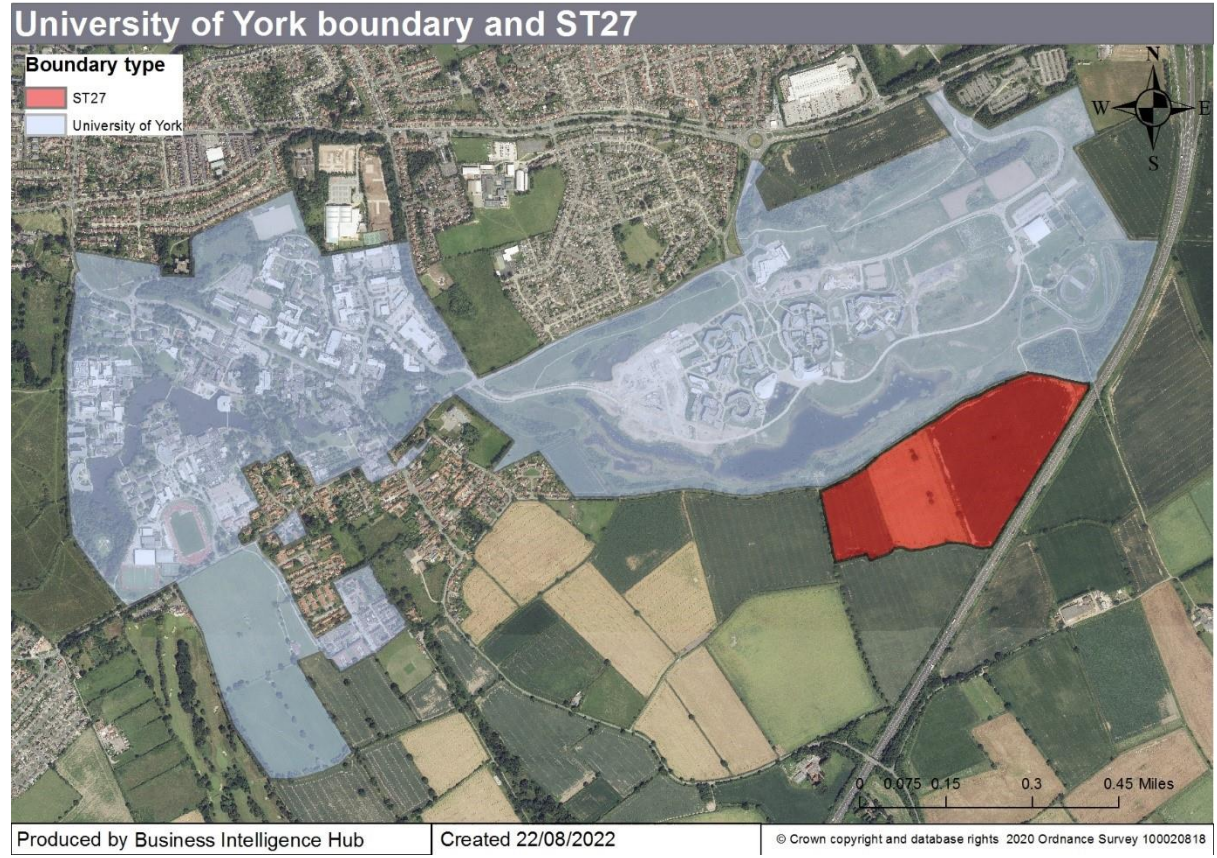
Replace with

Section 7: Education

Modification Reference

Proposed Modification

Reason for change



MM7.7 Policy ED3: Campus East

New policy text, wholly replacing submission policy

Policy ED3: University of York Campus East

The expansion of facilities on Campus East will be permitted having regard to the following requirements together with those in ED1:

- i. Campus East and ST27 will across both sites deliver research/knowledge based uses identified in the existing planning permission for Campus East in line with Policy EC1

To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012. Modifications to this policy are made to reduce duplication with the overarching Policy. As with Policy ED2, modifications are also proposed to delete the 23% built

Section 7: Education		
Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> ii. <u>Appropriate connections to transport facilities including connections to the City Centre and links for sustainable modes of transport (including walking and cycling) both within the campus and externally</u> iii. <u>Total car parking shall not exceed 1,500 spaces</u> 	footprint restriction and to better articulate the importance and relevance of the parkland setting and landscape requirements.
MM7.8 Policy ED3 explanation – paragraphs 7.6 to 7.12	<p>7.6 Campus East and the ST27 extension (shown on Figure 7.1) provides the potential for a cluster of knowledge-based companies to locate, to the benefit of city and University. <u>-This aspiration will be reflected in the Development Brief for the site which will address the design parameters set out in Policy SS22 where they relate to ST27 expansion site.</u></p> <p><u>7.6a Campus East was designed to be car free. Car parking should continue to be minimised, across the campus a focus will be on walking and cycling and bus travel over private car travel in line with Policy ED1 and reflected in Policy SS22.</u></p> <p>Paragraphs 7.6 to 7.12 deleted</p>	To reflect the policy modification MM7.7. Text that repeats parts of what a planning permission at Campus East states has been deleted as the content of this is unnecessary for inclusion as it neither justifies nor explains the policy content.
MM7.9 Policy ED5: York St. John University Further Expansion	<p>Policy ED5: York St. John University Further Expansion</p> <p>To support the continued success of York St. John University the following sites, as shown on the <u>proposals policies</u> map, are allocated for the uses below:</p> <p>Sport uses: Land at Northfield, Haxby Road <u>The following range of sports and related uses will be permitted on land at Northfield where proposals are consistent with GI5 and relevant Green Belt policies:</u></p> <ul style="list-style-type: none"> • <u>outdoor sports facilities, together with associated car and cycle parking;</u> • <u>appropriate indoor sports facilities; and</u> • <u>other outdoor recreational activity.</u> <p>Student Housing: SH1: Land at Heworth Croft. <u>Proposals for new student housing on land at Heworth Croft will be permitted having regard to the following requirements, together with those in other policies in the plan including H7, ENV4 and GI6:</u></p>	To aid effectiveness and provide clarity for decision making purposes in line with paragraph 154 of NPPF 2012. Text in explanation related to Northfield is moved to policy and development considerations included to support SH1 to align with the capacity in Policy H1.

Section 7: Education

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • A sequential approach to the site’s layout to ensure residential uses are developed on areas at the lowest risk of flooding and the new open space is brought forward on land within the functional floodplain; and, • The impact of development’s scale and massing on the setting of the Heworth Green/ East Parade Conservation Area. 	
<p>MM7.10 Policy ED5 explanation – paragraph 7.16</p>	<p>Providing they comply with relevant policies in the rest of the plan, appropriate uses of the allocated sites may include:</p> <ul style="list-style-type: none"> • outdoor sports facilities, together with associated car and cycle parking and floodlighting; • appropriate indoor sports facilities; and other outdoor recreational activity. 	<p>Deleted as text moved to policy.</p>
<p>MM7.11 Policy ED5 explanation – paragraph 7.18a</p>	<p>As identified in Policy H1, it is considered that an indicative capacity of 400 bedspaces could be accommodated. However, realising this density of development is contingent on appropriate mitigation of flood risk and ensuring the scale and massing is appropriate to the context, and in particular the impact on the setting of the Heworth Green/ East Parade Conservation Area.</p>	<p>To support modification to policy.</p>

7. SECTION 8: PLACEMAKING, HERITAGE, DESIGN AND CULTURE

Section 8: Placemaking, Heritage, Design and Culture		
Modification Reference	Proposed Modification	Reason for change
MM8.1 Policy D1: Placemaking	<p>... Development proposals will be supported where they improve poor existing urban and natural environments, enhance York’s special qualities and better reveal the significances of the historic environment. Development proposals that fail to take account of York’s special qualities, fail to make a positive design contribution to the city, or cause damage to the character and quality of an area will be refused.</p> <p>Development proposals that:</p> <ul style="list-style-type: none"> fail to take account of York’s special qualities; and/or fail to make a positive design contribution to the city, and/or cause damage to the character and quality of an area will be refused. <p>Where appropriate, Dd development proposals should adhere to the following detailed design points:</p>	To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012
MM8.2 Policy D1: Placemaking	<p>...</p> <p>ii. Density and Massing</p> <ul style="list-style-type: none"> demonstrate that the resultant proposed massing and density of a development proposal will be appropriate for its proposed use and neighbouring context. demonstrate that the combined effect of development does not dominate its wider setting, including other buildings and spaces, paying particular attention to those of historic significance. adjacent buildings or parks of architectural or historic significance. <p>...</p> <p>iv. Building Heights and Views</p>	To ensure consistency with the NPPF and to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> respect York’s skyline by ensuring that development does not detract from challenge the visual dominance of the Minster or harm the city centre roofscape. respect and enhance views of landmark buildings and important vistas. <p>...</p> <p>iv. Character and Design Standards</p> <p>...</p> <ul style="list-style-type: none"> maximise sustainability potential. ensure design considers residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing. 	
<p>MM8.3 Policy D2; Landscape Setting</p>	<p>...</p> <p>Development proposals will be encouraged and supported where they:</p> <p>...</p> <p>ii. conserve protect and enhance landscape quality and character, and the public’s experience of it and make a positive contribution to York’s special qualities;</p> <p>iii. demonstrate a comprehensive understanding of the interrelationship between good landscape design, bio-diversity enhancement and water sensitive design;</p> <p>iv. create or utilise opportunities to enhance the public use and enjoyment of existing and proposed streets and open spaces;</p> <p>v. recognise the significance of landscape features such as mature trees, hedges, and historic boundaries and York’s other important character elements, and retain them in a respectful context where they can be suitably managed and sustained;</p> <p>...</p> <p>viii. create a comfortable association between the built and natural environment and attain an appropriate relationship of scale between building and adjacent open space, garden or street. In this respect consideration will be also be given to function and other factors such as the size of mature trees; and</p> <p>...</p>	<p>To ensure consistency with the NPPF and to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM8.4 Policy D3: Cultural Provision</p>	<p>...</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
	<p>i. Development proposals will be supported where they:</p> <ul style="list-style-type: none"> • enable and promote the delivery of new cultural facilities and/or activities and services such as permanent and temporary public arts; • provide facilities, opportunities, and/or resources for cultural programmes and activities, during and/or after the development period; <p>...</p>	
<p>MM8.5 Policy D4: Conservation Areas</p>	<p>Development proposals within or affecting the setting of a conservation area will be supported where they:</p> <ul style="list-style-type: none"> i. are designed to preserve or enhance those elements which contribute to the character or appearance of the Conservation Area; are designed to preserve or enhance the special character and appearance of the conservation area and would enhance or better reveal its significance; ii. would enhance or better reveal its significance or would help secure a sustainable future for a building; and iii. safeguard important views guided by existing evidence, including in the York Central Historic Core Conservation Area Appraisal, and other local views. respect important views; and iii. are accompanied by an appropriate evidence based assessment of the conservation area's special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood. <p>Outline pPlanning applications for development within or affecting the setting of conservation areas will only be supported if full design details are included, sufficient to show the likely impact of the proposals upon the significance character and appearance of the Conservation Area are included.</p> <p>Changes of use will be supported when it has been demonstrated that the primary uses of the building can no longer be sustained, where the proposed new use would not significantly harm the special qualities and significance of the conservation area.</p>	<p>To ensure consistency with the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, and to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
	<p>Harm to buildings, plot form, open spaces, trees, views or other elements which make a positive contribution to a Conservation Area will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a Conservation Area will be permitted only where it can be demonstrated that the harm or loss is necessary to achieve proposal would bring substantial public benefits that outweigh that harm or loss.</p> <p>Changes of use will be supported when it has been demonstrated that the beneficial current primary uses of the building can no longer be sustained, where the proposed new use would not significantly harm the prevailing character of the area, the special qualities and significance of the conservation area.</p> <p>Applications should be accompanied by an appropriate evidence based assessment of the conservation area’s special qualities, proportionate to the size and impact of the development and sufficient to ensure that impacts of the proposals are clearly understood.</p>	
<p>MM8.6 Policy D4 Explanation – new paragraph 8.26a</p>	<p>8.26a When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p>	<p>New paragraph added, to ensure consistency with the NPPF.</p>
<p>MM8.7 Policy D5: Listed Buildings</p>	<p>Proposals affecting a Listed Building or its setting will be supported where they:</p> <p>i. ————preserve, enhance or better reveal those elements which contribute to the significance of the building or its setting. The more important the building, the greater the weight that will be given to its conservation; and</p>	<p>To ensure consistency with the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990, and to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference

Proposed Modification

Reason for change

	<p>ii. help secure a sustainable future for a building at risk.</p> <p>iii. are accompanied by an appropriate, evidence based heritage statement, assessing the significance of the building.</p> <p>Changes of use will be supported where it has been demonstrated that the original use of the building is no longer viable and where the proposed new use of the building would not harm its significance and would help secure a sustainable future for a building at risk.</p> <p>Harm or substantial harm to an element which contributes to the significance of a Listed Building or its setting will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Listed Building will be permitted only where it can be demonstrated that the substantial harm or loss is necessary to achieve proposal would bring substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <ul style="list-style-type: none"> ● the nature of the heritage asset prevents all reasonable uses of the site; and ● no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and ● conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and ● the harm or loss is outweighed by the benefit of bringing the site back into use. <p>Applications should be accompanied by an appropriate, evidence based heritage statement, assessing the significance of the building, sufficient to understand the potential impact of the proposal on the significance of the building.</p>	
<p>MM8.8 Policy D5 Explanation – new paragraphs</p>	<p>...</p> <p>8.30a Where a development will comprise works to a heritage asset then building recording will be required. Building recording may comprise detailed archaeological survey or a photographic record, depending upon the significance of the heritage asset and the nature of the works proposed. The survey must be undertaken by a suitably experienced</p>	<p>New paragraphs added, to ensure consistency with the NPPF and provide clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
	<p>professional in accordance with a Written Scheme of Investigation approved by the Local Planning Authority and to the relevant Historic England and Chartered Institute for Archaeologists Standard and Guidance. The results of the building recording will be deposited with the City of York Historic Environment Record. Significant findings will also be formally published in order to make the information publicly accessible and to advance understanding</p> <p>8.30b When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p>	
<p>MM8.9 Policy D6: Archaeology</p>	<p>ii. they will not result in harm to <u>an element which contributes to the significance or setting of a Scheduled Monument or other nationally important remains, unless that harm is outweighed by the public benefits of the proposal. Substantial harm or total loss of a Scheduled Monument or other nationally important remains will be permitted only where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss; the significances of the site or its setting;</u></p> <p>...</p> <p>iv. <u>the impact of the proposal is acceptable in principle and harm to archaeological deposits is unavoidable,</u> detailed mitigation measures have been agreed with City of York Council that include, where appropriate, provision for deposit monitoring, investigation, recording, analysis, publication, archive deposition and community involvement.</p>	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
<p>MM8.10 Policy D6 Explanation</p>	<p>8.31 ...Within the historic core, substantial harm is defined as greater than 5% disturbance to the most significant buried archaeological deposits through foundation design and infrastructure development as described in the York Development and Archaeology Study (1990). Within the historic core, substantial harm to nationally-important remains will be permitted only where it meets this target and up to 95% of the most important deposits remain preserved in-situ or where it can be demonstrated that the proposal would bring substantial public benefits considered to outweigh the archaeological harm caused. This policy approach has been adopted to ensure both the continued economic vitality of the city centre and the preservation in-situ of these highly significant deposits. In all other parts of the City of York, substantial harm to or loss of designated or undesignated features or deposits of national importance will be permitted only where this is outweighed by the public benefits of the proposal.</p> <p>8.31a Harm to archaeological features and deposits of less than national importance will be considered against the benefits of the proposal and the significance of the archaeology.</p> <p>8.31b Should a proposal include an area which has already been subject to piling and/or has been partially excavated every option to preserve the remaining archaeological resources in-situ should be explored. This should include the consideration of re-use of existing foundations where possible, including piles.</p> <p>...</p> <p>8.34a When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p>	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
<p>MM8.11 Policy D7: The Significance of Non-Designated heritage Assets</p>	<p>Policy D7: The Significance of Non-Designated Heritage Assets</p> <p>Development proposals affected a non-designated heritage asset or its setting will be encouraged and supported where they conserve those elements which contribute to its significance, are designed to sustain and enhance the significance of York’s historic environment, including non-designated heritage assets.</p> <p>...</p> <p>Prior to the demolition, alteration, extension or restoration of heritage assets (both designated and on-designated) appropriate building recording relevant to the asset’s significance and the scope of works will be undertaken.</p>	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>
<p>MM8.12 Policy D7 Explanation – paragraphs 8.35 to 8.37</p>	<p>8.35 The National Planning Policy Framework (2012) encourages Local Authorities to consider the significance of non-designated all heritage assets. The concept of describing and appraising the significance of listed buildings, conservation areas and other ‘designated assets’ is longstanding in legislation and guidance, and is to be protected through the application of other policies in this section. There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes, conservation area appraisals and reviews and as part of the decision-making process on planning applications. In advance of the adoption of a Local List, applicants should consult relevant evidence alongside This the policy’s however provides clear local criteria, to identify non-designated heritage assets. The policy criteria help guide development decisions, enabling applicants and decision makers to better understand what is meant by ‘significance’ in relation to local non-designated heritage assets and their settings. Any development proposals that relate to non-designated heritage assets and their settings must be accompanied by an assessment of their significance in line with the criteria in Policy D7.</p> <p>8.36 Where a development will comprise works to a designated or non-designated heritage asset then building recording will may be required. Building recording may comprise detailed archaeological survey or a photographic record, depending upon the</p>	

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
	<p>significance of the heritage asset and the nature of the works proposed. The survey must be undertaken by a suitably experienced professional in accordance with a Written Scheme of Investigation approved by the Local Planning Authority and to the relevant Historic England and Chartered Institute for Archaeologists Standard and Guidance. The results of the building recording will be deposited with the City of York Historic Environment Record. Significant findings will also be formally published in order to make the information publicly accessible and to advance understanding.</p> <p>8.37 City of York Council worked has been working alongside with a local community group (York Open Planning Forum) to establish a set of criteria to appraise and help establish a Local Heritage List for York, which form the basis for the stated policy criteria. Local Heritage Assets contribute to York’s special character, significance and sense of place, as defined in the Council’s Heritage Topic Paper Update (2014).</p>	
<p>MM8.13 Policy D8: Historic Parks and Gardens</p>	<p>Harm to an element which contributed contributes to the significant significance of a Registered Historic Park and Garden will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a Registered Historic Park and Garden will be permitted only where it can be demonstrated that the harm or loss is necessary to achieve proposal would bring substantial public benefits that outweigh that harm or loss.</p>	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM8.14 Policy D8 Explanation – new paragraph</p>	<p>8.41a When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p>	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 8: Placemaking, Heritage, Design and Culture

Modification Reference	Proposed Modification	Reason for change
<p>MM8.15 Policy D10: York City Walls and St Marys Abbey Walls (York Walls)</p>	<p>Development proposals within the areas of York Walls designated as Scheduled Ancient Monuments will be supported where they are for the specific purpose of enhancing physical and intellectual access to York Walls.</p> <p><u>Harm to the significance of York Walls will be permitted only where this is demonstrably outweighed by the public benefits of the proposal.</u></p> <p>Development proposals adjacent to or likely to affect the setting of the City Walls designated as Scheduled Monuments will only be permitted where:</p> <ul style="list-style-type: none"> i. they are accompanied by a Heritage Statement that clearly assesses the impact which the proposals are likely to have upon the elements <u>which contribute to their significance and principle characteristics which contribute to their significance</u> and the six principle characteristics of the City as identified in the Heritage Topic Paper; ii. they are <u>designed to preserve the special character of the city walls</u>be no higher than the city walls externally and not reduce their dominance; iii. they do not cause harm to those elements which contribute to the significance, <u>including the setting, or the setting</u> of York Walls; and iv. they are of the highest design quality which, where possible, enhances or better reveals the significance of York Walls; and, v. <u>any harm to the significance of the setting is demonstrably outweighed by the public benefits of the proposal.</u> 	<p>To ensure consistency with the NPPF and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>
<p>MM8.16 Policy D13: Advertisements</p>	<p>...</p> <p>In addition, within conservation areas and on buildings identified as heritage assets, illumination will only be supported where the fittings, wiring and level of illumination <u>are is</u> designed to preserve or enhance the historic character and appearance of the building, area and the premises trade as part of the evening economy.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

8. SECTION 9: GREEN INFRASTRUCTURE

Section 9: Green Infrastructure		
Modification Reference	Proposed Modification	Reason for change
MM9.1 Policy G11 Green Infrastructure	<p>...</p> <p>i. the delivery of the aspirations of partner strategy documents and action plans, including the Leeds City Region Green Infrastructure Strategy (2019) any other current regional strategies, any other plans formally approved in the future by the Council as part of the Green Infrastructure Strategy;</p> <p>...</p> <p>Where appropriate, development proposals will be expected to demonstrate that they are consistent with the above objectives and meet other specific policies below on green infrastructure considerations have been taken into account, in line with the criteria above.</p>	To update with latest evidence and provide clarity for decision making purposes in line with paragraph 154 of NPPF 2012.
MM9.2 Policy G12: Biodiversity and Access to Nature	<p>i. assess potential effects on International Sites in accordance with the statutory protection which is afforded to the site. Proposals will be determined in accordance with statute</p> <p>ii. demonstrate that proposals will not have an adverse effect on a National Site (alone or in combination). Where adverse impacts occur, development will not normally be permitted, except where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites.</p> <p>iii. demonstrate that where loss or harm to a National site cannot be prevented or adequately mitigated, as a last resort, provide compensation for the loss/harm. Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for.</p> <p>iv. avoid loss or significant harm to Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs), whether directly or indirectly. Where it can be demonstrated that there is a need for the development in that location and the benefit outweighs the loss or harm the impacts must be adequately mitigated against, or compensated for as a last resort;</p>	Ensures appropriate distinctions are made between different levels in a hierarchy of nature sites in accordance with paragraph 113 of the NPPF (2012). Consistent with Natural England's July 2019 response to the Regulation 19 consultation.

Section 9: Green Infrastructure

Modification Reference	Proposed Modification	Reason for change
<p>MM9.3 Policy GI2: Biodiversity and Access to Nature</p>	<p>v. Retain irreplaceable habitats, including ancient woodland and veteran trees. Development resulting in the loss, deterioration and/or fragmentation of irreplaceable habitats will not be supported unless there are wholly exceptional reasons and a suitable compensation plan exists.</p> <p>viii. result in net gain to, and help to improve, biodiversity; achieve net gain in biodiversity in accordance with The Environment Act 2021 (when enforced) and national policy, contributing to the recovery of priority species and habitats and new habitat creation;</p>	<p>New criterion to reference ancient woodland and veteran trees, bringing into the Development Plan the NPPF requirement.</p>
<p>MM9.4 Policy GI2 explanation – paragraph 9.5</p>	<p>The extent of that buffer could vary depending on the site, the type and value of the habitat present and the proposed change. In addition, whilst recognising the benefits to people provided from access to nature, where appropriate developments will be required to fully assess and mitigate for the impact of recreational disturbance on SSSIs, SACs and SPAs</p>	<p>To provide additional clarity and acknowledge the circumstances where a need to consider recreational disturbance is required.</p>
<p>MM9.5 Policy GI2 explanation – paragraph 9.6</p>	<p>Bio-diversity mitigation and enhancement should be provided on site. Only in very exceptional circumstances, where the proposed development clearly outweighs the nature conservation value of the site and the impact on biodiversity is unavoidable, appropriate mitigation or compensation will be required. This should be achieved through planning conditions and obligations. Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for residual adverse impacts arising from a development after mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity.</p> <p>The Environment Act sets out a mandatory requirement for development to deliver at least a 10% biodiversity net gain. The provisions of the Act are subject to secondary legislation and development will need to comply with the regulations once it comes into force (expected November 2023).</p> <p>Net gains in biodiversity can be delivered by almost all development, by following the principles of the mitigation hierarchy and understanding the ecological constraints and opportunities from the early stages of design.</p> <p>Net gain should deliver genuine additional improvements for biodiversity by creating or enhancing habitats in association with development. Improvements should go beyond any required mitigation and/or compensation measures following the application of the mitigation hierarchy</p>	<p>To support the modification to criterion viii.</p>

Section 9: Green Infrastructure

Modification Reference

Proposed Modification

Reason for change

MM9.6 Policy GI2a: Strensall Common Special Area of Conservation (SAC)

GI2a: Strensall Common Special Area of Conservation (SAC)

Development not directly connected with or necessary to the management of the SAC will only be permitted where it will not adversely affect the integrity of the Strensall Common SAC, either alone or in combination with other plans or projects. Proposals will be determined in accordance with the following principles:

- a) There is an 'exclusion zone' set at 400m linear distance from the SAC boundary. Permission will not be granted for development that results in a net increase in residential units within this zone. Proposals for non-residential development within this zone must undertake Habitats Regulation Assessment to demonstrate that they will not harm the integrity of the SAC.
- b) There is a 'zone of influence' between 400m and 5.5km linear distance from the SAC boundary.
 - i. Where new residential development is proposed within the zone of influence on allocated housing sites SS9/ST7, SS10/ST8, SS11/ST9 and SS12/ST14, provision of open space must include or secure access to areas of suitable natural greenspace secured by way of mitigation prior to any occupation of new dwellings and secured in perpetuity.
 - ii. Proposals for other housing development which are not within plan allocations will not be permitted unless it can be demonstrated that they will have no adverse effects on the integrity of the SAC, either alone or in combination with other plans or projects. Any necessary mitigation measures may be sought through planning contributions and must be secured prior to the occupation of any new dwellings and secured in perpetuity. Open space provision must also satisfy policy GI6.

Explanation

9.8a Strensall Common is designated as a Special Area for Conservation (SAC) and Site of Special Scientific Interest (SSSI). It also has biodiversity value above its listed features in the SSSI/SAC designations that will need to be fully considered.

To ensure adverse effects as a result of development are avoided and mitigated in accordance with the findings of the HRA (2020).

Section 9: Green Infrastructure

Modification Reference

Proposed Modification

Reason for change

9.8b At over 570ha, it supports one of the largest areas of lowland heath in northern England. Extensive areas of both wet and dry heath occur and form a complex habitat mosaic with grassland, woodlands/scrub and ponds. Grazing, by sheep and cattle is the key management tool with stock typically present during summer and autumn. The heathland supports a diverse flora and fauna including such characteristic (and vulnerable) species such as nightjar, woodlark, marsh gentian, pillwort, pond mud snail and dark bordered beauty moth, with Strensall Common representing the only site for this species in England.

9.8c Strensall Common is managed by the Yorkshire Wildlife Trust and Ministry of Defence (MOD) who operate an extensive training facility and firing range within and adjacent to the European site.

9.8d The heath is subject to considerable recreational pressure from visitors, especially those with dogs. Although an established network of paths and periodic closures of part of the heath by the MOD (to facilitate training activities) can influence visitor behaviour. However, both the dry and wet heath habitats are particularly vulnerable to trampling, erosion and vandalism such as fire, fly-tipping, pollution and other activities associated with visitor pressure. Although the common is already under intense recreational pressure, there are birds of conservation concern amongst other species and habitats which could be harmed by the intensification of disturbance.

9.8e In 2021, all of Strensall Common SSSI was considered by Natural England to be in favourable condition. However, the corresponding Site Improvement Plan identifies a number of threats including, inter alia, public pressure and air pollution. Natural England's Supplementary Advice (2019) highlights the threat posed to the maintenance of the grazing regime by the worrying and subsequent disturbance of livestock by dogs brought by visitors.

9.8f In addition, the heathland habitat is vulnerable to changes in the hydrological regime and air quality, which will need to be considered and assessed in detail for any proposed development.

Section 9: Green Infrastructure

Modification Reference

Proposed Modification

Reason for change

9.8g Queen Elizabeth Barracks in Strensall, currently occupied by the Defence Infrastructure Organisation, is largely within the 400m zone identified in the policy. The Defence Infrastructure Organisation plan to vacate Queen Elizabeth Barracks. The site currently includes single living accommodation and transit accommodation rather than conventional housing, but it is acknowledged that part of the site sits beyond the 400m zone where a net increase in residential uses may be acceptable in line with the policy. The Council will work proactively with any future developers of the site to enable development that address the policy and ensures adverse impacts on the SAC are avoided.

9.8h The Habitat Regulation Assessment (2020) has established that adverse effects on the integrity of the common cannot be ruled out without mitigation. The HRA suggests that residential development allocations (in Policy H1) within 5.5km of the common are likely to lead to an increase in recreational pressure which will require mitigation in the form of suitable natural greenspace and such other measures as may be considered necessary to prevent an adverse effect on the integrity of the SAC. Relevant policies/sites include strategic sites SS9(ST7), SS10 (ST8), SS11(ST9), SS12(ST14), SS15(ST17) and Policy H1 (allocation H46). The delivery of appropriate recreational open space on these sites will also need to be considered in line with policy GI6. The HRA also anticipates that unallocated windfall development may come forward, although it is not possible at this stage to predict precisely where it will be proposed. To ensure that it does not cause any adverse effect on the integrity of the SAC, the HRA recommends the following policy controls: (1) no net additional dwellings will be permitted within 400m of the SAC, as it is not considered possible to prevent adverse effects from development in such close proximity to the SA; (2) where windfall development is proposed between 400m and 5.5km from the SAC, permission will not be granted unless it can be demonstrated that the proposals will not have an adverse effect on the integrity of the SAC, both in respect of the proposals themselves and in combination with other development; (3) any necessary measures which avoid or reduce such effects must be provided before first occupation and established in perpetuity. The Council will have to consider whether planning obligations will be required, including financial contributions to secure such measures. Proposals must

Section 9: Green Infrastructure

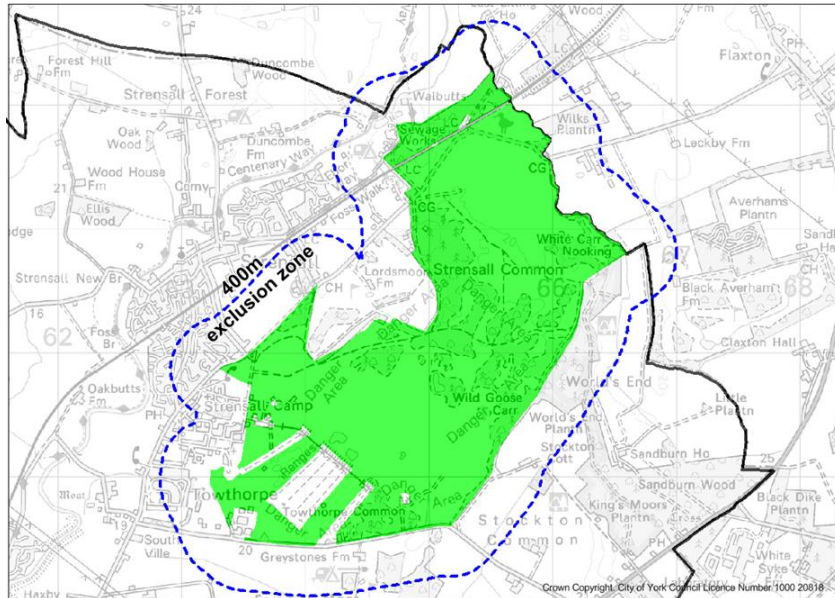
Modification Reference

Proposed Modification

Reason for change

also comply with Policy GI6 which requires that all residential proposals contribute to the provision of open space, in particular helping to address deficiencies in the area surrounding a proposed development.

Applicable 400m development exclusion zone



MM9.7 Policy GI4: Trees and Hedgerows

Development will be ~~supported~~ **permitted** where it:
 ...
 iv. does not create conflict between existing trees to be retained and new buildings, their uses and occupants, whether the trees or buildings be within or adjacent to the site;
and
 v. supplements the city's tree stock with new tree planting where an integrated landscape scheme is required; **and**.

New criterion for effectiveness, bringing into the policy the approach referenced in paragraph 9.13 to replacement planting in the case of loss, making clear the need for justification.

Section 9: Green Infrastructure

Modification Reference	Proposed Modification	Reason for change
	<p>vi. Provides suitable replacement planting where the loss of trees or hedgerows worthy of retention is justified.</p>	
<p>MM9.8 Policy G15: Protection of Open Space and Playing Fields</p>	<p>Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless...</p> <ul style="list-style-type: none"> meets the deficit of pitches in geographically appropriate and accessible way. This could be rectified through re-designation of any current surplus facilities in the area of benefit. Provide new pitches in a suitable location that meet an identified need 	<p>For consistency with the Plan's glossary definition of Open Space (which reflects the NPPF) and focuses on recreational rather than environmental importance.</p>
<p>MM9.9 Policy G15 explanation – paragraph 9.17</p>	<p>Proposals involving the loss and/or replacement of open space sites/facilities should demonstrate that the population benefitting from the original site or facility will not be underprovided or subject to worsening not increase any identified deficiencies in open space in the area of benefit where the original site is located and consideration should be demonstrated as part of the planning process. Only in exceptional circumstances will the Council support proposals where a replacement facility or site is not delivered in advance of the open space undergoing redevelopment.</p>	<p>To provide clarity on the application of Policy G15.</p>
<p>MM9.10 Policy G16: New Open Space provision</p>	<p>All residential development proposals should contribute to the provision of open space for recreation and amenity in accordance with current local standards and using the Council's up to date open space assessment. The successful integration of open space into a proposed development should be considered early in the design process. The precise type of on-site provision required will depend on the size and location of the proposal and the existing open space provision in the area. Where there are deficiencies in certain types of open space provision in the area surrounding a proposed development, the Council will seek variations in the component elements to be provided by the developer in order to help to overcome them. Requirements will be calculated using the Council's up to date open space assessment and will be in line with the Council's Green Infrastructure Strategy.</p>	<p>To clarify the application of local open space standards with reference to latest evidence. Deletion of superfluous text.</p>
<p>MM9.11 Policy G16: New Open Space provision</p>	<p>The Council will encourage require on-site provision where possible but off-site provision will be considered acceptable in the following circumstances:</p>	<p>To make explicit the preference for on-site provision.</p>

Section 9: Green Infrastructure

Modification Reference	Proposed Modification	Reason for change
	<p>i. if the proposed development site would be is of insufficient size in itself to make the appropriate provision (in accordance with the Council's standards) feasible within the site; or</p> <p>ii. in exceptional circumstances, if taking into account a site's characteristics including but not limited to the accessibility/capacity of existing open space sites/facilities and the circumstances of the surrounding area the open space needs in the context of a up-to-date Playing Pitch and Built Sports Facility Strategy, it can be is demonstrated that of the proposed residential development provision can be met more appropriately by providing either new or enhanced provision off-site; and,</p> <p>iii. On allocated strategic sites, it may be appropriate for where through strategic green infrastructure masterplanning agreements that provide for green infrastructure approaches which to make accessible provision beyond the allocated site boundaryies. Open space standards as set out in the most up to date open space evidence base document should still be used as a guide to overall provision.</p>	<p>Modifications to criterion ii and iii to enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM9.12 Policy GI6: New Open Space provision</p>	<p>New open space is identified on the proposals Policies Map at:</p> <p>Indicative new significant areas of open space have been identified in connection with the following strategic sites, as shown on the proposals Policies Map:</p> <p>...</p> <ul style="list-style-type: none"> OS12: Land to the East of ST35 <p>The precise delineation and extent of the new open space will be set through detailed masterplanning and the planning process. The areas indicated on the proposals map are a guide to general extent based on current understanding of site and other conditions.</p>	<p>To correct policy map references.</p> <p>Deletion of open space associated with allocation ST35, which is removed following the Habitat Regulations Assessment (Feb 2019), which cannot rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC)</p>

9. SECTION 10: MANAGING DEVELOPMENT IN THE GREEN BELT

Section 10: Managing Development in the Green Belt		
Modification Reference	Proposed Modification	Reason for change
MM10.1 Policy GB1: Development in the Green Belt	<p>New policy text, wholly replacing submission policy</p> <p><u>Inappropriate development will not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</u></p> <p><u>The construction of new buildings is inappropriate development. Exceptions to this are:</u></p> <p><u>a) buildings for agriculture and forestry;</u></p> <p><u>b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;</u></p> <p><u>c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;</u></p> <p><u>d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;</u></p> <p><u>e) limited infilling in villages;</u></p> <p><u>f) limited affordable housing for local community needs under policy GB2; and</u></p> <p><u>g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:</u> <u>– not have a greater impact on the openness of the Green Belt than the existing development; or</u></p>	To ensure consistency with Green Belt policy contained within the NPPF.

Section 10: Managing Development in the Green Belt

Modification Reference

Proposed Modification

Reason for change

	<p><u>– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the Council area.</u></p> <p><u>The following forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it:</u></p> <p><u>a) mineral extraction;</u></p> <p><u>b) engineering operations;</u></p> <p><u>c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;</u></p> <p><u>d) the re-use of buildings provided that the buildings are of permanent and substantial construction;</u></p> <p><u>e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and</u></p> <p><u>f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.</u></p> <p><u>Proposals for development that is not inappropriate development will be subject to other policies in this Plan.</u></p>	
<p>MM10.2 Policy GB1 Explanation – paragraph 10.8</p>	<p>The open countryside around York includes a significant number of buildings outside existing settlements. The extension or alteration of these buildings will be <u>considered acceptable, in response to changing circumstances, provided there would be no greater visual impact on the Green Belt or open countryside as a result of the alterations, and where the design of any extension is in keeping with the original buildings. Furthermore, treated as appropriate development provided that this does not result in disproportionate additions over and above the size of the original building.</u> When permission for this type of</p>	<p>To provide clarity.</p>

Section 10: Managing Development in the Green Belt

Modification Reference	Proposed Modification	Reason for change
	development is granted, having regard to other policies in the Plan, the applicant will be expected to agree to conditions ensuring that no further extensions will be permitted to the same building.	
MM10.3 Policy GB1 Explanation – new paragraph	10.17 Whilst infilling (defined as the filling of a small gap in an otherwise built up frontage) is often perceived as acceptable in some locations, this ignores the fact that part of the character of many settlements is made up of gardens, paddocks and other breaks between buildings. It is important to protect those infill spaces, which contribute to the character of smaller settlements lying within the Green Belt. Infill development may also not be desirable if it would consolidate groups of houses, which are isolated from the main body of a village, or consolidate a ribbon of development extending into the open countryside. Infilling is location dependent, therefore in some settlements little or no infill development may be appropriate: in others a limited amount of infill on selected sites may be acceptable.	To support the modifications at MM10.1.
MM10.4 Policy GB2: Development in Settlements within the Green Belt	Policy and explanation text deleted	Deleted to avoid repetition of detail provided in policy GB1.
MM10.5 Policy GB3: Reuse of Buildings	Policy and explanation text deleted	To avoid repetition of detail provided in policy GB1.
MM10.6 Policy GB4: 'Exception' Sites for Affordable Housing in the Green Belt	Policy GB4 2: 'Exception' Sites for Affordable Housing in the Green Belt Exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Supporting evidence for this need will be required with any future planning application.	To provide clarity and to ensure consistency with the NPPF. Additional detail provided to indicate that the policy is intended to provide for limited affordable housing on rural exception sites.

Section 10: Managing Development in the Green Belt

Modification Reference	Proposed Modification	Reason for change
	<p>The development of limited affordable housing on exception sites in the Green Belt is not inappropriate development and will be considered where:</p> <ul style="list-style-type: none"> i. the development contributes to meeting identified local affordable housing need as illustrated by an up to date local housing needs assessment; ii. the affordable housing is retained at an affordable price for future eligible households in perpetuity; iii. the development is within 800m of an existing defined settlement limit or is well related to the existing residential development and amenities located in or adjacent to a clearly identified village or settlement; and ... 	<p>Renumbering of policy to reflect deletion of previous GB2 and GB3.</p> <p>Removal of restriction in iii), as sustainability issues covered by other policies in the Plan.</p>
<p>MM10.7 Policy GB4</p>	<p>10.2319 Housing need will have to be demonstrated and an up-to-date needs survey, related to the local community nearest the location of the proposed development, should be carried out with the City of York Council and the relevant parish council.</p>	<p>To support policy modifications at MM.4.</p>

10. SECTION 11: CLIMATE CHANGE

Section 11: Climate Change		
Modification Reference	Proposed Modification	Reason for change
MM11.1 Policy CC1: Renewable and Low Carbon Energy Generation Storage	New buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Proposals for how this will be achieved and any viability issues should be set out in an energy statement.	To remove requirement for new buildings to achieve carbon emissions reduction through renewables energy generation as matters dealt with in Policy CC2 (as modified)
MM11.2 Policy CC1: Renewable and Low Carbon Energy Generation Storage	<p>Renewable and low carbon energy generation developments will be encouraged and supported in York. We The Council will work with developers to ensure that suitable sites are identified, and projects developed, working with local communities to ensure developments have their support. Developments on brownfield land will be encouraged.</p> <p>All applications will also need to consider the impact the scheme may have on: Proposals for renewable and low carbon energy development, including ancillary development, will be permitted where impacts (direct, indirect, individual and cumulative) on the following considerations are demonstrated to be acceptable</p> <p>...</p> <p>vi. the road network, capacity and highway safety, taking into account the accessibility of the site by road and public transport and also the proximity to the renewable fuel source; and</p> <p>...</p> <p>Applications will also be determined in accordance with any further considerations that apply to specific technologies for renewable energy or low carbon technologies that are set out in national planning policy or practice guidance.</p> <p>Any application for renewable energy would also need to consider the areas of potential and other technical requirements identified in the Council's most up to date Renewable Energy Study</p> <p>Strategic sites will be required to produce energy masterplans to ensure that the most appropriate low carbon, renewable and energy efficient technologies are deployed at each site, taking into account local factors and the specifics of the masterplans.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Introduction to criteria enhanced, recognising paragraph 97 of NPPF 2012 and requirement for policies to ensure adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts.</p> <p>[new text] In recognition that many of the technologies identified in the NPPF glossary definition are subject to specific national policy and/or guidance. The PPG includes particular considerations for hydropower, active solar technology, solar farms and wind turbines (Paragraph: 010 Reference ID: 5-010- 20140306). These considerations are not repeated, but modifications make clear developments will be determined in accordance with national policy and guidance.</p> <p>Reference to the potentially suitable areas for renewable energy identified in the Renewable Energy Study deleted because the explanatory text makes clear that it does not provide a basis for identifying the only appropriate locations for renewable energy developments.</p>

Section 11: Climate Change

Modification Reference	Proposed Modification	Reason for change
	<p>Proposals for renewable and low carbon energy storage developments will be supported and encouraged, subject to demonstrating that impacts on the above considerations are acceptable where relevant. Developments should in particular be sited a suitable distance from major residential areas and have suitable fire suppression procedures.</p>	<p>Strategic site considerations deleted as issues are dealt with in Policy CC2</p> <p>Additional text to make clear storage developments will be assessed against the same assessment criteria.</p>
<p>MM11.3 Policy CC1 explanation – paragraph 11.8 – 11.11</p>	<p>Paragraphs deleted</p>	<p>Text superfluous and does not support the application and implementation of Policy CC1</p>
<p>MM11.4 Policy CC2: Sustainable Design and Construction of New Development</p>	<p>Developments which demonstrate should achieve high standards of sustainable design and construction will be encouraged by demonstrating Development proposals will be required to demonstrate</p> <ul style="list-style-type: none"> • energy and carbon dioxide savings in accordance with the energy hierarchy; • and water efficiency; and • Development proposals will be expected to consider consideration of good practice adaptation principles for climate resilience in their design, construction and operation. <p>Planning applications for development covered by this policy are required to include a Sustainability and Energy Statement to demonstrate how the requirements will be met and how development appropriately follows the energy hierarchy.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>Additional wording introduces the energy hierarchy within the policy, linking it to the requirement for a sustainability and energy statement.</p>
<p>MM11.5 Policy CC2: Sustainable Design and Construction of New Development</p>	<p>A. Sustainable Design and Construction of New Development Residential Development</p> <p>Proposals will be supported where they meet the following:</p> <p>All new residential buildings development of 1 or more dwellings should achieve:</p> <ol style="list-style-type: none"> i. at least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013) on-site carbon emissions reduction of a minimum of 31% over and above the requirements of Building Regulations Part L (2013), of which at least 19% should come from energy efficiency measures; and, 	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p> <p>Modifications to carbon emission reductions respond to changes to Building Regulations since submission of the Local Plan and require a fabric first approach in accordance with the principles of the energy hierarchy.</p> <p>A target to achieve a 75% reduction in carbon emissions anticipates the expected introduction of the Future Homes Standard and is consistent with the Council's zero carbon ambition.</p>

Section 11: Climate Change

Modification Reference	Proposed Modification	Reason for change
	<p>ii. a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).</p> <p>Pending anticipated changes to Building Regulations, developments should further aim to achieve up to a 75% reduction in carbon emissions over and above the requirements of Building Regulations Part L (2013) unless it is demonstrated that such reductions would not be feasible or viable.</p> <p>Any higher level of reductions required through Building Regulations or other legislation will supersede the above requirements.</p>	
<p>MM11.6 Policy CC2: Sustainable Design and Construction of New Development</p>	<p>B. Non-residential development</p> <p>All new non-residential buildings development with a total internal floor area of 100m2 or greater should achieve:</p> <p>i. a 28% reduction in carbon emissions over and above the requirements of Building Regulations (2013) unless it is demonstrated that such reductions would not be feasible or viable; and,</p> <p>ii. BREEAM 'Excellent' (or equivalent), where feasible and viable and where development proposals are for 1,000m2 or more.</p> <p>Strategic site developments should undertake a BREEAM Communities assessment (or equivalent).</p> <p>All new residential and non-residential developments will be required to submit an energy statement which demonstrates how these requirements will be met. This should include a sustainability checklist, which shows how principles for sustainable design, construction and operation will be achieved.</p>	<p>The 28% reduction originally included in Policy CC1 moved into Policy CC2 as the Future Building Standard does not set a performance improvement threshold akin to the Future Homes Standard.</p> <p>In recognition that it would otherwise be disproportionate to require smaller developments to achieve the BREEAM standard, a 1000m2 threshold is introduced.</p> <p>Strategic site and energy statement requirements relocated within the policy.</p>
<p>MM11.7 Policy CC2: Sustainable Design and Construction of New Development</p>	<p>C. Conversion of Existing Buildings and Change of Use</p> <p>Applications Proposals for conversion of existing residential buildings or change of use to residential use should achieve BREEAM domestic refurbishment 'very good' as a minimum.</p> <p>and Proposals for non-residential conversions or change of use will need to achieve BREEAM Non-Domestic refurbishment and Fit out 'excellent' as a minimum.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 11: Climate Change

Modification Reference	Proposed Modification	Reason for change
	<p>If proposals relating to buildings-heritage assets should demonstrate the maximum BREEAM score that can be achieved having balanced issues of significance and value to the historic environment with wider benefits to the economy and to the environment as appropriate. of heritage and conservation value these standards would only be required where they can be achieved in a manner consistent with the appropriate conservation of that asset. The extent to which they can be achieved must be demonstrated by the applicant</p>	
<p>MM11.8 Policy CC2: Sustainable Design and Construction of New Development</p>	<p>D. Strategic Sites Development proposals on strategic sites should undertake a BREEAM Communities Assessment (or equivalent).</p> <p>Consequential Improvement to Existing Dwellings- When applications are made to extend dwellings, proposals will be expected to demonstrate, reasonable and proportionate improvements to the overall energy performance of the dwelling. This will be in addition to the requirements of Part L of the Building Regulations.</p>	<p>Strategic site requirement relocated within the policy.</p> <p>Consequential improvements deleted as it is unclear how a decision maker would assess compliance with this part of the policy and would be a disproportionate burden on applicants.</p>
<p>MM11.9 Policy CC2 explanation – paragraph 11.15</p>	<p>Paragraph deleted</p>	<p>Text superfluous and out of date.</p>
<p>MM11.10 Policy CC2 Explanation</p>	<p>11.12 Policy CC2 aims to ensure that all new developments achieve high standards of sustainable design and construction, by minimising greenhouse gas emissions, using resources efficiently, enhancing climate change resilience and promoting health and wellbeing. A sustainability statement will be required for all new residential and non-residential applications.</p> <p>11.12a The Council will assess compliance with this policy based on the Sustainability and Energy Statement and/or the BREEAM report. BREEAM is used widely in local planning policy in the UK to demonstrate high standards of sustainable design and construction. Proposals affecting heritage assets will also need to draw together relevant evidence on significance and associated impacts in a manner that is proportionate to the scale of the proposal.</p> <p>11.12b The Sustainability and Energy Statement should be completed by a suitably qualified individual and demonstrate how the emissions reduction will be achieved in line with the widely recognised energy hierarchy to:</p>	<p>New explanatory text to support the application and interpretation of the policy modifications.</p>

Section 11: Climate Change

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> • <u>Be Lean: use less energy</u> • <u>Be Clean: supply energy efficiently</u> • <u>Be Green: use low and zero carbon technologies</u> • <u>Be Seen: providing monitoring data to measure effectiveness</u> 	
<p>MM11.11 Policy CC2 Explanation</p>	<p><u>11.13a Latest Building Regulations (June, 2022) requires a 31% reduction in carbon emissions from residential buildings. There is flexibility on how the emissions reduction is achieved (whether through fabric improvements or renewables). To ensure that each individual dwelling meets a minimum performance threshold and follows the energy hierarchy, a minimum 19% emissions reduction through energy efficiency measures has been applied.</u></p> <p><u>11.13b Further changes to energy efficiency standards for new homes with a new 'Future Homes Standard' are expected to be introduced by 2024. These will ensure new homes built from 2025 will produce 75-80% lower carbon emissions than homes delivered under current regulations. Policy CC2 therefore requires developers to design homes to meet this level of efficiency in advance of anticipated legislative changes. The Future Homes Standard is also expected to put much greater emphasis on 'fabric first' improvements and the Council aligns the policy to this.</u></p> <p><u>11.13c Any proposed reduction of at least 28% in carbon emissions in non-residential buildings can be achieved through either enhanced energy efficiency measures, use of renewable and low carbon sources, or a mix of both where appropriate</u></p> <p>Paragraphs 11.14 to 11.15 deleted</p>	<p>New explanatory text to support the application and interpretation of the policy modifications.</p> <p>Superfluous and out of date text deleted.</p>
<p>MM11.12 Policy CC2 explanation – paragraph 11.18 – 11.23</p>	<p>Paragraphs deleted</p>	<p>Superfluous and out of date text deleted. BREEAM included in new paragraph 11.12a</p>

Section 11: Climate Change

Modification Reference

Proposed Modification

Reason for change

MM11.13 Policy CC3: District Heating and Combined Heat and Power Networks

- ~~District Heating and Combined Heat and Power Decentralised Energy Networks~~**
- A. The Council strongly supports the development of decentralised energy, including both combined cooling, heating and power (CCHP) and combined heating and power (CHP) distribution networks **where the power source of such a network is non-fossil fuel based.**
 - B. **All major developments are required to assess the feasibility and viability of connecting to an existing decentralised energy network, or, where this is not possible, identified future network opportunities. Where neither option is feasible or viable, developments should evaluate the feasibility and viability of developing a site-wide network. Developments will be required to adopt a solution according to this order unless it is demonstrated that they would be neither feasible nor viable. This evidence should be included in the Sustainability and Energy Statement. Proposals for development within heat priority areas and all New Strategic Sites must demonstrate, that heating and cooling technologies have been selected in accordance with the following heating and cooling hierarchy, unless it can be clearly demonstrated that such requirements are not viable and/ or that an alternative approach would be more sustainable:-**
 - i. **connection to existing (C)CHP distribution networks;**
 - ii. **site wide renewable distribution networks including renewable (C)CHP;**
 - iii. **site wide gas-fired (C)CHP distribution networks;**
 - iv. **renewable communal heating/ cooling networks;**
 - v. **gas-fired communal heating/ cooling networks;**
 - vi. **individual dwelling renewable heating; and**
 - vii. **individual dwelling heating, with the exception of electric heating.**
 - C. All (C)CHP systems are required to be scaled and operated in order to maximise the potential for carbon reduction. **Developments that do not connect to or implement (C)CHP or communal heating networks should be 'connection-ready'.**
 - D. **Energy statements must be provided to demonstrate and quantify how development will comply with the energy requirements of this policy. Sustainability and energy statements should set out a level of detail proportionate to the scale of development. The Council will work proactively with applicants on major developments to ensure these requirements can be met.**

For consistency with the Council's net zero aspiration the modification recognises that combined cooling, heating and power (CCHP) and combined heating and power (CHP) distribution networks should be supported where the power source is non-fossil fuel based.

Requirement for all major development (not only strategic sites or sites in heat priority areas) to consider feasible options for decentralised energy networks against preferential order of approaches to aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.

The modification recognises the Leeds City Region Strategic Heat Programme Heat Network Opportunity Mapping Report (2014) provides evidence that York has heating demand concentrations capable of supporting decentralised networks, but that this work has not been updated. For clarity and effectiveness references to this work are deleted.

Section 11: Climate Change

Modification Reference	Proposed Modification	Reason for change
<p>MM11.14 Policy CC3 explanation – paragraph 11.28 – 11.34</p>	<p>11.28 The Council will strongly support the use of decentralised energy in new developments, <u>and therefore requires all new major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network. Applicants should consider the options below, in the order listed, to ensure that energy from an efficient source is used where possible:</u></p> <ol style="list-style-type: none"> 1. <u>Connect immediately: where feasible and viable, development will be required to connect immediately to existing networks that are likely to be operational in the long term, and do not require the network as a whole to increase its fossil fuel consumption (i.e. it should be demonstrated that the network either has spare and wasted capacity, or demonstrate that the energy in the decentralised network is sourced from renewable sources).</u> 2. <u>Connect in immediate future: where networks do not currently exist, developments will be required to assess the feasibility of connecting to identified future decentralised energy network opportunities in the vicinity of the site, having regard to best available evidence such as area specific feasibility studies and any other relevant energy plans. Where shown to be feasible and viable, development proposals must provide on-site infrastructure for connection and agree a timescale for connection where possible:</u> 3. <u>Provide a site wide low carbon network: where connection to an existing or planned network is not feasible, developments should evaluate the feasibility and viability of a site wide network using low carbon energy sources</u> <p><u>and particularly (C)CHP distribution networks, with the aspiration that this will help achieve the targets set in the Climate Change Action Plan for York. The Council will work with developers during pre-application discussions, in order to facilitate the development of district heating networks and buildings that are ‘connection ready’.</u></p> <p>Paragraphs 11.29 – 11.34 (including figure 11.1 and table 11.1) deleted</p>	<p>New explanatory text to support the application and interpretation of the policy modifications.</p> <p>Superfluous and out of date text deleted.</p>

11. SECTION 12: ENVIRONMENT QUALITY AND FLOOD RISK

Section 12: Environment Quality and flood risk		
Modification Reference	Proposed Modification	Reason for change
MM12.1 Policy ENV1: Air Quality	<p>New policy text, wholly replacing submission policy</p> <p><u>Development will only be permitted if the impact on air quality is acceptable, including the provision of mechanisms which appropriately mitigate adverse impacts and further exposure to poor air quality</u></p> <p><u>All applications which are:</u></p> <ul style="list-style-type: none"> <u>* major planning applications; or</u> <u>* within Air Quality Management Areas (AQMA's); or</u> <u>* with potential to generate significant air quality impacts; or</u> <u>* include air quality sensitive uses (including schools, hospitals, care homes)</u> <p><u>must submit a detailed Air Quality Assessment. This should quantitatively identify emissions arising from the proposal, air quality impacts and exposure to pollution as a result of the proposal and demonstrate how these will be minimised and mitigated against as part of the development.</u></p> <p><u>Where an Air Quality Assessment identifies there is potential for new occupants to be exposed to unacceptable levels of air pollutants, an exposure mitigation strategy will be required.</u></p>	To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.
MM12.2 Policy ENV1 Explanation	<p>12.6 In order to reduce emissions to air and improve air quality the impact of development on air quality must be acceptable. The significance of the air quality impacts will depend on the context of the development. Air quality is likely to be a high priority consideration where the development leads to a breach, or significant worsening of a breach of an air quality objective, in an AQMA for example, or indeed where the development introduces new exposure into an exceedance area. <u>Mechanisms must be put in place to prevent (or reduce as far as practically possible) further human exposure to</u></p>	

Section 12: Environment Quality and flood risk

Modification Reference	Proposed Modification	Reason for change
	<p>poor air quality. This is applicable to both new developments and on existing sites that can be affected by new development. Development which includes 'relevant' locations in areas where air quality is known to be above or approaching air quality objective values must seek to reduce exposure according to the design mitigation hierarchy set out at Figure 12.2 below. Relevant locations can be defined as outdoor, non-occupational locations (e.g. schools, care homes, hospitals and residential properties) where members of the public are likely to be regularly exposed to pollutants over the averaging time of the air quality objectives.</p> <p>12.7 Applicants must use 'best endeavours' to minimise total emissions from their sites, during both construction and operational phases, including minimising transport to and from them. This will may include measures requirements to minimise private car use prioritising walking and cycling promote and incentivise and provision of infrastructure to support the use of low emission vehicles and fuels. Consideration should also be given to the exposure mitigation hierarchy (see figure 12.2) in the design of the development to help minimise exposure to poor air quality. and in some cases the provision of, or financial contribution towards the cost of low emission vehicles and associated infrastructure. Developer contributions to fund appropriate mitigation may be required. Examples include the provision of on-site electric vehicle recharging infrastructure and/or financial support for the provision low emission public transport services such as public transport and waste collection. The actual measures required will be site specific depending on the scale and location of the development and the connecting transport routes. A Low Emission Supplementary Planning Document (SPD) will be prepared which will set out how the Council will consider and how applicants should approach, planning applications that could have an impact on air quality. Minor planning applications are those proposals for 9 or less dwellings/up to 1,000sqm commercial floorspace and major planning applications are these proposals for 10 or more dwellings/over 1,000sqm commercial floorspace).</p> <p>...</p>	

Section 12: Environment Quality and flood risk

Modification Reference

Proposed Modification

Reason for change

12.8 A ~~detailed emissions assessment and/or a full detailed~~ Air Quality Impact Assessment ~~are likely to~~ **will** be required for ~~major~~ planning applications that **have potential to generate significant air quality impacts or include air quality sensitive uses such as:**

- **generate or increase traffic congestion;**
- give rise to significant change in traffic volumes i.e. +/- 5% change in annual average daily traffic (AADT) or peak hour flows within AQMAs or +/- 10% outside AQMAs;
- give rise to significant change in vehicle speeds i.e. more than +/- 10 kilometres per hour on a road with more than 10,000 AADT (or 5,000 AADT where it is narrow and congested);
- significantly alter the traffic composition on local roads, for example, increase the number of heavy duty vehicles by 200 movements or more per day;
- include significant new car parking, which may be taken to be more than 100 spaces outside an AQMA or 50 spaces inside an AQMA. This also includes proposals for new coach or lorry parks;
- introduce new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations;
- include biomass boilers or biomass fuelled Combined Heat and Power (CHP) plant (considerations should also be given to the impacts of centralised boilers or CHP plant burning other fuels within or close to an AQMA);
- could give rise to potentially significant impacts during construction for nearby sensitive locations (e.g. **hospitals, schools, care homes,** residential areas, areas with parked cars and commercial operations that may be sensitive to dust);
- will result in large, long-term construction sites that would generate large HGV flows (>200 movements per day) over a period of a year or more; and/or
- requires an Environmental Impact Assessment.

~~12.9 Clear guidance in the form of a comprehensive schedule of the development triggers for what level of air quality assessment will be set out in the forthcoming Low Emission SPD, to ensure a clear and consistent approach. Information will also be provided on recommended low emission vehicle technologies and fuels that should be~~

Section 12: Environment Quality and flood risk

Modification Reference

Proposed Modification

Reason for change

	<p>implemented to mitigate emissions. Mitigation measures are likely to include priority and parking incentives for low emission vehicles, the provision of electric charging points in new developments and car free developments. The potential of using developer contributions to fund low emission infrastructure and mitigate against emissions will also be explored.</p> <p>12.9a The Council will produce further guidance as necessary and will review the significance of the air quality impacts in line with local and national guidance.</p>	
<p>MM12.3 Policy ENV2: Managing Environmental Quality</p>	<p>Development will not be permitted where it does not unacceptably harm the amenities of existing and future occupants on the site occupiers and existing in neighbouring communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust and light pollution without effective mitigation measures. Development proposals that are likely to give rise to the following environmental impacts Evidence must be submitted to demonstrate that environmental quality is to the satisfaction of the Council. how these matters have been considered in relation to both the construction and life of the development:</p> <ul style="list-style-type: none"> • Increase in artificial light or glare; • Adverse noise and vibration; and • Adverse impact upon air quality from odour, fumes, smoke, dust and other sources; <p>Development proposals for uses that are likely to have an environmental impact on the amenity of the surrounding area, including residential amenity, open countryside, local character and distinctiveness, and public spaces, must be accompanied by evidence that the impacts have been evaluated and the proposal will not result in loss of character, amenity or damage to human health, to either existing or new communities. This includes assessing the construction and operation phases of development.</p> <p>Where proposals are acceptable in principle, planning permission may be granted subject to conditions.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>

Section 12: Environment Quality and flood risk

Modification Reference	Proposed Modification	Reason for change
	<p>For proposals which involve development with common party walls a verification report must be submitted to confirm the agreed mitigation works have been carried out.</p>	
<p>MM12.4 Policy ENV3: Land Contamination</p>	<p>Where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination (e.g. housing with gardens), planning applications must be accompanied by an appropriate contamination risk assessment.</p> <p>Development of a site known to be or which has the potential to be affected by contamination will be permitted identified as being at risk will not be permitted where a contamination assessment does not fully assess the possible contamination risks, and / or where the proposed remedial measures will not deal effectively with the levels of contamination to ensure there are no significant impacts on human health, property, groundwater or surface water. Where proposals are acceptable in principle, planning permission will be granted subject to conditions.</p> <p>...</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>
<p>MM12.5 Policy ENV4: Flood Risk</p>	<p>...</p> <p>Development proposed in areas of flood risk must be informed by an acceptable site-specific flood risk assessment, following the Sequential Test and, if required, the Exception Test.</p> <p>An assessment of whether the development is likely to be affected by flooding and whether it will increase flood risk locally and elsewhere in the catchment must be undertaken. The assessment of proposed development against its flood risk vulnerability and its compatibility with this vulnerability, as defined in the most up to date Strategic Flood Risk Assessment (SFRA), will determine whether development is appropriate, what detailed policies for the resultant flood zone classification, as stated in the SFRA will apply, and whether a further Exception Test (that makes provision for sites in a zone with a higher probability of flooding to be assessed against wider sustainability benefits, provided that</p>	<p>For consistency with national planning policy and to aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012.</p>

Section 12: Environment Quality and flood risk

Modification Reference

Proposed Modification

Reason for change

the flood risk posed is controlled and mitigated to an acceptable level) is subsequently required.

Proposals located in areas known to be at risk from any form of flooding must demonstrate that:

- i. there is no direct or cumulative increase in flood risk locally or elsewhere in the catchment arising from the development; and,
- ii. The development will be safe during its lifetime with arrangements for the adoption, maintenance and management of any mitigation measures identified in a management and maintenance plan

Where flood risk is present, development will only be permitted when the local planning authority is satisfied that any flood risk within the catchment will be successfully managed (through a management and maintenance plan for the lifetime of the development) and there are details of proposed necessary mitigation measures.

A site specific flood risk assessment that takes account of future climate change must be submitted with any planning application related to sites:

- i. in Flood Zone 1 larger than 1ha;
- ii. in Flood Zone 1 where development could be affected by flooding from sources other than rivers and the sea;
- iii. in Flood Zones 2 and 3; and
- iv. where development or change of use to a more vulnerable use may be subject to other sources of flooding

A flood risk assessment must be submitted with any planning application where flood risk is an issue, regardless of its location within the flood zones. In addition, a site-specific flood risk assessment that takes account of future climate change must be carried out for all planning applications of 1 hectare or greater in Flood Zone 1 and for all applications in Flood Zones 2, 3a, 3a(i) and 3b.

Section 12: Environment Quality and flood risk

Modification Reference

Proposed Modification

Reason for change

Areas of greater flood risk may be utilised for appropriate green infrastructure spaces
Proposals should adopt a sequential approach to site layout and the potential for green infrastructure to provide natural flood management and mitigation should be incorporated, where appropriate.

12. SECTION 14: TRANSPORT AND COMMUNICATIONS

Section 14: Transport and Communications		
Modification Reference	Proposed Modification	Reason for change
MM14.1 Section 14 Introduction – paragraphs 14.2-14.3	<p>14.2 Transport policies have an important role to play contributing to this and also contributing to wider sustainability, environmental (including heritage) and health objectives. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel and enabling development in a way which reduces its environmental impact.</p> <p>...</p> <p>14.3a A new Local Transport Strategy is being prepared and, informed by the Local Plan, it will set out the Council’s approach to maximising sustainable transport use in York. It will inform a new Local Transport Plan which will be developed using the emerging Department for Transport guidance and will be submitted to government. This will set out York’s transport priorities and act as a bidding document to government for further Transport Funding.</p> <p>14.3b The Local Transport Strategy will be supported by a number of implementation documents which will set out detailed plans for individual modes of transport or aspects of the transport system. One of the implementation documents will be York’s Local Cycling and Walking Infrastructure Plan which will set out in detail how the York cycle and walk networks will be developed to provide effective walk/ cycle facilities to support the proposed development pattern. A further implementation document will be the Bus Service Improvement Plan, which will set out how the bus service in York will be developed.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>New statement introduced to support sustainable modes and to reflect preparation of a new York Local Transport Strategy/ Plan.</p>
MM14.2 Policy T1: Sustainable Access	<p>Development will be permitted supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users to and within it, including those with impaired mobility, such that it maximises the use of more sustainable modes of transport.</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>Reference to cycling deleted to reflect much longer cycle distances.</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

	<p>This will be achieved by:</p> <ul style="list-style-type: none"> a. ensuring developments that can be reasonably expected to generate significant traffic movements are supported by frequent high quality public transport linking them to York’s City Centre and other key destinations, as appropriate; and b. requiring development proposals to demonstrate <ul style="list-style-type: none"> i. There is safe and appropriate access to the adjacent adopted highway for motor vehicles but also for pedestrians and cyclists. <p>...</p> <p>...For all development, public transport services should be within reasonable safe walking and cycling travel distance of all parts of the development.</p> <p>In applying this policy it is recognised that in some circumstances developments will not be able to achieve these criteria (for example, in heart of foot streets area), so they can, subject to sufficient justification of effective accessibility (including taxis) being submitted by a developer, be relaxed. Also some developments may be of a sufficient size to warrant a higher degree of accessibility than would otherwise be required for its location.</p>	<p>Deleted text moved from Policy T1 to explanatory text.</p>
<p>MM14.3 Policy T1 explanation – paragraph 14.4</p>	<p>... The layout and design of development will need to balance safety, convenience and attractiveness whilst addressing potential conflict between the different modes of transport. In applying this policy it is recognised that, in some circumstances, developments will not be feasible (for example, in the heart of footstreets area), so they can, subject to sufficient justification of effective accessibility, be applied more flexibly.</p>	<p>To provide additional clarity.</p>
<p>MM14.4 Policy T2: Strategic Public Transport Improvements</p>	<p>The Plan will support the delivery of general and specific junction, highway or public transport infrastructure enhancements as set out in the Local Transport Plan 32 2011-2031 (LTP3) and subsequent associated (or complementary) investment programmes. (including updates to the Local Plan Infrastructure Delivery Plan), particularly the Bus Service Improvement programme starting from 2022 and the programme to electrify up to two-thirds of York’s bus network. The Council will enable and where appropriate require development to contribute to:</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>Text updated to refer to Infrastructure Delivery Plan and Bus Service Improvement Plan</p> <p>Original scheme list deleted.</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

- Expanded and improved bus services across the City, potentially including elements of Bus Rapid Transit services, to connect Site Allocations ST15 and ST14 to York city centre and adjacent development.
- Expansion and improvements to the Park and Ride network to serve inter-urban bus services and reduce pressure on the strategic road network
- Highways enhancements and traffic restraint measures in the city centre to improve public transport reliability
- Rail and accessibility improvements including improvements to public transport interchange at York Station and development of a new Station at Haxby.

The Council has identified specific projects as part of its Infrastructure Delivery Plan, highlighting timescale for delivery (whether short, medium and longer term) and associated funding and delivery bodies. This will be regularly reviewed and updated over the life of the Plan to support delivery.

In addition, strategic public transport infrastructure, as listed below, and (if requiring land outside of the highway boundary to implement) as identified on the Proposals Policies Map, will be implemented in the short term and medium term timescales shown, and pursued in the long term timescale shown.

Short term (2017-22)

i. The following highway enhancements to improve public transport reliability

- Electrification of 5 of 6 services on the park and ride network
- public transport interchange improvements in York city centre at Rougier Street and Museum Street,
- Leeman Road / Shipton Road Corridor Improvements,
- improve bus routing and waiting facilities adjacent to the memorial gardens in Leeman Road
- citywide improvements to the urban traffic control system — to improve service reliability, and
- a package of physical measures to improve operation of the bus fleet and bus services in York city centre.

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

	<p>Medium term (2022-27)</p> <p>ii. Further expansion of the Askham Bar and Poppleton Bar Park & Ride facilities to match rising demand.</p> <p>iii. The following highway enhancements to improve public transport services and reliability</p> <ul style="list-style-type: none"> • a segregated grade-separated bus (and pedestrian /cycle) route across A1237 to improve connectivity with the areas to the north-west of the city, and • a dedicated public transport / cycle route linking the new settlement (ST15) to a suitable access on York's highway network in the urban centre of York (subject to confirmation of developers access proposals to site ST15 so not shown on the proposals policies map). <p>Long term (2027-32)</p> <p>iv. A new railway station at Haxby.</p> <p>v. Traffic restraint measures in the city centre to improve public transport reliability.</p> <p>The Plan will also support (subject to compliance with other policies in the Plan) development proposals that</p> <p>i.</p> <p>vi. improve rail access and connectivity, including but not limited to new railway stations / halts for heavy or light rail services, and capacity improvements and other enhancements (including new technology applications, where appropriate) on rail lines running into or through York; or</p> <p>vii. provide highway enhancements to improve public transport reliability; or</p> <p>viii. facilitate the relocation of the Designer Outlet Park & Ride facility.</p>	
<p>MM14.5 Policy T2 Explanation – paragraphs 14.15 to 14.23</p>	<p>14.15 Preliminary Transport modelling work undertaken using the City of York's strategic transport model predicts forecasts that the volume of traffic on the highway network overall could increase by approximately 15% (an extra 6,500 vehicle trips in each peak) by 2033 the end of the local plan period. The corresponding predicted increase in travel time across the network is approximately 30% and the increase in network delay is approximately 55%. If not mitigated by improvements to non-car modes, this level of traffic</p>	<p>To provide clarity on the implementation and application of Policy T2 to development proposals</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

growth could lead to significant delays being experienced on the radial routes into York, the outer ring road (A64 and A1237) and all routes within the outer ring road.

14.16 To help mitigate this, the implementation of strategic public transport infrastructure, in association with service improvements seeks to encourage modal shift away from private motor vehicle use to more use of public transport. This offers enhanced access for all members of the community to jobs, services and leisure opportunities and reduce reliance on private motorised transport for travel and hence minimise the increase in traffic levels arising from new development. This will be enabled through strategic projects led by the Council and where required to mitigate development impacts, through developer contributions associated strategic site allocations as identified in Section 3 of this Plan and from other developments in line with Policy DM1. The broad timescales for the delivery of these schemes shall match the anticipated growth in population and demand for travel in York over the plan period, and development-related opportunities.

14.17 Policy T2 identifies the approach of developing York's bus network in the short term through interventions through York's Bus Service Improvement programme, individual schemes with funding committed (such as rebuilding York Station frontage). In the longer term the focus will be on developing a Bus Rapid Transit system on the principal routes in York, including new settlements at Land West of Elvington Lane (ST15) and Land West of Wigginton Road (ST14). the principal strategic schemes that need to be delivered, but many more smaller projects with more local impacts will also be required, either individually or as part of larger projects. The Council will support development proposals which bring about the improvement of existing railway stations and facilities or the provision of new existing railway stations and facilities, or bring about some other improvement which will be beneficial to the operation of the line. More detail is contained in the Infrastructure Delivery Plan. York Railway Station is not included in this list (other than for the public transport interchange improvements at York Station) as it is subject to a shown in the separate specific policy (Policy T3).

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

14.18 The development of new and improved public transport services and facilities will still need to satisfy policies throughout the plan in terms of protecting the built and natural environment and replacing amenities that may be otherwise removed by development.

14.19 Askham Bar Park & Ride site currently has 1,100 car parking spaces, but it can be expanded to accommodate a further 150 spaces. The planning permission for the Poppleton Bar Park & Ride site (currently 600 spaces) allows for further expansion up to 1200 spaces. For new (or relocated) Park & Ride sites, location is an important factor in ensuring its effective operation. Sites should, ideally, be

- well signed;
- adjacent to a major radial approach route;
- on the edge of the built up area;
- safe and easy to access;
- outside any congested area to maximise the advantages of bus priority; and
- adjacent to trip attractors (i.e. destinations in their own right) if there is a desire to attract non-Park & Ride passengers, particularly for 'back-trips', to the bus service. Siting trip generators (e.g. residential developments) near to bus stops at which Park & Ride services call could also attract non-Park & Ride passengers.

14.20 Improvements or new major public transport facilities should include sufficient car parking for persons with disabilities, cycle parking and facilities for buses, taxis and where appropriate, coaches. Provision of car parking (other than for people with disabilities) should be determined through a transport assessment and travel plan. New or improved facilities should also incorporate suitable signage and traffic management measures to reduce potential conflicts.

14.21 The Council will support development proposals which bring about the improvement of existing railway stations and facilities or the provision of new existing railway stations and facilities, or bring about some other improvement which will be beneficial to the operation of the line. York Railway Station is not included in this list (other than for the public transport interchange improvements at York Station) as it is subject to a

Section 14: Transport and Communications

Modification Reference	Proposed Modification	Reason for change
	<p>shown in the separate specific policy (Policy T3). At new or improved rail stations the ‘station environment’ must provide safe and convenient movement to and between platforms and include other facilities, such as sheltered waiting and ticketing facilities, public transport information and sensitive lighting and landscaping. Proposals for new or improved rail stations should also have improved access to them by all modes, in accordance with the Council’s Hierarchy of Transport Users as set out in the Local Transport Plan 2011-2031 (LTP3).</p> <p>14.22 The strategic public transport improvements in the longer-term are vital to widen the transport choices available to people who live in, work in or visit York as the larger residential and employment sites come on-stream. Improvements to the rail network will also reduce pressure on the strategic road network.</p> <p>14.23 More detail pertaining to how strategic public transport infrastructure is to be funded and delivered is contained in the Infrastructure Delivery Plan which will be updated to ensure it reflects data on transport demand and the projects planned to address this.</p>	
<p>MM14.6 Policy T3: York Railway Station and Associated Operational Facilities</p>	<p>Development will be supported that:</p> <ul style="list-style-type: none"> i. conserves and, where appropriate, enhances those elements that contribute to the significance of the Listed Grade II* station; ii. improves the setting of and approaches to the station and the experience of those using it, to meet the demands of the modern rail customers; iii. increases the railway capacity at York Station (as identified on the Proposals Policies Map) to meet changing demands on and capacity in the rail network, over the duration of the Local Plan period and beyond, and to develop the station as ... vi. improves pedestrian and cyclist access to within and through the station, including, but not limited to <ul style="list-style-type: none"> • links to improved interchange with further links from the station this to the south-western quadrant of the city centre, 	<p>Text rephrased to improve clarity.</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

	<p>...</p> <p>vii. facilitates the continued use of essential operational rail lines and facilities or the establishment of new essential operational rail lines or facilities until such time, as determined by the rail regulator, that land required for York Central (Policy SS4) is no longer to remain in rail use.</p>	
<p>MM14.7 Policy T4: Strategic Highway Network Capacity Improvements</p>	<p>The Plan will support the delivery of general and specific junction or other highway enhancements as set out in the Local Transport Plan 2011-2031 (LTP3) and subsequent associated (or complementary) investment programmes that improve journey time reliability on sections of the road network that experience high volumes of traffic or delay.</p> <p>In addition, strategic highway capacity improvements, as listed below and (if requiring land outside of the highway boundary to implement) as identified Proposals Policies Map, will be implemented in the short-term and medium-term timescales shown, and pursued in the long-term timescale shown:</p> <p>The Council will enable and, where appropriate, require development to contribute to:</p> <p><u>Short-term (2017/18 – 20232/243)</u></p> <p>...</p> <p><u>Long-term (2027/28 – 2032/33)</u></p> <p>vii New access off A64, including grade separated junction, to serve the Land West of Elvington Lane site (ST15)</p> <p>viii. Upgrading the A1237 to dual-carriageway standard between the A64 Askham Bryan junction and A19 Sipton Road junction-</p> <p>ix. Improvements to the A64 to mitigate trip growth on this route</p> <p>...</p> <p>The Council has identified specific projects as part of its Infrastructure Delivery Plan, highlighting timescale for delivery (whether short, medium and longer term) and associated</p>	<p>To enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>Scheme delivery timescales updated to reflect progress on the ground.</p> <p>Viii amended to reflect funding award for dualling between A19N and Hopgrove.</p> <p>ix added to reflect forecast congestion on A64.</p> <p>Link to Infrastructure Delivery Plan added.</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

	<p>funding and delivery bodies. This will be regularly reviewed and updated over the life of the Plan to support delivery.</p>	
<p>MM14.8 Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements</p>	<p>The Plan will support the delivery of general and specific schemes as set out in the Local Transport Plan 2011-2031 (LTP3) and subsequent associated (or complementary) investment programmes to provide a comprehensive cycling and pedestrian network and improve the environment for walking and cycling, including in York's Local Cycling and Walking Infrastructure Plan (LCWIP), which is in development.</p> <p>The Council will enable and where appropriate require development to contribute to:</p> <ul style="list-style-type: none"> • Improvement and expansion to the strategic cycle network across the City Of York Council • Improvements to the pedestrian network, including public realm enhancements and where feasible widening of the pavement • New pedestrian / cycle bridges across waterways including the River Foss <p>In addition, strategic cycle and pedestrian network links and improvements, as listed below and (if requiring land outside of the highway boundary to implement) as identified on the Proposals Policies Map, will be implemented in accordance with the timescales shown, to encourage modal shift away from private motor vehicle use to more active and sustainable modes of transport:</p> <p>Short term (2017/18 – 2022/23)</p> <ol style="list-style-type: none"> i. Widening of footway / cycle way on east side of Scarborough bridge and new approach ramps (includes direct link into York Station); ii. Haxby Road / Huntington Road Corridor (Phase 1 – north of existing Nestle site to A1237)*; iii. Wetherby Road / Acomb Road Corridor*; 	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p> <p>General amendments made to reflect new environment for cycling schemes - particularly LTN1/20 and the need for local transport authorities to produce Local Cycling and Walking Infrastructure Plans. This replaces the former walking/ cycling scheme prioritisation.</p>

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

- iv. ~~Bishopthorpe Road South Corridor*~~;
- v. ~~Fishergate North Corridor*~~;
- vi. ~~Strensall Road Corridor (Strensall to A1237)*, and~~
- vii. ~~University of York East Campus to West Campus link.~~

~~Note schemes denoted thus (*) also extend into the medium term and long term.~~

~~Medium Term (2022/23 – 2027/28)~~

- viii. ~~Wigginton Road Corridor – Mill Lane to north of existing Nestle Site (ST17) (complementing Inbound bus priority measures on Wigginton Road);~~
- ix. ~~Haxby Road / Huntington Road Corridor (Phase 2 – city centre to north of existing Nestle site (ST17));~~
- x. ~~Hull Road Corridor (complementing Bus priority measures on the Hull Road corridor);~~
- xi. ~~Hurricane Way / Stirling Road corridor**, and~~
- xii. ~~Pedestrian / cycle bridges across the River Foss (as part of the re-development of the York Castle Gateway major regeneration area);~~

~~Note scheme denoted thus (**) is a relatively small scheme that could be implemented the short-term.~~

~~Long Term (2027/28 – 2032/33)~~

- xiii. ~~Strategic north-south and east-west cycle routes through the city centre.~~

~~In addition to the above, other schemes identified through the Council's Strategic Cycle Route Network Evaluation and Prioritisation Methodology (e.g. Strategic Infill cycle scheme package and Cycle Routes to Villages package) will be pursued.~~

The Plan will also support proposals that improve access to and around new development, particularly strategic sites, and proposals that improve other cycle and pedestrian routes that are neither strategic network links nor routes included in the [Proposals Policies](#) Map.

Section 14: Transport and Communications

Modification Reference

Proposed Modification

Reason for change

MM14.9 Policy T6: Development at or Near Public Transport Corridors, Interchanges and Facilities

Development will be supported in locations close to existing or proposed public transport interchanges or ~~facilities~~ **high frequency public transport routes/facilities** provided that the development does not:

- lead to a loss of access to **the interchange or facility/route and at the interchange or facility;** or
- have a detrimental impact on the operation of the interchange or facility/ **route;** or
- have a detrimental impact on the interchange or **facility/route or the surrounding area,** such that the long-term viability of **public transport** services would be adversely affected; or
- prejudice the existing or future expansion of the interchange or facility to accommodate more services or modes **(e.g. for example, freight); or**
- **generate a demand for travel by private motorised vehicles that is likely to be unsustainable either in the location of the development or on the wider highway network; or**
- **have an adverse impact on the character, historic and natural environment and amenity of the area in the vicinity of the development, or**
- **compromise the purpose of the Green Belt.**

To prevent the loss **or reuse (for a different purpose)** of disused public transport **corridors (former rail line formations)** or public transport facilities that could otherwise be reused, new development **will be** not be permitted where it prejudices ~~the reuse of disused public transport corridors or facilities,~~ and where there is a reasonable prospect of the:

- reopening of the transport corridor or facility for either heavy rail or light rail (e.g. tram-train) operation, or other form of 'guided' public rapid transport service; or
- **the** re-opening of a heavy rail/light rail (tram-train) station or halt; or
- **the** provision of a rail head/freight facility; or
- the continued use or future use of the transport corridor as a walking or cycling route or as a route for horse-riding; or
- **the** transport corridor either functioning or being able to function as a wildlife corridor; or

To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012

Section 14: Transport and Communications

Modification Reference	Proposed Modification	Reason for change
	<ul style="list-style-type: none"> the transport corridor being reclaimed for use as a linear park. <p>Where development is sited close to or is likely to have an impact on existing operational or disused railway lines or lines that may be reopened, no new crossings will be permitted. Furthermore, development proposals must demonstrate to the satisfaction of Network Rail that the safe use of affected level crossings as a result of development will not be compromised or the impacts can be mitigated.</p>	
<p>MM14.10 Policy T7 Explanation – paragraph 14.49</p>	<p>14.49 The coverage and content of a TS, TA or TP Transport Statement or Transport Assessment will vary significantly depending on the size and type of development they are required to support. Although NPPF does not state explicitly when a Transport Statement should be prepared in preference to a Transport Assessment (and vice versa), the transport issues arising out of smaller development proposals may not require a full Transport Assessment to inform the process adequately and identify suitable mitigation. In these instances, it has become common practice to produce a simplified report - a TS. There will also be situations where the transport issues relating to a development proposal are limited, and no formal assessment is necessary. A transport statement will be required for major development and a Transport Assessment will be required for any development expected to generate 30 or more peak hour trips. Guidance thresholds for the preparation of a TS TA or TP will be contained in the 'Sustainable Transport for Development SPD. In addition, the Council reserves the right to request a TS, TA or TP in other instances. There may be instances where the location and/or the nature of the development are considered to be particularly sensitive and the Council requests a Transport Statement or Transport Assessment below these thresholds, for example a development in an area with sensitive heritage or high congestion levels..</p>	<p>For clarity on the planning application requirements.</p>
<p>MM14.11 Policy T8: Demand Management</p>	<p>To improve the overall flow of traffic in and around York City Centre, improve road safety, provide an environment more conducive to walking and cycling, and contribute to overall environmental quality development should comply with the Council latest parking standards guidance, incorporate appropriate demand management measures that reduce congestion, improve public transport journeys, ease pedestrian and cycle access to, within and through the development and improve the streetscape. will be supported that is in</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 14: Transport and Communications

Modification Reference	Proposed Modification	Reason for change
	<p>compliance with the Council's up to date Parking Standards, as contained in the 'Sustainable Transport for Development' SPD.</p> <p>Development that increases the number of long-stay (i.e. more than 4 hours parking) car parking spaces in and around the city centre will not be permitted.</p> <p>Positive consideration will be given to development proposals incorporating appropriate demand management measures that reduce congestion, improve public transport journeys, ease pedestrian and cycle access to, within and through the development and improve the streetscape.</p>	
<p>MM14.12 Policy C1: Communications Infrastructure</p>	<p>The Council will seek the removal and relocation of any visually intrusive masts particularly in the city centre, as and when the opportunity arises. A planning condition will be used to implement the removal of redundant masts or other communications equipment, where appropriate.</p> <p>Communications Infrastructure in new developments All new development will be required to enable a Next Generation Access (NGA) broadband connection (i.e. to communications infrastructure that provides a broadband in excess of a minimum of 24Mbps (30Mbps for contracts signed from 2017 onwards)) unless the developer can clearly demonstrate that meeting this requirement is not viable. Where it can be demonstrated that the provision of a NGA broadband connection is not viable, proposals should provide a minimum download connection of 10Mbps and incorporate suitable infrastructure to support delivery of NGA broadband at a future date</p> <p>Developers of strategic sites (or other major schemes) should engage with communication providers and local broadband groups to explore how NGA broadband can be provided and how the development may contribute to and integrate with active broadband projects within the local area.</p>	<p>To aid effectiveness and enhance clarity for decision making purposes in line with paragraph 154 of NPPF 2012</p>

Section 15: Delivery and Monitoring		
Modification Reference	Proposed Modification	Reason for change
MM15.1 Policy DM1: Infrastructure and Developer Contributions	<p>...The Council will seek contributions from developers to ensure that the necessary infrastructure is in place to support future development in York. Contributions will be sought to fund strategic infrastructure that helps to deliver the Vision, Spatial Strategy and Objectives of the Local Plan, as well as specific infrastructure that is necessary to deliver an individual site.</p> <p><u>Where developers demonstrate that there are exceptional circumstances which justify the need for a viability assessment at the application stage, the Council will consider the assessment. If the development is demonstrably unviable, consideration will be given to modifying the phasing of obligations and may extend to including a review mechanism in any legal agreement.</u></p> <p>...</p>	For effectiveness and to clarify that where a development is unviable as demonstrated by a viability assessment, CYC will consider modifying the phasing of obligations and may extend to including a review mechanism in any legal agreement.
MM15.2 Policy DM1 explanation – paragraph 15.13	<p>Planning obligations (including contributions) <u>and any levy</u> will be sought in accordance <u>with legislation and</u> Government policy. <u>Recent legislation has resulted in some reforms to restrict the use of planning obligations coming into effect and others that took effect from April 2014. For example, Part 11 of the Planning Act 2008 provided for the introduction of the Community Infrastructure Levy (CIL) and the Community Infrastructure Regulations, 2010 set out the detail of how CIL will be used to charge and pool contributions from a variety of new developments to fund infrastructure.</u> The Council will consider what it will charge (and collect) contributions on a city-wide or area basis in order to help fund certain elements of strategic infrastructure that will be required to deliver all future development or the development of a particular area of the City. <u>However, under the CIL regulations, as amended, the Council's ability to pool S106 has been limited since April 2015.</u></p>	Text deleted where it relates to CIL regulation changes.
MM15.3 Policy DM1 explanation –	For the sustainable transport component within the 'Ensure Efficient and Affordable Transport Links' element of the Plan's Vision and Outcomes, preliminary transport modelling predicts that the volume of traffic on the highway network overall could increase	Updates to incorporate recent transport modelling work.

Section 15: Delivery and Monitoring

Modification Reference

Proposed Modification

Reason for change

paragraph 15.15 and Table 15.1

by approximately 2015% (an extra 706500 vehicle trips in each peak) by the end of the local plan period. The corresponding predicted increase in travel time across the network is approximately 30% and the increase in network delay is approximately 55%. These are average values and there will be variations throughout the network, with some areas or specific junctions experiencing higher levels of delay than others. Two things should, however, be highlighted in relation to traffic growth in York. First, the increasing level of delay on the network should be considered not in the context of the 2019 base values (as per Table 15.1), but against the traffic impacts of other development scenarios for York (on the basis that some development and population growth will be seen in the city whether a Local Plan is adopted or not). Modelling undertaken for the Local Plan illustrates that the chosen spatial distribution in the Local Plan imposes a similar traffic impact to alternative development scenarios. Secondly, the modelling represents a stress test of the network using a reasonable worse case scenario for trip growth. Between 2001 and 2021 York's population increased substantially, but this did not lead to a proportionate increase in trip making

Replace Table 15. 1 with:

Table 15. 1: Comparison of Future Year Modelled Travel Times with Baseline Year Travel Times (2019)

Trip	2019 Base year modelled peak hour trip time (decimal mins)	Future Year (2032/33) Forecast		
		Modelled peak hour trip time (decimal mins)	Increase from baseline year (decimal mins)	Difference versus a non Local Plan development pattern in 2033 (decimal mins) (a negative

Section 15: Delivery and Monitoring

Modification Reference

Proposed Modification

Reason for change

Route No.	Description	AM		PM		AM		PM	
		AM	PM	AM	PM	AM	PM	AM	PM
1	A1237 (Northbound)	27.7	34.9	33.8	35.8	+6.1	+0.9	0.0	-0.5
	A1237 (Southbound)	27.8	31.8	33.3	35.7	+5.5	+3.9	+1.0	-0.5
2	A64 (Northbound)	17.5	16.7	18.2	17.5	+0.7	+0.8	0.0	0.0
	A64 (Southbound)	16.7	16.6	17.4	17.1	+0.7	+0.5	+0.1	-0.1
3	Inner Ring Road (Clockwise)	21.9	24.2	24.9	28.7	+3.0	+4.5	-0.6	-1.1
	Inner Ring Road (Anti-clockwise)	23.0	25.2	25.6	28.9	+2.6	+3.7	-1.1	-0.5
4	A1036 Tadcaster Road (Inbound)	18.5	17.0	20.2	18.1	+1.7	+1.1	+0.1	-0.1
	A1036 Tadcaster Road (Outbound)	14.7	15.9	16.5	17.1	+1.8	+1.2	-0.1	-0.5
5	A19 Fulford Road (Inbound)	20.1	14.6	21.9	16.6	+1.8	+2.0	-1.2	-0.6
	A19 Fulford Road (Outbound)	11.8	16.0	12.3	18.2	+0.5	+2.2	-0.1	-0.3
6	A1079 Hull Road (Inbound)	18.5	16.2	20.9	19.0	+2.4	+2.8	-0.2	+0.7

number shows the with local plan outcome to be better on that corridor)

Section 15: Delivery and Monitoring

Modification Reference

Proposed Modification

Reason for change

		A1079 Hull Road (Outbound)	14.0	16.7	15.9	20.0	+1.9	+3.3	-0.1	-0.3	
	7	A1036 Malton Road (Inbound)	9.6	10.3	11.2	10.5	+1.6	+0.2	-1.6	-1.2	
		A1036 Malton Road (Outbound)	8.3	9.0	9.6	9.8	+1.3	+0.8	-0.3	+0.3	
	8	B1363 Wigginton Road (Inbound)	16.9	15.6	18.3	15.4	+1.4	-0.2	+0.3	-0.1	
		B1363 Wigginton Road (Outbound)	13.3	14.9	14.0	15.2	+0.7	+0.3	-0.2	+0.1	
	9	A19 Shipton Road (Inbound)	17.4	14.8	20.0	13.0	+2.6	-1.8	-0.7	+0.3	
		A19 Shipton Road (Outbound)	11.6	12.7	12.6	13.5	+1.0	+0.8	-0.2	-0.3	
	10	A59 Boroughbridge Road (Inbound)	15.9	15.4	17.4	16.7	+1.5	+1.3	-2.6	+0.9	
		A59 Boroughbridge Road (Outbound)	15.0	14.6	16.9	14.9	+1.9	+0.3	-2.9	-0.1	
	11	B1224 Wetherby Road (Inbound)	11.1	11.5	11.7	12.0	+0.6	+0.5	-0.6	-0.1	
		B1224 Wetherby Road (Outbound)	10.3	10.2	10.6	10.2	+0.3	0.0	-0.1	-0.1	
	12	Haxby Road (Inbound)	15.6	14.1	16.9	16.3	+1.3	+2.2	-0.5	+0.7	
		Haxby Road (Outbound)	14.0	14.9	14.4	15.8	+0.4	+0.9	-0.3	-0.2	
	13	Water End (to northeast)	3.7	4.0	5.7	4.5	+2.0	+0.5	0.0	0.0	
		Water End (to southwest)	6.6	3.9	6.9	6.5	+0.3	+2.6	-0.1	-1.0	

Section 15: Delivery and Monitoring

Modification Reference

Proposed Modification

Reason for change

	14	Leeman Road (Inbound)	↓	*	5.2	5.1	↓	↓	0.0	-0.1	
		Leeman Road (Outbound)	↓	↓	8.1	7.0	↓	↓	-0.1	0.0	
	15	Bishopthorpe Road (Inbound)	15.3	14.5	18.9	17.5	+3.6	+3.0	+0.2	-0.2	
		Bishopthorpe Road (Outbound)	12.0	12.7	12.7	13.9	+0.7	+1.2	0.0	+0.1	
MM15.4 Policy DM1 explanation – paragraph 15.21	<p>...Normal development costs and the costs of high quality materials and urban design considerations are universally applicable and will not be allowed for in negotiations to reduce contributions. <u>Review mechanisms may be secured as part of a legal agreement requiring a 're-run' of the viability appraisal post-permission. Either actual or updated predictions of sales values and build costs of a development will be compared against the assumptions made in the application viability assessment to see whether the scheme's viability has improved in the time that has passed to allow policy compliant contributions to be secured.</u></p>									To clarify the approach in relation to MM15.1	

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**City of York Local
Plan**

Proposed Policy Map Modifications

January 2023

Introduction

1. The City of York Local Plan was submitted to the Planning Inspectorate in May 2018 with the Local Plan Examination in Public (EiP) commencing in November 2019. There have been four phases of examination hearing sessions with the last closing in September 2022.
2. Since the opening of the EIP in 2019, CYC has published and consulted on a series of 'Proposed Modifications' to both the Local Plan itself and the accompanying Local Plan Policies Map (formerly the 'Proposals Map'). These consultations were undertaken in June 2019 [EX/CYC/20] and April 2021 [EX/CYC/58].
3. A further schedule of proposed modifications to the Local Plan was published July 2022 [EX/CYC/93a] with a consolidated Proposed Modifications Schedule published on 31 August 2022 [EX/CYC/111]. A Consolidated Policy Map Modifications Schedule was published September 2022 [EX/CYC113]. These three schedules were published on the Local Plan examination website but were not subject to formal consultation.
4. CYC is now formally consulting on a consolidated set of Policy Map Modifications as part of the last stage of public consultation on the Local Plan before submitting to the Planning Inspectorate for final consideration.
5. This consultation includes all proposed modifications to the Policy Map the Council intend to progress and supersedes all previously issued proposed amendments to the policy map. Where proposed modifications that were published previously are not included in this document, the Council no longer intends to progress them.
6. It is also intended to add the boundaries of both the conservation areas and areas of archaeological importance, rather than denoting these areas using a star. However, for the purposes of clarity and ease these are not shown on the maps within this schedule.
7. This schedule contains all proposed modifications to the Local Plan policy map in five sections:
 - Strategic Sites Policy Map Amendments
 - Other Policy Map Amendments
 - Greenbelt Boundary Policy Map Amendments (Policies Map North)
 - Greenbelt Boundary Policy Map Amendments (Policies Map South)
 - Additional Amendments
8. This Map Modifications Schedule is intended for reference only. As part of the consultation, an online interactive version is available here [\[INSERT LINK\]](#). Once the Policy Map is adopted a complete online interactive version will be available.

Note: This schedule supersedes all previous policy map modifications schedules.

Contents

1. Strategic sites policy amendments	9
PMM1 ST15 (Policies Map South)	10
PMM2 ST16 (Policies Map South)	11
PMM3 ST32 (Policies Map City Centre).....	12
PMM4 ST35 (Policies Map North).....	13
2. Other Policy Map amendments	14
PMM5 H22 (Policies Map North).....	15
PMM6 H23 (Policies Map North).....	16
PMM7 H56 (Policies Map North).....	17
PMM8 H59 (Policies Map North)	18
PMM9 Strensall Common Special Area of Conservation (SAC) 400m Buffer	19
(Policies Map North)	
PMM9 Strensall Common Special Area of Conservation (SAC) 5500m Buffer	20
(Policies Map North)	
3. Greenbelt Boundary amendments (Policies Map North)	21
PMM10 Strensall (Policies Map North)	22
PMM11 Windy Ridge, Huntington (Policies Map North)	23
PMM12 Jockey Lane (Policies Map North)	24
PMM13 Land to the rear of Osbaldwick Village (Policies Map North).....	25
PMM14 Land at Hull Road, north of Grimston Bar (Policies Map North)	26
PMM15 Acomb Water Works (Policies Map North).....	27
PMM16 Knapton Village (Policies Map North)	28
PMM17 St. Peter’s School (Policies Map North).....	29
PMM18 Homestead Park (Policies Map North).....	30
PMM19 Clifton Park Hospital (Policies Map North)	31
PMM20 Burton Green Primary School (Policies Map North)	32
PMM21 Nestle Factory (Policies Map North)	33
PMM22 The Poppleton Centre (Policies Map North)	34
PMM23 Edge of Monks Cross/Vanguard Car parks (Policies Map North)	35
PMM24 Pottery Lane (Policies Map North)	36
PMM25 Osbaldwick Gypsy and Traveller Site (Policies Map North)	37
PMM26 Derwent Valley Industrial Estate (Policies Map North)	38
PMM27 Stockton on the Forest (Policies Map North).....	39
PMM28 York Cricket Club Boundary (Policies Map North)	40
4. Greenbelt Boundary amendments (Policies Map South).....	41
PMM29 Imphal Barracks (Policies Map South).....	42
PMM30 Askham Bryan (Policies Map South).....	43
PMM31 Moor Lane, Woodthorpe (Policies Map South).....	44


City of York Local Plan Proposed Policy Map Modifications January 2023


PMM32	Little Hob Moor (Policies Map South).....	45
PMM33	Campleshon Road Open Space (Policies Map South).....	46
PMM34	Elvington Industrial Estate, Elvington (Policies Map South)	47
PMM35	South of Askham Bar Park and Ride (Policies Map South).....	48
PMM36	University of York Campus East Western Boundary (Policies Map South).....	49
PMM37	Heslington (Policies Map South).....	50
PMM38	Heslington, Lane south of University of York Campus West	51
PMM39	Heslington Road and the Retreat (Policies Map South)	52
PMM40	Germany Beck and Fordlands Road (Policies Map South)	53
PMM41	Rowntree Park (Policies Map South)	54
PMM42	Scarcroft Allotments (Policies Map South).....	55
PMM43	York College (Policies Map South)	56
PMM44	Lord Deramores School, Heslington (Policies Map South)	57
PMM45	Elvington Airfield Industrial Estate (Policies Map South).....	58
5.	Additional amendments	59
PMM46	Vale of York Academy and Bootham Junior School (Policies Map North).....	60
PMM47	Haxby Road Primary Academy and Greenfields Community Garden	61
PMM48	Robert Wilkinson Primary Academy, Strensall (Policies Map North).....	62
PMM49	St Peters School (Policies Map North).....	63
PMM50	Poppleton Ousebank Primary School (Policies Map North).....	64
PMM51	Haxby Proposed Train Station (Policies Map North).....	65
PMM52	Scarborough Bridge (Policies Map City Centre)	66
PMM53	The Minster School (Policies Map City Centre)	67
PMM54	Millfield Industrial Estate, Wheldrake (Policies Map South)	68
PMM55	St. Leonard's Hospice, Dringhouses (Policies Map South).....	69
PMM56	New Walk Orchard Park (Policies Map South)	70
PMM57	Nelson's Lane Nursing Home, Dringhouses (Policies Map South)	71
PMM58	Acomb Primary School (Policies Map South)	73
PMM59	Stone Court, Hob Moor (Policies Map South).....	74
PMM60	Westfield School (Policies Map South).....	75
PMM61	Westfield March Open Space (Policies Map South)	76
PMM62	York High School (Policies Map South).....	77
PMM63	The Mount School (Policies Map South)	78
PMM64	Conservation Areas.....	79
PMM65	Areas of Archaeological Interest.....	82
PMM66	Strensall Common Special Area of Conservation (400m buffer).....	83
PMM67	Strensall Common Special Area of Conservation (5500m buffer).....	84

Map Key


Policy map key has been updated to reflect corrections and updates to designations of proposed modifications.


Policy Map (2018)

 Educational Establishment
(including Playing Fields)


 Existing Gypsy and Traveller Site


**Correction to 'Existing Openspace' designation to match remaining Policies Maps (North and South)*

 Existing Openspace

 Existing Openspace


Proposed Modifications (2022)

 Educational Establishment
(including Playing Fields)

 Existing Gypsy and Traveller Site

 Existing Openspace

New designations

 ST15 Proposed Education Allocation

 Ecological mitigation


















 Strensall SAC Buffer

Full key shown on page 7 of this document.






















Map Key

Policy Maps – North and South (2018)

-  City of York Boundary
-  City Centre Boundary
- See Separate Inset Map
- Spatial Strategy**
-  Indicative Strategic Site Access
- Economy and Retail (Section 4)**
-  District Retail Centre
-  Strategic Employment
-  General Employment
-  Mixed Use
- Housing (Section 5)**
-  Strategic Housing
-  General Housing
-  Student Housing
-  Residential Extra Care (C3b)
-  Existing Gypsy and Traveller Site
-  Proposed Travelling Showpeople Site
- Health and Wellbeing (Section 6)**
-  Existing Health Care Facilities
-  Proposed Health Care Facilities
- Education (Section 7)**
-  Educational Establishment (including Playing Fields)
-  Askham Bryan and York Colleges
-  Existing University Campuses
- Placemaking, Heritage, Design and Culture (Section 9)**
-  Conservation Areas
-  Area of Archeological Importance
-  Historic Parks and Gardens

- Green Infrastructure (Section 9)**
-  Existing Openspace
-  Proposed New Openspace
-  Nationally Significant Nature Conservation Sites (SAC/SPA/RAMSAR/SSSI)
-  Sites of Importance to Nature Conservation (Sincs)
-  Candidate Sites of Importance to Nature Conservation (Candidate Sincs)
-  Local Nature Reserves
- Managing Appropriate Development in the Green Belt (Section 10)**
-  Greenbelt
- Waste and Minerals (Section 13)**
-  Household Waste and Recycling Sites
- Transport and Communication (Section 14)**
-  Proposed New Railway Stations
-  Existing Park and Ride
-  Existing Park and Ride with Potential for Expansion
-  Existing Park and Ride with Potential for Relocation
-  Potential New Bridge/Enhancement
-  Proposed Roundabout Junction Improvements
-  Proposed Strategic Junction Improvements
-  Land Safeguarded for Potential Future Transport Schemes
-  Strategic Pedestrian/Cycle Corridor Improvements

Policy Map – City Centre inset (2018)

- (City Centre Inset)**
-  Land Outside City Centre (See Proposals Map North and South)
-  City Centre Boundary
- Economy and Retail (Section 4)**
-  Primary Shopping Frontage
-  Secondary Shopping Frontage
-  York - Primary Shopping Area
-  Mixed Use Site (ST5)
-  Castle Gateway Opportunity Area (ST20)
- Housing (Section 5)**
-  Strategic Housing
-  General Housing
- Education (Section 7)**
-  Educational Establishment (Including Playing Fields)
-  University Campus
- Placemaking, Heritage, Design and Culture (Section 9)**
-  Area of Archaeological Importance
-  Conservation Area
-  Historic Park and Garden
-  Minster Precinct
- Green Infrastructure (Section 9)**
-  Existing Openspace
-  Candidate Site Of Importance to Nature Conservation (Candidate SINC)
- Transport and Communication (Section 14)**
-  York Railway Station
-  Potential New Bridge/Enhancement
-  Indicative Location for Potential New Bridge
-  Strategic Pedestrian and Cycle Improvement Corridor









City of York Local Plan Proposed Policy Map Modifications January 2023

Map Key

Proposed Modifications (2022)

-  City of York Boundary
-  City Centre Boundary
- See Seperate Inset Map
- Spatial Strategy**
-  Indicative Strategic Site Access
- Economy and Retail (Section 4)**
-  District Retail Centre
-  Strategic Employment
-  General Employment
-  Mixed Use
- Housing (Section 5)**
-  Strategic Housing
-  General Housing
-  Student Housing
-  Residential Extra Care (C3b)
-  Existing Gypsy and Traveller Site
-  Proposed Travelling Showpeople Site
- Health and Wellbeing (Section 6)**
-  Existing Health Care Facilities
-  Proposed Health Care Facilities
- Education (Section 7)**
-  Educational Establishment (including Playing Fields)
-  Askham Bryan and York Colleges
-  Existing University Campuses
- Placemaking, Heritage, Design and Culture (Section 9)**
-  Historic Park and Garden
-  Minster Precinct


Green Infrastructure (Section 9)

-  Existing Openspace
-  Proposed New Openspace
-  Nationally Significant Nature Conservation Sites (SAC/SPA/RAMSAR/SSSI)
-  Sites of Importance to Nature Conservation (Sincs)
-  Candidate Sites of Importance to Nature Conservation (Candidate Sincs)
-  Local Nature Reserves
-  Ecological mitigation
-  Strensall SAC Buffer












Managing Appropriate Development in the Green Belt (Section 10)

-  Greenbelt

Waste and Minerals (Section 13)

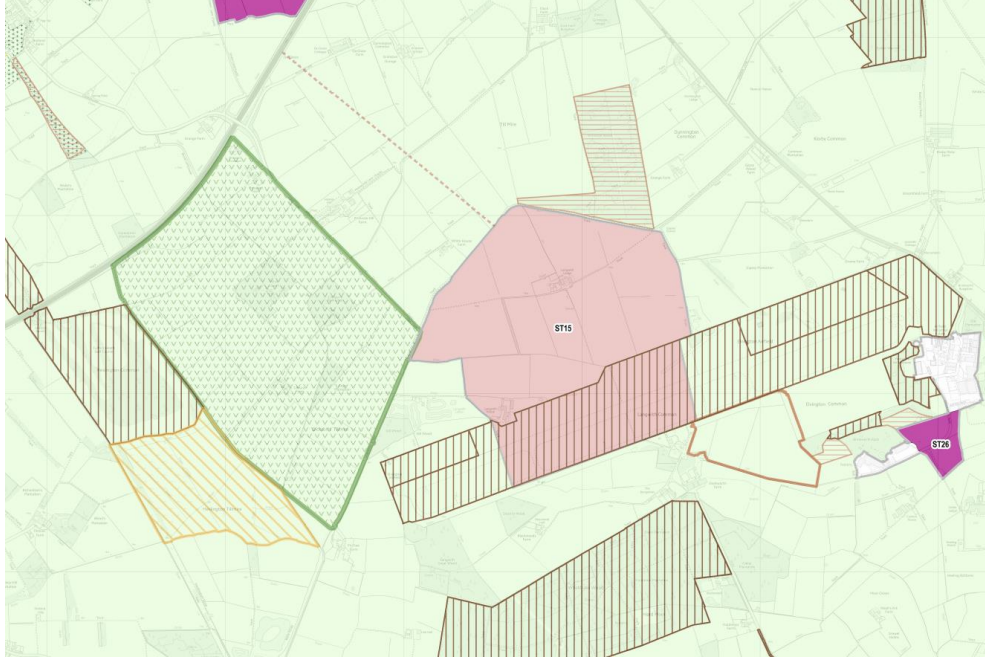
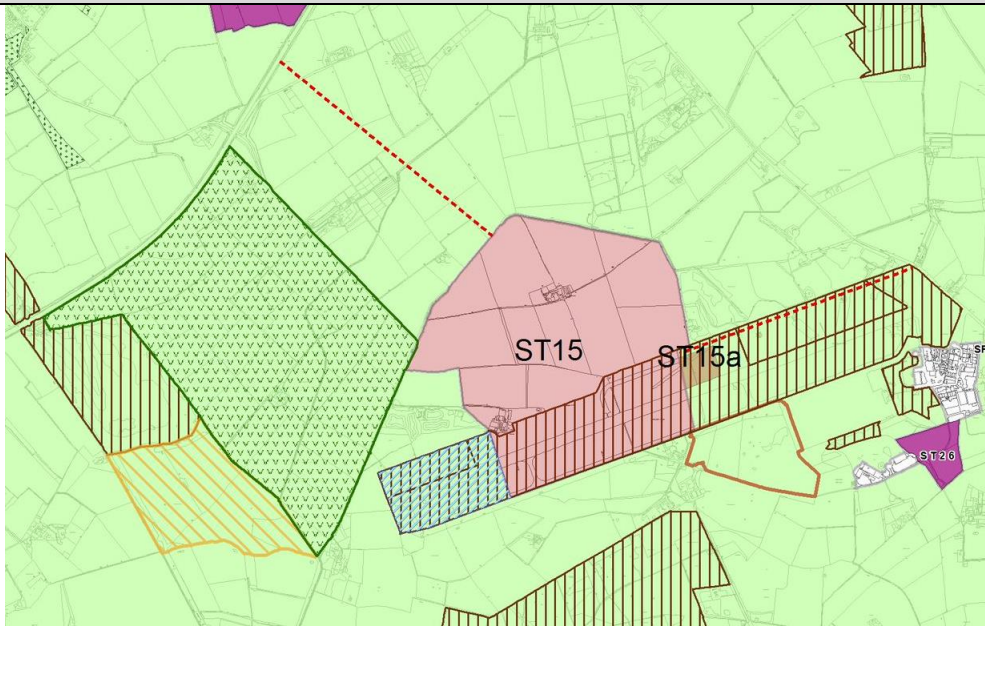
-  Household Waste and Recycling Sites

Transport and Communication (Section 14)



-  Proposed New Railway Stations
-  Existing Park and Ride
-  Existing Park and Ride with Potential for Expansion
-  Existing Park and Ride with Potential for Relocation
-  Proposed Roundabout Junction Improvements
-  Proposed Strategic Junction Improvements
-  Land Safeguarded for Potential Future Transport Schemes
-  Strategic Pedestrian/Cycle Corridor Improvements
-  York Railway Station
-  Potential New Bridge/Enhancement
-  Indicative Location for Potential New Bridge

1. Strategic sites policy amendments



City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM1 ST15 (Policies Map South)</p>
<p>Reason</p>
<p>To reflect modifications proposed to Policy SS13 on the Policy Map:</p> <ul style="list-style-type: none"> • Addition of ST15a as a secondary school allocation if required onsite; • Addition of the western part of the runway as an ecological mitigation area; • Amendments to the boundary of OS10 to rationalise the SE boundary with the adjoining SINC • Addition of indicative second strategic site access to Elvington Lane.
<p>Policies map (2018)</p>

<p>Proposed modification</p>



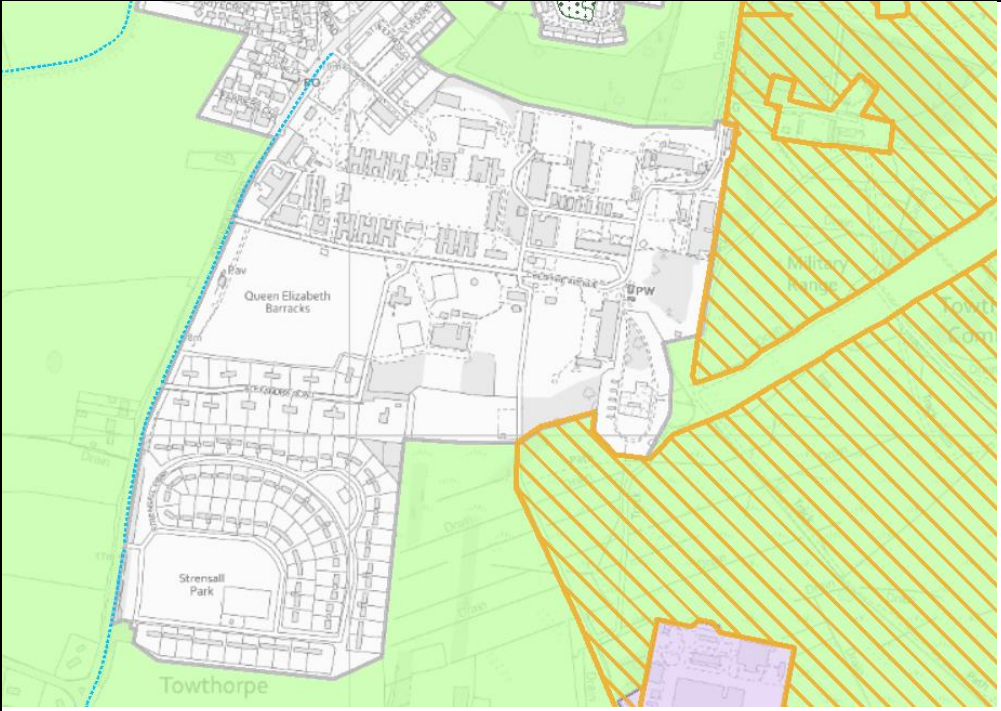
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM2 ST16 (Policies Map South)</p>
<p>Reason</p>
<p>To update site allocation to reflect current build out of site. Note: land at York Racecourse and Campleshon Road Open Space map modifications are shown at PMM33 of this schedule.</p>
<p>Policies map boundary (2018)</p>
 <p>This map shows the 2018 policies map boundary. The ST16 site is highlighted in red and labeled 'ST16'. It is situated between Campleshon Road to the north and a blue dashed line representing a boundary to the east. The area contains two buildings labeled 'Factory'. To the west of the site, there is a black star icon and labels 'Pp Ho' and 'FB'. The surrounding area is green, indicating open space or agricultural land.</p>
<p>Proposed modification</p>
 <p>This map shows the proposed modification to the site allocation. The ST16 site is now a smaller red-shaded area labeled 'ST16'. A large triangular area to the west of the site is now filled with a green hatched pattern, indicating a change in site allocation. The rest of the map, including the 'Factory' buildings and the blue dashed boundary line, remains the same as in the 2018 map.</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM3 ST32 (Policies Map City Centre)</p>
<p>Reason</p>
<p>Update to the allocation site boundary to exclude areas that have already been built out. Note: The denotation of open space has been updated to be consistent with the designations on the North and South policy maps.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023


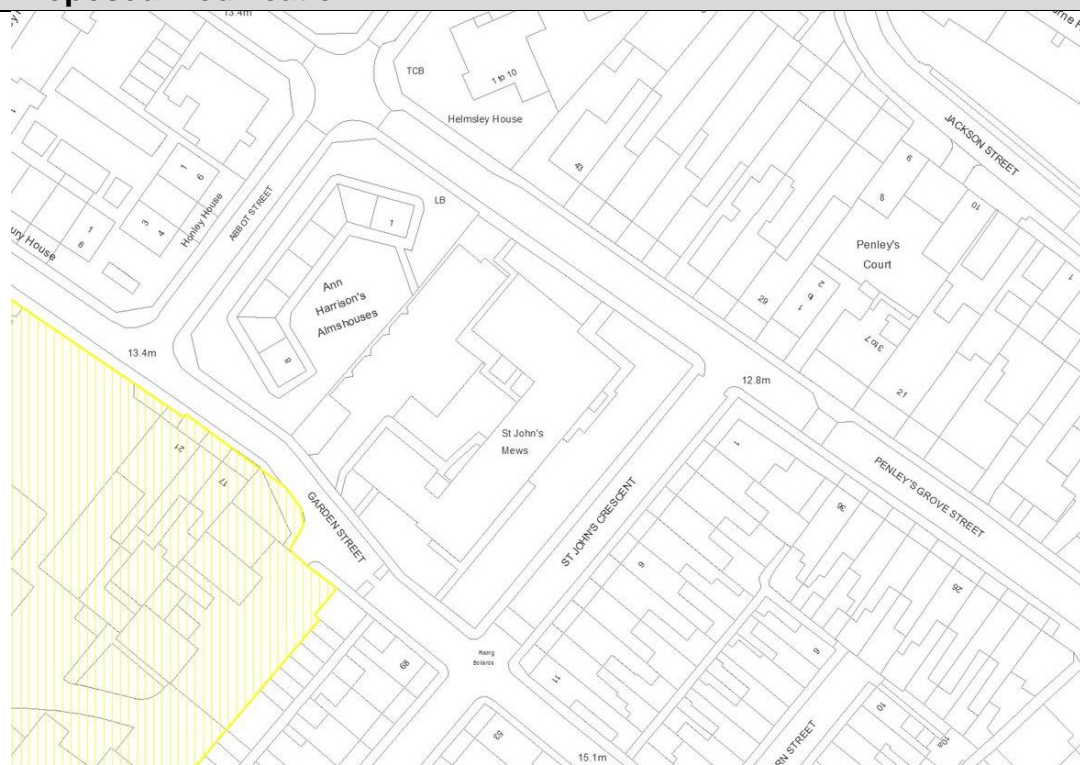
Name
PMM4 ST35 (Policies Map North)
Reason
To remove ST35 and the associated new open space allocation in accordance with the proposed deletion of the allocation and Strategic Site Policy SS19 [as detailed in MM3.70]. Note that Green Belt boundary modifications are shown at PMM10 of this schedule.
Policies map boundary (2018)

Proposed modification


2. Other Policy Map amendments

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM5 H22 (Policies Map North)</p>
<p>Reason</p>
<p>To remove H22 allocation to reflect the site has been built out</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM6 H23 (Policies Map North)
Reason
To remove H23 allocation to reflect the site has been built out.
Policies map boundary (2018)

Proposed modification


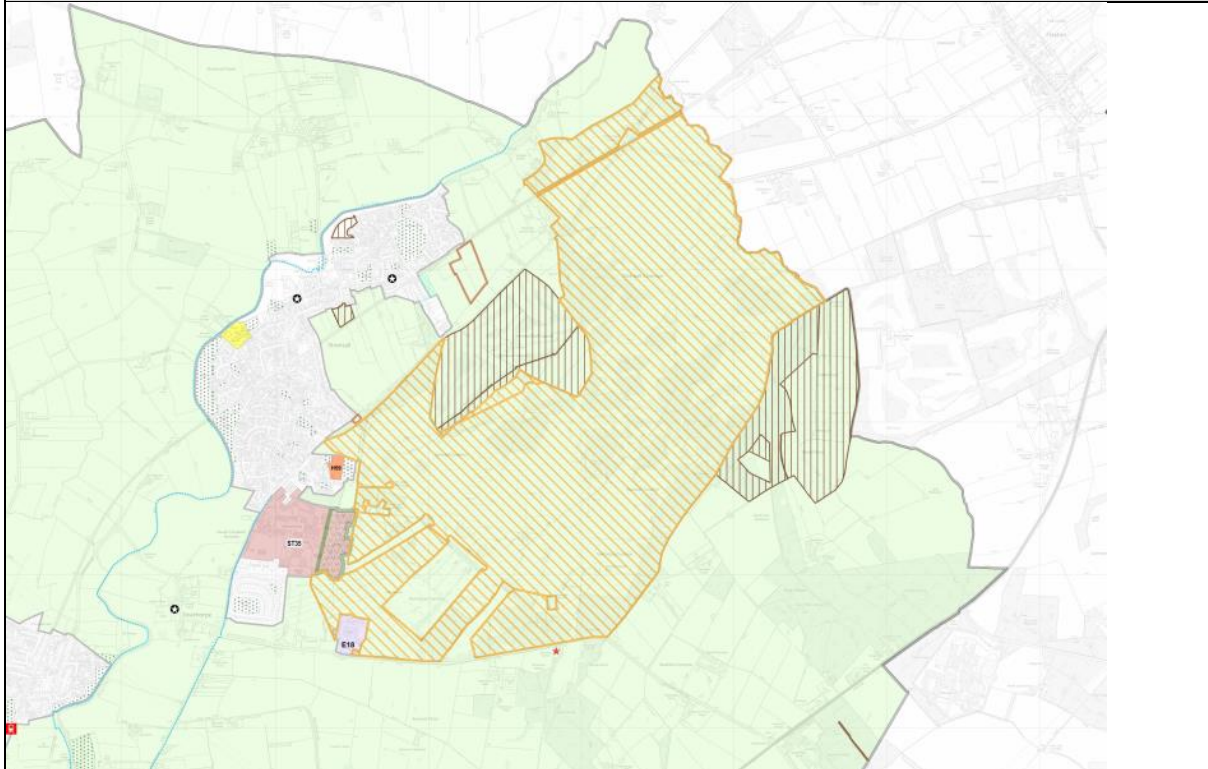
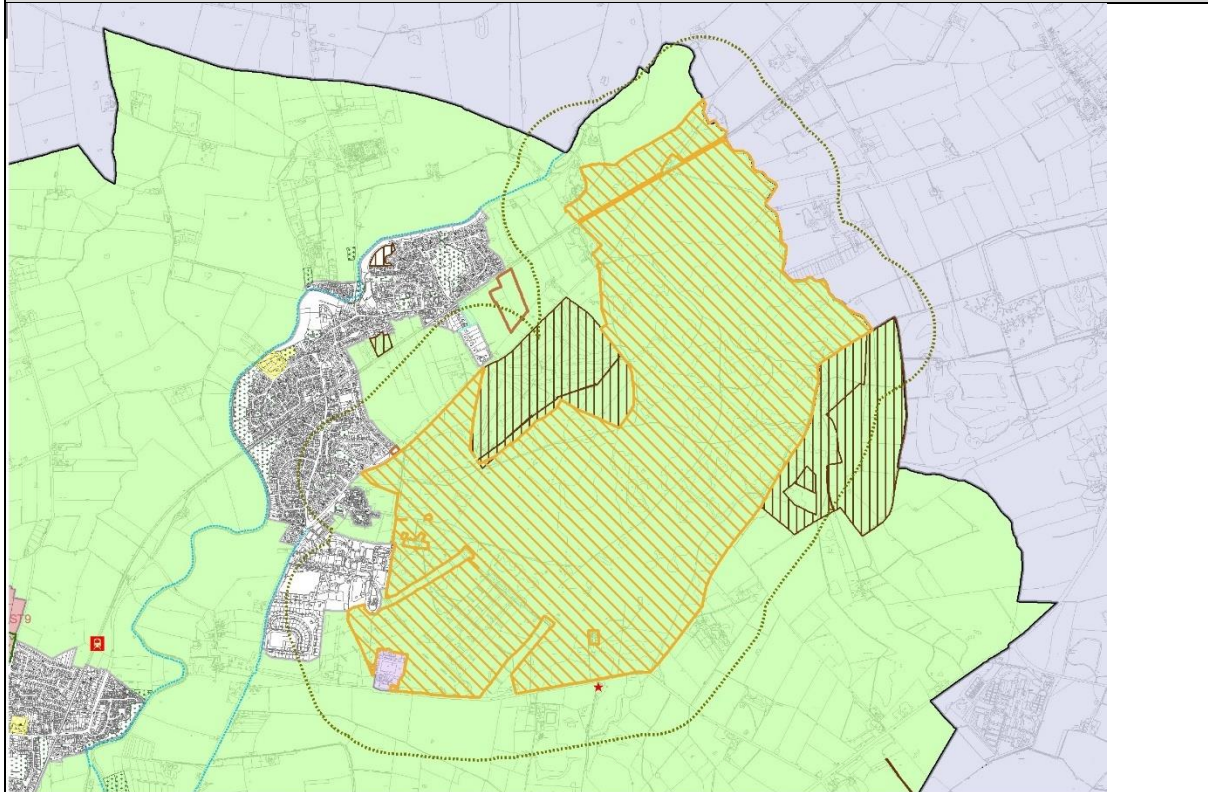
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM7 H56 (Policies Map North)</p>
<p>Reason</p>
<p>To remove H56 allocation to reflect the site has been built out and incorporate new greenscapes into existing open space allocation adjacent.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

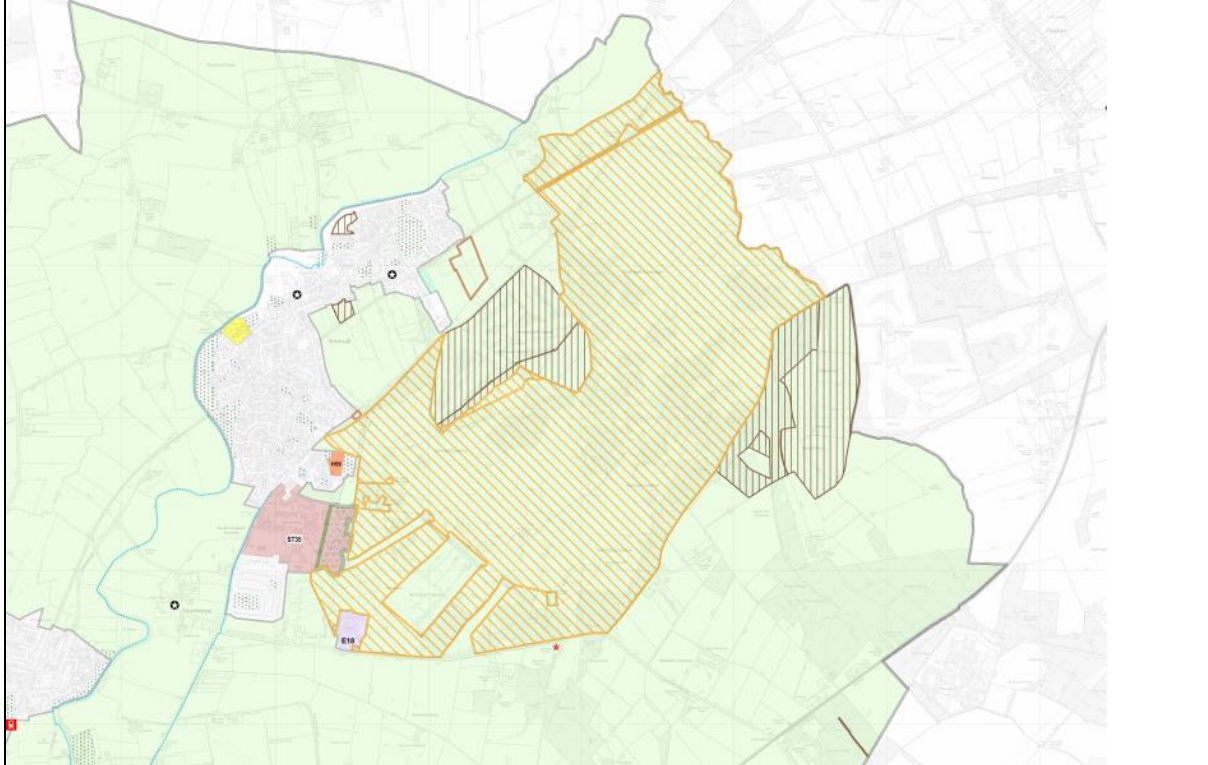
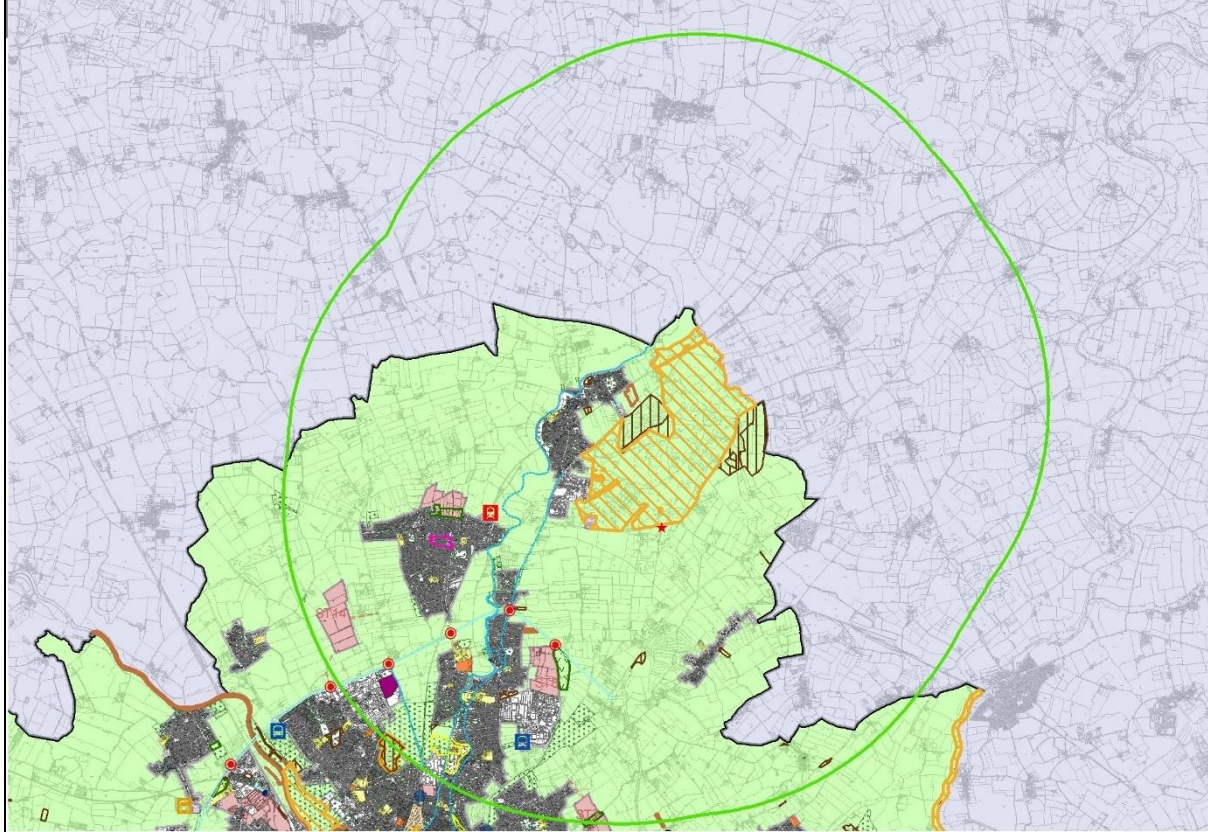
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM8 H59 (Policies Map North)</p>
<p>Reason</p>
<p>To remove H59 allocation in accordance with the proposed deletion of the allocation as detailed in MM5.2.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM9 Strensall Common Special Area of Conservation (SAC) 400m Buffer (Policies Map North)</p>
<p>Reason</p>
<p>To include 400m buffer zone from the SAC boundary in accordance with Policy G12a; the 400m linear buffer shown in PMM66.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM9 Strensall Common Special Area of Conservation (SAC) 5500m Buffer (Polices Map North)
Reason
To include 400m buffer zone from the SAC boundary in accordance with Policy G12a; the 5500m linear buffer shown in PMM67.
Policies map boundary (2018)

Proposed modification


3. Greenbelt Boundary amendments (Policies Map North)

City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM10 Strensall (Policies Map North)	
Reason	
To amend the Green Belt boundary to follow the line of fencing at the eastern side of the barracks site, removing existing buildings from the Green Belt in accordance with Green Belt methodology.	
Note: the removal of allocation ST35 is shown at PMM4.	
Policies map boundary (2018)	
Proposed modification	

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM11 Windy Ridge, Huntington (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to reflect completed development south of Brecks Lane.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM12 Jockey Lane (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to include the road infrastructure in accordance with the Green Belt methodology. The methodology indicates that where the metalled surfaces of roads are in proximity to urban uses, they should be considered to form part of the built-up area.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM13 Land to the rear of Osbaldwick Village (Policies Map North)
Reason
Amendment to the Green Belt boundary to closely follow the main urban area as represented by identifiable built structures to the North of Osbaldwick Village for consistency with the Green Belt methodology.
Policies map boundary (2018)
Proposed modification

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM14 Land at Hull Road, north of Grimston Bar (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to align with the limit of the urban area to the east of Grimston Bar Park and Ride, for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

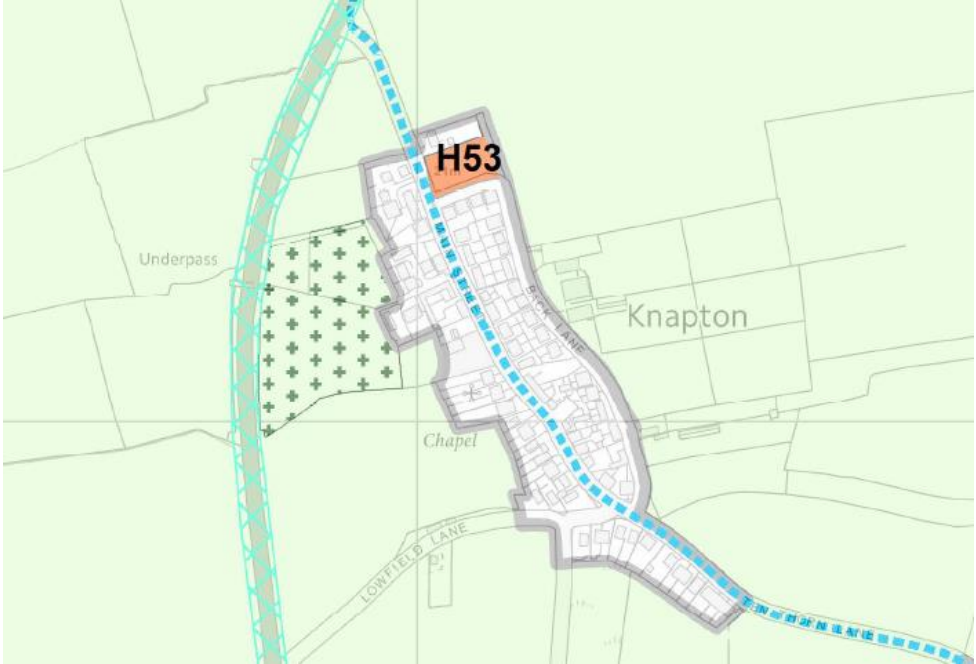

Name
PMM15 Acomb Water Works (Policies Map North)
Reason
Amendment to the Green Belt boundary to follow the fenced edge of Acomb Water Works and the river banks.
Policies map boundary (2018)



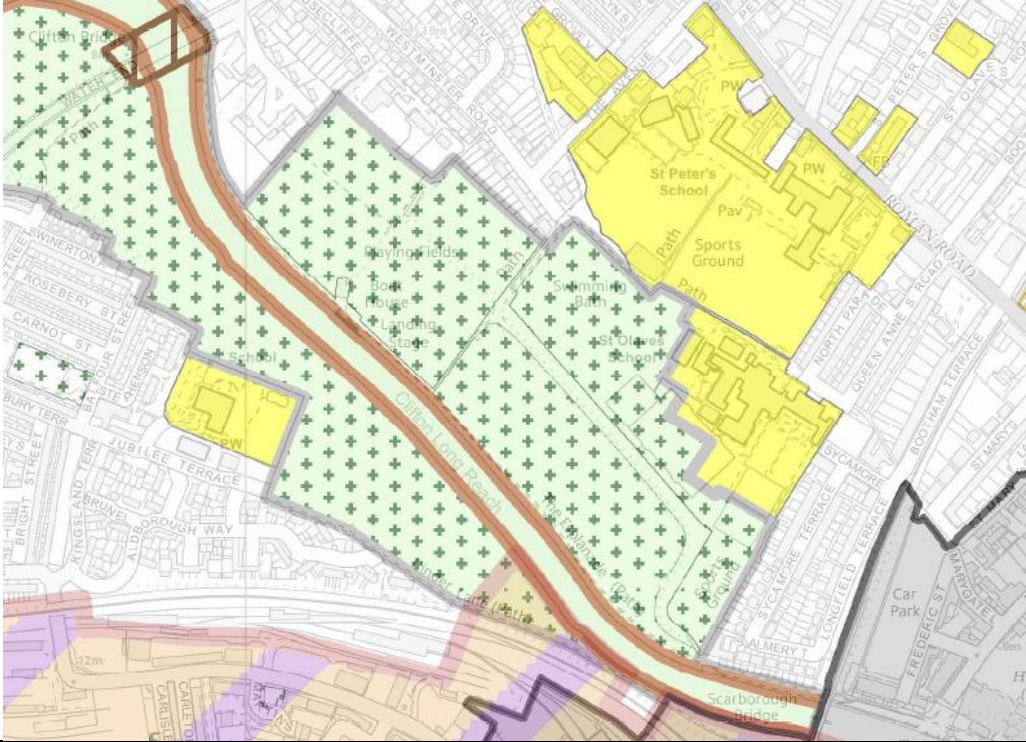
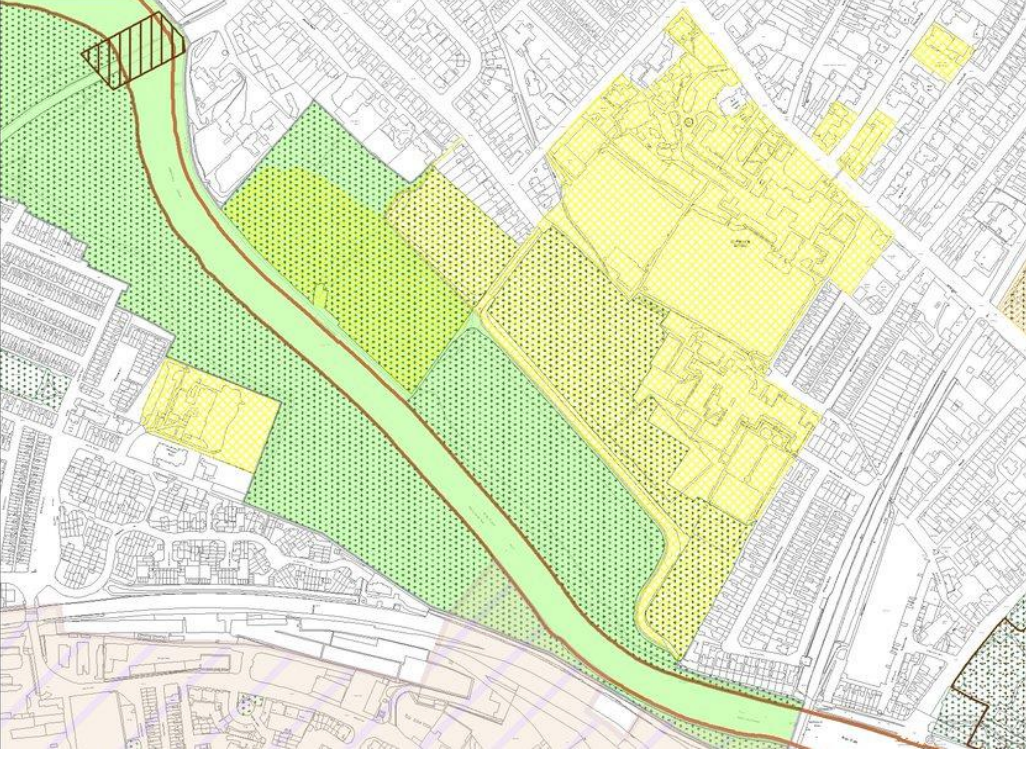
Proposed



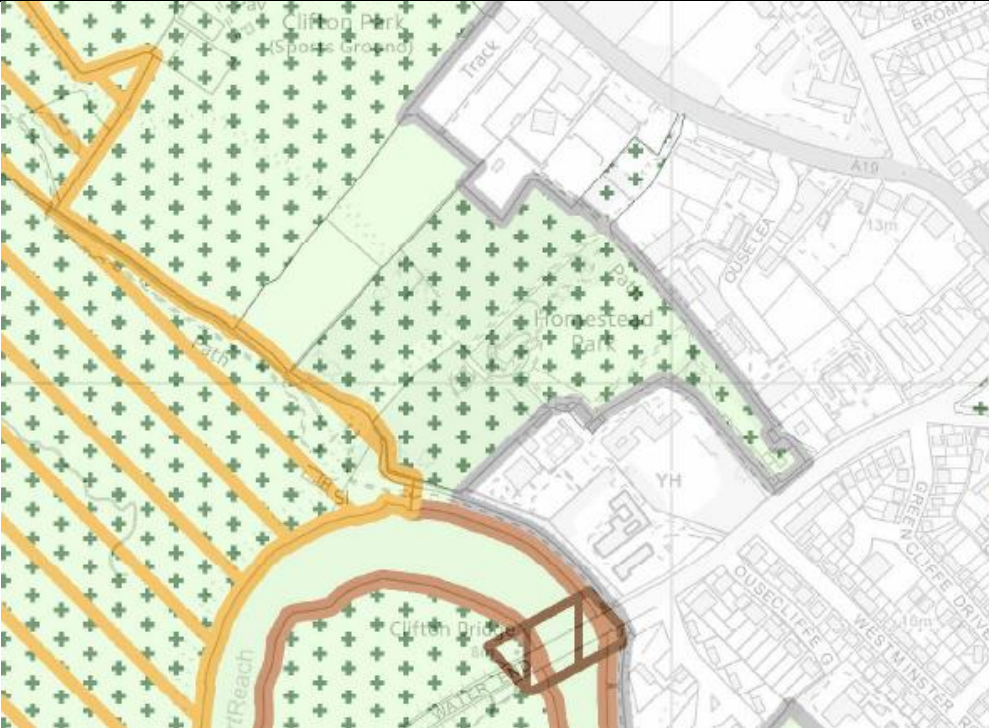

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM16 Knapton Village (Policies Map North)
Reason
This urban area exhibits a high degree of openness, and contributes to the openness of Green Belt. It is recommended that Knapton be included within the Green Belt for consistency with the Green Belt methodology.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM17 St. Peter's School (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the flood defenses to the south of the site. Modification to the yellow education allocation is shown at PMM49.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>



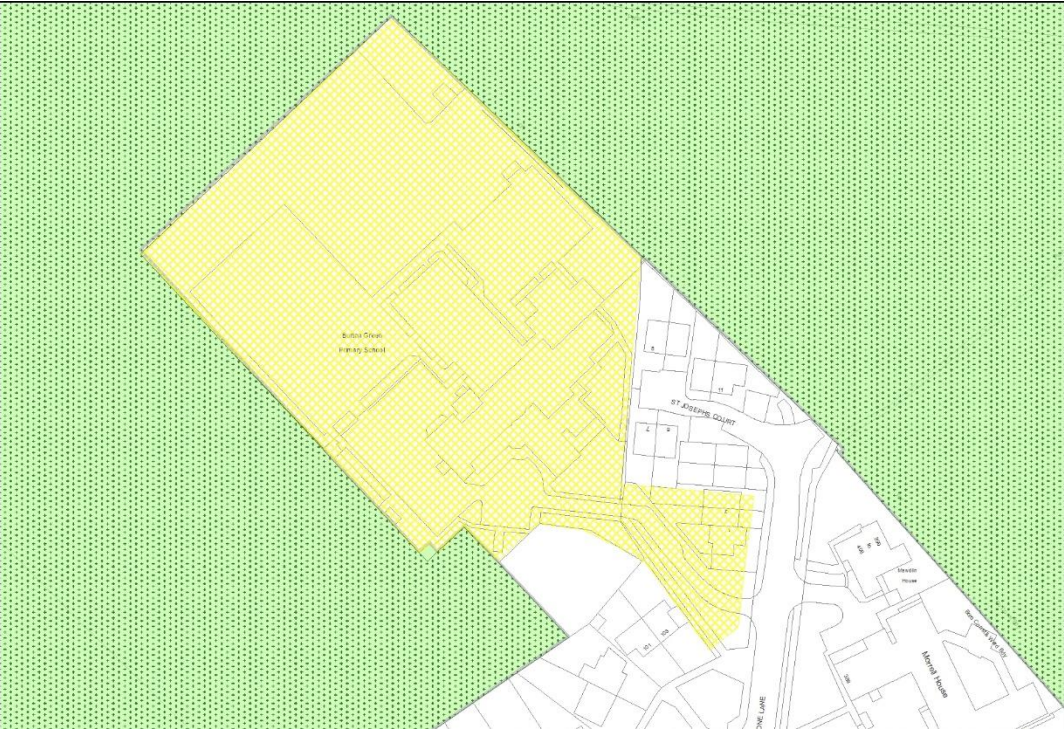
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM18 Homestead Park (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the walled and fenced edge of the formal gardens of Homestead Park, for consistency with the Green Belt methodology</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM19 Clifton Park Hospital (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary around Clifton Park Hospital to follow the built development boundary for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM20 Burton Green Primary School (Policies Map North)
Reason
Amendment to the Green Belt boundary to follow the curtilage of the school site. The education designation is extended across the whole of the school site for consistency in approach with other educational sites.
Policies map boundary (2018)
 <p>This map shows the 2018 policies map boundary for Burton Green Primary School. The school site is highlighted in yellow. The surrounding area is marked with a grid of green crosses, indicating the Green Belt boundary. Labels include 'Path', 'Playing Field', and 'BURTON GREEN'.</p>
Proposed modification
 <p>This map shows the proposed modification to the policies map boundary. The school site is highlighted in yellow. The surrounding area is marked with a grid of green crosses, indicating the new Green Belt boundary. Labels include 'BURTON GREEN PRIMARY SCHOOL', 'ST. JOSEPH'S COURT', '24C LANE', 'Market House', and 'S.P.S.'.</p>

Name

PMM21 Nestle Factory (Policies Map North)

Reason

Amendment to the Green Belt boundary to follow the fenced boundary around the factory for consistency with the Green Belt methodology.

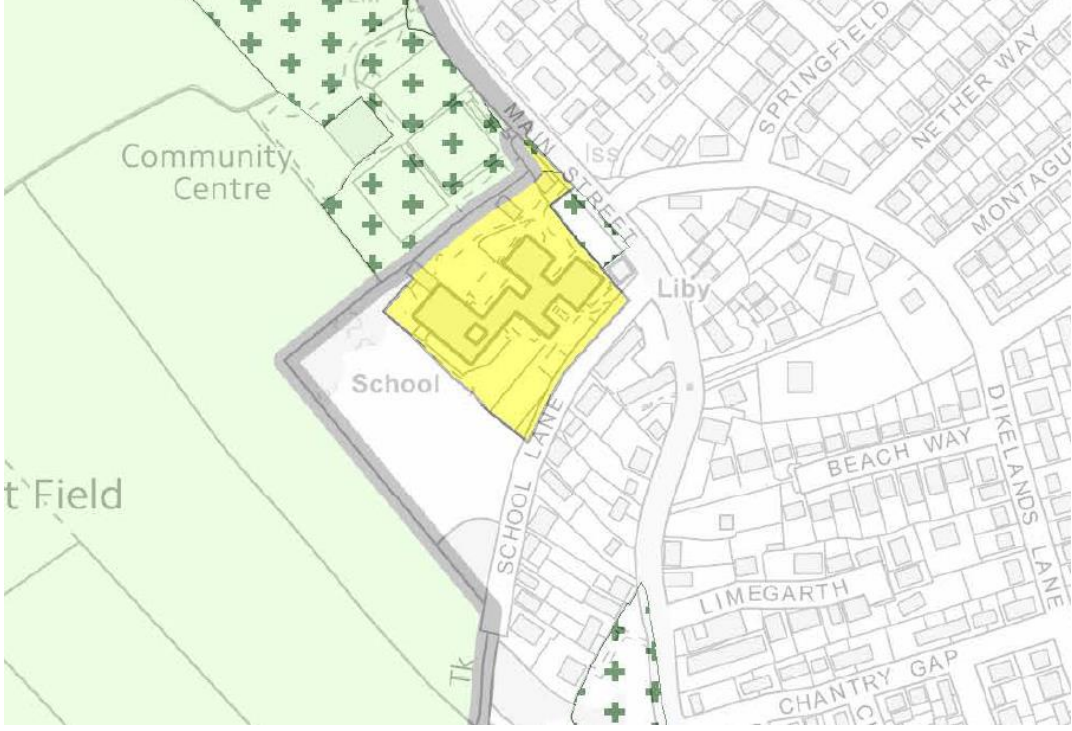
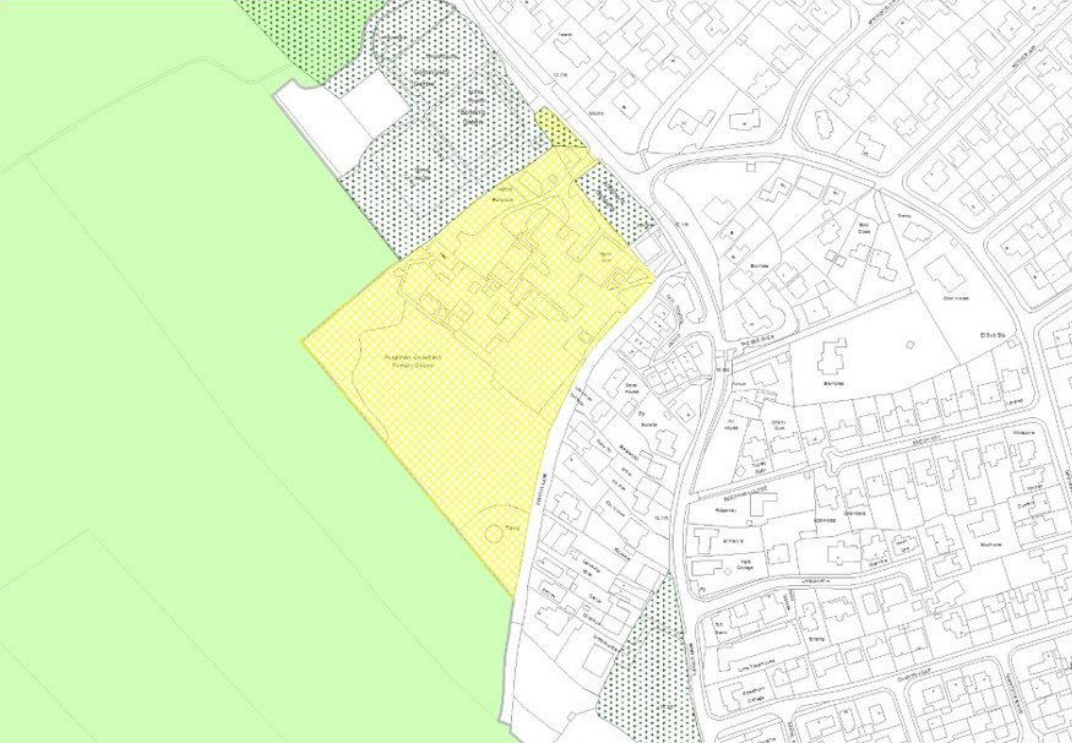
Policies map boundary (2018)



Proposed modification




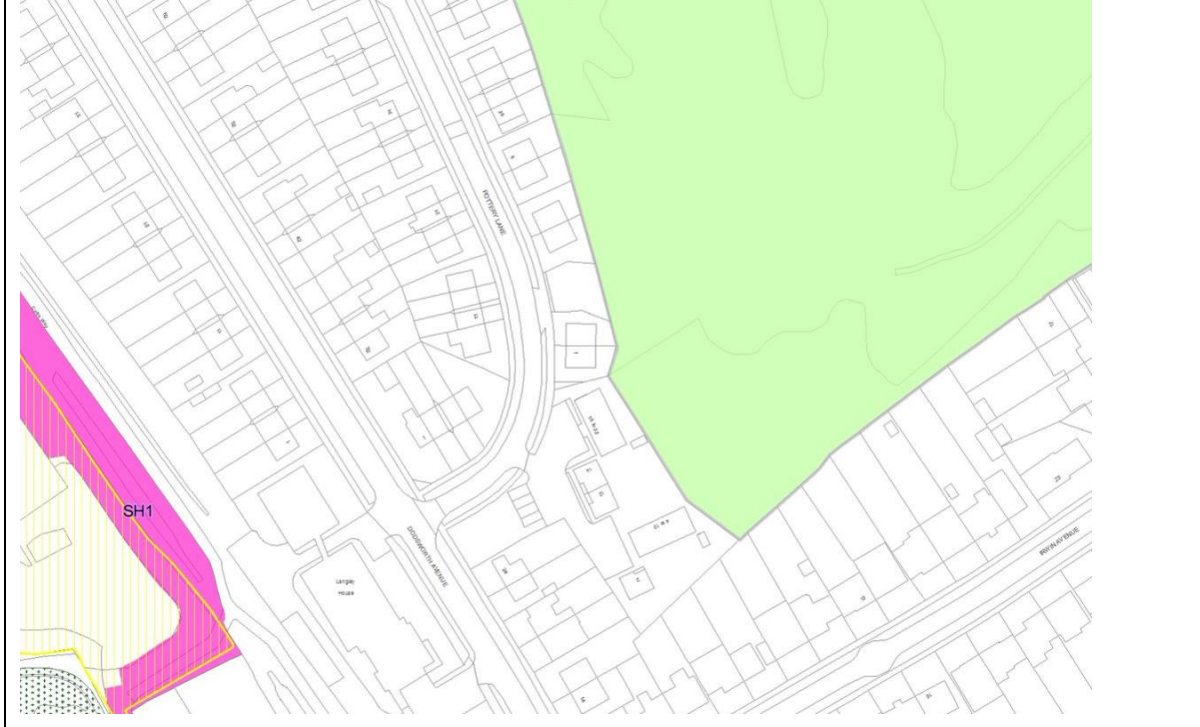
City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM22 The Poppleton Centre (Policies Map North)
Reason
The main built form of the Poppleton Sports Centre to be excluded from the Green Belt in recognition that it does not contribute to openness (see EX/CYC/120b). Amendments to Poppleton Ousebank Primary School are shown at PMM50.
Policies map boundary (2018)

Proposed modification



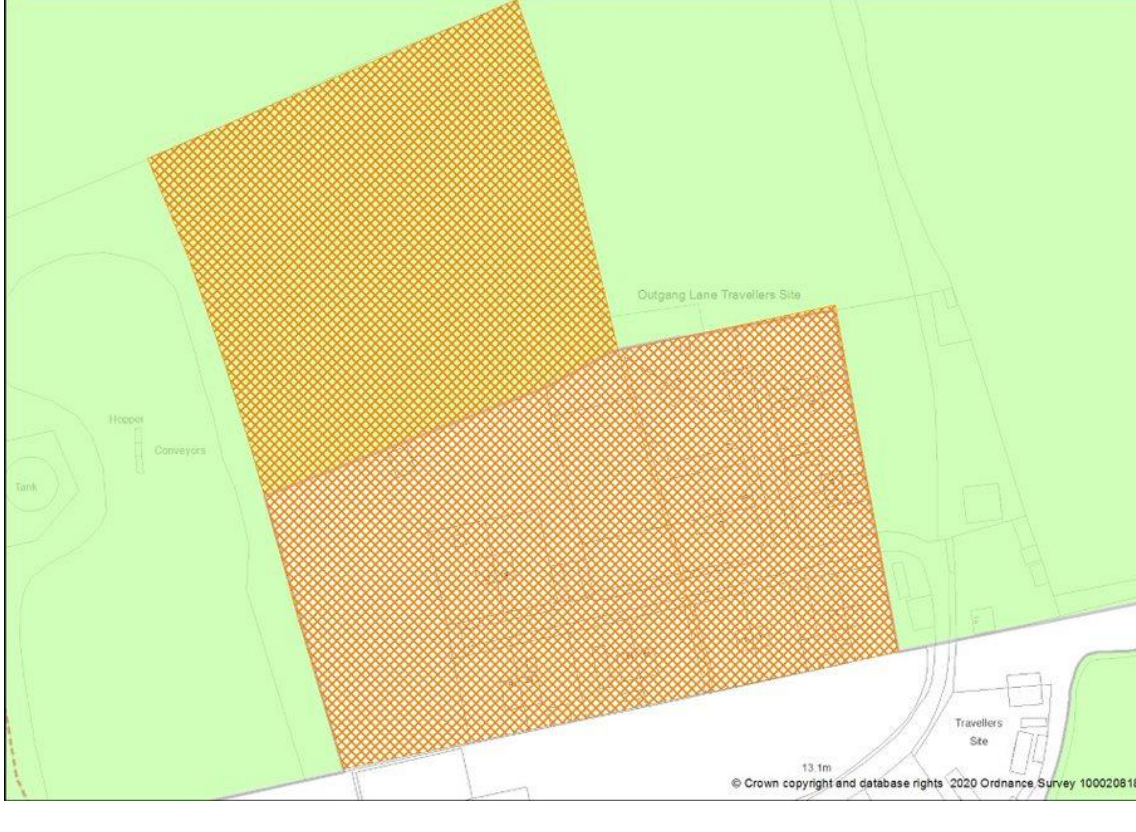
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM23 Edge of Monks Cross/Vanguard Car parks (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the built carriageway edge and car parking for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM24 Pottery Lane (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the rear of the properties on Pottery Lane for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>



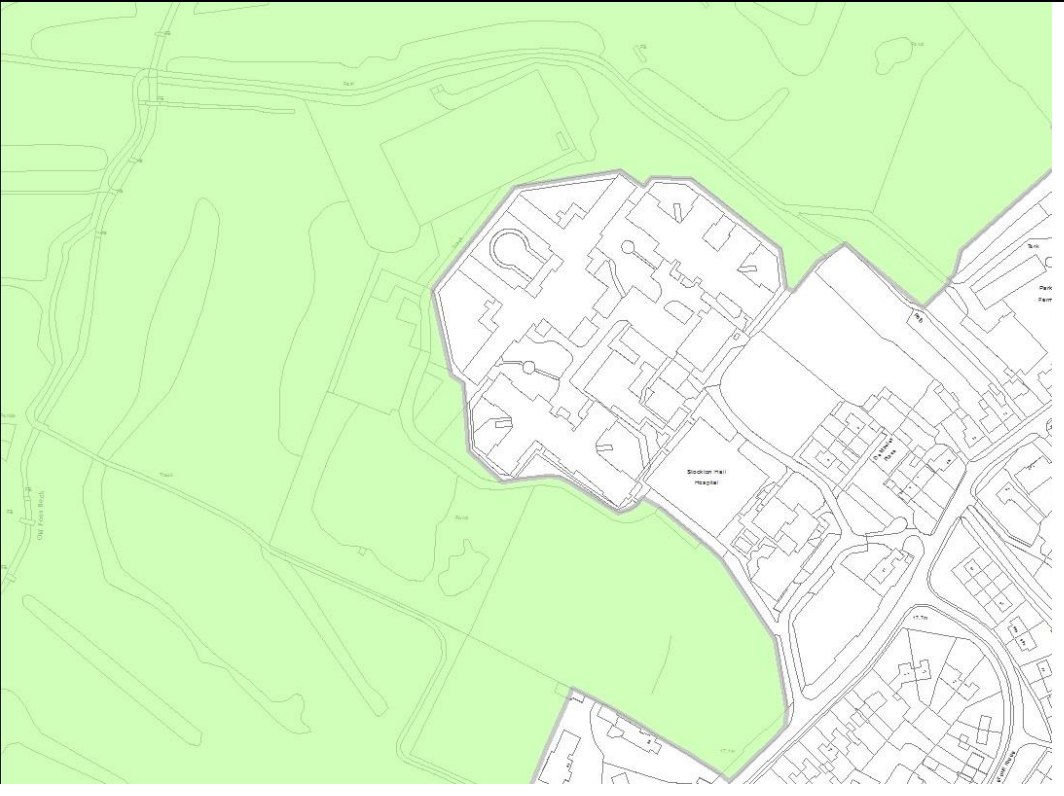
City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM25 Osbaldwick Gypsy and Traveller Site (Policies Map North)
Reason
Amendment to the Green Belt boundary to follow the northernmost boundary of the area of the site that benefits from planning permission Note: the extent of the Gypsy and Traveller site designation is unchanged from the submitted Plan.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM26 Derwent Valley Industrial Estate (Policies Map North)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the defined field boundary for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM27 Stockton on the Forest (Policies Map North)
Reason
Amendment to the Green Belt boundary to follow the fenced edge of the development for consistency with the Green Belt methodology.
Policies map boundary (2018)

Proposed modification

Name

City of York Local Plan Proposed Policy Map Modifications January 2023

PMM28 York Cricket Club Boundary (Policies Map North)

Reason

For consistency with the Green Belt methodology the buildings forming York Sports Club are to be excluded from Green Belt.

Policies map boundary (2018)



Proposed modification

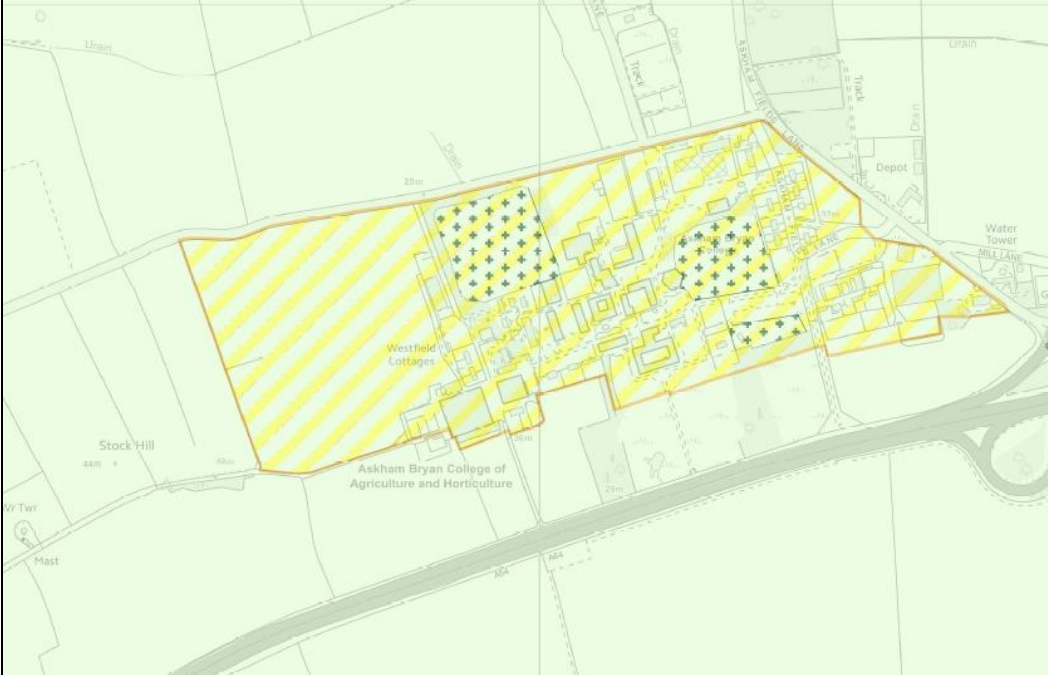
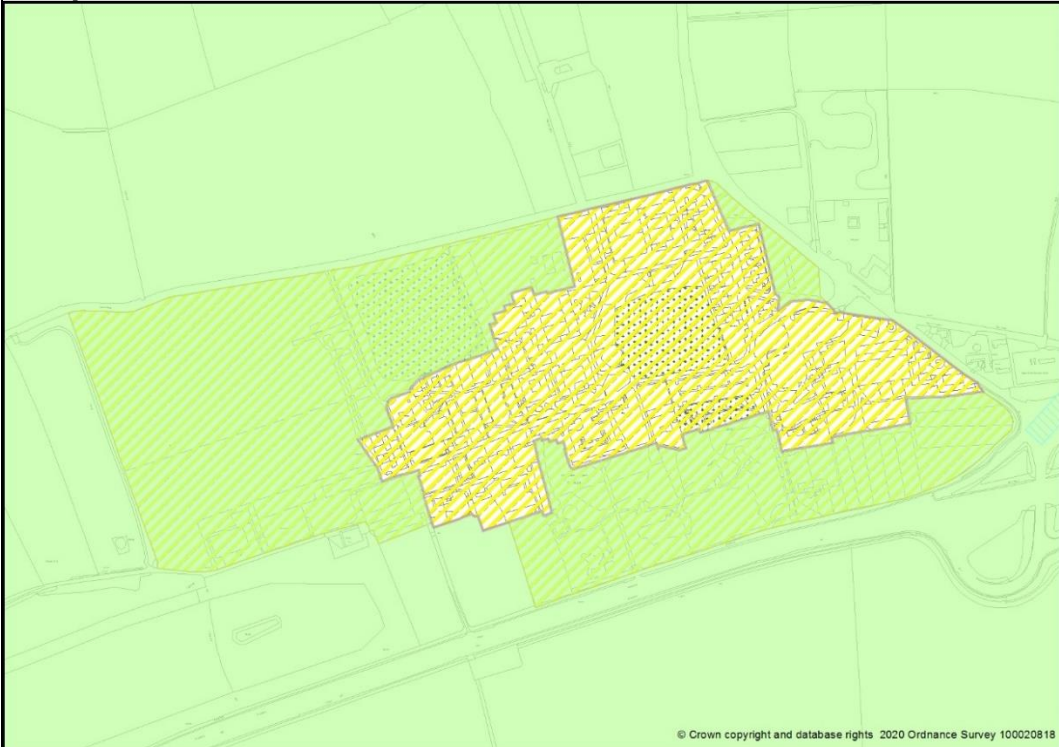


4. Greenbelt Boundary amendments (Policies Map South)

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM29 Imphal Barracks (Policies Map South)</p>
<p>Reason</p>
<p>To exclude land east of the allocation from the Green Belt for consistency with the Green Belt methodology (see EX/CYC/120b).</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM30 Askham Bryan (Policies Map South)	
Reason	
To exclude the central built up area of the campus from Green Belt (shown in darker yellow) for consistency with the Green Belt methodology with regards to the approach for boundary setting of developed areas within the Green Belt. The area allocated as educational land (shown as lighter yellow) is also extended to more accurately reflect the extent of the campus.	
Policies map boundary (2018)	
 <p>This map shows the Askham Bryan campus in 2018. The central built-up area is shaded in a darker yellow with diagonal lines, representing the Green Belt. A larger area, including the central built-up area and surrounding fields, is shaded in a lighter yellow with diagonal lines, representing educational land. Labels on the map include 'Stock Hill', 'Westfield Cottages', 'Askham Bryan College of Agriculture and Horticulture', 'Water Tower MILL LANE', 'Depot', 'Drain', 'Urwin', 'Mast', and 'VY TWR'. A road labeled 'A64' is also visible.</p>	
Proposed modification	
 <p>This map shows the proposed modification to the Askham Bryan campus. The central built-up area is now shaded in a lighter yellow with diagonal lines, indicating it is no longer part of the Green Belt. The surrounding area remains shaded in a lighter yellow with diagonal lines, representing educational land. The map shows a significant reduction in the area covered by the darker yellow Green Belt shading. A copyright notice at the bottom right reads: '© Crown copyright and database rights 2020 Ordnance Survey 100020818'.</p>	

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM31 Moor Lane, Woodthorpe (Policies Map South)</p>
<p>Reason</p>
<p>Amend the boundary to exclude the metalled surfaces of roads, which are in proximity to urban uses, from the Green Belt for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

Name

PMM32 Little Hob Moor (Policies Map South)

Reason

Amendment to the Green Belt boundary to follow the carriageway of Tadcaster Road for consistency with the Green Belt methodology.

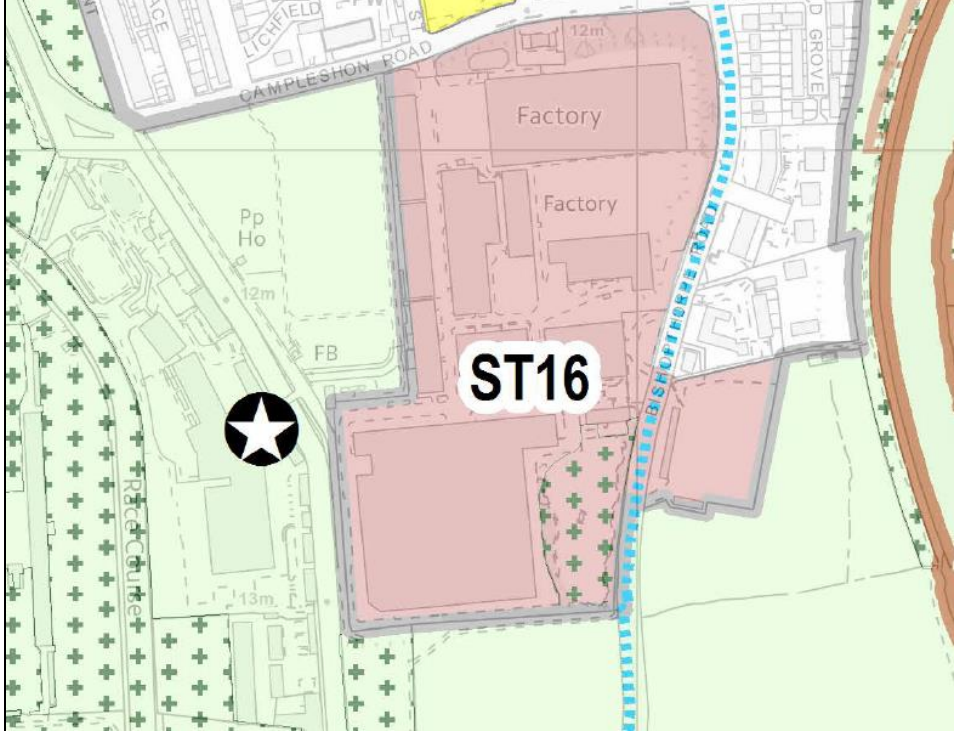

Policies map boundary (2018)



Proposed modification




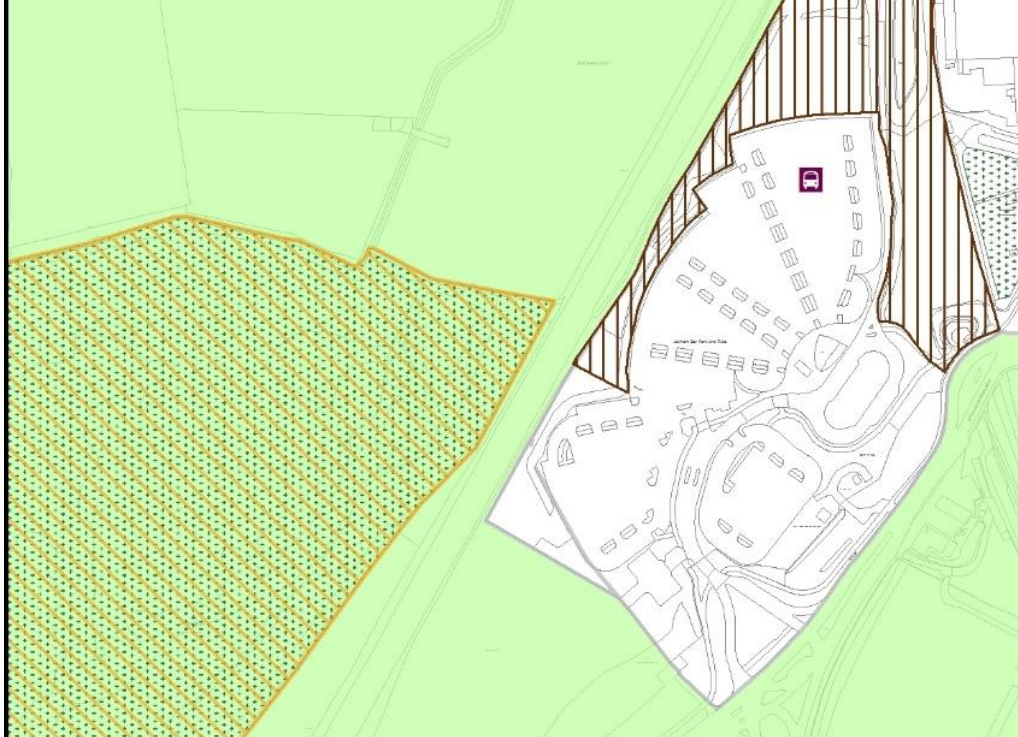
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM33 Campleshon Road Open Space (Policies Map South)</p>
<p>Reason</p>
<p>York Racecourse Stands to be excluded from Green Belt and land at Campleshon Road is identified as new open space associated with York racecourse and excluded from Green Belt. Note: amendments to ST16 are addressed under PMM2 in this schedule.</p>
<p>Policies map boundary (2018)</p>
 <p>This map shows the 2018 policies map boundary. A large area is shaded in light green and labeled 'ST16'. To the left of this area, there is a white star icon. The map includes labels for 'Factory', 'Pp Ho', 'FB', 'CAMPLESHON ROAD', 'LICHFIELD', 'D GROVE', and '12m'. A blue dashed line indicates a boundary or path.</p>
<p>Proposed modification</p>
 <p>This map shows the proposed modification to the 2018 policies map. The area previously labeled 'ST16' is now shown with a different pattern of hatching, indicating a change in its status or classification. The surrounding areas and labels are consistent with the 2018 map.</p>


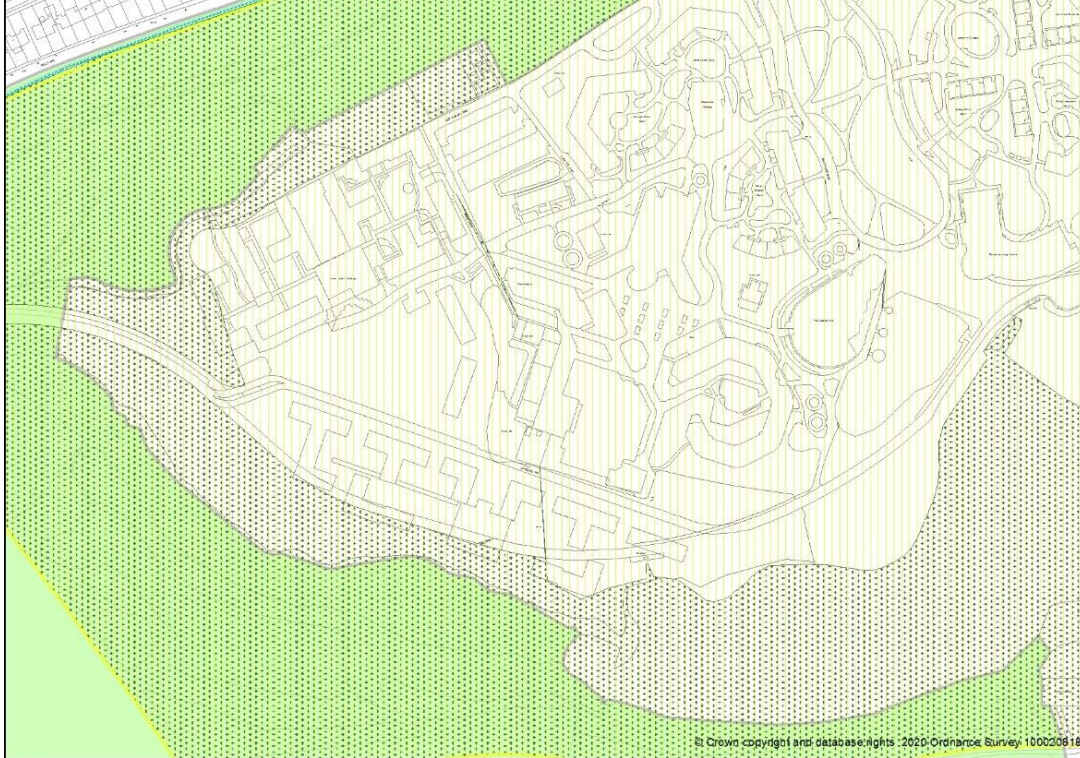
City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM34 Elvington Industrial Estate, Elvington (Policies Map South)
Reason
Amendment to the Green Belt boundary to follow recognizable features on the ground for consistency with the Green Belt methodology.
Policies map boundary (2018)
Proposed modification

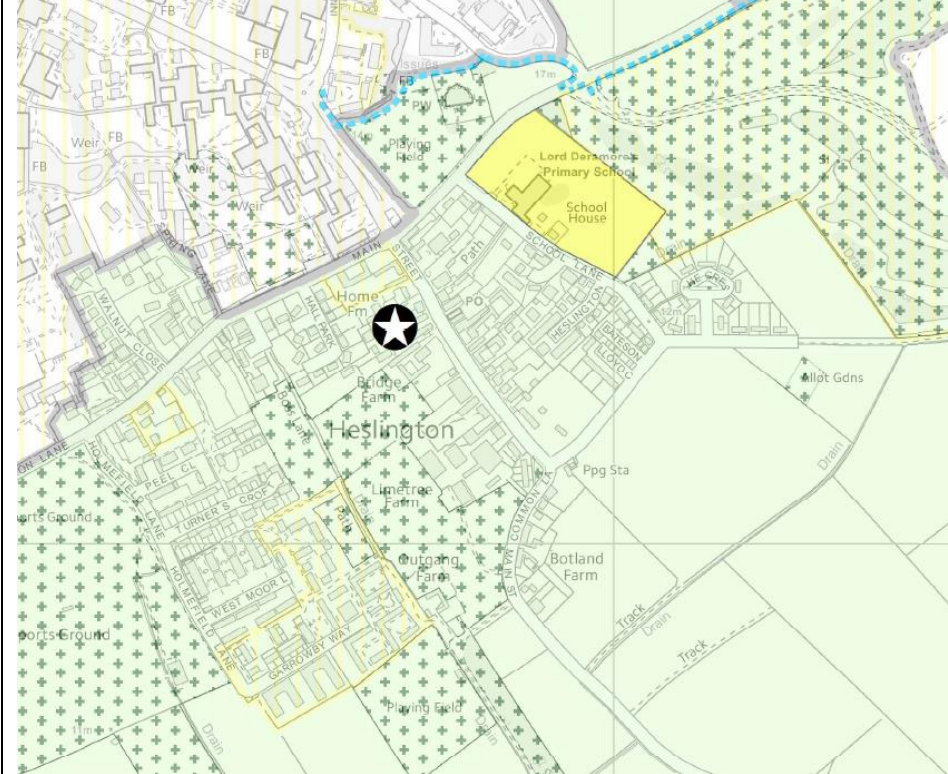
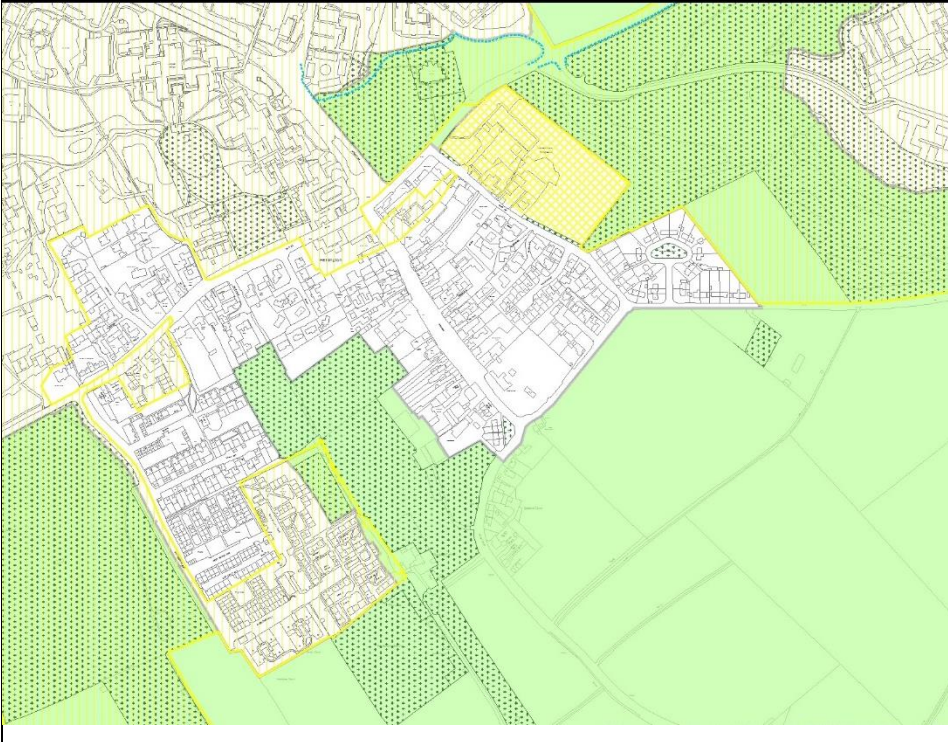
City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM35 South of Askham Bar Park and Ride (Policies Map South)
Reason
To reflect changes to the new Askham Bar Park & Ride boundary for consistency with the Green Belt methodology.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM36 University of York Campus East Western Boundary (Policies Map South)
Reason
Amendment to the Green Belt boundary to follow the northern lake side and the built edge of consented development for consistency with the Green Belt methodology (see EX/CYC/120b).
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM37 Heslington (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the edge of dense built development for consistency with the Green Belt methodology. Note: Green Belt boundary modification to Lord Deramores School is shown at PMM44.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM38 Heslington, Lane south of University of York Campus West (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to include the metaled surface of the road within the urban area, excluding it from Green Belt for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>


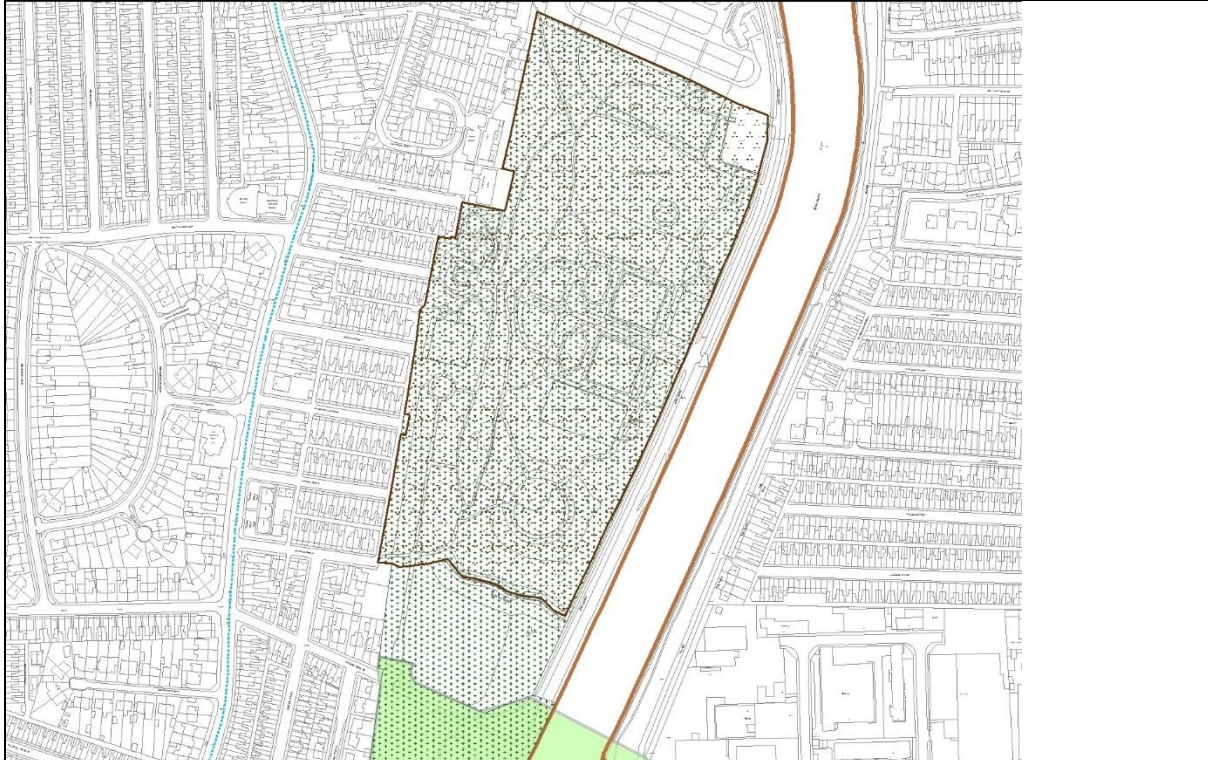
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM39 Heslington Road and the Retreat (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the metaled surface of the road within the urban area and the edge of the built development of The Retreat, excluding it from Green Belt for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM40 Germany Beck and Fordlands Road (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the southern edge of Thornton Road and the built up edge to the north of Fordlands Road Estate with the Recreation Ground included within Green Belt for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

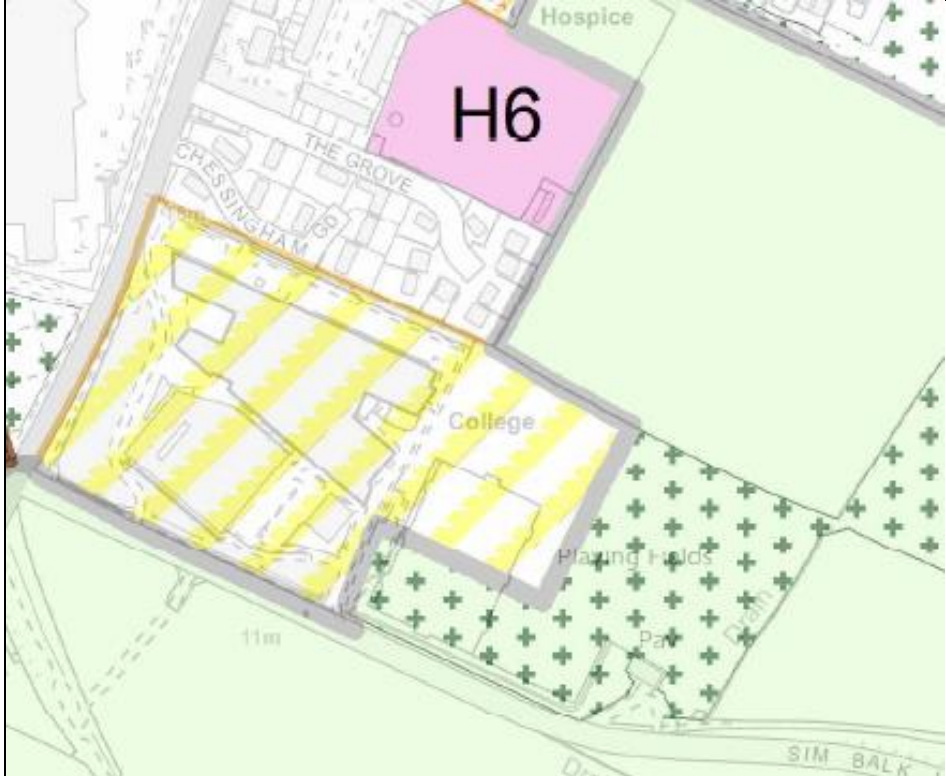
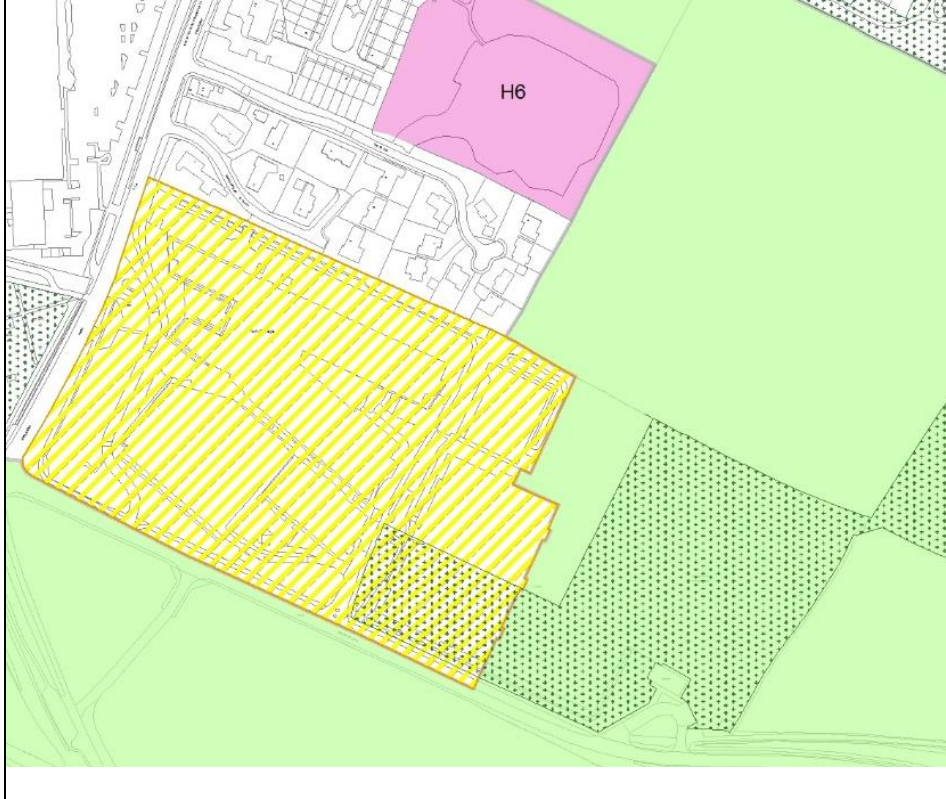
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM41 Rowntree Park (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to follow the fencing around Rowntree Park and link with the Green Belt boundary on the east side of the river at this point for consistency with the Green Belt methodology</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM42 Scarcroft Allotments (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the Green Belt boundary to continue following the western edge of Albermarle Road for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM43 York College (Policies Map South)</p>
<p>Reason</p>
<p>Amendment to the boundary to follow the currently identifiable features of the edge of the existing sports pitch to the east and the northern carriageway of Sim Balk Lane to the south for consistency with the Green Belt methodology.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

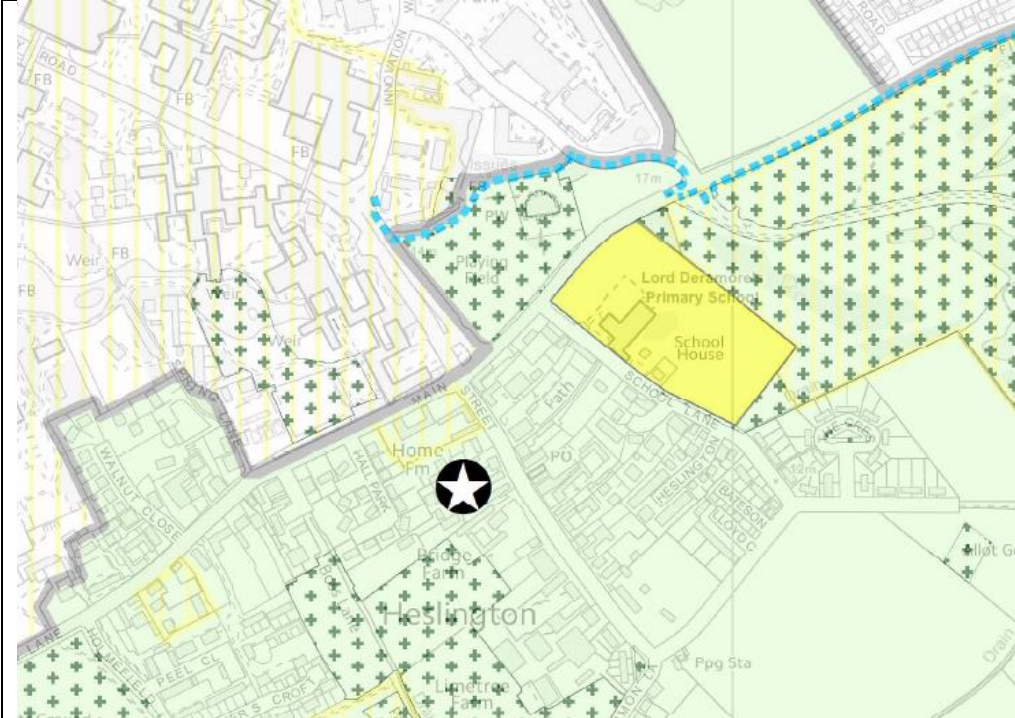
Name

PMM44 Lord Deramores School, Heslington (Policies Map South)

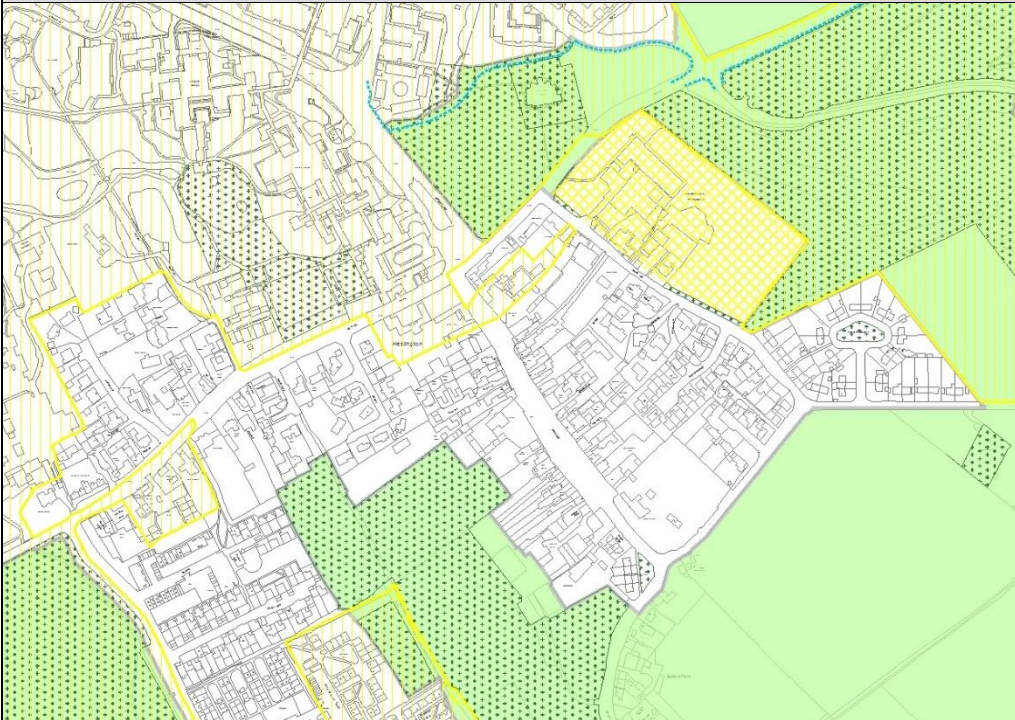
Reason

Amendment to the Green Belt boundary should follow the edge of the curtilage of the school site for consistency with the Green Belt methodology (see EX.CYC/120b). Green Belt boundary modification to Heslington is shown at PMM37.

Policies map boundary (2018)



Proposed modification

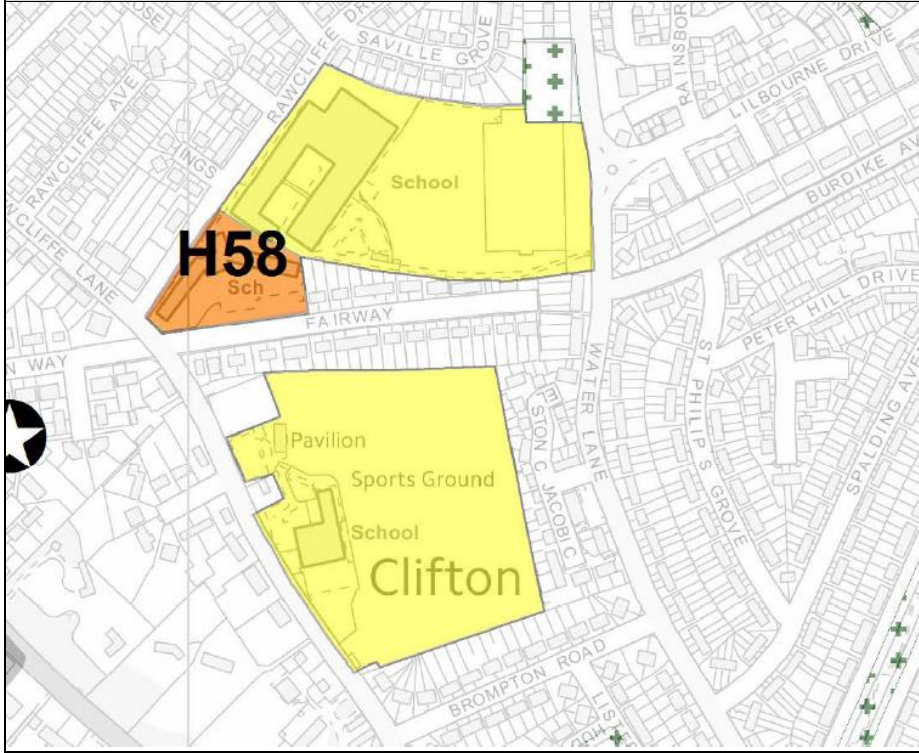
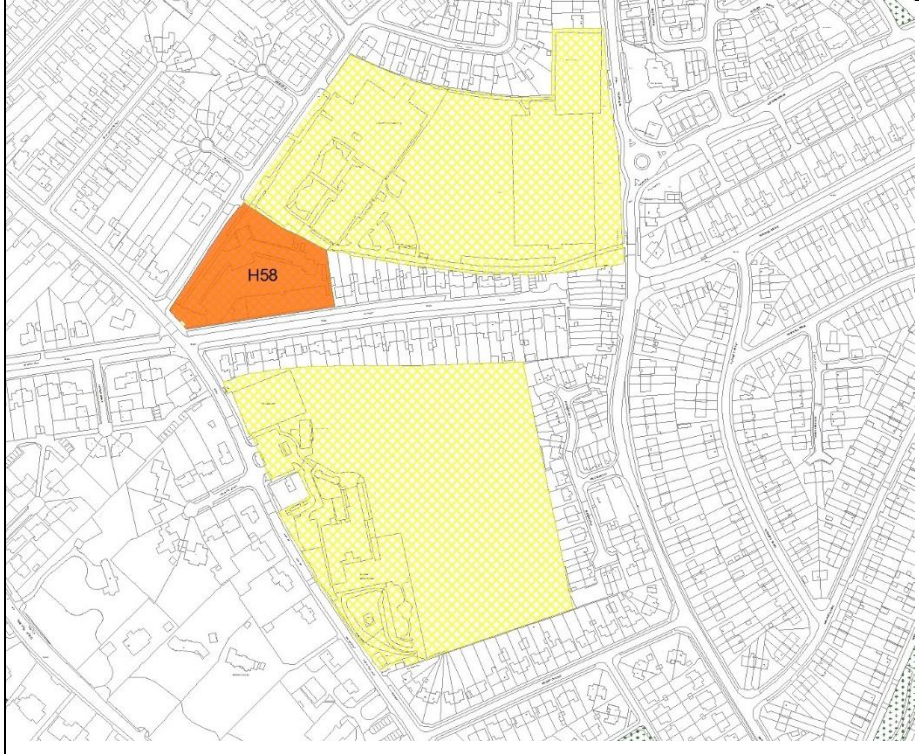


City of York Local Plan Proposed Policy Map Modifications January 2023


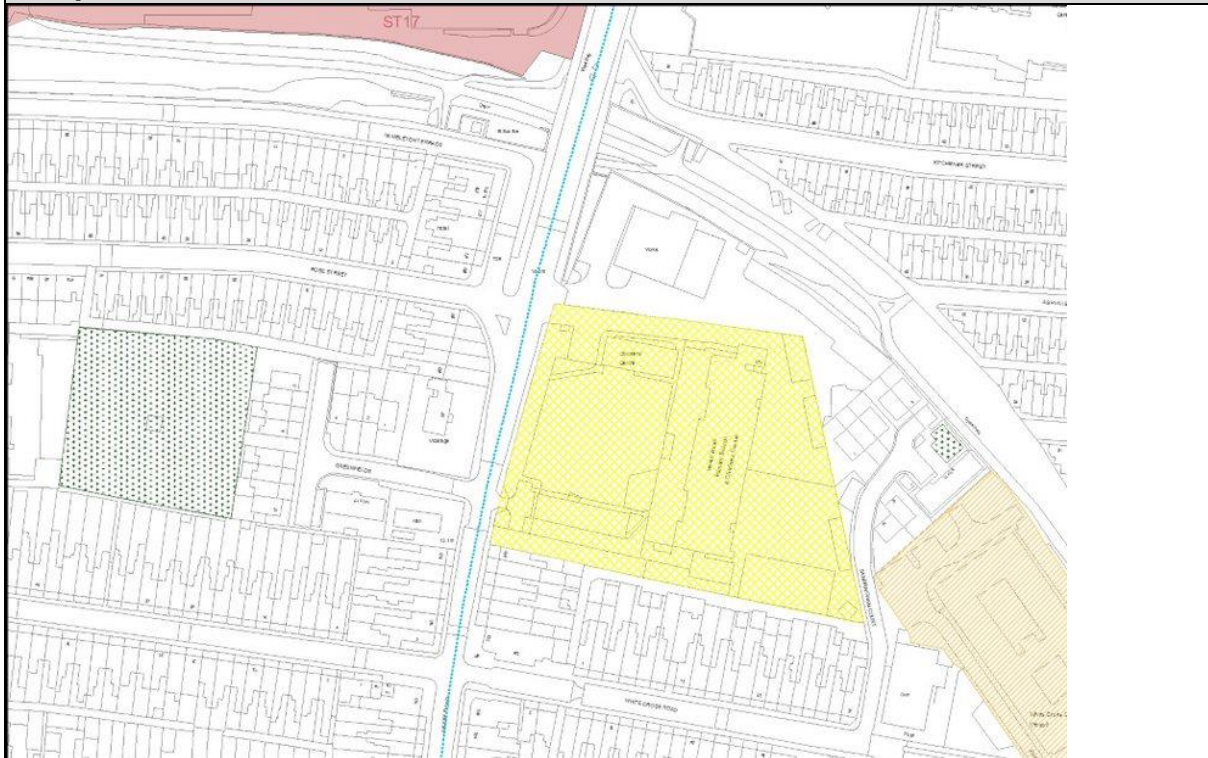
Name	
PMM45 Elvington Airfield Industrial Estate (Policies Map South)	
Reason	
Amendment to the Green Belt boundary to the north to follow the edge of carriageway, in-setting the metalled road for consistency with the Green Belt methodology.	
Policies map boundary (2018)	
Proposed modification	

5. Additional amendments

City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM46	Vale of York Academy and Bootham Junior School (Policies Map North)
Reason	
Extension of the education allocations across the whole of the school grounds and removal of open space designation for clarity.	
Policies map boundary (2018)	
	
Proposed modification	
	

City of York Local Plan Proposed Policy Map Modifications January 2023

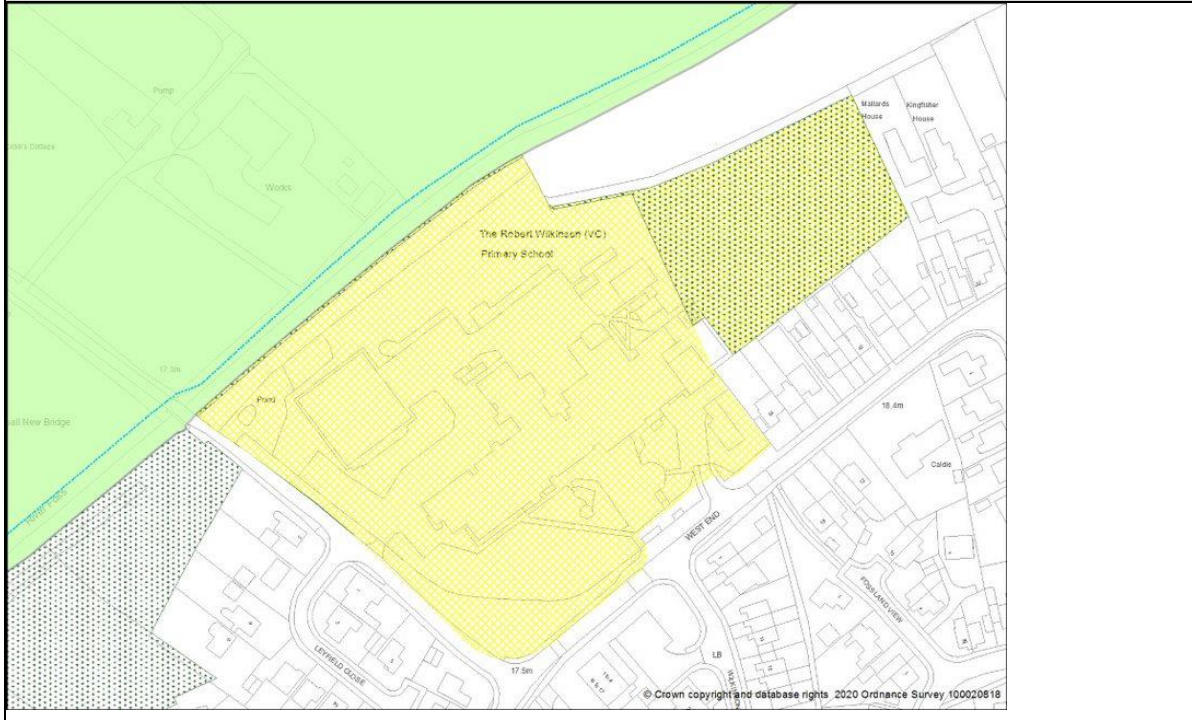
<p>Name</p>
<p>PMM47 Haxby Road Primary Academy and Greenfields Community Garden (Policies Map North)</p>
<p>Reason</p>
<p>Extension of the education allocations across the whole of the school grounds and to correctly identify land as open space, rather than playing fields.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM48 Robert Wilkinson Primary Academy, Strensall (Policies Map North)
Reason
Extension of the education allocation across the whole of the school grounds.
Policies map boundary (2018)



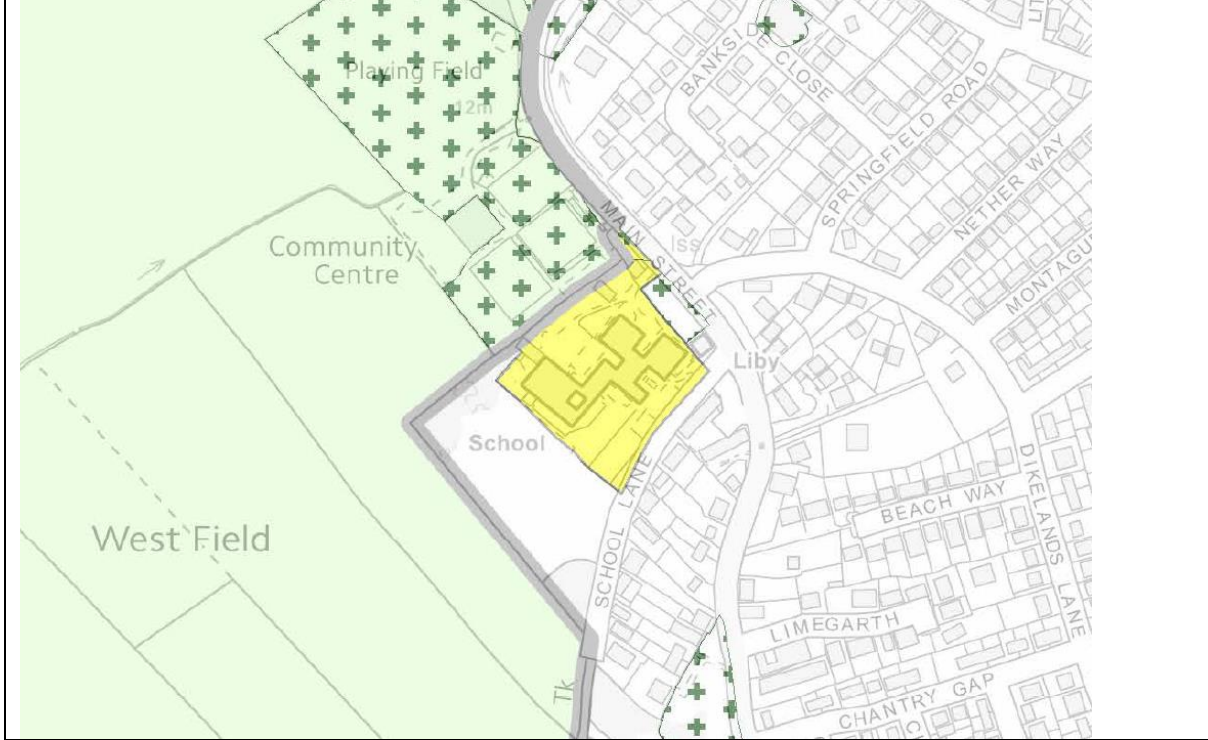
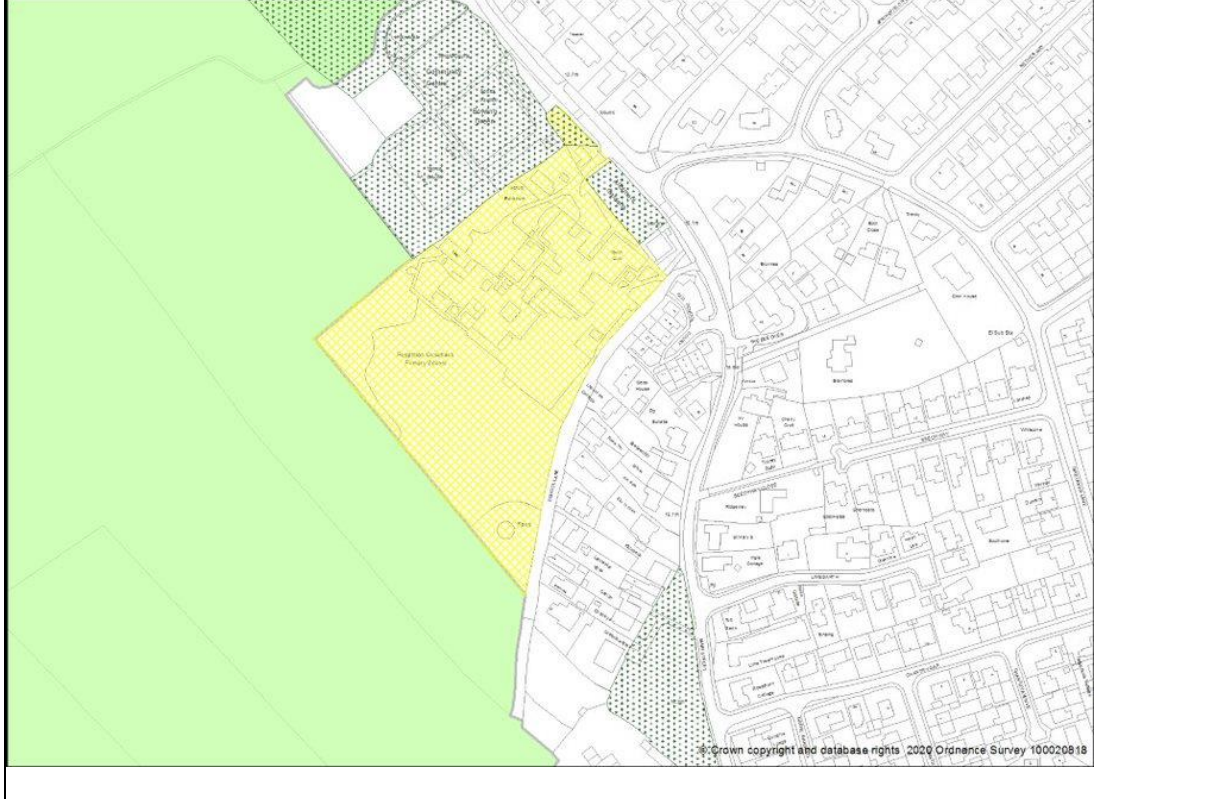
Proposed modification



City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM49	St Peters School (Policies Map North)
Reason	
Extension of the education allocation (yellow) to include the full extent of the school grounds. Modification to the Green Belt boundary is shown at PMM17.	
Policies map boundary (2018)	
Proposed modification	

City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM50	Poppleton Ousebank Primary School (Policies Map North)
Reason	
Extension of the education allocation across the whole of the school grounds (see EX/CYC/120b). Green Belt boundary modification is shown at PMM22.	
Policies map boundary (2018)	
	
Proposed modification	
	

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM51 Haxby Proposed Train Station (Policies Map North)
Reason
To reflect the potential location of proposed new train station in Haxby.
Policies map boundary (2018)
Proposed modification

City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM52 Scarborough Bridge (Policies Map City Centre)</p>
<p>Reason</p>
<p>Clarification to reflect that bridge improvements have been completed. Note: Correction to Open Space designation to match north and south policies maps</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name

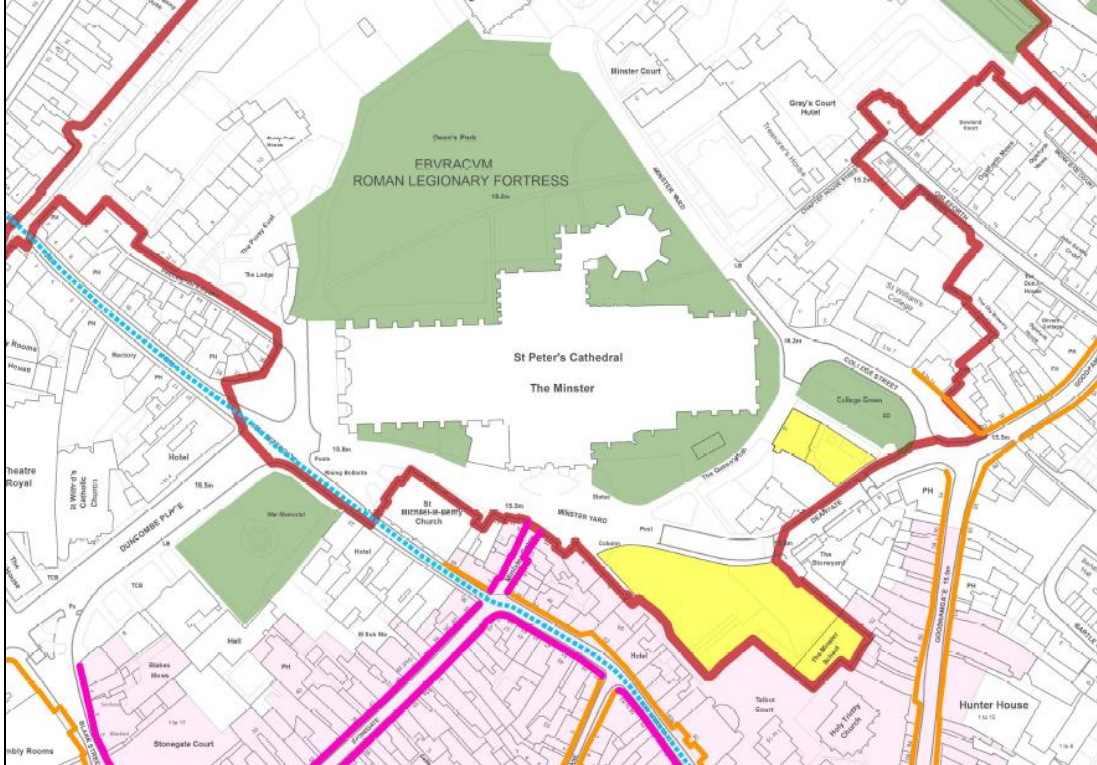
PMM53 The Minster School (Policies Map City Centre)

Reason

Update to reflect sites no longer in education use.

Note: Correction to Open Space designation to match north and south policies maps

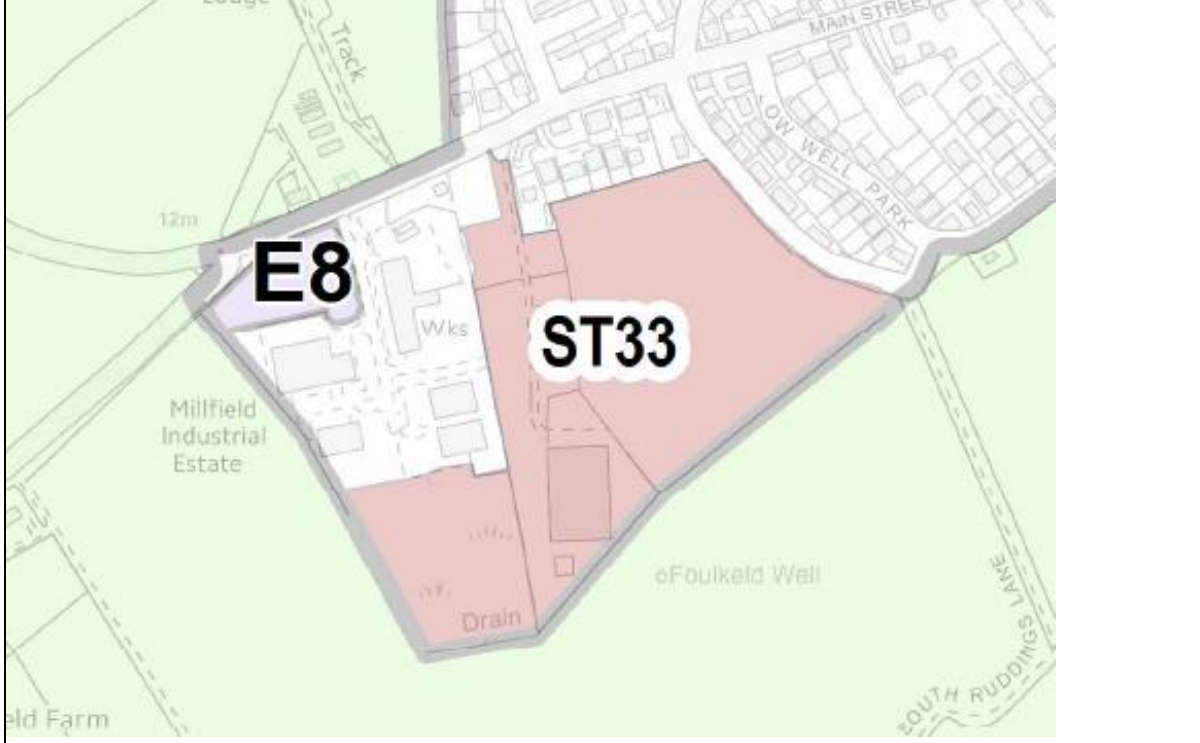
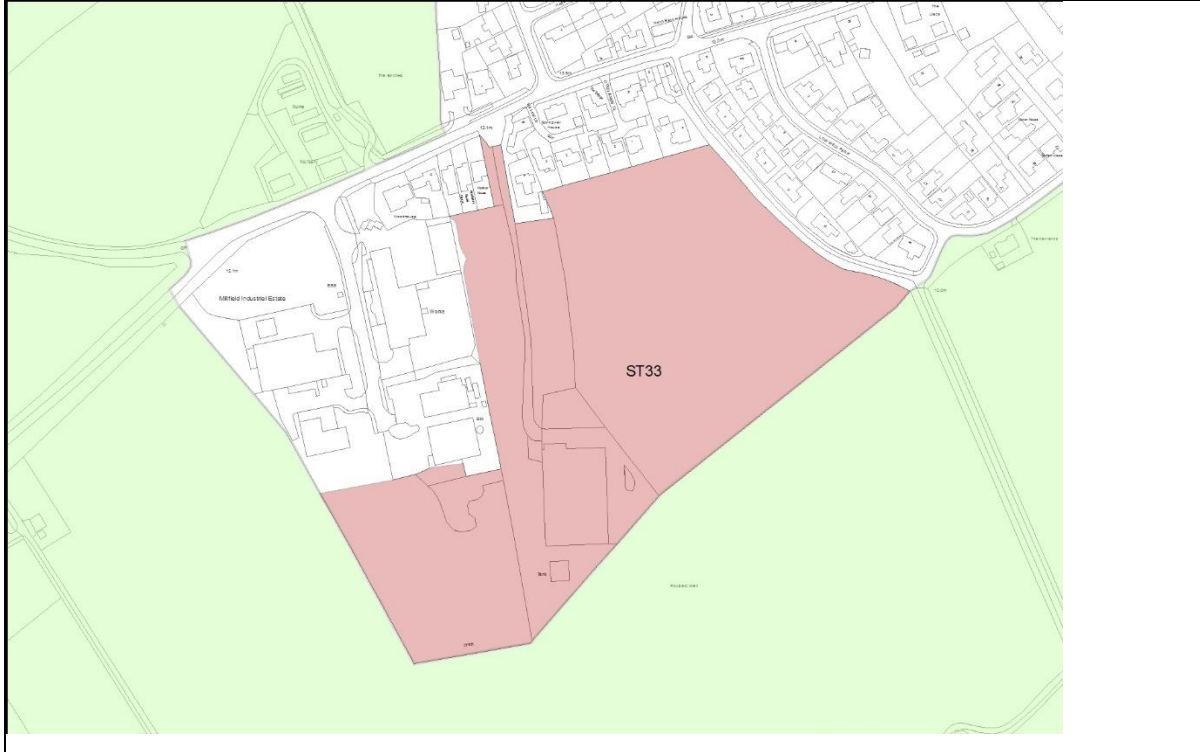
Policies map boundary (2018)



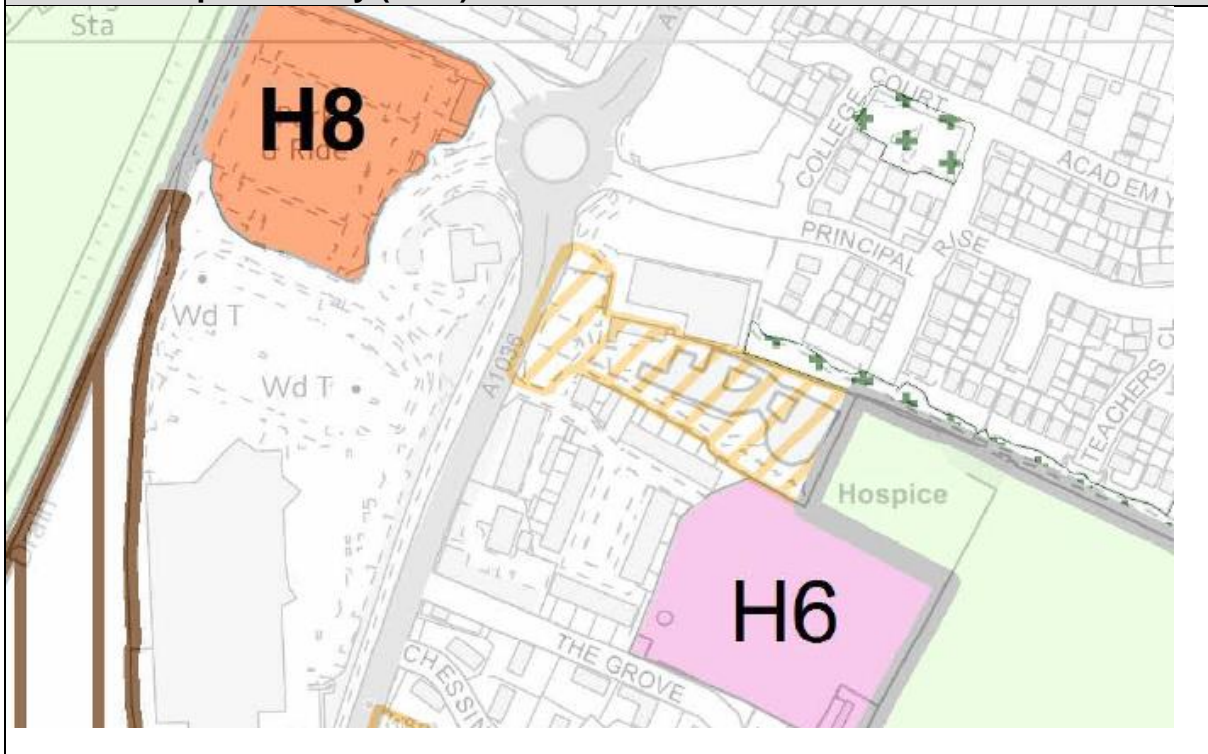
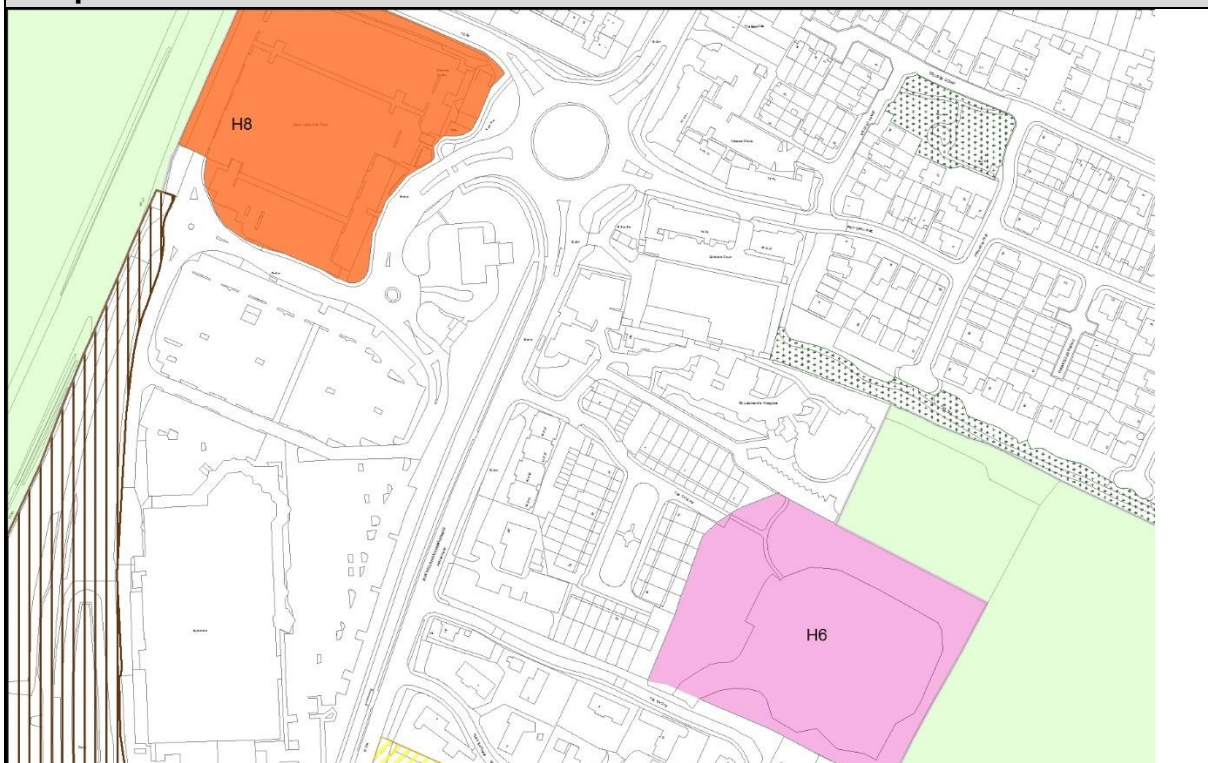
Proposed modification



City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM54 Millfield Industrial Estate, Wheldrake (Policies Map South)</p>
<p>Reason</p>
<p>Removal of employment designation to reflect the site has been built out.</p>
<p>Policies map boundary (2018)</p>

<p>Proposed modification</p>


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM55 St. Leonard's Hospice, Dringhouses (Policies Map South)
Reason
For consistency, the existing healthcare facility allocation has been removed from the site.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM56 New Walk Orchard Park (Policies Map South)</p>
<p>Reason</p>
<p>Clarification to reflect the site at Love Lane is not a Gypsy and Traveller site.</p>
<p>Policies map boundary (2018)</p>
<p>Proposed modification</p>


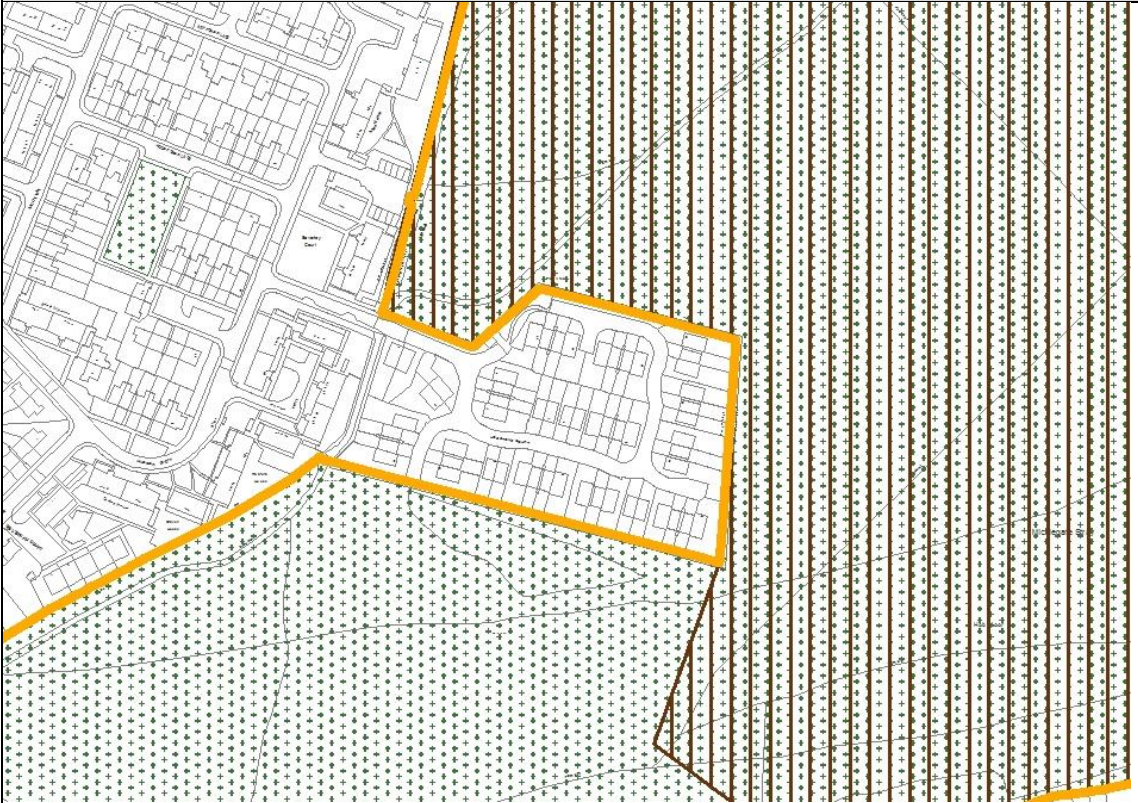
City of York Local Plan Proposed Policy Map Modifications January 2023

<p>Name</p>
<p>PMM57 Nelson's Lane Nursing Home, Dringhouses (Policies Map South)</p>
<p>Reason</p>
<p>For consistency, the existing healthcare facility allocation has been removed from the site. Correction to greenspace designation is addressed in PMM32.</p>
<p>Policies map boundary (2018)</p>
 <p>This map shows the 2018 Policies map boundary for the Nelson's Lane Nursing Home site. The site is highlighted with a yellow diagonal hatched pattern. The map includes labels for 'WEDDALL C BREARY', 'NELSON'S LANE', 'A1036', and 'VENUE A INSTY'. A north arrow is visible in the top right corner.</p>
<p>Proposed modification</p>
 <p>This map shows the proposed modification to the Policies map. The site previously highlighted in yellow is now shown as a white area, indicating the removal of the healthcare facility allocation. The surrounding streets and greenspace designations remain the same as in the 2018 map.</p>


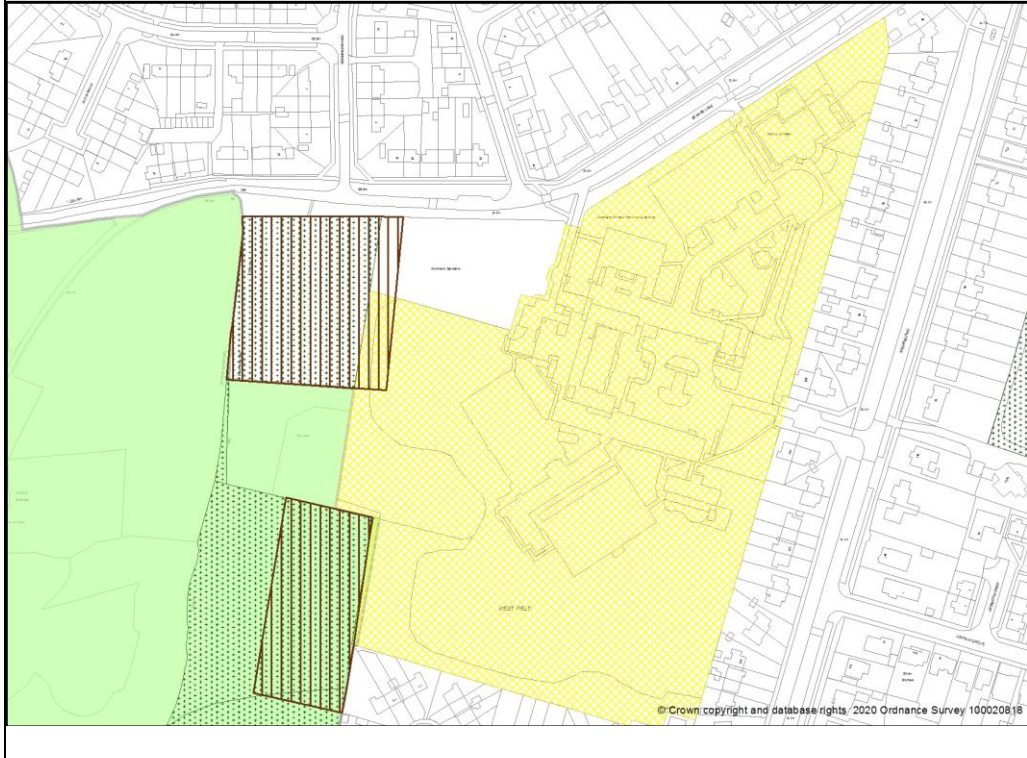
City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM58 Acomb Primary School (Policies Map South)
Reason
Extension of the education allocation across the whole of the school grounds, for consistency.
Policies map boundary (2018)
Proposed modification

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM59 Stone Court, Hob Moor (Policies Map South)
Reason
Correction to designation, site no longer in education use.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM60 Westfield School (Policies Map South)
Reason
It is proposed that the education allocation follows the boundary of the school grounds. The open space modification of Westfield Marsh is addressed in PMM62.
Policies map boundary (2018)

Proposed modification


City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM61 Westfield March Open Space (Policies Map South)
Reason
Open space allocation to follow the boundary of the school grounds. The education modification of Westfield School is addressed in PMM61.
Policies map boundary (2018)
Proposed modification

City of York Local Plan Proposed Policy Map Modifications January 2023

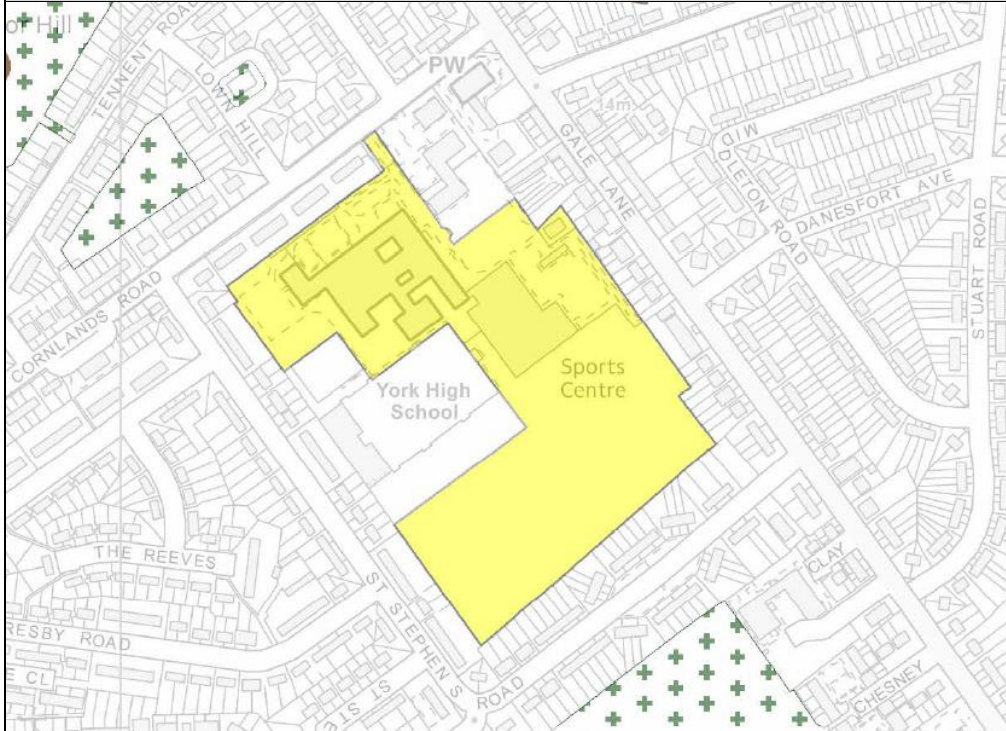
Name

PMM62 York High School (Policies Map South)

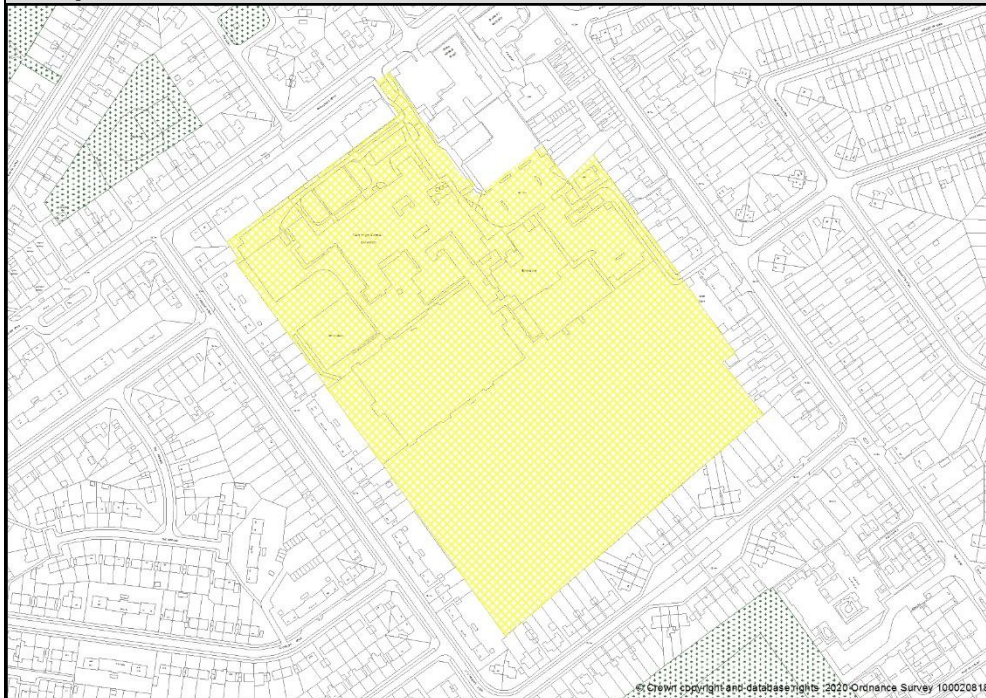
Reason

Extension of the education allocation across the whole of the school grounds, for consistency.

Policies map boundary (2018)



Proposed modification



City of York Local Plan Proposed Policy Map Modifications January 2023

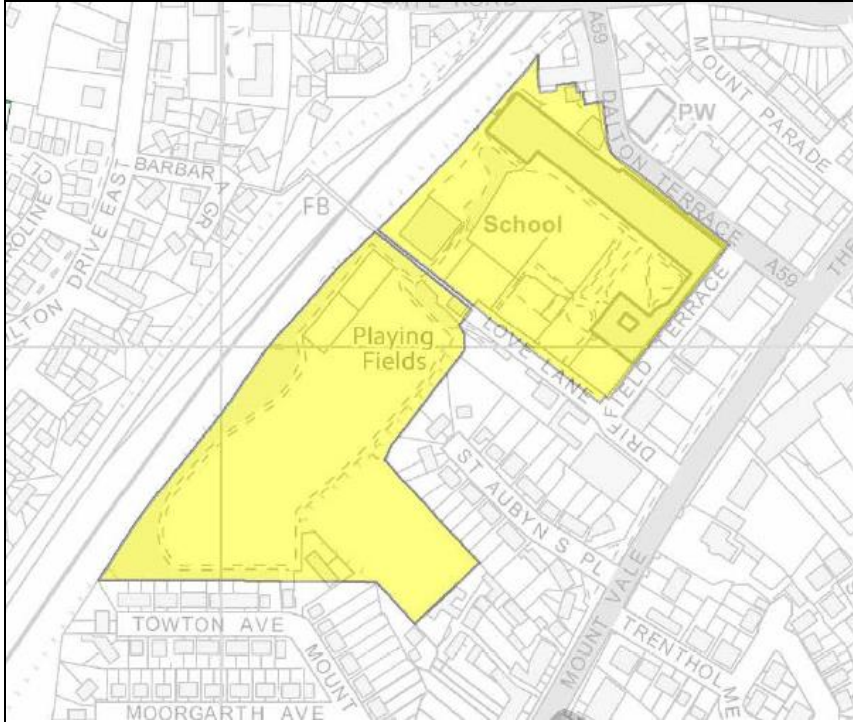
Name

PMM63 The Mount School (Policies Map South)

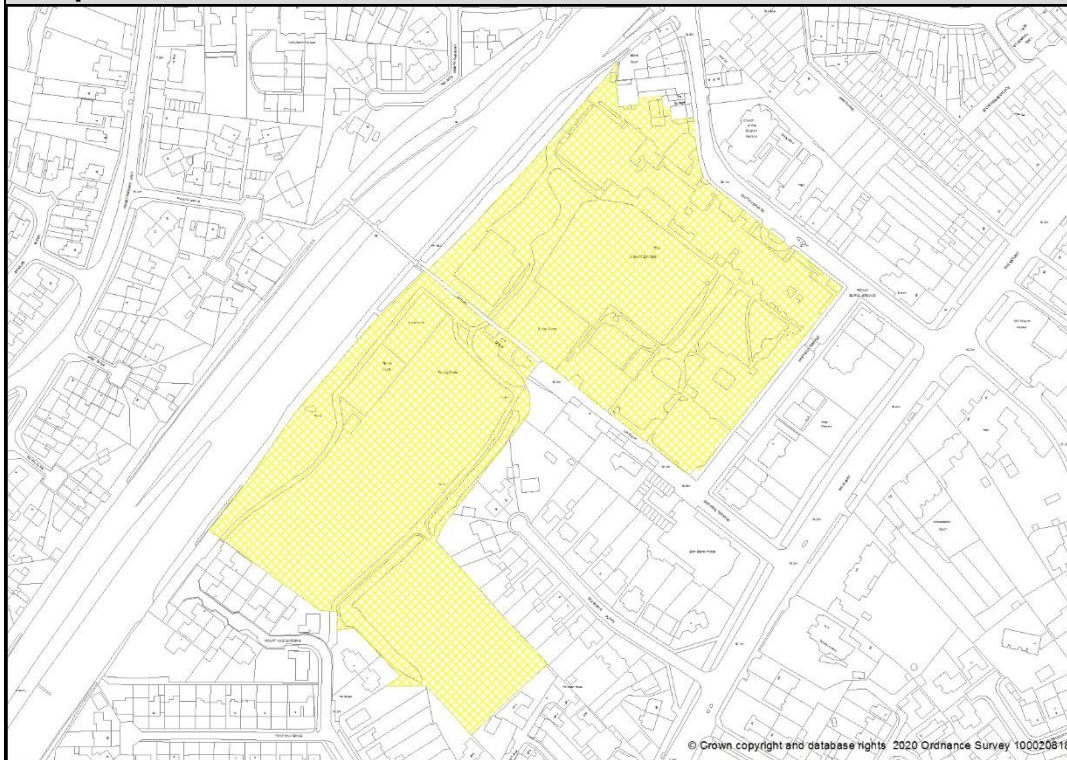
Reason

Education allocation (yellow) modified to reflect the extent of the school grounds

Policies map boundary (2018)



Proposed modification



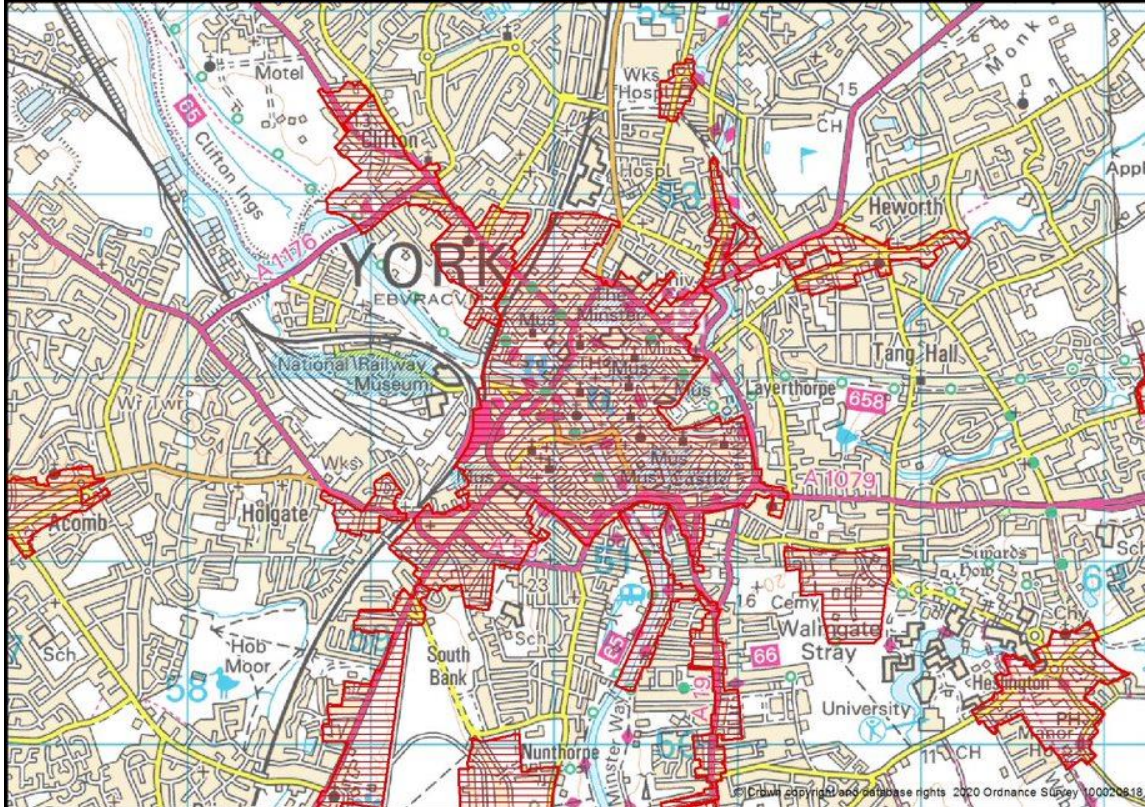
Name

PMM64 Conservation Areas

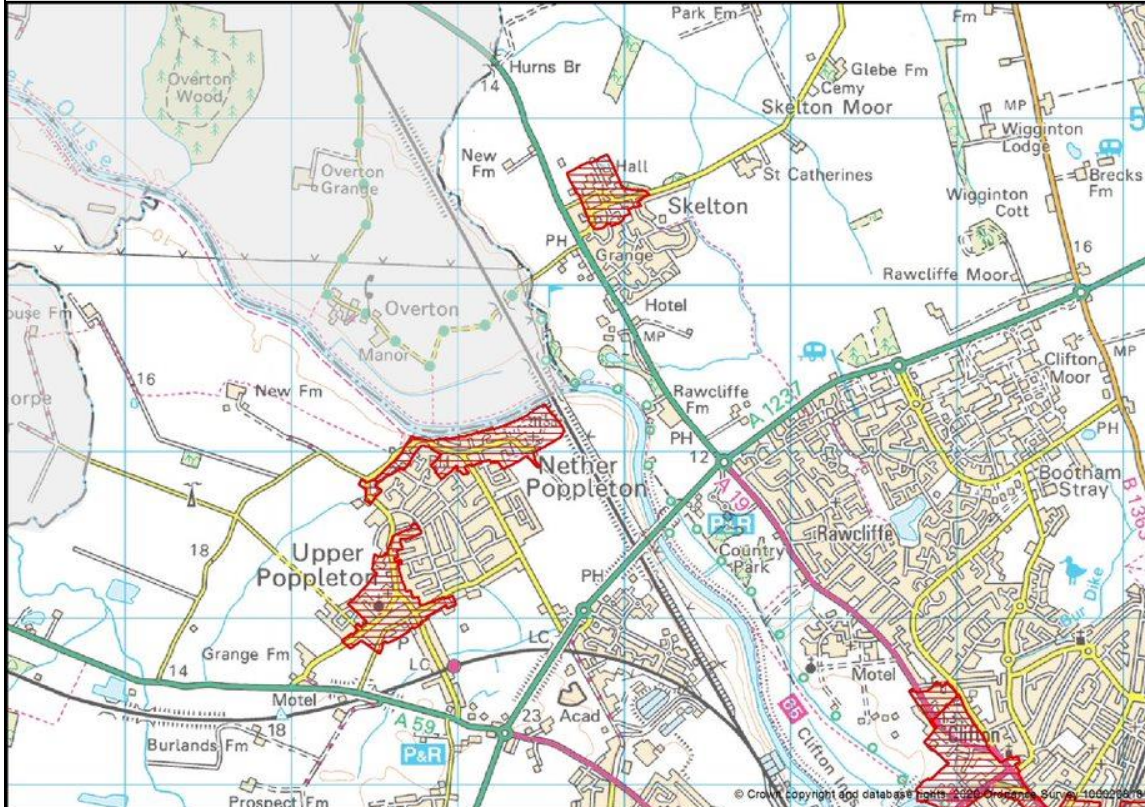
Reason

Cartographical correction to existing maps to depict conservation areas.

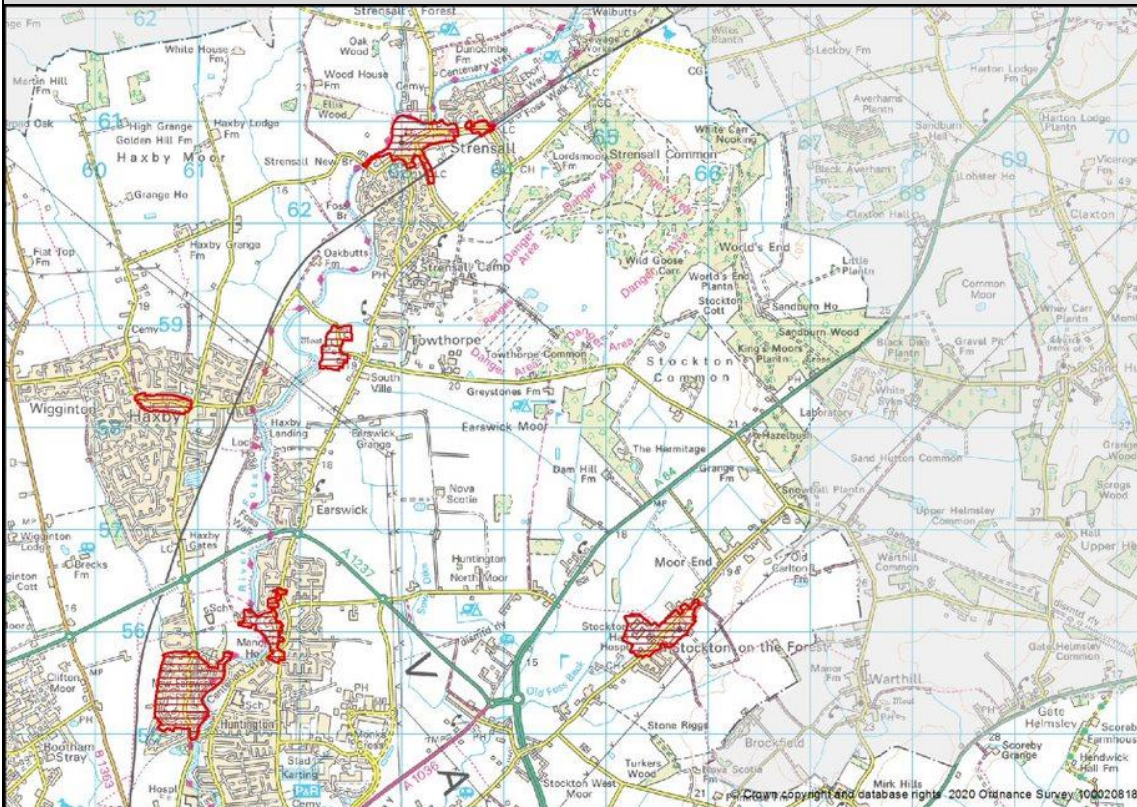
Conservation Boundaries - Central



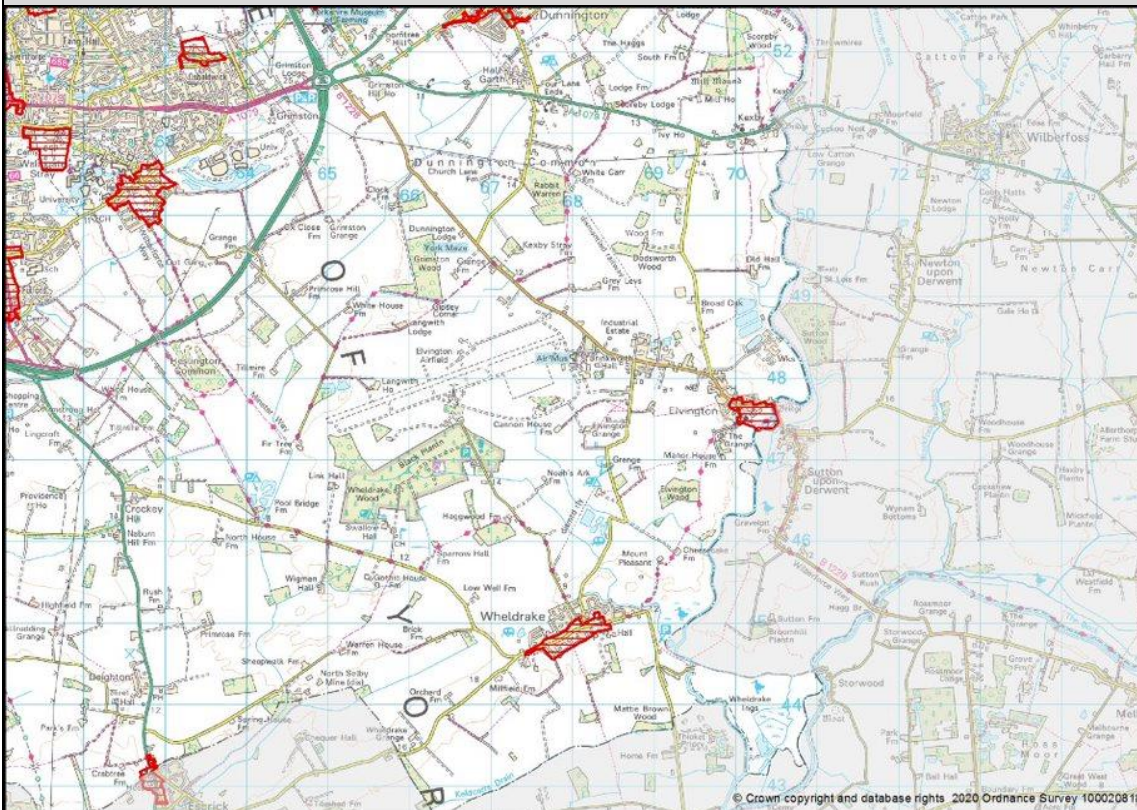
Conservation Boundaries – North West



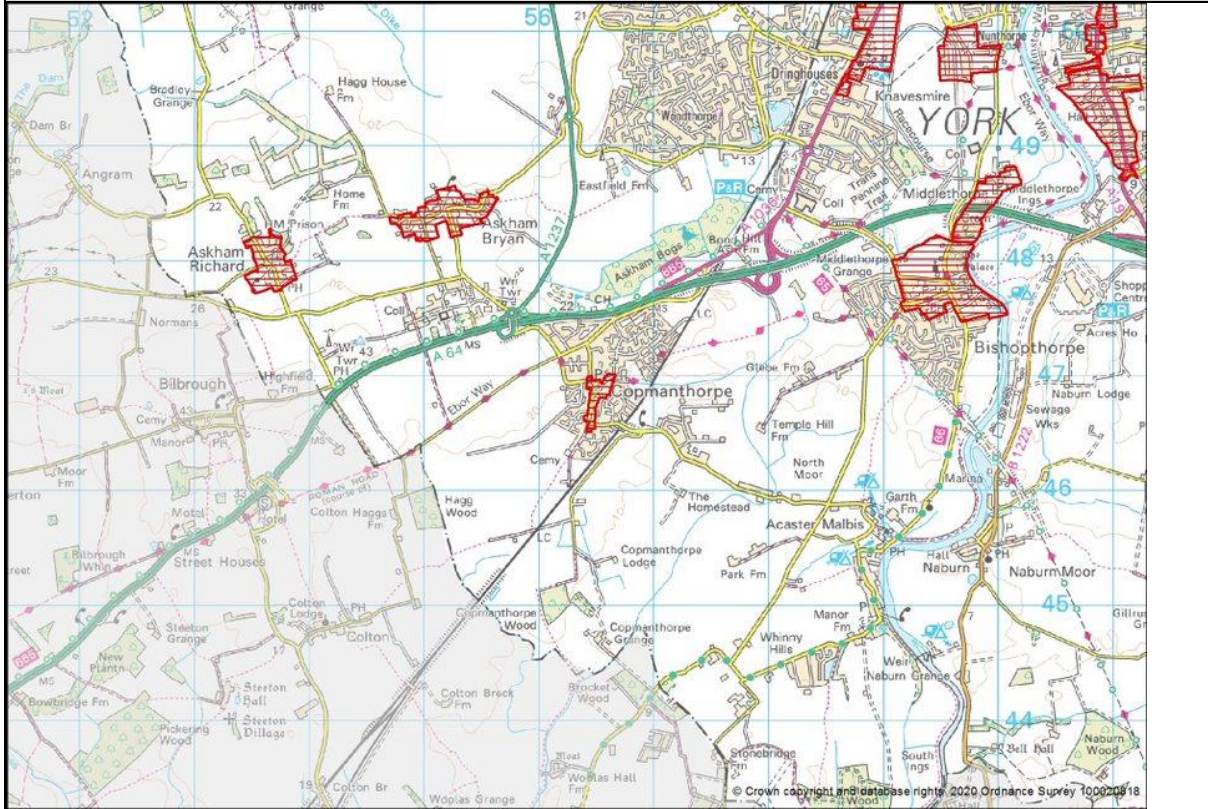
Conservation Boundaries – North East



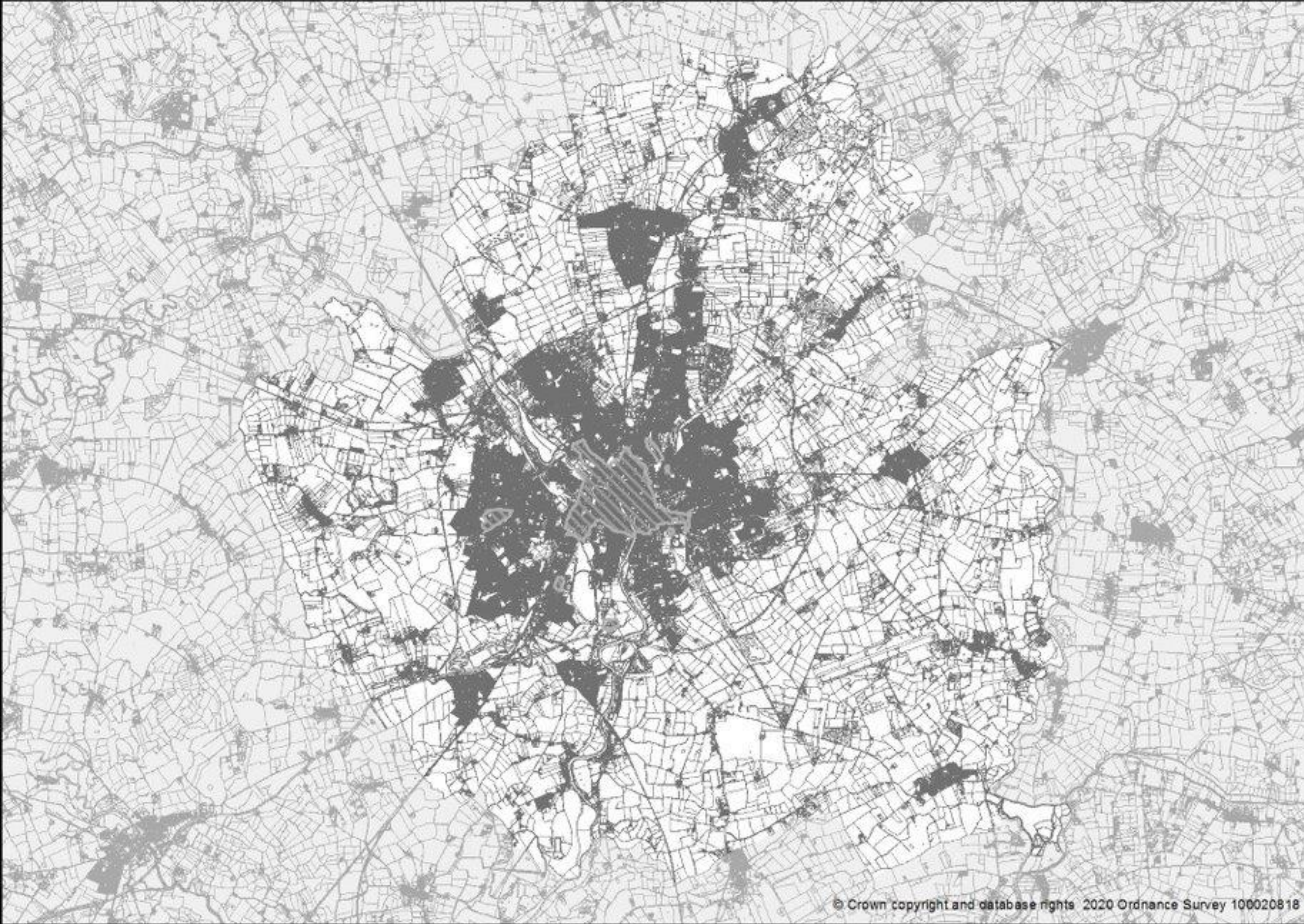
Conservation Boundaries – South East



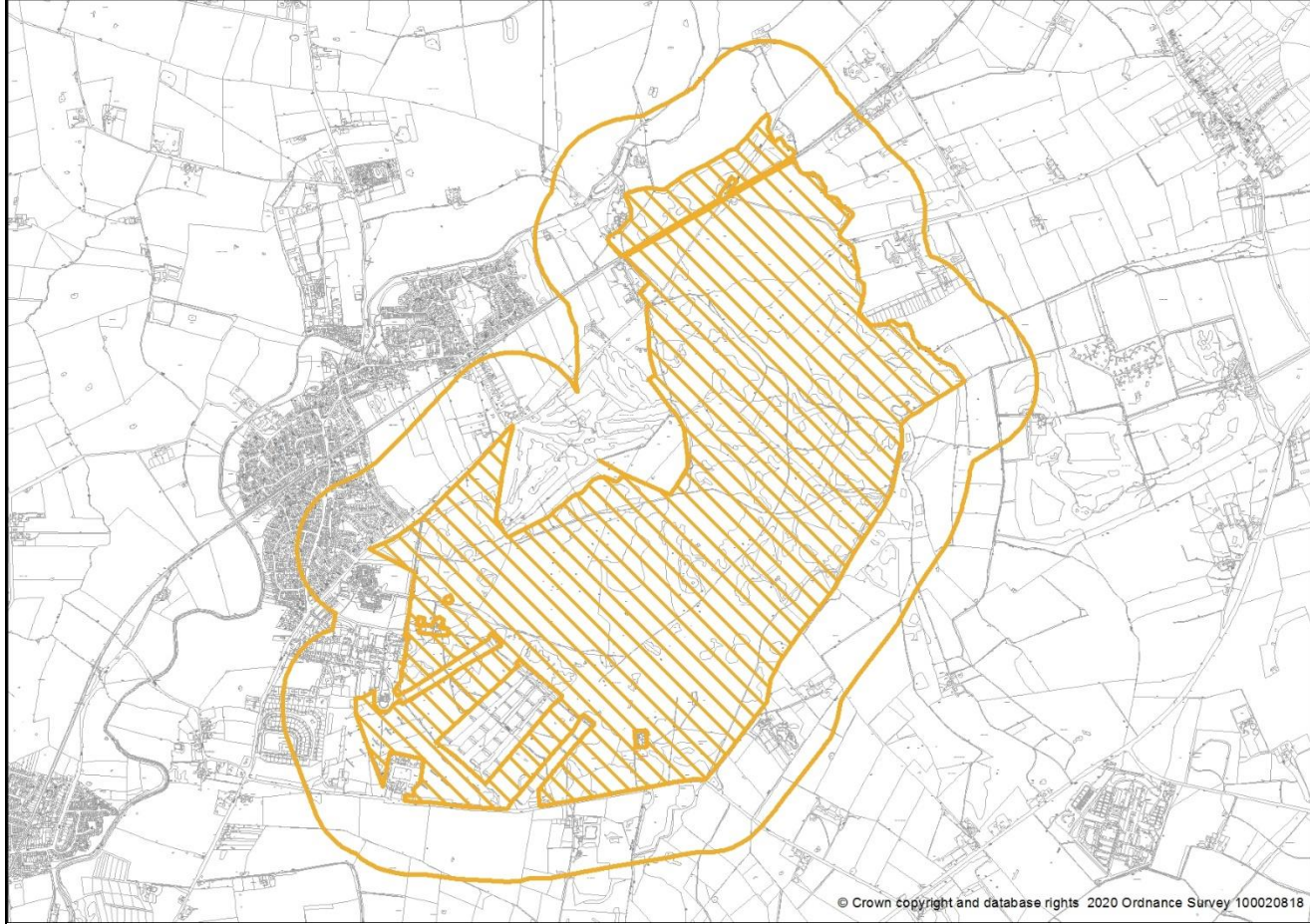
Conservation Boundaries – South West



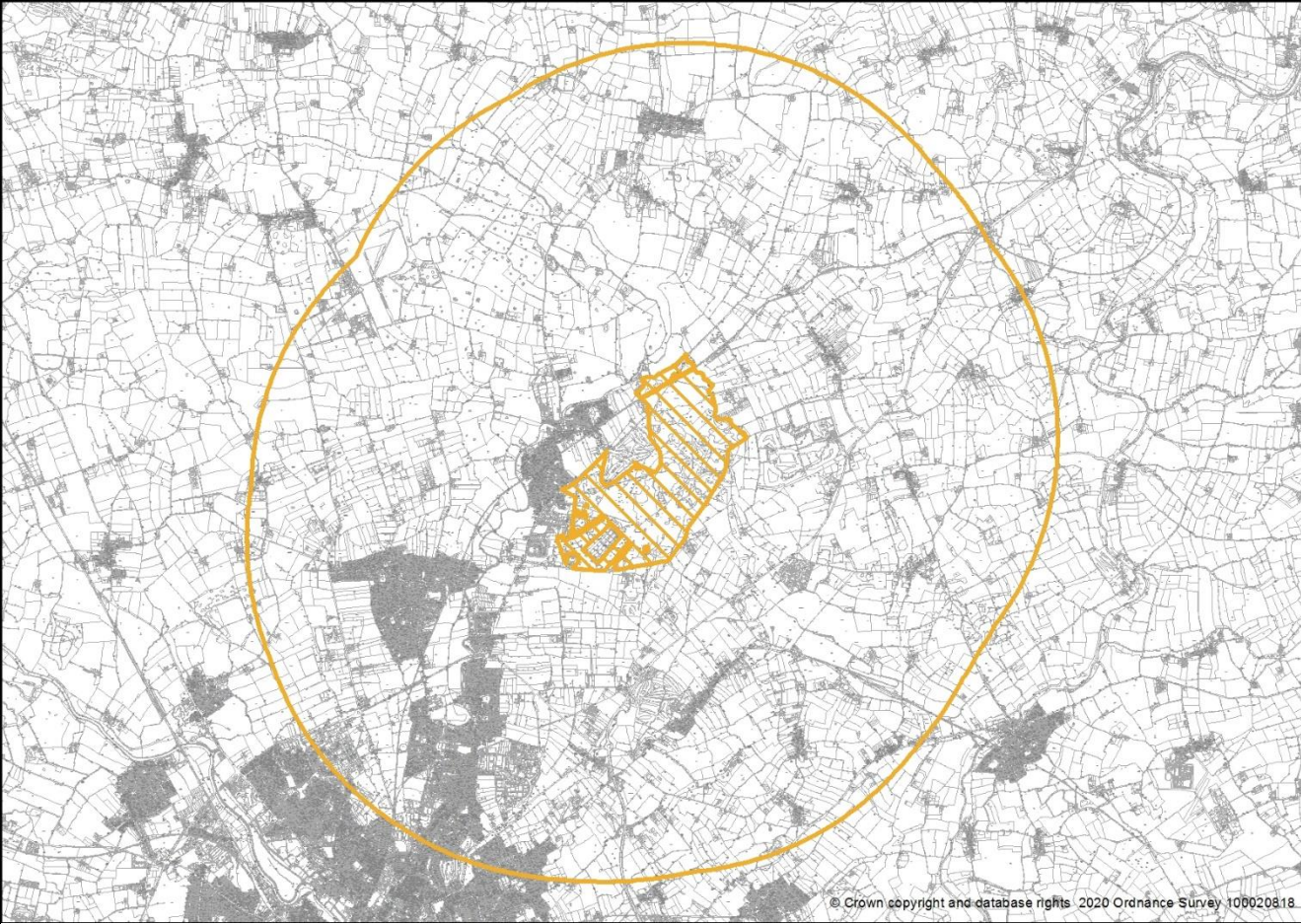
City of York Local Plan Proposed Policy Map Modifications January 2023

Name	
PMM65 Areas of Archaeological Interest	
Reason	
Cartographical correction to existing maps to depict areas of archaeological interest.	
Proposed modification	
	

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM66 Strensall Common Special Area of Conservation (400m buffer)
Reason
To include a 400m linear distance buffer from the SAC boundary in accordance with Policy GI2a.
Proposed modification
 <p>The map displays a detailed cadastral layout of a rural area. A central region is highlighted with orange diagonal hatching, representing the proposed 400m buffer for the Strensall Common Special Area of Conservation. This hatched area is enclosed by a solid orange line. The surrounding area consists of various land parcels, roads, and some buildings, all shown in a light grey line-art style. At the bottom center of the map, there is a small copyright notice: "© Crown copyright and database rights 2020 Ordnance Survey 100020818".</p>

City of York Local Plan Proposed Policy Map Modifications January 2023

Name
PMM67 Strensall Common Special Area of Conservation (5500m buffer)
Reason
To include a 5.5km linear distance buffer from the SAC boundary in accordance with Policy GI2a.
Proposed modification
 <p>© Crown copyright and database rights 2020 Ordnance Survey 100020818.</p>



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
2017-2033**

Provision for Gypsies and Travellers and Travelling Showpeople

December 2022

CITY OF YORK COUNCIL LOCAL PLAN

1. Introduction

- 1.1 This note provides a response to correspondence from the Inspectors dated 16th November which stated as follows:

“We need to ask whether the Council needs to revisit, modify, or update the GTAA (EX/CYC/88) in the light of the recent *Lisa Smith* judgment?”

Notwithstanding the response to that question, there may be a need to adjust draft Policy SS1 (as proposed to be modified in EX/CYC/111) to accord with the terms of the judgment, with particular reference to those that meet, and those that do not meet, the ‘definition’.

Further, there are some additional observations we would make about Policy H5 (as proposed to be modified in EX/CYC/111). First, H5 a) which deals with the provision of 10 extra pitches on existing local authority sites ought to make clear when those additional pitches will be provided. Second, H5 b) which refers to 30 pitches to be provided as part of the strategic allocations gives no indication of when those pitches might come forward, and (in detail terms) where. In short, it would be helpful if the Council could provide a trajectory for the provision of the 40 additional pitches, identifying the number of pitches each site will provide, and when that provision is expected to take place. We need to see a satisfactory rolling supply of pitches over the Plan period.”

2. *Lisa Smith v Secretary of State for Levelling Up, Housing & Communities and Others* [2022] EWCA Civ 1391 (‘the Judgment’)

- 2.1 The key points of the judgment for the purposes of this Note are as follows:
- i. The judgment is fact specific and resulted only in the quashing of the relevant decision letter, not in any remedy concerning the Planning Policy for Traveller Sites (PPTS): see [6], [49] and [134].
 - ii. Only a narrow part of the definition of Gypsy and Traveller was engaged: those who had stopped travelling because of age/disability – see [75].
 - iii. As to future application of the definition, see [139]:

“The consequences of this outcome for future decision-making on applications for planning permission and appeals in which the relevant exclusion is engaged will inevitably depend on the particular circumstances of the case in hand. In every such case it will be for the decision-maker – whether a local planning authority or an inspector – to assess when striking the planning balance what weight should be given, as material considerations, to the relevant exclusion and to such

justification for its discriminatory effect as obtains at the time, and also to undertake such assessment as may be required under Article 8 of the Convention. As is always so, the result of that process of decision-making will emerge from the facts and circumstances of the individual case.”

- 2.2 The Gypsy and Traveller Accommodation Needs Assessment, 2022 (“the GTAA”) (EX/CYC/88) considers the needs of **all** Travellers. It reports needs separately, as required by the Planning Policy for Traveller Sites, 2015 (“PPTS”) (Annex 1, planning definition of a Traveller). The assessment also identifies needs for those who do not meet the PPTS definition. These findings are presented in figure 12, reproduced below:

Delivery Status	Gypsy & Traveller Policy	Housing Policy	TOTAL
Meet Planning Definition ¹⁷	15	-	15
Do Not Meet Planning Definition ¹⁸	-	25	25
TOTAL	15	25	40

Figure 1: Need for Gypsy and Traveller households broken down by Local Plan Policy Type (Figure 12 in the GTAA, 2022)

- 2.3 The GTAA clearly set out that the total need for Travellers in York is for 40 pitches. **The level of need was not reduced because of the exclusion for those who had stopped travelling because of age/disability.** Accordingly, the concern in **Lisa Smith** does not arise.
- 2.4 The PPTS and the National Planning Policy Framework (“the NPPF”) remain government policy and the requirements of both have been applied in a way that is consistent with **Lisa Smith**. The Council does not, therefore, consider it necessary to review the assessment of Traveller site needs further, nor propose further modifications to Policy SS1 (as presented in EX/CYC/111) which confirms the plan’s strategic approach to meeting **all** identified Traveller needs.

3. Supply of pitches over the plan period on existing sites

- 3.1 Policy H5 (as proposed to be modified in EX/CYC/111) identifies three existing gypsy and traveller sites, which are owned and operated by CYC. In order to meet the five-year requirement for additional pitch needs identified in the GTAA, part A of Policy H5 states that 10 pitches will be provided on these Council owned sites. The Council is proposing that pitches will be provided across the existing sites at Clifton and Osbaldwick, and this is reflected in the trajectory of pitch provision [annex 1].
- 3.2 There is capacity at the Clifton site for an additional 6 pitches and sufficient space on the Osbaldwick site to provide at least 4 more pitches. The expansion of both sites would meet best practice standards of pitch size (between 200m² and 500m²) with sufficient land remaining available for supporting infrastructure such as utility blocks or children's play areas. Should it be necessary to do so, the sites are also capable of being split into two.
- 3.3 It is recognised that, for clarity, the location of the additional pitches should be specified in the policy and a further modification to Policy H5 is therefore proposed:

a) **Within Existing Local Authority Sites**

In order to meet the need of Gypsies and Travellers that meet the planning definition, **10** ~~3~~ additional pitches will be **provided** ~~identified~~ within the existing **three** Local Authority sites **at:**

- **Water Lane, Clifton; and**
- **Outgang Lane, Osbaldwick.**

4. Supply of pitches over the plan period on strategic allocations

- 4.1 Part B of Policy H5 directs the provision of 30 additional pitches to allocated strategic sites and permits, in exceptional circumstances, off-site delivery via financial contributions. It is the Council's strong intention to deliver new pitches as part of the development of strategic sites in accordance with the proposed modification which specifically prioritises this form of delivery.
- 4.2 The modification originally proposed (PM 66 in EX/CYC/58) has been reviewed and it is considered that alternative wording would further strengthen the policy approach. Along with this modification (presented below), replacement text at paragraph 5.42 is also proposed to make clear the way in which schemes will be assessed.

Policy H5: Gypsies and Travellers

b) Within Strategic Allocations

In order to meet the need of those 30 44 Gypsies and Traveller households that do and do not meet the planning definition:

Residential development proposals on strategic sites Applications for larger development sites of 5 ha or more will be required to: provide a number of pitches within the site or provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches.

Commuted sum payments to contribute to development of pitches elsewhere will only be considered where it is demonstrated that on site delivery is not achievable due to site constraints and that there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer

- provide a number of pitches within the site; or
- provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches; or
- provide commuted sum payments to contribute towards to development of pitches elsewhere.

The calculations for this policy will be based on the hierarchy below:

- 100 – 499 dwellings – 2 pitches should be provided
- 500 – 999 dwellings – 3 pitches should be provided
- 1000 – 1499 dwellings – 4 pitches should be provided
- 1500 – 1999 dwellings – 5 pitches should be provided
- 2000 or more dwellings – 6 pitches should be provided

5.42 The suitability of the location of any further sites for Gypsies, Travellers or Travelling Showpeople which come forward during the plan period will be determined in accordance with criteria i – v of Policies H5 and H6. These consider the natural and historic environment, access to public transport and services, road access and congestion, flood risk and amenity. The development of the allocated sites and any further sites that come forward during the plan period will be determined in accordance with Policies H5 and H6 criteria vi – x. These consider the provision of storage and recreation space, amenity provision, size and density of pitches/plots, landscaping of the site, amenity of nearby residents and future occupiers of the site.

5.42 The suitability of sites not allocated for Gypsies, Travellers or Travelling Showpeople in this Local Plan will be assessed against the locational principles within criteria i-v of Policies H5 and H6 (Part C) as appropriate. All development proposals (including those forming part of a strategic allocation) will need to demonstrate that the site's design and layout observes the principles within criteria vi-x of Policies H5 and H6, as appropriate.

Where proposals seek to provide a commuted sum in lieu of either on or off-site pitch provision, applications will need to comprehensively demonstrate the following:

1. That the design parameters (vi – x in part C of Policy H6) cannot be satisfactorily achieved through evidence of a site and masterplan appraisal (which should include layout and capacity assessments as well as a demonstration of all reasonable attempts to overcome any site constraints); and,
2. That there are no available sites which would be suitable for the number of pitches required. Evidence should include an appraisal of sites on the market at the time of the application with clear justification for their rejection.

Commuted sums will be calculated on the basis that costs are met in full including, where appropriate, land purchase, professional fees, construction and operating costs.

Traveller Pitch Trajectory

4.3 The trajectory below demonstrates a rolling supply of pitch provision delivered through development of strategic sites, which is broadly aligned with the needs identified across the plan period (and five years beyond) as set out in the 2022 GTAA (EX/CYC/88). Sites with extant planning permission granted without need to provide new pitches in accordance with Policy H5 have been excluded from the trajectory. There is no evidence to suggest the permissions will not be implemented and it is, therefore, assumed that development of the sites will not contribute to pitch supply within the plan period.

	2022 -27 (0-5)	2027-32 (6-10)	2032-33 (11)	2033-37 (12-15)	2037-38 (16)	total	Including undetermined need
Non Definition	13	4	6	1	0	24	25
Definition	9	3	2	0	0	14	15
CYC Clifton	6						
CYC Osbaldwick	4						
ST1B		2					
ST4 (off-site)	2						
ST5 (off-site)	2	1	1	1	1		
ST7		3					
ST8 (off-site)	3						
ST9		3					
ST14		4					
ST15		6					
ST33 (off-site)	2						
ST36				3			
Total	19	19	1	3	1		

Figure 2: Trajectory of new Traveller pitch provision

4.4 Notwithstanding the policy approach that prioritises provision on allocated sites, there are a few sites for which it has been reasonable to assume that off-site pitch provision will be secured through contributions. These are:

- York Central (ST5) – phased contributions, equivalent of 6 pitches agreed via Section 106 agreement.
- Monks Cross (ST8) – contribution equivalent of 3 pitches agreed, awaiting appeal determination.
- Station Yard Wheldarke (ST33) - application pending, off site contribution for 2 pitches being negotiated.

- Land Adj. Hull Road and Grimston Bar (ST4) - application pending with on-site delivery of 2 pitches being negotiated, but off-site contribution included for worst case purposes.

4.5 Consequently, it is likely that 13 pitches will need to be provided on alternative sites. It is within this context that the Council has reviewed its proposed modification to the Green Belt boundary around the site at Osbaldwick (PM 84 in EX/CYC/58).

Osbaldwick Green Belt Boundary

4.6 The submitted version of the Local Plan located the designated traveller site at Osbaldwick wholly out of the Green Belt. Modifications proposed in April 2021 sought to limit the area excluded from Green Belt to that which had been developed with traveller pitches. This modification to the Green Belt significantly reduces the site's capability to expand and in recognition of the assumptions identified in paragraph 4.3, it has been appropriate to reconsider the approach.

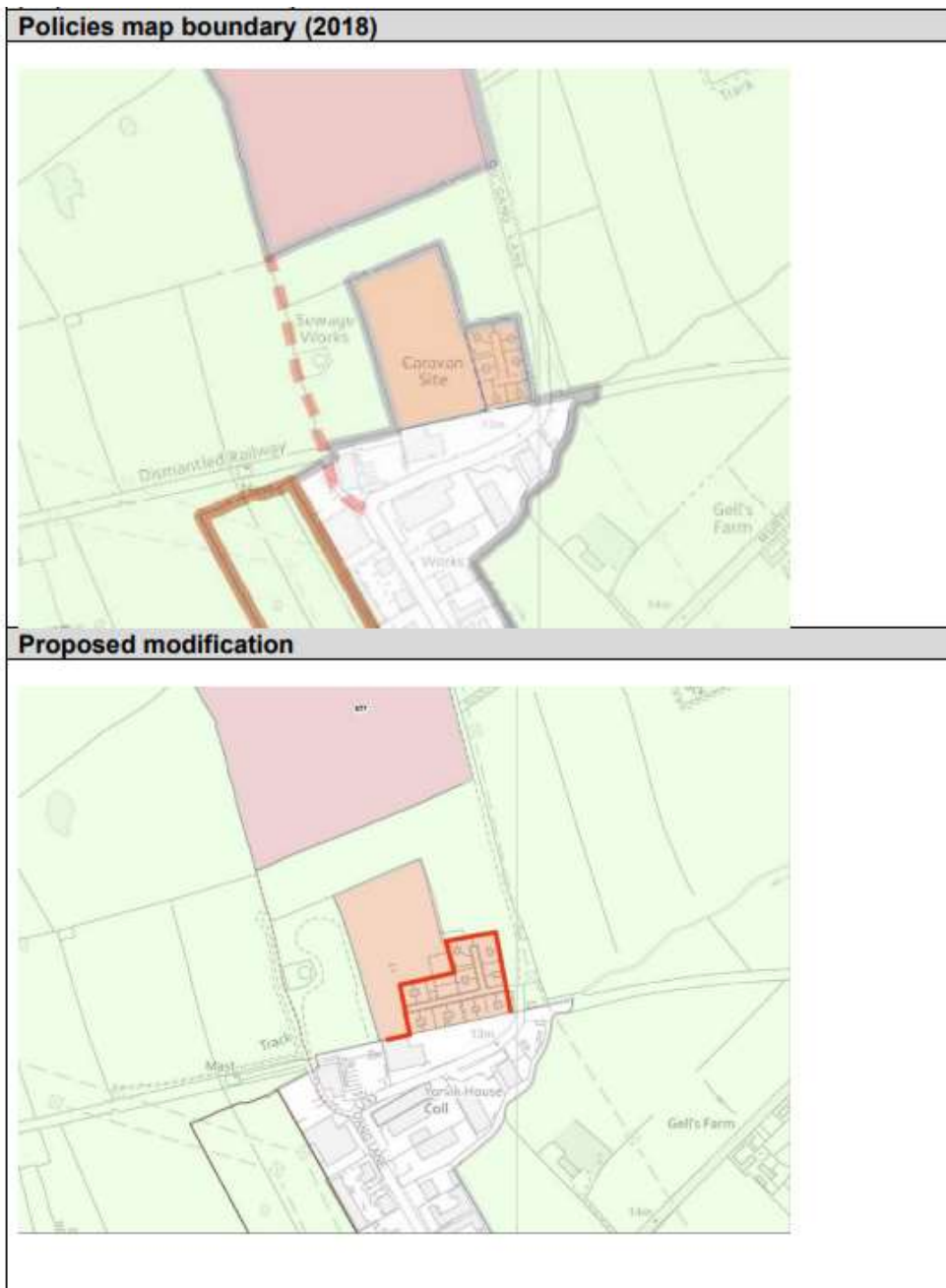


Figure 3: Policy map modification PM 84 in EX/CYC/58

4.7 A revised modification is now proposed, which aligns the site's Green Belt along the northern and western boundaries with the site boundary of the scheme approved under application 13/02704/GRG3 for the expansion of the traveller site. The approved site location plan is reproduced below.



Figure 4: Approved site location plan (application reference 13/02704/GRG3)

4.8 A revised modification based on the above would ensure the Council owned site at Osbaldwick has capacity to deliver the 4 pitches identified as part of the CYC provision and the likely additional requirements generated through development of some of the Plan’s allocated sites. It is an approach that provides flexibility and secures a requisite level of certainty that future pitch needs can be met.



Figure 5: Proposed policy map modification December 2022 (For illustration purposes only)

Delivery support

- 4.9 To support delivery of all new pitches, a new post is being created in the Council's Housing Delivery team. The post will project manage the delivery of additional pitches on existing sites, liaise with developers regarding delivery on Strategic Sites, and bring forward other development options to meet the need identified in the local plan. This will include land identification, stakeholder engagement, design and planning process (including pre-application), procurement and delivery on site.
- 4.10 The Council is also looking to prepare a Supplementary Planning Document to support implementation of Policy H5. It will provide guidance on the delivery of the additional pitches on existing sites, along with information to guide provision on strategic sites.

Local Plan Examination

December 2022

**Response to inspector's email of 16th November
regarding Green Belt boundaries**

1. Introduction

1.1 This note provides a response to correspondence from the Inspectors dated 16th November which stated as follows:

“Site visits have shown up a few concerns about detailed Green Belt boundaries. In particular, these relate to the approach to sports fields that are part of a wider complex where the boundary has been drawn tight around buildings, rather than the overall complex itself. This does not appear correct where the sports facilities involved involve enclosures of significant height, floodlighting, and other facilities, that make little or no contribution to openness. It seems to us that in these cases, the boundary would be better drawn around the curtilage of the facility involved, especially when boundaries to that curtilage are significant in themselves, and more easily defensible. As examples, we would point to the approach taken to Queen Elizabeth Barracks, where an area within the eastern part of the complex has been included in the Green Belt despite the presence of significant infrastructure. Also, at St Peter's School, the flood defence bund would appear to be a more rational Green Belt boundary than the school buildings (some of which are scheduled for replacement in any event) given the nature and scale of the sports facilities behind it. Similarly, the (very strong) boundaries of the school grounds, rather than the buildings, at the Joseph Rowntree School, and Burton Green Primary School, would seem to us to offer more easily defensible Green Belt boundaries. There may be other examples too and we would encourage you to review other boundaries of this type, in the light of our comments”.

- 1.2 This note looks initially at those specific examples before considering other boundaries of the same type. As is explained further below, the Council proposes modifications to reflect the concerns expressed by reference to the specific examples given. It also proposes modifications in some other cases where the concerns expressed by the Inspectors are considered to arise. Finally, it has considered other possible cases where those concerns may arise, but it is not convinced that they do so as to justify proposing modifications. In these final marginal cases, however, the Council has indicated a reasonable alternative boundary to assist the Inspectors in the event that they consider modifications to be necessary.

2 Boundaries specifically mentioned

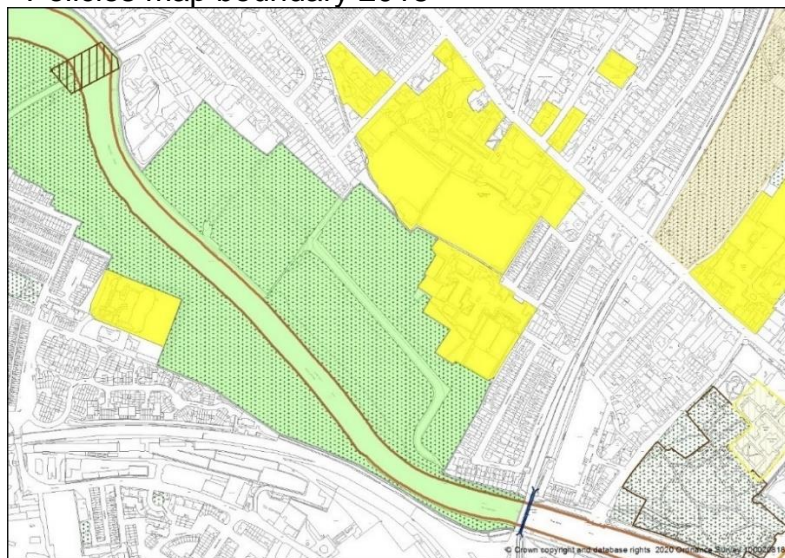
The Inspectors have raised concerns about sports fields that are part of a wider complex where the boundary has been drawn around buildings, rather than the overall complex itself, in particular where the sports facilities make little or no contribution to openness. This section addresses the specific examples provided and in each case proposes modifications in line with the concerns expressed. The Council recognises that applying the methodology to define Green Belt boundaries will involve exercises in judgment, which may differ in respect of specific sites and boundary sections; and in a number of instances the changes now proposed follow alternative boundaries considered within the document.

2.1 St Peters School

The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59c Topic Paper 1 Green Belt Addendum January 2021 pages A3:199 – A3:226. The reasons for the boundary as indicated in the Topic Paper included the following: the maintenance of the historic character and setting of York; the reinforcement of the pattern of historic green wedges that assist in understanding the historical relationship of the city to its hinterland; the containment of further sprawl into undeveloped areas; and the safeguarding of the wider recreation land containing the green wedge. The land outside the proposed boundary was considered to be characterised by an absence of urbanising influences; and outdoor sports and recreation uses were considered acceptable having regard to their effect on openness.

Reflecting the Inspectors' judgment on the contribution of this land, including sports facilities, to Green Belt openness and the strength of the proposed boundary, a modification is now proposed so that the Green Belt boundary follows the existing flood defences, which provide a permanent and recognisable boundary. The education allocation (yellow) is also proposed to be extended across the whole school site for consistency in approach with other educational sites. This is not shown on the proposed modification below to provide clarity in terms of the proposed Green Belt boundary but will be added to the Policies Map for public consultation.

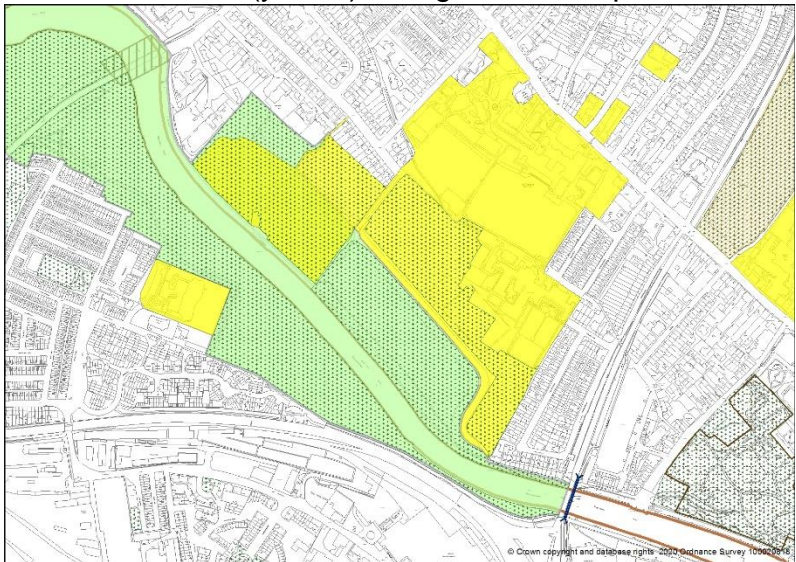
Policies map boundary 2018



Proposed modification Dec 2022 showing revised extent of GB



Proposed modification Dec 2022 showing revised extent of school allocation (yellow) sitting over the top of the GB allocation



2.2 Queen Elizabeth Barracks

The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59f Topic Paper 1 Green Belt Addendum January 2021 pages A4:245 – A4:268. The relevant boundary is boundary 5, the location of which was identified as important for preventing coalescence with neighbouring villages and restricting sprawl by containing the barracks site.

Reflecting the Inspectors' judgment on the contribution of this land to openness, as well as the strength of the boundary, a modification is now proposed so that the Green Belt boundary follows the line of existing fencing in the south east corner of the barracks site, enclosing the existing obstacle course and other facilities in that area.

Policies map boundary 2018



Proposed modification Dec 2022

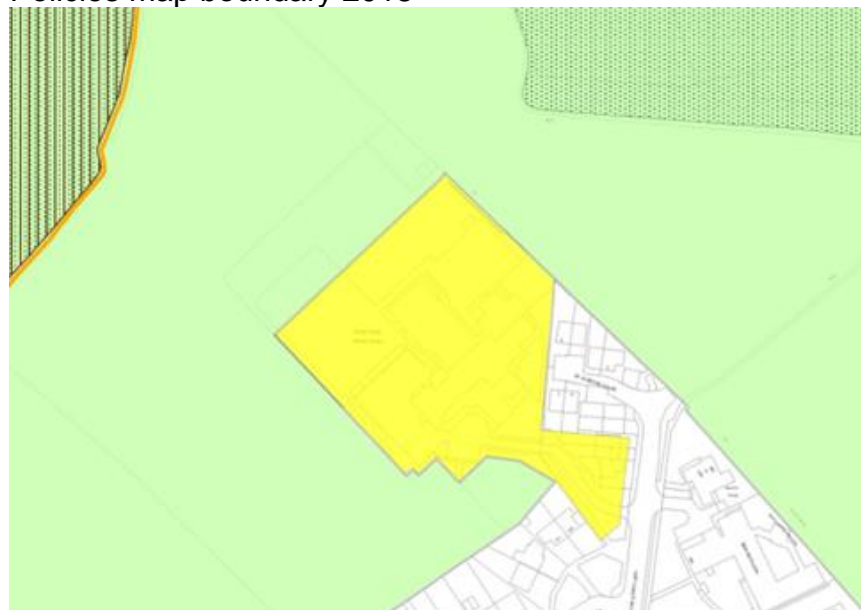


2.3 Burton Green Primary School

The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59c Topic Paper 1 Green Belt Addendum January 2021 A3:329 – A3:334. Land in this location was identified as important for the historic character and setting of York and in particular in relation to the green wedge and Bootham Stray. The proposed boundary sought to control unrestricted sprawl across the wider school grounds and to protect the countryside from encroachment. The boundary as proposed in 2021 had drawn in the boundary from that proposed in the 2018 policies map.

Reflecting the inspectors' judgment on the contribution of this land to openness, as well as the strength of the boundary, a modification is now proposed so that the Green Belt boundary follows the curtilage of the school site. The education allocation (yellow) is also proposed to be extended across the whole school site for consistency in approach with other educational sites.

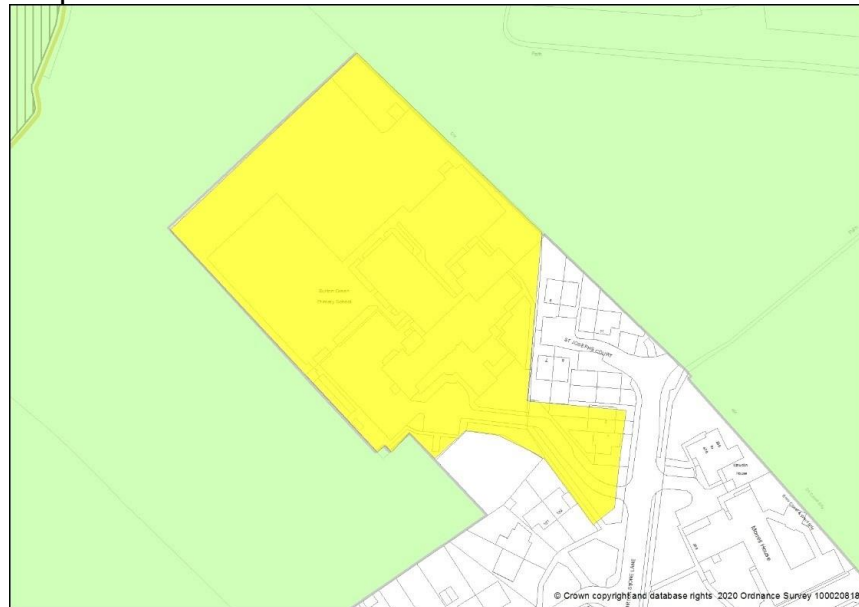
Policies map boundary 2018



Proposed modification 2021



Proposed modification Dec 2022

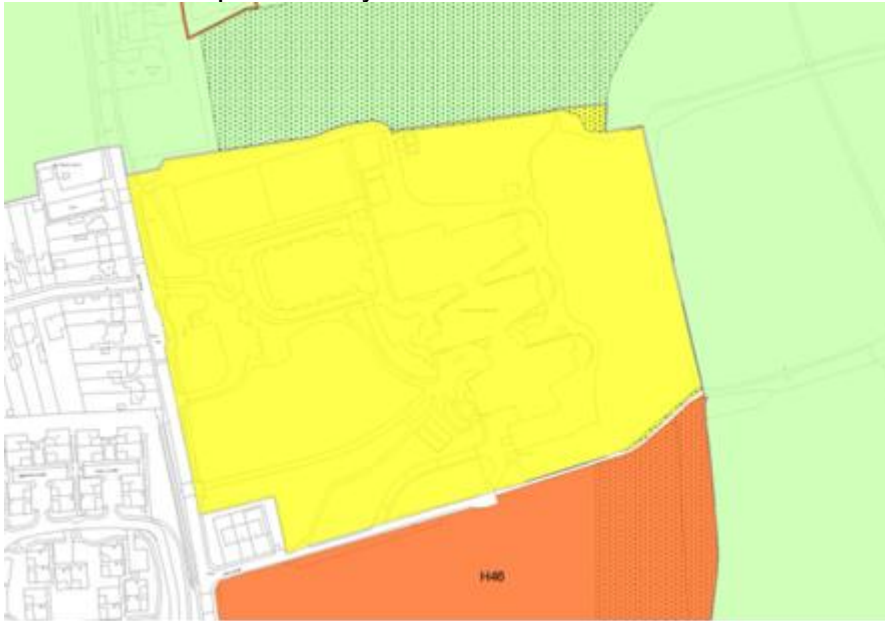


2.4 Joseph Rowntree School

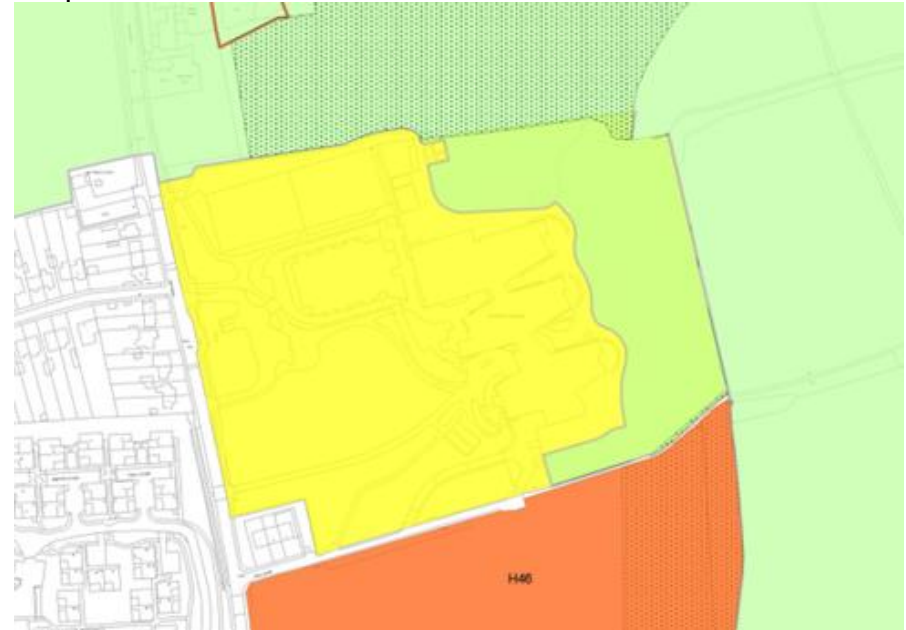
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59d Topic Paper 1 Green Belt Addendum January 2021 A3:396 – A3:402. The land in this location was included given its role in long range views of the city. The proposed boundary sought to prevent coalescence with neighbouring villages and to protect the open land beyond from encroachment.

Reflecting the Inspectors' judgment on the contribution of this land to openness, as well as the strength of the boundary, it is now proposed that the Green Belt boundary be widened, reverting to that proposed in the 2018 policies map.

Policies map boundary 2018



Proposed modification 2021 – to be withdrawn



3 Boundaries of same type raising similar issues

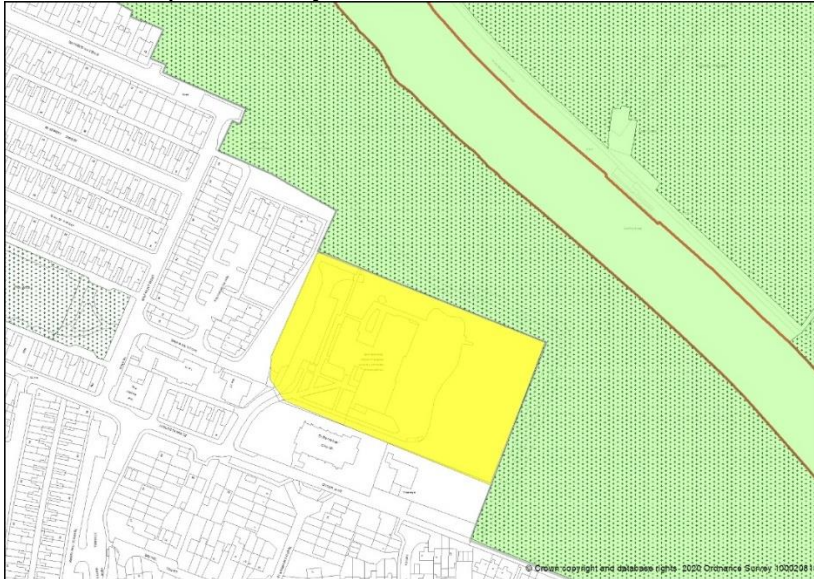
Following on from the consideration of the specific sites identified by Inspectors, the Council has identified a limited number of other sites with similar features which are considered to raise the same issues. They are set out below.

3.1 St Barnabas School

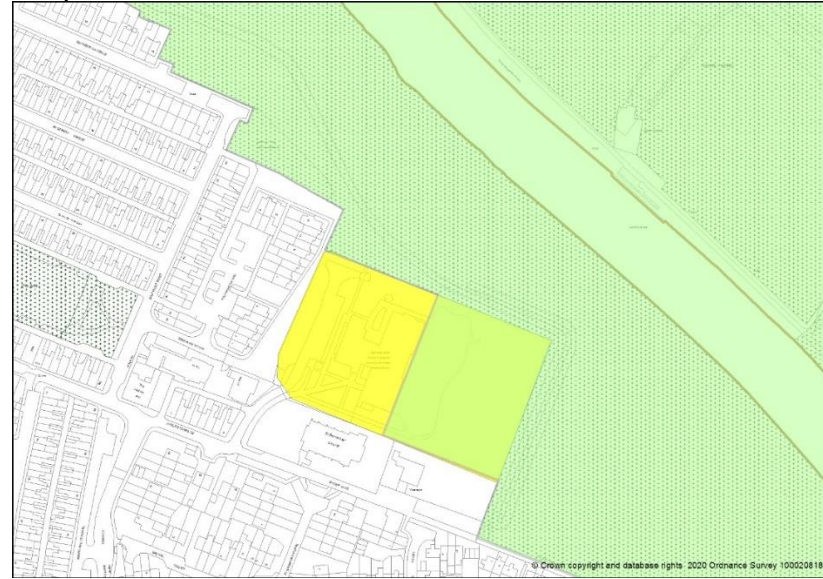
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59c Topic Paper 1 Green Belt Addendum January 2021 A3:180 – A3:186. The open character of the green wedge was identified as contributing to the contained urban form of the compact city. The boundary was proposed to prevent unrestricted sprawl and to safeguard the countryside from potential encroachment resulting from further development within the school site.

It is acknowledged that the views of the Inspectors, on the contribution to openness of land and the strength of boundaries, apply similarly to this site. It is now proposed that the Green Belt boundary reverts to that in the 2018 Policies map.

Policies map boundary 2018



Proposed modification 2021 – to be withdrawn

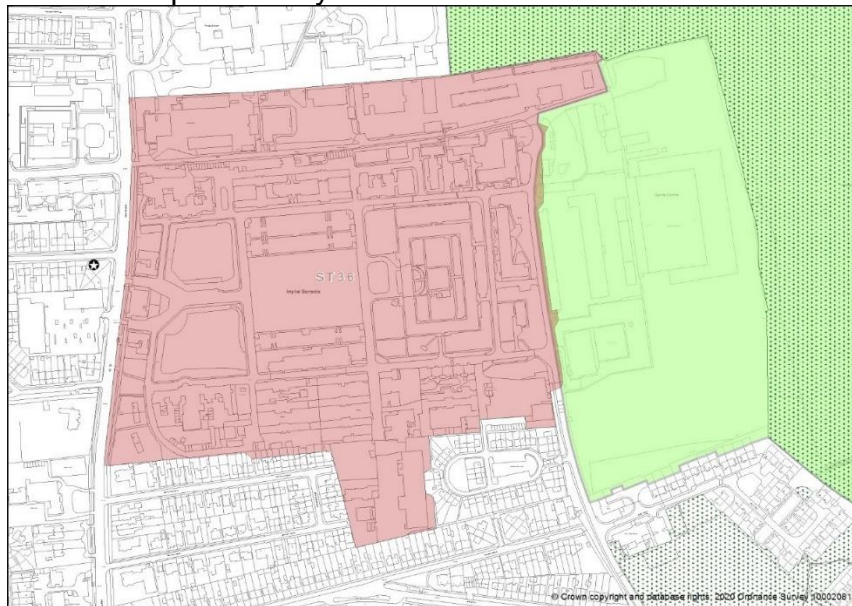


3.2 Imphal Barracks

The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59e Topic Paper 1 Green Belt Addendum January 2021 A3:741 – A3:749. The open character of the green wedge and Walmgate Stray was identified as contributing to the setting of the historic city. The boundary was proposed to prevent unrestricted sprawl resulting from the intensification of the existing sports facilities and to prevent encroachment into the Green Belt.

It is acknowledged that the views of the Inspectors, on the contribution to openness of land and the strength of boundaries, apply similarly to this site. A modification is now proposed so that the Green Belt boundary follows a recognisable and permanent boundary in the form of the site boundary thereby removing sports facilities associated with the barracks from the Green Belt.

Policies map boundary 2018



Proposed modification Dec 2022

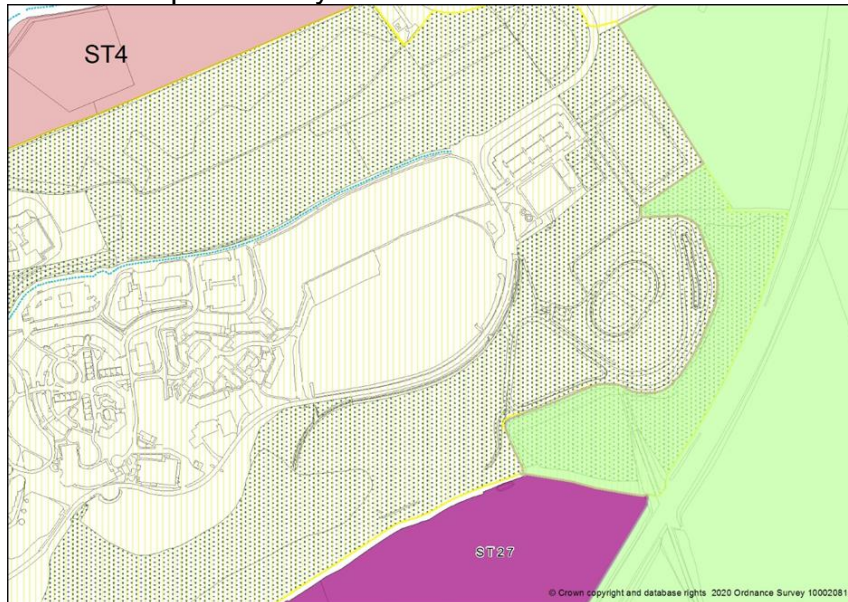


3.3 University of York

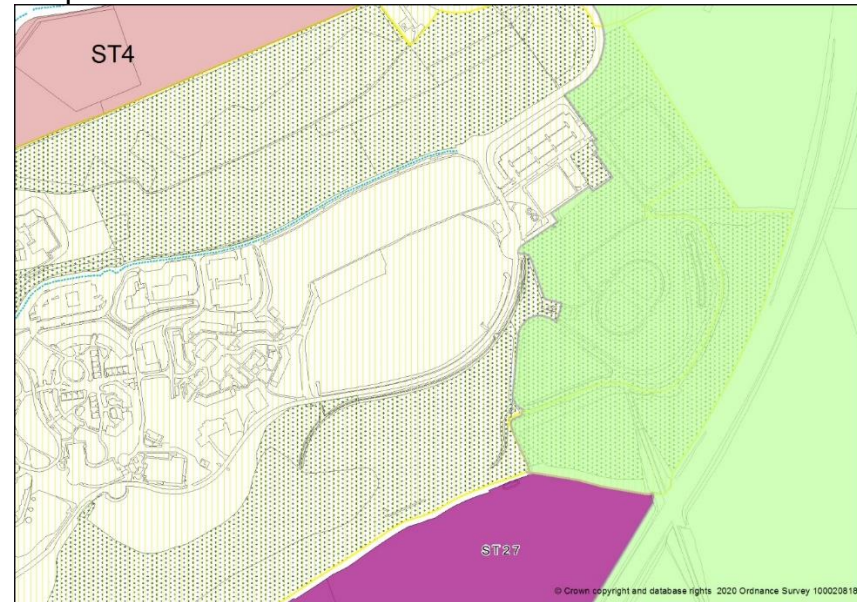
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59e Topic Paper 1 Green Belt Addendum January 2021 A3:670 – A3:678. This acknowledges that boundaries have been set to retain a sense of the compact city within an open and rural landscape. It also seeks to prevent sprawl and further encroachment by containing the built area and designating lower density outdoor sports facilities within the Green Belt.

It is acknowledged that the views of the Inspectors, on the contribution to openness of land and the strength of boundaries, apply similarly to this site. The 2021 modification followed existing features including roads and building lines which were considered to provide permanent and recognisable boundaries and moved sports facilities into the Green Belt. It is now proposed that the Green Belt boundary reverts to that in the 2018 Policies map. This would remove the sports facilities from the Green Belt, utilising a boundary that includes roads and field boundaries, again permanent and recognisable features.

Policies map boundary 2018



Proposed modification 2021 – to be withdrawn

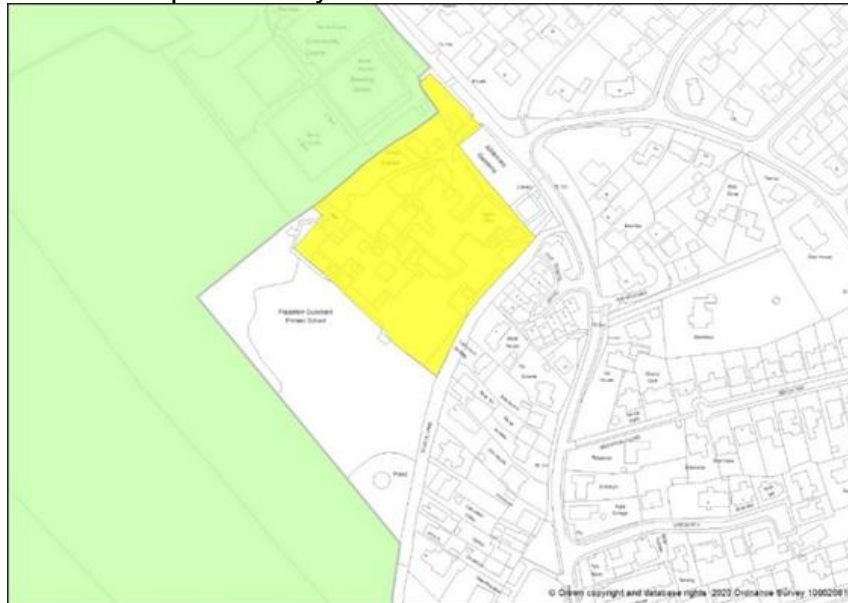


3.4 The Poppleton Centre

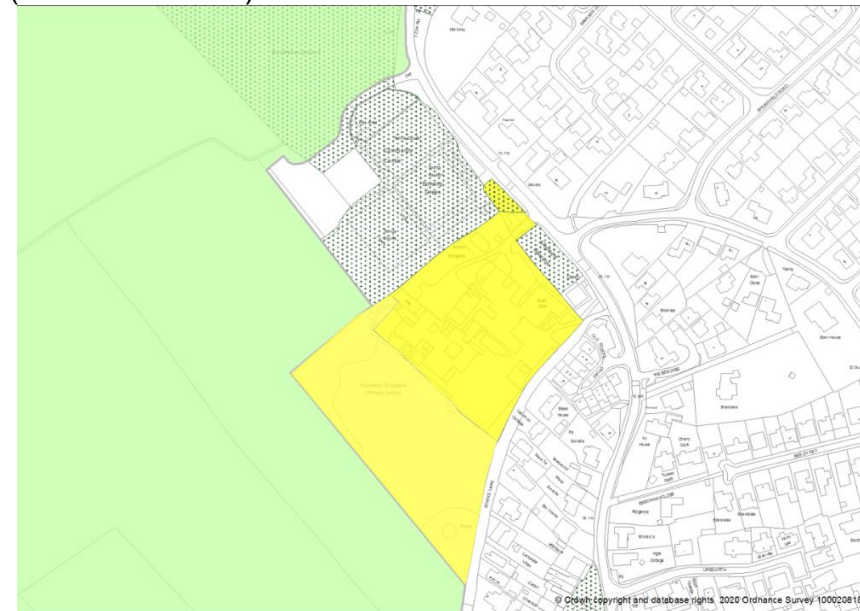
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59f Topic Paper 1 Green Belt Addendum January 2021 A4:279 – A4:300. In relation to the relevant boundary section 2, the Topic Paper notes that there is a distinct urban edge providing less risk of sprawl. Land beyond the boundary has a strong sense of openness and is characterised by an absence of built development.

While reviewing the boundaries at Poppleton Ousebank Primary School (Section 4 below) the Council considered that it would also be appropriate to consider those at the Poppleton Centre, directly to the north west of the school. In this instance, the Council had previously concluded that the site accommodated an appropriate Green Belt use and therefore the boundary was appropriate. Notwithstanding this it is recognised that the sports centre could be considered not to contribute to openness and applying the Inspector's concerns to this site there is an alternative to the Green Belt boundary as shown in the Policies map 2018. As such, a modification is proposed to revise the boundary and remove Poppleton Centre from the Green Belt.

Policies map boundary 2018



Proposed modification Dec 2022 (Ousebank Primary School (Section 4 below))



4 Other boundaries for consideration

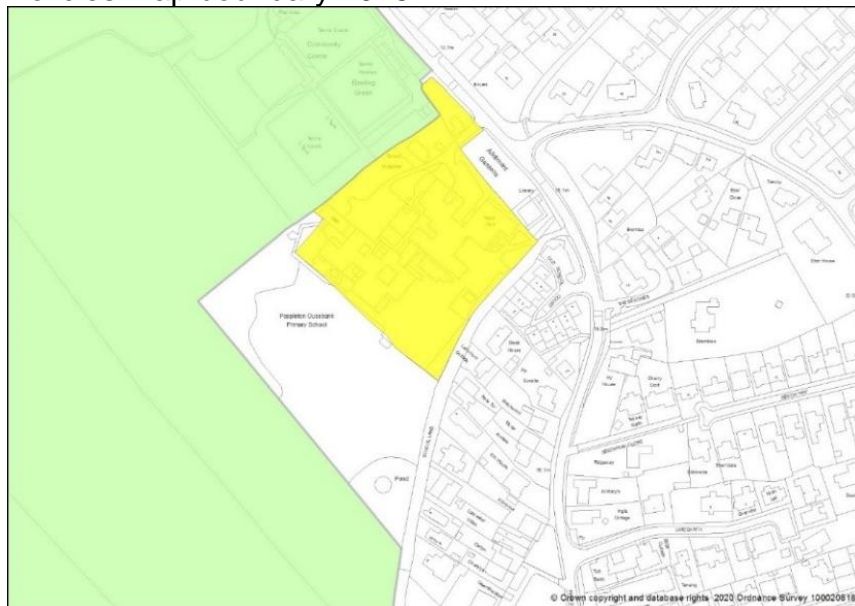
The Council has considered whether there are other sites which may be considered to raise similar concerns to those identified by the Inspectors. The Council has identified these below. It does not consider that modifications are required for these parts of the boundary but recognises that when applying the methodology for boundary setting different judgments may be reached regarding the proper boundary. It therefore identifies potential alternative boundaries should the Inspectors consider instead that their concerns should be addressed by changes to the boundary as currently proposed. The Council has also identified a further section of boundary at York University which does not fall within the scope of the Inspectors' concerns, but which justifies a proposed modification alongside the other boundary at the University (see above). This is addressed at the end of this section.

4.1 Poppleton Ousebank Primary School

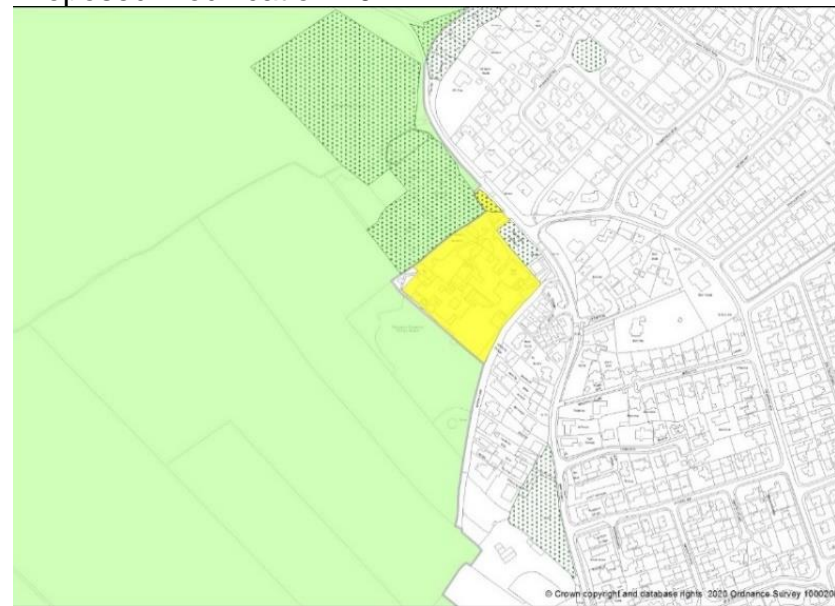
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59f Topic Paper 1 Green Belt Addendum January 2021 A4:279 – A4:300. In relation to the relevant boundary section 2, the Topic Paper notes that there is a distinct urban edge providing less risk of sprawl. Land beyond the boundary has a strong sense of openness and is characterised by an absence of build development.

In this instance, the Council consider that there is no need to revise the Green Belt boundary as proposed in the 2021 modifications as there are no sports facilities within the playing fields to the west of the school buildings. However, it is recognised that the school boundary would provide an equally clear and recognisable boundary. If the Inspectors considered that their concerns also applied to this site, proposed modifications could confirm the proposed boundary as shown in the policies map 2018. This is shown in the Dec 2022 possible modification below where the Poppleton Centre (detailed at 3.4 above) is shown as removed from the Green Belt and, for consistency, the yellow education allocation is extended across the whole of the school site.

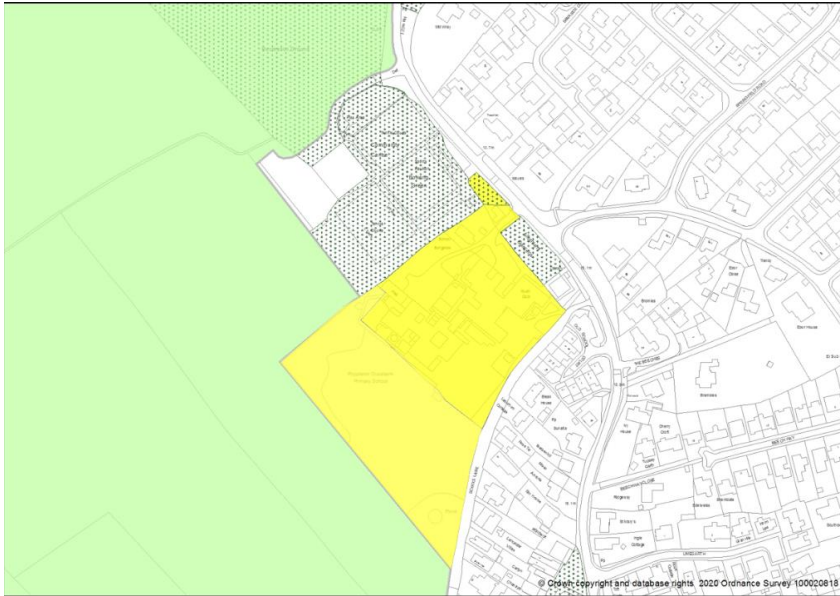
Policies map boundary 2018



Proposed modification 2021



Possible modification Dec 2022

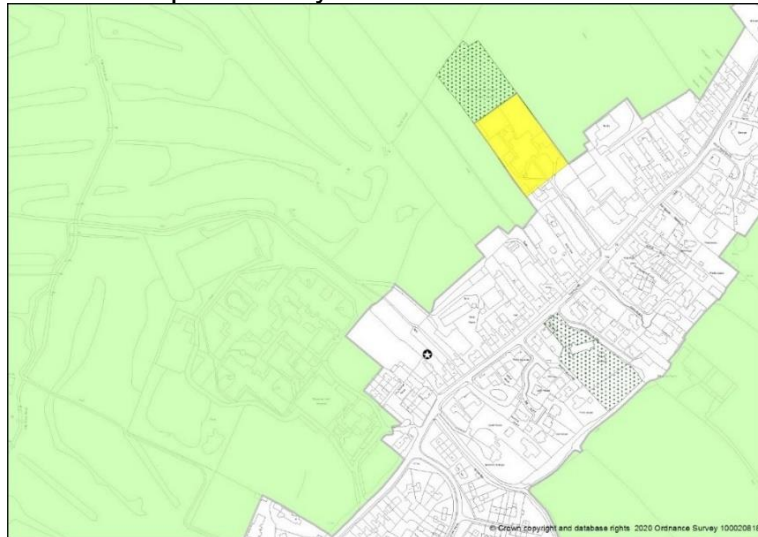


4.2 Stockton on the Forest Primary School

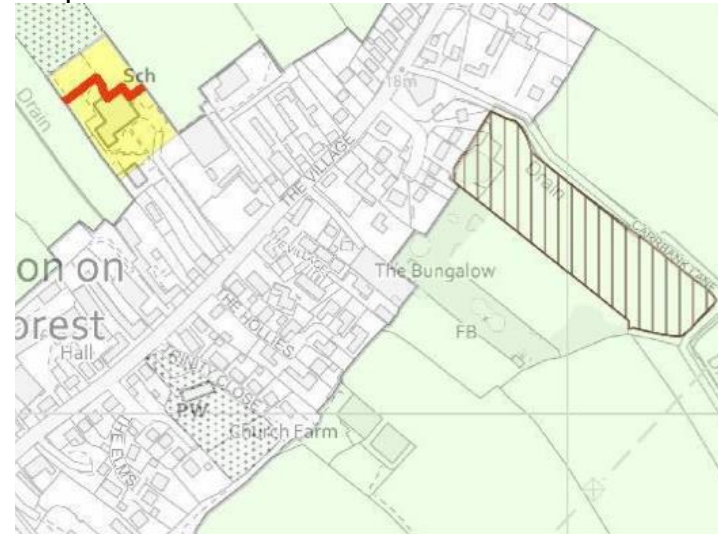
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59f Topic Paper 1 Green Belt Addendum January 2021 A4:228 – A4:244. In relation to the relevant boundary section 4, the Topic Paper notes that land beyond this boundary is important to keep open as it contains evidence of the historic agricultural character of the village in the form of linear plots of land. Beyond the boundary is little development and there is a risk of sprawl. The school playing fields are noted as having no strong relationship with the built up area.

In this instance, the Council considers that there is no need to revise the Green Belt boundary as proposed in the 2021 modifications as there are no sports facilities within the playing fields to the north of the school buildings. The playing fields project into a wider tract of land and display a high level of openness. However, it is recognised that the school boundary would provide a clear and recognisable boundary. If the Inspectors consider that their concerns apply to this site, the Council suggests a potential modification as set out below. It is noted that this modification would extend further than the boundary shown in the policy map boundary of 2018 which could serve as an alternative if the Inspectors were not satisfied on balance that it would be appropriate to extend the boundary as far out into the wider tract of land. The education allocation (yellow) is also proposed to be extended across the whole school site for consistency in approach with other educational sites

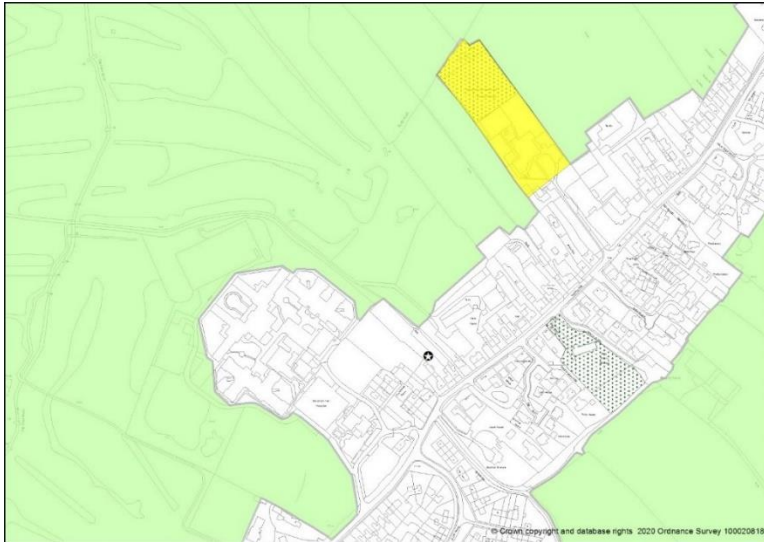
Policies map boundary 2018



Proposed modification 2021



Possible modification Dec 2022

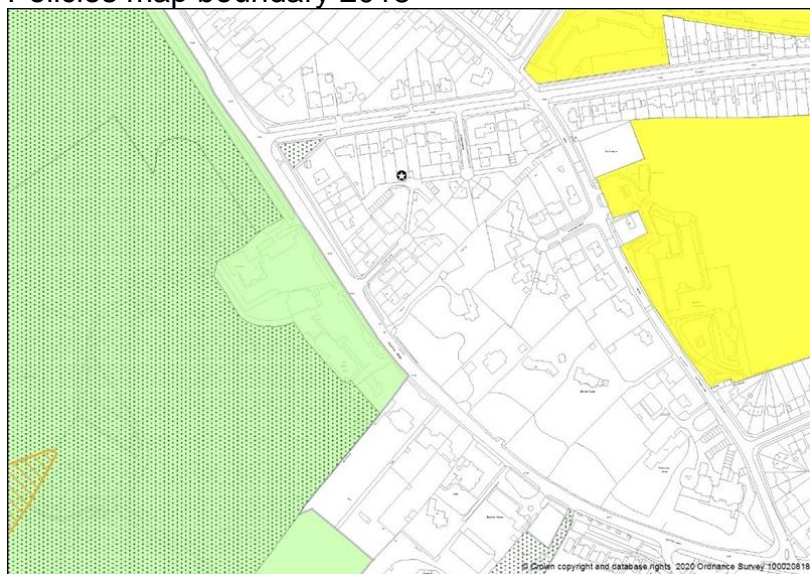


4.3 York Sports Club

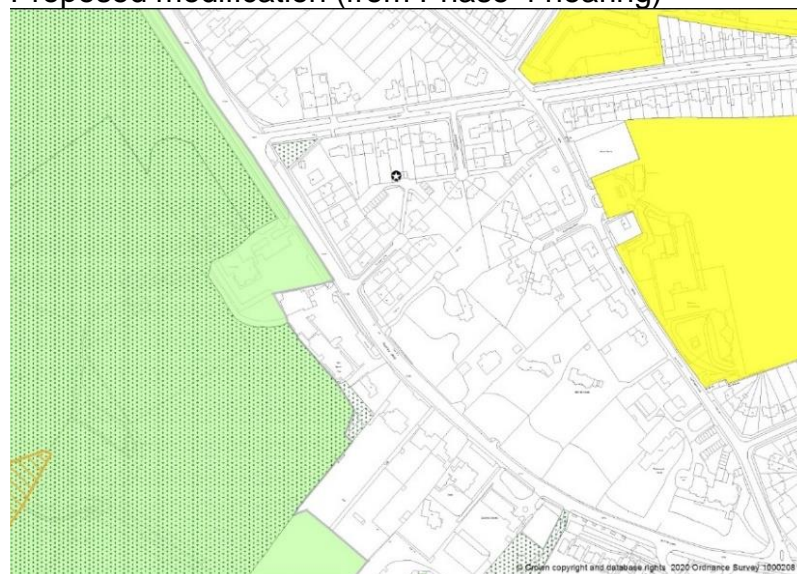
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59c Topic Paper 1 Green Belt Addendum January 2021 A3:263 – A3:271. The land within the Green Belt is part of a green wedge and important for views of the city within a rural context. The boundary contains ribbon sprawl along Shipton Road and protects the countryside from encroachment.

This boundary was discussed during the Phase 4 hearings, and it was agreed that the boundary would be modified to include the sports club and associated car park as per the proposed modification below. The Council has reviewed the wider sports club fields. These contain a number of structures spread over a wide area and associated with the sports use. However, given the size of this area and its connection with the wider tract of land including Clifton Ings, it is considered that the site does display a good level of openness and that no further modifications are necessary. If the Inspectors consider that their concerns apply to this site, the Council has provided a possible alternative boundary to give an indication of the impact of such a change.

Policies map boundary 2018



Proposed modification (from Phase 4 hearing)



Possible modification Dec 2022

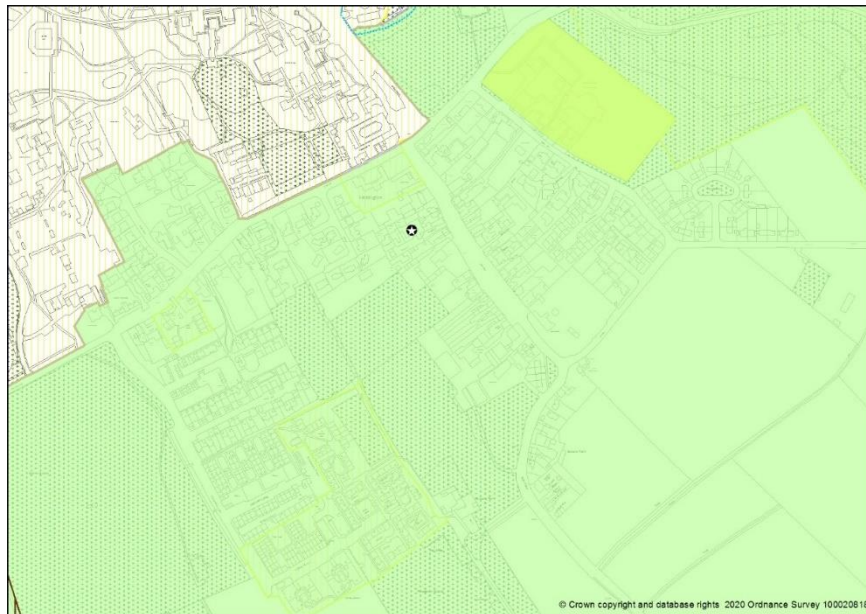


4.4 Lord Deramores School

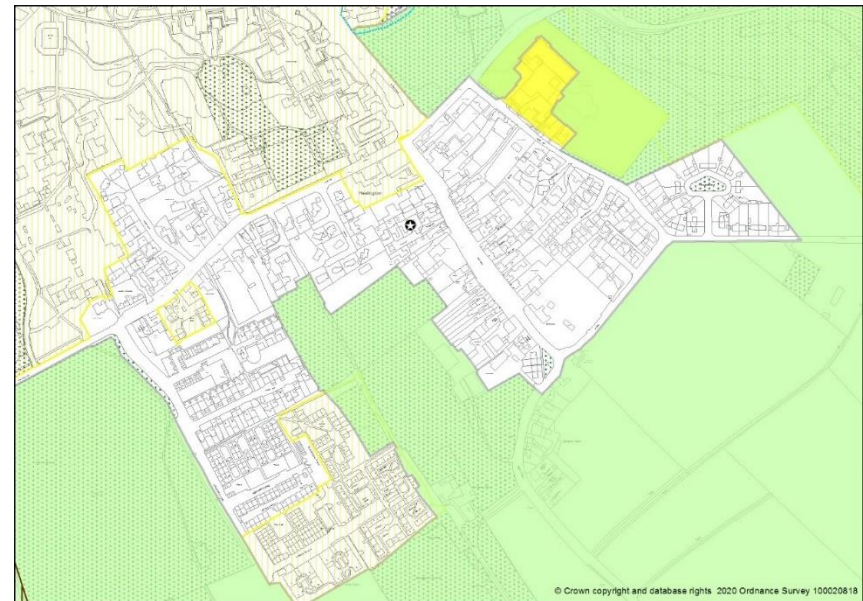
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59e Topic Paper 1 Green Belt Addendum January 2021 A3:701 – A3:710. Boundary 13 is specific to this site. Land beyond the boundary is important in views of the compact city within its rural hinterland. The boundary is set so as to preserve this, to contain built development and prevent urban sprawl.

The boundary around the school has been considered alongside other similar school sites adjacent to the Green Belt. The Council consider that the modification proposed in 2021 is sound. The proposed boundary follows the extent of the built up area and there are no sports facilities associated with the school in the playing fields beyond the boundary. However, it is recognised that there is an equally clear boundary around the curtilage of the site. If the Inspectors consider that their concerns apply to this site, the Council suggests a potential modification as set out below.

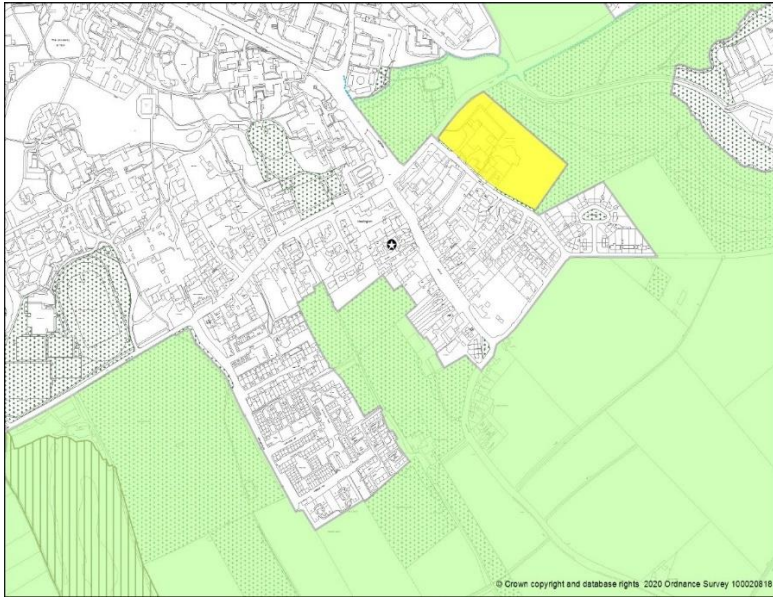
Policies map boundary 2018



Proposed modification 2021



Possible modification 2022

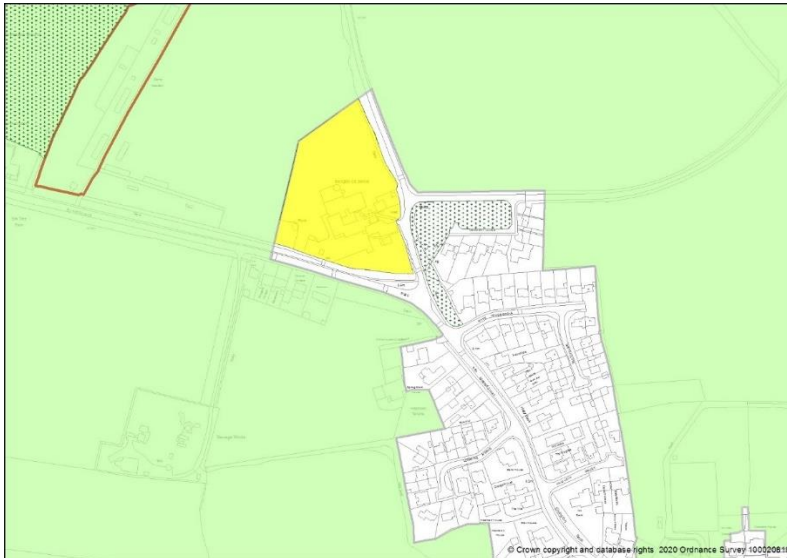


4.5 Elvington Primary School

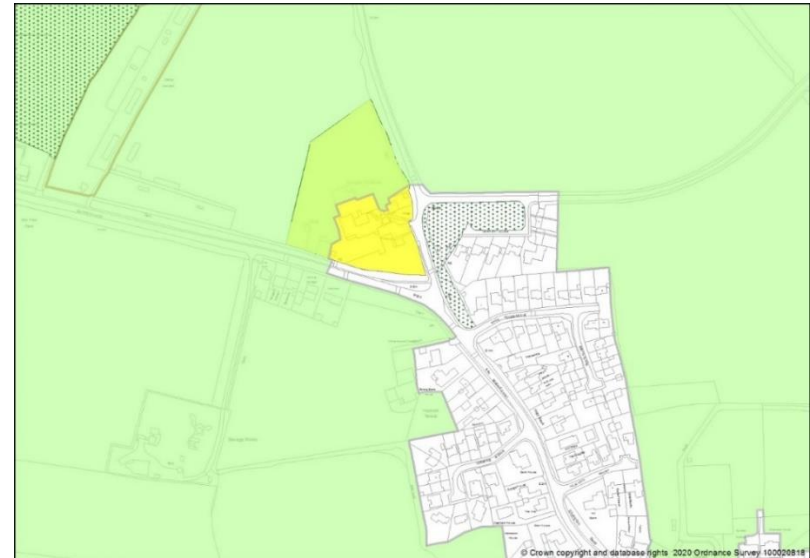
The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59f Topic Paper 1 Green Belt Addendum January 2021 A4:81 – A4:98. The boundary specific to this site is boundary 1. The assessment notes that the boundary is built tight to the developed area to prevent coalescence between the village and business park, thereby retaining a compact village. The boundary follows the built footprint of the school, the playing fields beyond display a high degree of openness.

This site has also been considered in light of the Inspectors' comments. There are no sports facilities within the playing fields and a change to the Green Belt boundaries is not considered justified in relation to this aspect alone. However, if the Inspectors consider that their concerns apply to this site, the boundary could revert to that shown in the policies map 2018 which follows the school curtilage.

Policies map boundary 2018



Proposed modification 2021



4.6 University of York

The assessment of the Green Belt boundaries in this location is contained within EX/CYC/59e Topic Paper 1 Green Belt Addendum January 2021 A3:691 – A3:700. This land is important for retaining the separation of the city from the University of York East Campus. The boundaries in this area have been set to contain the built area and prevent unrestricted sprawl. As a result of the flat topography and clear views, there is a strong sense of visual continuity with the countryside beyond this boundary.

When reviewing boundaries on the eastern side of Campus East it was noticed that the proposed boundary in this location does not account for recent planning consents. For this reason, a modification is proposed which deals with this inconsistency. The revised boundary follows permanent and recognisable features predominately the two bodies of water to the north and west of the built up campus with the southern lake edge providing a boundary and a connection to the allocation at ST27.

Policies map boundary 2018



Proposed modification Dec 2022



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Executive**26 January 2023**

Report of the Corporate Director of Place
Portfolio of the Executive Member for Finance and Performance

Introduction of Community Infrastructure Levy**Summary**

1. Since 2010, authorities in England and Wales have also been empowered to establish a Community Infrastructure Levy (CIL) to help pay for infrastructure to support development such as schools, green infrastructure and sustainable transport. This report will present a Draft CIL Charging Schedule setting out proposed charges to support delivery and mitigate impacts of development arising from the emerging Local Plan.
2. In addition, the report seeks authorisation to consult on the draft CIL Charging Schedule, alongside the draft CIL Instalment Plan. Following this, and after considering representations, the Charging Schedule will be submitted for independent examination after which, assuming the Examiner recommends that the Charging Schedule can be approved, the Council hope to be able to adopt it.

Recommendations

3. The Executive is asked to:
 1. agree to formally consult on the draft CIL Charging Schedule, and associated Instalment Plan.

Reason: Before CIL can be published and charged, a Draft Charging Schedule must be formally consulted on in line with the CIL Regulations 2010 (as amended 2019).

2. delegate authority to the Corporate Director of Place in consultation with the Executive Member for Finance and Major Projects to agree any minor (non-material) amendments, and to sign off the publication

version of the Draft CIL Charging Schedule prior to public consultation.

Reason: To agree presentation of the publication version of the Draft CIL Charging Schedule.

3. delegate authority to the Corporate Director of Place in consultation with the Executive Member for Finance and Major Projects to consider the representations made to the consultation, to make any relevant modifications, and then submit the draft CIL Charging Schedule (and supporting documents) for examination by an independent Examiner.

Reason: To agree presentation of the publication version of the Draft CIL Charging Schedule for examination.

Background

4. Since 2010, authorities in England and Wales have been empowered to establish a Community Infrastructure Levy (CIL) to help pay for infrastructure to support development. This charge on the development can operate alongside S106, which can continue to be used for affordable housing and other on-site infrastructure.
5. CIL is a fixed, non-negotiable, charge per square metre on most development of 100 square metres or more, or a new dwelling of any size. Development which does not pay the levy includes buildings into which people do not normally go; structures which are not buildings; and zero rated development as identified on the CIL charging schedule. Other types of development (including residential annexes and extensions; self build housing; social housing which meets the criteria in the CIL Regulations; and charitable development) can apply for an exemption from CIL. The amount due is calculated using standard formulae set out in the CIL Regulations. CIL rates must be set out in a CIL Charging Schedule by the charging authority, the Council.
6. The level at which CIL rates are set must strike an appropriate balance between collecting money to fund the infrastructure needed to support development *and* the ability of developments in its areas to afford the charge – that is the viability of development. Accordingly, CIL Draft Charging Schedules are supported by evidence of infrastructure needs and costs and viability impacts – with the latter having a central role in defining the CIL charge. These are all then subject to public consultation

before going forward to an examination in public by an 'Independent Person', such as an Inspector from the Planning Inspectorate.

7. Once the CIL Charging Schedule takes effect, payment of CIL becomes due from commencement of the development – this is either 60 days as specified in regulations, or as defined in an Instalment Policy published by the Council. The CIL monies collected can then be applied to fund a wide range of infrastructure subject to the limits defined in section 216(2) of the Planning Act 2008, and regulation 59, as amended by the 2012 and 2013 Regulations). This can include transport infrastructure, flood defences, schools, hospitals, and other health and social care facilities, open spaces, cultural and sports facilities, district heating schemes and other community safety facilities.
8. Communities without a parish or town council still benefit from the neighbourhood portion. The Council will engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding, including priorities set out formally in neighbourhood plans. The approach to engagement and decision making for the neighbourhood portion of CIL will be determined once CIL is operational.
9. During the Executive meeting held 16 June 2022, members agreed to move forward with the preparation of CIL for York and that a Draft CIL Charging Schedule setting out proposed rates will be presented prior to formal consultation, as a Draft Charging Schedule must be formally consulted on in line with CIL Regulations 2010 (as amended 2019).
10. Since the meeting of Executive in June 2022, in the context of the Local Plan examination, further viability testing of strategic sites and student housing was undertaken. An update was provided to Scrutiny Committee on 18th October 2022 on progress towards a draft CIL Charging Schedule and to indicate revised timescales. More recently, a specialist consultancy has been appointed to assess the viability of development in York to identify an appropriate CIL for York. This work has also included advice on the extent to which the rate should be varied by use or area based on evidence on viability.
11. The viability work has now been completed and a draft Charging Schedule produced. This is supported by viability testing and supporting evidence showing an infrastructure funding gap. This gap is the total cost of infrastructure required to support growth, less any infrastructure item that the Council is not expected to contribute towards and any other

known funding. The amount of revenue generated by the CIL cannot exceed this funding gap.

Consultation

12. The work programme attached to the Economy and Place Policy and Scrutiny Committee, March 2019 identifies CIL as a future area of policy development. However, to date limited consultation has taken place other than that associated with the Local Plan and the production of a viability assessment which included some engagement with developers on the assumptions used.
13. The CIL Regulations 2010 (as amended) set out a clear requirement for consultation on the Draft CIL Charging Schedule in addition to a public independent examination of the proposed charges. This Draft Charging Schedule, setting out proposed rates, is now presented for approval by Executive ahead of formal public consultation.

Options

14. Option 1 – Agree to move forward with consultation on the draft CIL Charging Schedule (including the supporting draft Instalment Policy) and, following this, submit the CIL Charging Schedule for independent examination.
15. Option 2 - The Council can maintain the status quo and continue with the planning obligations approach.

Analysis

Option 1

16. This is the recommendation. Following a successful examination, the Charging Schedule would be brought back to Executive to request approval to adopt.
17. The introduction of CIL would allow the Council greater flexibility than S106 agreements to choose the infrastructure that is to be funded to deliver the Local Plan. CIL also provides developers with greater certainty as it is non-negotiable and therefore development costs are more readily calculated than previously, as S106 agreement are open to negotiation. CIL rates are index-linked ensuring they remain up to date with market fluctuations, unlike S106 contributions which need regular evidence base updates.

Viability

18. When setting CIL rates, it is necessary to take into account the viability of different residential typologies and different uses to establish how much money could potentially be available for CIL once all development costs and profit have been accounted for. This provides information about the available headroom from which CIL can be taken. This work has been undertaken by consultants who have tested appropriate typologies to evidence the available headroom – the maximum amount available for CIL. This information is included below at Table 1. Table 2 shows the individual headrooms of the strategic sites, while Table 3 indicates the headroom available for the different typologies of non-residential development.

Table 1: Grouping of residential site typologies and their average headrooms

	Headroom per CIL liable sqm
Residential sites (excl. strategic sites)	£481
All Brownfield sites	£477
All Greenfield sites	£485
Houses	£480
Flats	£546
Mixed sites (Houses & Flats)	£323
Strategic sites (ST4, ST16, ST31, ST33, ST36)	£157

Table 2: Strategic sites headroom

Site	Headroom per CIL liable sqm
SS9 Land East of Metcalfe Lane (ST7)	£44
SS10 Land Nth of Monks Cross (ST8)	£100
SS11 Land Nth of Haxby (ST9)	£61
SS12 Land West of Wigginton Rd (ST14)	£24

SS13 Land West of Elvington Lane (ST15)	£2
SS8 Land Adj Hull Road (ST4)	£183
SS14 Terry's Extension Sites (ST16)	£418
SS16 Land at Tadcaster Rd (ST31)	£133
SS18 Station Yard, Wheldrake (ST33)	£172
SS20 Imphal Barracks (ST36)	£434

Table 3: Non-residential development headroom

Typology	Headroom per CIL liable sqm
Town centre office	-£1,034
Business park	-£906
Industrial / warehouse	-£333
Small local convenience	£154
Supermarket	-£117
Retail warehouse	£134
City Centre retail	-£68
Hotel (60 beds)	-£143
Off campus student accommodation:	
Student accommodation - 25 bed	£127
Student accommodation - 100 bed	£84
Student accommodation – 200 bed	-£8
Student accommodation - 350 bed	-£42
Student accommodation - 600 bed	-£144
On campus student accommodation:	
Student accommodation - 25 bed	£421
Student accommodation - 100 bed	£374
Student accommodation – 200 bed	£272
Student accommodation - 350 bed	£238
Student accommodation - 600 bed	£135

Care home (60 bed)	£-937
60 unit Retirement home – Greenfield Urban	£85
60 unit Retirement home – Brownfield Urban	£266
60 unit Retirement home – Greenfield Village	£116
60 unit Retirement home – Brownfield Village	£293
50 unit Extra-care home – Greenfield Urban	-£39
50 unit Extra-care home – Brownfield Urban	£139
50 unit Extra-care home – Greenfield Village	-£10
50 unit Extra-care home – Brownfield Village	£164

Draft charging schedule

19. Using this information, a draft charging schedule indicating proposed CIL rates has been produced (Table 4). While Tables 1, 2 and 3 indicate the maximum level CIL could be set at, PPG advises that CIL rates should not be set at the very margin of viability across the bulk of sites (our emphasis), partly so that they remain robust over time as circumstances change. Best practice is to apply a buffer to the different typologies and headrooms available to take account of possible changes in the market (for example interest rates, labour costs, materials costs). A higher buffer represents a cautious approach while a lower buffer is higher risk and could discourage development or direct it outside of the charging area (subject to other market forces). In this instance an approximately 68% buffer has been applied to residential rates.

Table 4: Draft charging schedule

Development type	Recommended CIL charges (psm)
Residential dwellings	£200
Residential dwellings within strategic sites ST7, ST8, ST9, ST14 and ST15	£0
Residential dwellings within other strategic sites (designated as ST sites in both the Local Plan and Policy Map)	£100
Sheltered / Retirement accommodation	£100
Extra care accommodation on Brownfield sites	£100
Extra care accommodation on Greenfield sites	£0
Purpose Built Student Housing without an affordable housing contribution	£150
Purpose Built Student Housing with 100 or fewer student bedrooms and an affordable housing contribution	£50
Convenience retail with up to 450 sqm gross internal area	£100
Comparison retail built outside the City Centre boundary	£100
Comparison retail built inside of the City Centre boundary	£0
All other development	£0

20. The buffer applied to non-strategic and windfall housing is considered to strike a balance between revenue for future growth and potential other impacts which may arise. The setting of the CIL rate should also be considered in combination with the anticipated Local Plan adoption in late 2023. At adoption, the policy requirements of the Local Plan would be applied with full weight. Modifications proposed to a number of policies introduce non-mandatory requirements related to higher affordable housing contributions and accessibility standards. High CIL rates may limit the ability for development to achieve these policy objectives.
21. In combination with the introduction of a Local Plan, there may be some slowing of development in the short term. Additionally, as CIL is not negotiable, there is a risk that developers could come forward with viability arguments in relation to affordable housing and other policy

obligations with a resulting reduction in the levels of affordable housing provision or contributions to other mitigation. Identified priorities within the Local Plan related to accessibility standards and climate change mitigation could potentially be put at risk.

22. CYC should apply a judgement taking into account all factors (not just potential headroom) when setting CIL levels. For context, Table 5 provides examples of other authorities' rates for residential development below:

Table 5: Example CIL rates in England

Authority name	Date of adoption	Rate per sqm
Adjoining boroughs		
East Riding of Yorkshire Council	Draft 2017	5 different zones - £90, £60, £20, £10, £0
Hambleton DC	April 2015	£55
Ryedale DC	March 2016	Low value areas – £45 Other areas - £85
Selby DC	January 2016	3 different areas - £50, £35, £10
Harrogate	July 2020	3 different areas £50, £0, £0
Other examples		
Birmingham	Draft 2022	High value area - £125 Low value area - £50
Brighton	October 2020	Zone 1 – £175 Zone 2 – £150 Zone 3 - £75
Lambeth	January 2022	4 different zones – £500, £350, £250, £200
Westminster	2016	3 different zones – £550, £400, £200

23. Table 5 indicates that the residential CIL rate proposed for York would be higher than adjoining boroughs. The rate is not differentiated by area, unlike adjoining boroughs, as the evidence does not suggest that areas in York can be clearly differentiated by costs. This also results in a Charging Schedule which is easier to understand and administer and there is no potential that it could negatively influence the types of residential schemes in terms of mix that are bought forward.

24. While headrooms within residential development in the city indicate that higher CIL rates would be possible, if a lower buffer were used, it is recognised that rates in adjoining authorities are lower and an excessive CIL rate in York could result in developers choosing to delay development or to potentially consider sites in adjoining boroughs where the CIL costs are lower.
25. A further consideration is that, while the viability testing for CIL attempts to forecast potential market changes and the buffers suggested provide further comfort that the levy is achievable, there is uncertainty in financial markets. This increases the risk that a higher CIL could result in viability issues impacting on the provision of affordable housing and other planning policy requirements.
26. Other considerations to note are the zero rating of strategic sites ST7, ST8, ST9, ST14 and ST15. This is as a result of the low headroom available for CIL and evidenced in Table 2. It is noted that these sites are already required by Local Plan policies to provide significant on-site infrastructure. Other strategic sites are considered to evidence sufficient headroom to pay CIL, albeit at a lower level than housing on non-strategic and windfall sites. Further detail in relation to the on-site costs for strategic sites is detailed in Appendix 1.
27. In relation to non-residential development, development has been more clearly differentiated as a result of the mixed picture in regards to available headroom. This is evidenced in the rates set for older persons accommodation where there is headroom available for retirement accommodation, and hence a CIL is proposed. Extra care accommodation presents a more mixed picture, with development on greenfield sites being unviable as a result of the higher affordable housing ask. For this reason, it is recommended that different rates be charged for extra care accommodation on greenfield and brownfield sites.
28. Rates for student accommodation are also differentiated reflecting the available headroom. Policy H7 of the draft Local Plan has been modified to require an affordable housing contribution from off-campus purpose-built student accommodation, where the site is not owned by one of the universities at the time of adoption of the Local Plan. This added cost to certain types of student accommodation has reduced the available headroom and is reflected in the lower £50 CIL rate for student accommodation where this criterion is applied. The higher rate for student housing is indicated where affordable housing is not payable.

This is predominantly on-campus accommodation or where the University is the direct provider.

29. Rates for retail are similarly differentiated and reflect the likely situation with retail development in the city. It is not anticipated that further large out of centre supermarkets will be built in the CYC area but that growth in smaller 800+sqm Lidl/ Aldi supermarkets will remain strong. Local and metro convenience stores are dominating the small local convenience sectors and are usually built at around 250-450sqm. Table 3 shows that there is headroom in small scale local convenience and large-scale comparison goods stores. These are expected to come forward in out of city centre locations, as city centre retail is shown not to be viable.
30. All other forms of development are not considered to display sufficient headroom to support a CIL charge.

Infrastructure funding gap

31. The introduction of CIL must also be supported by evidence of an infrastructure funding gap – this is the shortfall in funding between the expected total cost of infrastructure needed to support development in the authority over the plan period and the level of funding likely to be forthcoming from other sources of funding for infrastructure. The evidence for this is contained within the document ‘Infrastructure Funding Gap’ attached at Annex A. Information has been drawn from the latest infrastructure delivery plan (considered as part of the Local Plan examination process) to demonstrate the funding gap for York. The revenue from CIL cannot exceed this identified shortfall.
32. The total infrastructure funding requirement for York is identified at approximately £249 million based on the available information. It should be noted that the funding for this infrastructure will not come solely from CIL but it is anticipated that a number of sources would contribute. The PPG (Paragraph: 017 Reference ID: 25-017-20190901) recognises that there can be difficulty in identifying funding sources, particularly beyond the short term. Also, that any significant funding gap should be considered sufficient evidence of the desirability of CIL funding, where other funding sources are not confirmed.
33. It is intended that work will begin in January 2023 to update the Infrastructure Delivery Plan for York, which will be submitted with other CIL evidence base documents when the CIL is submitted for examination.

34. Based on the housing trajectory and the proposed CIL rates above, it is calculated that CIL could raise the following sums (see Table 6 below) over the life of the Plan. The projected revenue from CIL should not exceed the identified funding gap.

Table 6: Predicted CIL return

	No. of units (dwellings)	Average size of units (sqm)	CIL rate per sqm	Total CIL	AH rate	Other reliefs	Total CIL after CIL reliefs
Strategic sites (ST in the Local Plan)	1,115	91.8	£100	£10,598,561	28.2%	5.0%	£7,227,466
Housing sites (H in the Local Plan)	1,601	88.4	£200	£28,311,600	25.0%	5.0%	£20,172,015
Windfall sites	2,591	88.4	£200	£45,818,461	0.0%	0%	£45,818,461
Total	5,347			£84,728,623			£73,217,942

Option 2

35. Option 2 is not to progress with the consultation and halt work on the CIL Charging Schedule but for the reasons outlined above, this option is not considered appropriate and is therefore not recommended. While it is noted that the Government is looking at replacing CIL with an Infrastructure Levy the timescale for introduction is unclear, the legislation will take several months or even years to enact legislation and the Government has described the introduction of this new levy as a 'test and learn' approach suggesting a staggered rather than immediate roll out. Furthermore, the Government's statements on the proposed CIL, consistently indicate a levy type approach (an evolution of CIL rather than a fundamental change of direction). In this context, moving forward with CIL may enable an easier transition to the proposed 'Infrastructure Levy' intended to replace CIL and S106.

Council Plan

36. As well as supporting delivery of the emerging Local Plan, introduction of a CIL for York will contribute to the attainment of 'Creating homes and world-class infrastructure' outcome, as set out in the Council Plan 2019-2023 (Making History, Building Communities) and indirectly support other objectives.

Implications

Financial

37. The Local Plan has identified a requirement of £270.7m to deliver the infrastructure to deal with the impact of future growth as identified in the draft Local Plan. Of this value only £21.7m has identified funding available. This leaves a viability gap of £249m as included in the report.
38. The Community Infrastructure Levy will provide the council an opportunity to raise significant sums towards these costs of major infrastructure. The levy provides greater certainty to the values that can be raised to fund key infrastructure projects to support the growing city and will provide more flexibility to deliver infrastructure priorities than s106 agreements allowed. The infrastructure will not solely be funded from the levy as there are other funding streams available however it has the potential to be a significant contributor.
39. The ultimate value of CIL will be dependent on the scale of fees charged and the speed of development within the city. If the levy is set too high delivery may be slower but the infrastructure requirement may be lower. If the CIL is set too low the level of levy collected will provide more significant funding gaps for the infrastructure required.
40. If the CIL is adopted it is proposed that the funding retained by the council will be included in Members considerations of the annual capital programme so that Members will prioritise the scale and timing of infrastructure delivery funded through this mechanism.
41. The Regulations allow the authority to charge a fee to cover administrative expenses of both setting up and operating the CIL. This fee covers actual expenses but cannot exceed 5% of the value of the CIL collected in any one financial year.
42. There have been significant costs incurred supporting the Local Plan Examination and delay in progressing to public consultation, examination and adoption of the CIL may result in additional costs. The current evidence base for CIL includes documents prepared during the last year for the Local Plan examination. A delay may result in these documents requiring updating to provide accurate evidence for the introduction of CIL.

Human Resources (HR)

43. 5% of the CIL receipts can be retained by the Council for administration of the levy. It is intended to recruit to a new role of CIL officer, who will administer collection of the CIL receipts.

Equalities

44. The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). An equalities impact assessment (EQIA) of the CIL has been undertaken and is attached at Annex D. The EQIA has identified that the CIL is likely to have a positive effect on social considerations through the provision of infrastructure including education, transport, health care, and open space.

Legal

45. The power to charge by way of the Community Infrastructure Levy was introduced by Part 11 (Sections 205-225) of the Planning Act 2008. The Community Infrastructure Levy Regulations 2010 (as amended) deal with the detailed implementation of CIL and cover matters such as the procedure for setting CIL, the charging and collecting of the levy and liability for payment. A charging authority cannot adopt CIL unless it has first produced a charging schedule based on appropriate available evidence, which has informed the preparation of the charging schedule.
46. Setting and reviewing the Community Infrastructure Levy must follow a statutory process, as defined in the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended). In addition, there is considerable Government Planning Policy Guidance dealing with the approach to be adopted in setting and reviewing rates within the Charging Schedule.
47. The statutory process requires demonstrable evidence of how the Council has derived the Charging Schedule and liable development, and consultation of that evidence. There is also a requirement to consider the outcome of that consultation prior to setting or reviewing a rate, which includes external validation by an independent examiner with the Charging Schedule being subject to any modifications recommended by the examiner.

48. This report sets out the steps that have been taken to produce the draft charging schedule in accordance with the relevant legislation and the process that will be followed to consult upon it before bringing it back to a future meeting of the Executive for approval and adoption.

Crime and Disorder

49. There are no crime and disorder implications.

Information Technology

50. There are no IT implications

Property

51. There are no property implications.

Other

52. There are no other known implications.

Contact Details

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Policy Officer**

**Neil Ferris, Corporate Director of
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**Kirstin Clow
Head of Strategic Planning
(Interim)**

Report Approved ✓
Date: 13th January 2023

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Wards Affected: [List wards or tick box to indicate all]

All

For further information please contact the author of the report

Background Papers:

Local Plan examination evidence base:

- HS/P2/M6/IR/1b Local Plan Viability Update Addendum, City of York Council;
- HS/P3/M1/AHP/1a Appendix 1- Local Plan Viability Technical Note on Changes to Policy H10 Affordable Housing;
- HS/P3/M10/HM&D/1a Appendix 1 Local Plan Viability Technical Note on Changes in Policy HO3, City of York Council;
- HS/P3/M10/HM&D/1b Appendix 2 Local Plan Viability Technical Note on Accessible Home Standards;
- HS/P3/M10/HM&D/1c Appendix 3 Local Plan Viability Technical Note on Older Person Accommodation;
- EX/CYC/107/3 Student Housing Policy H7 Note August 2022;
- EX/CYC/99a Viability Assessment of strategic site ST7 - July 2022;
- EX/CYC/99b Viability Assessment of strategic site ST14 - July 2022; and
- EX/CYC/99c Viability Assessment of strategic site ST15 - July 2022
- EX/CYC/107/1 Housing Trajectory Note August 2022
- EX/CYC/79 Phase 2 Infrastructure Note May 2022
- EX/CYC/107/8 Infrastructure Gantt Chart May 2022 Revised August 2022

Annexes

Annex A: Infrastructure Funding Gap

Annex B: CIL Viability Study – Porter Planning Economics

Annex C: Draft charging schedule

Annex D: Equalities Impact Assessment

Appendix 1 – Strategic sites and identified costs

List of Abbreviations Used in this Report

CIL – Community Infrastructure Levy

NPPF – National Planning Policy Framework

PPG – Planning Practice Guidance



Executive**26.01.23**

Report of the Director of Public Health

Portfolio of the Executive Member for Adult Social Care and Public Health

Recommissioning of Domestic Abuse Services in York**Summary**

1. The purpose of this report is to seek authorisation to approach the market for the re-commissioning of Domestic Abuse Services in York. The procurement will be led by the North Yorkshire Police, Fire and Crime Commissioner (NYPFCC) who will act as the lead commissioner on behalf of City of York Council and North Yorkshire County Council.
2. The Executive agreed to the establishment of joint commissioning arrangements to deliver the requirements of the Domestic Abuse Act at the meeting of the Executive held on 9th December 2021.
3. Approval is being sought to enter into a joint commissioning agreement with NYPFCC, as the lead commissioner, for up to £21,832.75 per month to be paid in arrears to NYPFCC for the delivery of Domestic Abuse services. The proposed contract length will be for up to a maximum of 8 years (an initial contract period of 4 years, with options to extend for a further 2 years, followed by another option to extend for a final 2 years) making a maximum total financial commitment from City of York Council of £2,095,994 over the lifetime of the contract, starting from 1st April 2024.
4. In addition, approval is sought for the delegation of decision-making to the Director of Public Health in consultation with the relevant council statutory officers and Executive Member for Adult Social Care and Public Health.

Recommendations

5. Members are asked to:

a. Authorise officers within City of York Council to work in partnership with North Yorkshire County Council and NYPFCC to tender a new contract for the provision of domestic abuse services. City of York Council will have representation on the tender panels and be involved in developing the service specification through membership of the joint York and North Yorkshire Joint Commissioning Group.

b. Authorise the Director of Public Health, in consultation with the relevant officers in City of York Council and Executive Member for Adult Social Care and Public Health, to accept the bid for this contract which scores highest on the evaluation criteria, and to award and sign a contract on behalf of City of York Council.

Reason: To enable domestic abuse services to be available to York residents that are value for money and responsive to local need.

6. This proposal falls within key decisions due to the annual value of the contracts and as such will be presented to Executive for decision.

Background

7. The Domestic Abuse Act 2021 (the “Act”) places statutory responsibilities on local authorities in England to ensure provision of a range of services to support victims of domestic abuse.

8. The Act set out the recommended governance arrangements for implementation of these responsibilities at the level of upper tier or unitary councils. The governance arrangements for City of York were approved by Executive on 9th December 2021. This included the establishment of a York Domestic Abuse Local Partnership Board, chaired by the Director of Public Health, together with a joint York and North Yorkshire Joint Commissioning Group hosted by the Office of the Police, Fire and Crime Commissioner for North Yorkshire. The Joint Commissioning Group reports to the Domestic Abuse Local Partnership Boards for York and North Yorkshire.

9. The York Domestic Abuse Local Partnership Board, was established in January 2022 and provides strategic governance for

domestic abuse across York. A sub-group of the York Domestic Abuse Local Partnership Board is the Domestic Abuse Joint Commissioning Group, which was established to model and administer the commissioning approach for domestic abuse services. This partnership group consists of representatives from the North Yorkshire Police, Fire and Crime Commissioner (NYPFCC), North Yorkshire County Council (NYCC) and City of York Council.

10. The domestic abuse services commissioned were initially part of the Council's Supporting People Services and had been part of Adult Social Care "base" budget provision since April 2012, prior to being the responsibility of the Safer York Partnership. It was agreed in September 2021, following the introduction of the statutory responsibilities within the Domestic Abuse Act, that domestic abuse and associated budget would transfer to public health. This enables a preventative public health approach to domestic abuse, at a time when domestic abuse incidents have risen since the COVID-19 pandemic and continue to remain significantly high.
11. The funding contribution allocated from City of York Council includes £108,000 per annum for community victims support provision, £39,000 per annum for domestic abuse perpetrator provision and £114,993 per annum for refuge and accommodation-based services. Therefore, the overall annual contribution from City of York Council is £261,993 per annum.

Consultation

12. Consultation of stakeholders has taken place through the York Domestic Abuse Local Partnership Board and the Domestic Abuse Joint Commissioning Group, who will continue to be informed and consulted during key stages of the procurement process. The Domestic Abuse Local Partnership Board has representation from both internal and external stakeholders, including children's and adult's safeguarding, housing, community safety, North Yorkshire Police, health, probation and the voluntary sector.
13. A Domestic Abuse Needs Assessment has been jointly commissioned and is currently being carried out. The needs assessment will provide an evidence base of local need for service provision based on interviews and surveys of both professionals and survivors of domestic abuse. This will be used to inform the

future commissioning model and development of a service specification.

14. A pre-procurement event will take place in March 2023 prior to tender release, to ensure the authentic voice of victims and survivors informs future commissioning, as stated within the York and North Yorkshire Domestic Abuse Safe Accommodation Strategy. New services will start on 1st April 2024 to align with the expiry date of existing contracts.
15. Consultation has also taken place with the established Survivor Advisory Board to further ensure the voice of victims informs the future commissioning.

Options

16. Option 1 - to approve the re-commissioning of domestic abuse services and enter into a joint commissioning agreement with North Yorkshire County Council and the Office of the Police, Fire and Crime Commissioner to go out to competitive tender and award a contract to the successful bidder.
17. Option 2 - to not approve the re-commissioning of domestic abuse services.

Analysis

18. Option 1

This would ensure that the council fulfils the statutory responsibilities as outlined within Part 4 of the Domestic Abuse Act (2021), ensuring the appropriate provision of safe accommodation and necessary support for victims of domestic abuse and their children. This option would allow the council to re-commission services, in line with financial regulations, whilst also enabling a comparison of cost and quality across providers. The proposed length of contract will help ensure stability to the successful provider, enabling a sustained quality of service available to York residents. The inclusion of break clauses and ongoing contract management of key performance indicators will enable the council to end the contract early if required.

This is the recommended option.

19. Option 2

Failing to commit to the re-commissioning of domestic abuse services with NYPFCC and NYCC would mean that the council is failing to meet its statutory duty as outlined within the Domestic Abuse Act (2021). Consequently, a lack of domestic abuse support services available to victims and their children increases both the adults and children's safeguarding risk.

This option is not recommended.

Council Plan

20. This proposal and the re-commissioning of the domestic abuse services across York contributes to many aspects of the council plan, including good health and wellbeing due to the physical and mental impact that domestic abuse has on an individual's life.
21. Similarly, the recognition of children as victims of domestic abuse in their own right mean that the re-commissioning of the domestic abuse services following the publication of the Domestic Abuse Act 2021 contributes to ensuring a better start for children and young people. The provision of these services will also contribute to ensuring safer communities and culture for all, providing services to support individuals who may experience any form of domestic abuse.

Implications

22. The implications are outlined below:

- **Financial**

The annual value that the NYPFCC will be tendering for is approximately £1.8million per annum, of which City of York Council will contribute £261,993 per annum. The contract is likely to be a minimum of eight years to secure interest and value for money from the market. There will be appropriate clauses/breakpoints which allow assessment of whether the contract is still delivering value for money during the contract period.

There are no financial implications for the council since the costs are already included in the public health budget forecast

- **Human Resources (HR)**

There are no HR implications for the council arising from this report.

- **Equalities**

An Equalities Impact Assessment has been completed which shows that the proposal will have a positive impact.

- **Legal**

As the NYPFCC are the lead commissioner legal and procurement resource will be provided by the NYPFCC. However, Public Health will liaise with council legal and procurement officers to ensure that the proposed route to market will be compliant with legislation and our own contract procedural rules.

- **Crime and Disorder**

Rates of domestic abuse incidents remain high, both nationally and locally, following the COVID-19 pandemic. This further evidences the need for support services to be available for victims of domestic abuse.

- **Information Technology (IT)**

There are no IT implications.

- **Property**

There are no property implications.

- **Other**

There are no other implications.

Risk Management

23. There are no known risks with the proposed recommendation.

Contact Details

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Sharon Stoltz
Director of Public Health

**Report
Approved**



Date

17 January
2023

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

All

For further information please contact the author of the report

Background Papers:

[Executive Report - Domestic Abuse Act 2021 Final.pdf \(york.gov.uk\)](#)

Equality Impact Assessment

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Public Health		
Service Area:	Public Health		
Name of the proposal :	Re-commissioning of Domestic Abuse Services		
Lead officer:	Anita Dobson		
Date assessment completed:	21/12/22.		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Matt Orme	Public Health Specialist	City of York Council	Public Health

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>The purpose is to re-commission domestic abuse services in York. Domestic abuse services are jointly commissioned with the North Yorkshire Police, Fire and Crime Commissioner (PFCC) and North Yorkshire County Council (NYCC). The provision of domestic abuse services includes community-based support, refuge and accommodation services and perpetrator behaviour change interventions.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>Local authorities have a statutory responsibility regarding the provision and ongoing assessment of available safe accommodation for victims of domestic abuse and their children. Services that are mandatory and the commissioning responsibility that sits with Local Authorities is set out in the Domestic Abuse Act (2021).</p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>Although domestic abuse specialist support is provided by a commissioned service, addressing domestic abuse requires a system wide approach. The York Domestic Abuse Local Partnership Board was established following the publication of the Domestic Abuse Act (2021) and brings together health, housing, children’s and adult’s social care, North Yorkshire Police and probation services to have a strategic approach to reducing domestic abuse. The Domestic Abuse Commissioners report outlines the differences in available provision nationally for individuals with disabilities, from ethnic minority backgrounds and LGBT+ victims, therefore we will ensure consultation on future provision and the need for “by and for” services as recommended within the report. Existing “by and for” services are provided alongside the current commissioned service.</p>

1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	The services provided will ensure that the provision of safe accommodation will be available for victims of domestic abuse and their children. The joint NYCC and CYC Domestic Abuse Safe Accommodation strategy outlines the mechanisms for ensuring an authentic voice of victims/survivors and their children to inform our partnership approaches, effective and efficient pathways are in place for service users and that the necessary supplementary support is provided alongside accommodation. This links to the core outcomes within the Council Plan 2019-2023 regarding creating safe communities and culture for all and ensuring a better start for children and young people. The supplementary support alongside safe accommodation, in the form of community-based victim support services, will ensure that victims of domestic abuse receive the ongoing support that they require, which will positively impact on both their physical and mental health, contributing towards another outcome within the council plan relating to ensuring good health and wellbeing of residents.

Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	Domestic Abuse Safe Accommodation Needs Assessment	This commissioned piece of work being completed by national domestic abuse charity SafeLives assesses the current and emerging need for domestic abuse provision across York, comparing the needs and demands of local residents with the currently available provision of safe accommodation, in the forms of both refuge accommodation and

	dispersed accommodation. This report will be used to inform the service specification for the future commissioning of the safe accommodation provision across York.
Domestic Abuse Wider System Review Service User Survey	Alongside the Domestic Abuse Safe Accommodation Needs Assessment SafeLives have been commissioned to undertake a wider system review, adopting a public health approach. This will consist of 5 surveys, which includes professional, general public, victims/survivors, those who harm and children and young people. These surveys will then be supplemented with interviews from the same cohorts of people. In addition to which SafeLives will observe a number of multi-agency meetings and will again be used to inform our future commissioning of these services.
Potential Providers – Request for Information	Domestic Abuse services are jointly commissioned across North Yorkshire and York by the North Yorkshire Police Fire and Crime Commissioner (PFCC) North Yorkshire County Council (NYCC) and City of York Council (CYC). In January 2023, the PFCC, as lead commissioner, will be publishing a request for information as part of a market engagement event to potential providers. This will be used to determine assess ways in which domestic abuse services may be commissioned across North Yorkshire and York for the forthcoming contract, assessing if there are new innovate ways to deliver services which may be more effective for victims of domestic abuse. The findings from this market engagement will be used to develop the service specification which will be used as part of the procurement process for the domestic abuse services commissioned in the future.
Development of the Service Specification	Following the completion of the engagement phase of this process a service specification will be developed and consulted on. Again, key stakeholders and service users will be able to comment on this via the York Domestic Abuse Local Partnership Board. This will further inform this EIA.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
What domestic abuse services can be commissioned within a financially restricted environment.		As part of the stakeholder and potential provider engagement, questions have been asked about gaps in the current provision. Information regarding what potential providers see as the cost pressures and the impact of these on delivering the service, and any other challenges that we as commissioners may not be aware of will be captured via the request for information process in January 2023.	

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)

Age	Existing service provision is available to all ages, providing support to both adults and children who may be victims of domestic abuse.	0	L
Disability	The Domestic Abuse Commissioners report outlines the differences in available provision nationally for individuals with disabilities, from ethnic minority backgrounds and LGBT+ victims, therefore we will ensure consultation on future provision and the need for “by and for” services as recommended within the report. Existing “by and for” services are provided alongside the current commissioned service. Current commissioned services also ensure the provision of accessible safe accommodation	+	M
Gender	The Domestic Abuse Commissioners report outlines that nationally 31% of services described themselves as “women-only”. Domestic abuse is a crime that disproportionately effects women and access into existing services is pre-dominantly women, although services are accessible to men. As part of the future commissioning and provider engagement we will ensure that services are accessible for individuals regardless of gender and are services whereby individuals feel able to access the necessary support.	+	M
Gender Reassignment	As per above, although services are accessible regardless of gender as part of the future commissioning and provider engagement we will ensure that services are accessible for individuals regardless of gender and are services whereby individuals feel able to access the necessary support.	+	M
Marriage and civil partnership	No available evidence.		
Pregnancy and maternity	Evidence suggests that pregnant women experiencing domestic abuse are more likely to disclose instances of abuse to protect their unborn/new-born child. Midwifery and health colleagues are engaged within the	-	M

	Domestic Abuse Local Partnership Board and will be consulted on as part of the commissioning of future service provision.		
Race	The Domestic Abuse Commissioners report outlines the differences in available provision nationally for individuals with disabilities, from ethnic minority backgrounds and LGBT+ victims, therefore we will ensure consultation on future provision and the need for “by and for” services as recommended within the report. Existing “by and for” services are provided alongside the current commissioned service.	+	M
Religion and belief	The Domestic Abuse Commissioners report outlines the differences in available provision nationally for individuals with disabilities, from ethnic minority backgrounds and LGBT+ victims, therefore we will ensure consultation on future provision and the need for “by and for” services as recommended within the report. Existing “by and for” services are provided alongside the current commissioned service.	+	M
Sexual orientation	The Domestic Abuse Commissioners report outlines the differences in available provision nationally for individuals with disabilities, from ethnic minority backgrounds and LGBT+ victims, therefore we will ensure consultation on future provision and the need for “by and for” services as recommended within the report. Existing “by and for” services are provided alongside the current commissioned service.	+	M
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer			
Low income groups			

Veterans, Armed Forces Community			
Other			
Impact on human rights:			
List any human rights impacted.			

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>The above findings have identified ways to positively foster good relationships with local organisations representing LGBT+ individuals, disabled individuals, and individuals from ethnic minority groups, to ensure services are accessible. Although current services are available to all of these groups, working with such organisations as part of the consultation process will improve partnership working between organisations and may encourage individuals experiencing domestic abuse to access the necessary support.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance equality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	<p>The EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p> <p>The re-commissioning of domestic abuse services will ensure consultation with local stakeholders and victims/survivors of domestic abuse via the York Domestic Abuse Local Partnership Board. Through the consultation process local organisations representing individuals with protected characteristics will be consulted to ensure that services are accessible. Where required and feasible specialist “by and for” services will be utilised for service provision as per recommendations from the Domestic Abuse Commissioner report. The market engagement undertaken in January 2023 will assess the number of</p>

	local providers of such services ahead of the recommissioning and procurement process.
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Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
None	Ensure ongoing monitoring	Matt Orme	During re-commissioning of services – New contract starts April 2024.

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Ensure that the local organisations representing individuals from these groups are involved within the consultation process and development of future service provision.

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