



Notice of a public meeting of

Local Plan Working Group

- To:** Councillors Ayre (Chair), Aspden, Brooks, N Barnes, D'Agorne, Derbyshire, Gates, Lisle, Looker, Orrell, Reid, Steward, Warters and Williams
- Date:** Wednesday, 2 May 2018
- Time:** 6.00 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

1. **Declarations of Interest**

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

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

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

2. **Minutes** (Pages 1 - 8)

To approve and sign the minutes of the meeting of the Local Plan Working Group held on 23 January 2018.

3. **Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Working Group, may do so. The deadline for registering is **5.00pm on Tuesday 1 May 2018.**

Filming or Recording Meetings

Please note that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

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The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

4. City of York Local Plan - Submission (Pages 9 - 392)

This report updates Members on the responses received to the Publication Draft Local Plan Consultation (Regulation 19) and asks Members to recommend that Full Council approve the Submission Draft (the Publication Draft) together with representations received thereon, for submission for Examination.

Note: Annexes A, B and I to this report have been made available online only and are not included in the printed agenda pack. Should Members require a printed copy of any of these documents, they are requested to contact the report author.

Annex D has been marked to follow and will be published as a supplement to the agenda

5. Urgent Business

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

Democracy Officers:

Name: Louise Cook/Catherine Clarke

Contact Details:

- Telephone – (01904) 551031
- E-mail – louise.cook@york.gov.uk and catherine.clarke@york.gov.uk

For more information about any of the following please contact the Democracy Officers 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

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City Of York Council

Committee Minutes

Meeting	Local Plan Working Group
Date	23 January 2018
Present	Councillors Ayre (Chair), Carr (Vice-Chair), N Barnes, Derbyshire, Lisle, Looker, Mercer, Reid, Steward, Williams, Cuthbertson (Substitute) and Kramm
Apologies	Councillors D'Agorne, Orrell and Warters

14. **DECLARATIONS OF INTEREST**

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. None were declared.

15. **MINUTES**

During consideration of the minutes of the meeting held on 10 July 2017, clarification was sought on minute 9 regarding the inclusion of site H56 in the Local Plan site selection. The Head of Strategic Planning Officer gave clarification on the site selection for site H56, and it was:

Resolved: That the minutes of the meetings held on 10 July 2017 and 12 October 2017 be approved as a correct record and then signed by the Chair.

16. **PUBLIC PARTICIPATION**

It was reported that there had been 8 registrations to speak on item 4, City of York Local Plan, under the Council's Public Participation Scheme.

Mark Johnson, representing Johnson Mowatt, spoke in relation to site ST8 he raised a number of points relating to housing numbers and sustainability, site selection, and the

environmental impact of car travel on from sites selected in the Local Plan.

Tim Wedgewood on behalf of Save Windmill Lane Playing Fields, spoke in relation to site H56, which he suggested failed the site selection methodology. He raised a number of points regarding Sport England objection and Regulation 18 consultation response, and requested that site H56 be removed from the Local Plan.

Eamonn Keogh spoke on behalf of the York and North Yorkshire Local Chamber of Commerce and York Property Forum . He commented on key strategic issues in the Local Plan, noting that the plan made inadequate provision for the future housing needs of the city and does not include enough employment land to meet the future demands of the York economy.

Janet O'Neill from O'Neill Associates, spoke on behalf of the University of York. She spoke in relation to the proposed extension site for the University of York at Campus East (site ST27). She outlined the benefits of the proposed extension and detailed vehicular access to the site.

Martin Hawthorne, on behalf of Galtres Garden Village Development Company spoke in relation to the proposed Galtres Garden Village scheme. He gave an overview of the scheme and noted a commitment to provide 30% affordable homes, which would be offered to City of York Council.

Tim Waring from Quod, acting on behalf of Sandby (York) Ltd, and Oakgate/Caddick Group and TW Fields, spoke in support of the Langwith Garden Village to the south east of York (ST15), the Site West of Wiggington Road (ST14) and the Site East of Metcalfe Lane (ST7). He commented on the need to the need to increase the housing figure and raised a number of points in relation to site ST15 in the Local Plan, noting that sites ST7, ST14 and ST15 as included within the previous consultation document were unviable.

Robert Powell spoke in support of the inclusion of arts and culture in the Local Plan. He noted that three public meetings on arts and culture in the Local Plan had been held in the last 12 months. He noted the need to acknowledge the value of arts and culture in the plan and made reference to Policy D3. He

made reference to the inclusion of arts and culture in the NPPF. He noted that it was right for the council to ask developers to include arts and culture through a cultural wellbeing statement and to consider the environment, archaeology, design and access through guidance and policy including a supplementary planning document to facilitate that process.

Chris Bailey, Chair of York@Large, a cultural partnership, also spoke in support of the inclusion of arts and culture in the Local Plan. He noted the importance of economic strategy and noted that York was unique in being a designated UNESCO City of Media and Arts. He made a number of points in connection with the importance of Policy D3 in the Local Plan.

The Chair reported that three written representations had been received from:

- Tim Waring, Director of Quod (acting on behalf of Sandby (York) Ltd and Oakgate/Caddick Group (promoters of the Langwith Garden Village to the south east of York. In his letter, he raised a number of points in relation to site ST15 in the Local Plan and also the importance of meeting housing needs.
- Barratt David Wilson Yorkshire East, which in their letter raised a number of concerns regarding the proposals contained in the Local Plan, and recommendation that previously assessed sites (specifically land at New Lane, Huntington (site ST11) and Manor Heath, Copmanthorpe (site ST12) be reconsidered by the Working Group.
- Andrew Bell, a local resident, who registered his objection to site ST33 and support for site ST15. He also expressed concerns about the accuracy of reporting objections.

17. CITY OF YORK LOCAL PLAN

Members considered a report that:

- i. Provided a background summary of the previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Pre publication draft Local Plan for consultation;

- ii. Provided a summary of the present national policy and legislative context, including the “soundness” requirement and potential for Government intervention;
- iii. Reported responses to the Autumn 2017 Pre Publication Draft Local Pre publication draft Local Plan Consultation;
- iv. Provided Officers’ advice regarding appropriate responses to the Consultation outcomes; and
- v. Sought Member approval of the next steps in the York Local Pre publication draft Local Plan making process.

The Assistant Director for Planning and Public Protection highlighted the next steps in the process, highlighting that following Regulation 19 consultation, Officers will report the responses to the Local Pre publication draft Local Plan Working Group (LPWG), Executive and Council, seeking approval to submit a pre publication draft Local Plan for public examination before the end of May 2018. A Full Council meeting would be held in May to determine whether the pre publication draft Local Plan is ‘Sound’ to enable for submission under Regulation 20.

The Head of Strategic Planning outlined amendments to Annex A of the Local Pre publication draft Local Plan Report. These were as follows:

Policy SS4: York Central

Suggested boundary amendment to include in the pre publication draft Local Plan following discussion with the York Central Partnership and CYC Major Projects team.

SS12: Land to the West of Wigginton Road

It will deliver approximately 1672 dwellings (amended from 1348 dwellings), approximately 1350 units (amended from 1200 units) of which will be delivered within the pre publication draft Local Plan period. This was to accord with the proposed changes outlined in the proforma following consultation and consideration of technical evidence.

SS13: Land to the West of Elvington Lane

It will deliver approximately 3,900 dwellings (amended from 3339 dwellings), around 2,400 units (amended from 2200 units) of which will be delivered within the pre publication draft Local Plan period. This was to accord with the proposed changes outlined in the proforma following consultation and consideration of technical evidence.

H10:Affordable Housing Table 5.4

- Urban Greenfield sites 5-10 dwellings = 19%(amended from 15%)
- Urban Greenfield sites 2-4 dwellings = 10%(amended from 6%)

This was because in the policy is determined by a viability assessment and confirmation had now been received via the consultants.

In response to a Member question, the Head of Strategic Planning explained the options available to Members regarding the proposed non housing and employment site related policy changes.

In response to a Member questions, the Head of Strategic Planning responded that:

- The level of risk associated with making changes was a matter of judgement and that this was quantified in the report after each of the tables.
- The amended boundaries to site SS4 reflected the outcome of discussion with the York Central Partnership and allowed the site to be seen in its wider context.
- In relation to the green spaces on the eastern boundary of SS4, that there are policies in the plan which give protection to green spaces.
- All of the different access routes to SS4 had been considered in coming up with the revised boundary. If the new DCLG methodology was in place it would be relevant to the plan. The indication from government was that the initial proposed implement date could change as changes to the NPPF were due to be made in Summer 2018. It was not known with certainty when the changes would come into effect.

It was moved and seconded that the recommendations in the report be approved subject to the following amendment to recommendation (i):

To agree the changes to the pre publication draft Local Plan (Regulation 18) as set out in the report and annexe with the exception of the following tables:

- Housing – accept Table 1 and reject Tables 2, 3 and 4
- Employment – accept Table 5 and reject Tables 6 and 7.

These amendments relate to boundary changes and proposed changes to housing numbers. This is to be reflected in amendments to all specified policies detailed in the report.

Following a full debate in which Members expressed their opinions concerning the amendment, a vote was taken and it was:

Resolved: That the LPWG recommend to Executive:

- (i) To agree the changes to the pre publication draft Local Plan (Regulation 18) as set out in the report and annexe with the exception of the following tables:
- Housing – accept Table 1 and reject Tables 2, 3 and 4
 - Employment – accept Table 5 and reject Tables 6 and 7.

These amendments relate to boundary changes and proposed changes to housing numbers. This is to be reflected in amendments to all relevant policies detailed in the report.

Reason: So that an NPPF compliant Local Pre publication draft Local Plan can be progressed.

- (ii) That the proposed non housing and employment site related policy changes highlighted in Annex A be accepted.

Reason: So that an NPPF compliant Local Pre publication draft Local Plan can be progressed.

- (iii) That following decisions on the matters referred to in (i) above, that authority be delegated to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve all policies necessary for the production of a composite Local Plan for the purposes of public consultation. The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Pre publication draft Local Plan can be progressed.

- (iv) To delegate to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader the consideration and approval

of further technical reports and assessments to support the Local Plan including, but not limited to the SA/ SEA, HRA, Viability Study and Transport Assessment. The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Pre publication draft Local Plan can be progressed.

(v) To delegate authority to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve a consultation strategy and associated material for the purposes of a city wide consultation and to undertake consultation on a composite Plan in accordance with that agreed strategy. The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Pre publication draft Local Plan can be progressed.

Cllr N Ayre, Chair

[The Meeting started at 6.00pm and finished at 7.20pm].

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Local Plan Working Group***2nd May 2018***

Report of the Assistant Director of Planning and Public Protection
(The Local Plan is the portfolio of the Leader and the Executive
Member for Economic Development and Community Engagement)

City of York Local Plan - Submission**Summary**

1. The purpose of the report is to report to Members the responses received to the Publication Draft Local Plan Consultation (Regulation 19) and to ask Members to recommend that Full Council approve the Submission Draft (the Publication Draft) together with representations received thereon for submission for Examination.

Recommendations

2. The LPWG request Members of Executive to:
 - I. Consider the representations received on the Publication Draft Local Plan (Regulation 19)

Reason: to consider whether to recommend to Full Council to progress to submission of the Plan for examination.
 - II. Recommend to Full Council that the Submission Draft Local Plan (Publication Draft) as attached at Annex A to this report and the Policies Map as attached at Annex B to this report be approved for submission to the Secretary of State for examination.

Reason: So that an NPPF compliant Local Plan can be progressed in accordance with the Council's Local Development Scheme.

- III. Following decisions on the matters referred to in (i) and (ii) above authority be delegated to the Director of Economy and Place in consultation with the Leader and Executive Member for economic development and community engagement to make non-substantive editorial changes to the Submission Draft and other supporting documents proposed to be submitted alongside the plan.

Reason: So that an NPPF compliant Local Plan can be progressed

- IV. The Director of Economy and Place be authorised to ask the examining Inspector to recommend modifications where necessary under Section 20(7C)¹ of the Planning and Compulsory Purchase Act 2004.

Reason: So that an NPPF compliant Local Plan can be progressed.

- V. The Director of Economy and Place in consultation with the Leader and the Executive Member for Economic Development and Community Engagement be authorised to agree any further or revised responses or proposed changes during the examination process, prior to consultation and a final decision on adoption.

Reason: So that an NPPF compliant Local Plan can be progressed.

Background

3. Officers produced a publication draft Local Plan in Autumn 2014. This process, however, was halted by Council resolution on the 9th October 2014. Following the Local Government Elections in May 2015 the agreement between the Conservative and Liberal Democrat Groups, to

¹ (7C)If asked to do so by the local planning authority, the person appointed to carry out the examination must recommend modifications of the document that would make it one that—

(a)satisfies the requirements mentioned in subsection (5)(a), and

(b)is sound.”

establish a joint administration for City of York Council from May 21st 2015 states that:

'We will prepare an evidence-based Local Plan which delivers much needed housing whilst focusing development on brownfield land and taking all practical steps to protect the Green Belt and the character of York.'

4. Following approval of the Executive on 30th June 2016 a Preferred Sites Consultation (PSC) was undertaken. It began on 18th July 2016 and ended on 12th September 2016. 1,766 individual responses were received from members of the public, developers and statutory consultees.
5. After the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7th November 2016 the release of three substantial sites in York:
 - Imphal Barracks, Fulford Road;
 - Queen Elizabeth Barracks, Strensall; and
 - Towthorpe Lines, Strensall.

Initial technical work was carried out which established that the sites represented 'reasonable alternatives' and, therefore, should be considered as part of the Local Plan process.

6. On 7th December 2016 Executive considered updates on the Local Plan following the PSC, the changes in sub-national household projections (July 2016) and the MOD announcement (November 2016) in relation to land release. Executive recognised the significance of the MOD announcement and determined that the Local Plan work programme should be extended to allow further technical site work to be undertaken,
7. On 13th July 2017 the Executive considered a report on the Local Plan which provided an update to Members on the work undertaken on:
 - The MOD sites highlighted in previous reports to LPWG and Executive;

- Seek the views of Members on the updated evidence in relation to future housing and employment growth (SHMA and ELR)
 - Seek the views of Members on the most appropriate way of accommodating this future growth including the consideration of strategic and non-strategic sites
 - To ask for Members approval of non-housing and employment policies; and
 - To request the approval of members for officers to produce a draft plan based on the recommendations of the Executive for the purposes of Regulation 18 Pre-Publication Draft consultation.
8. On 13th July 2017 the Executive considered issues relating to future housing and employment provision in the emerging Local Plan and the balance with other objectives in relation to the special character and setting of York. The Executive agreed that a composite draft Plan based on the recommendations of the Executive in relation to housing and employment growth and the portfolio of sites to meet that growth should be produced and consulted upon
9. A city-wide consultation on the Local Plan Pre-Publication Draft (Regulation 18) commenced on the 18th September 2017 and finished on 30th October 2017. It was carried out in compliance with the Council's adopted Statement of Community Involvement (2007). Responses from circa 1295 individuals, organisations and interest groups were received during the consultation.
10. At Executive on the 25th January 2018 Members approved the Local Plan Publication Draft for the statutory Regulation 19 consultation prior to its submission to the Secretary of State for the purposes of examination.
11. The report to Members presented a summary of consultation responses received on the Pre-Publication Draft Plan along with officer recommendations relating to site boundaries and quantum. Members resolved to accept changes detailed in tables 1 and 5 of the report which increased the number of dwellings on the York Central site to a minimum of 1700 dwellings and the commercial floorspace to 100,000 sqm, along

with a small reduction in the Queen Elizabeth Barracks site to 500 dwellings to reflect the emerging Habitat Regulations Assessment. Overall these changes made a modest increase in housing provision in the plan.

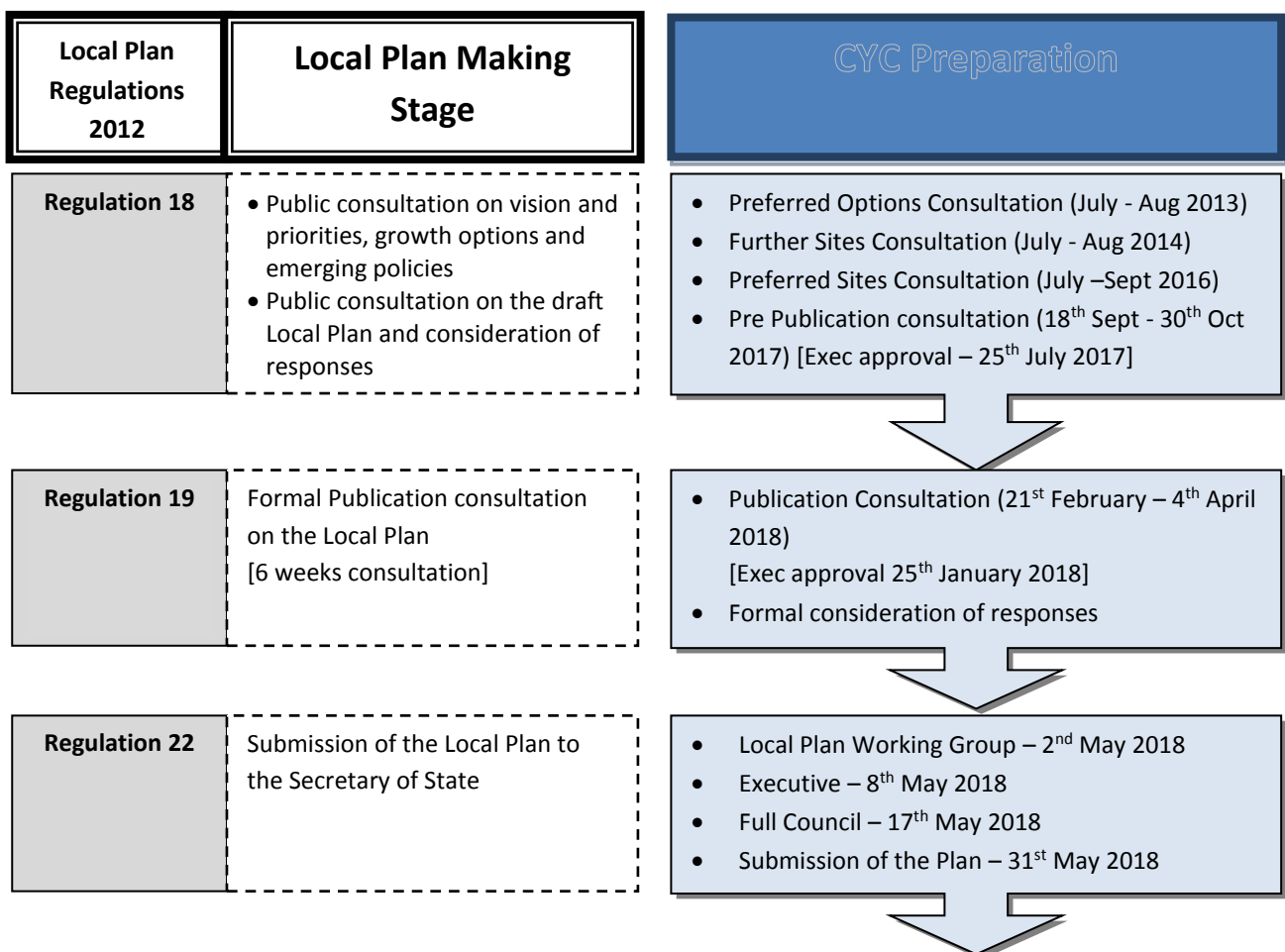
12. The Regulations required the Publication Draft to be made available for at least a six-week consultation period, and any representations made must be taken into consideration by Full Council when determining whether the Publication Draft should be submitted to the Secretary of State for examination in public under Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended).
13. The Regulation 19 consultation commenced on the 21st February 2018 and finished on the 4th April 2018. The consultation included contacting individuals and organisations on the Local Plan database, a city wide leaflet detailing how to respond to the consultation and information provided via conventional and social media. In line with the Regulations a statement of the consultation procedure was also released.
14. The Regulation 19 consultation on the Publication Draft Local Plan is different to those consultations undertaken during the earlier draft (Regulation 18) stages. The crucial aspect is that representations received at this stage are not considered by officers or the Council with a view to producing a further Publication Draft Plan, but instead the Council should decide whether the Plan is ready to proceed to examination, where those representations are considered by an independent Inspector. This means that it is not a completely open-ended consultation process but rather an objector must state why the plan is 'unsound' and what needs to be done to address the matter.
15. Objections must be based on legal compliance, duty to co-operate and/or one of the 'tests of soundness' as set down in legislation. Those 'tests', as set out in the National Planning Policy Framework (NPPF), are whether the plan is:

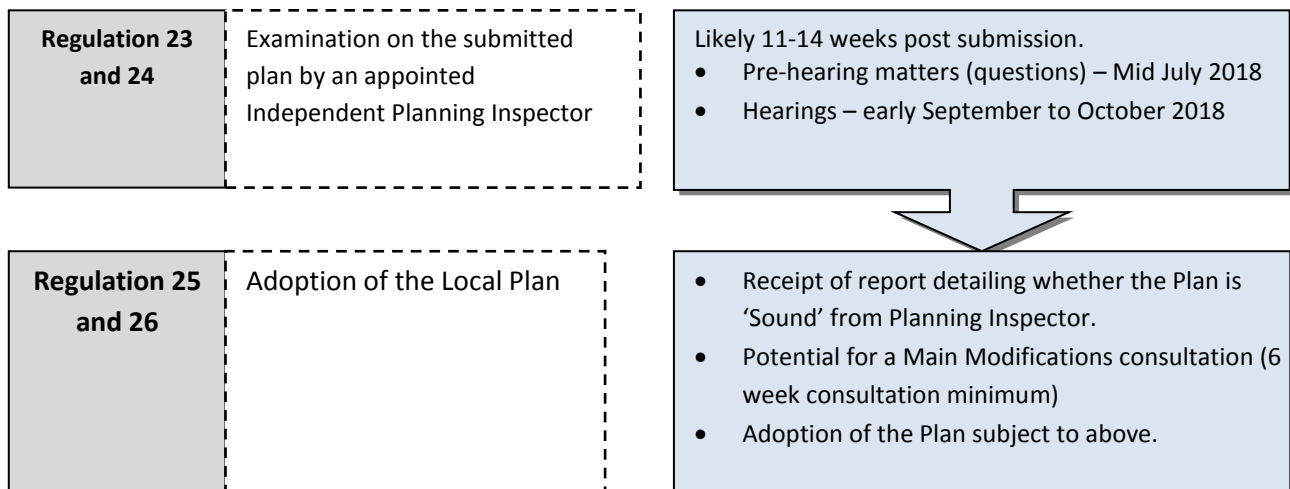
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence base;
- 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 NPPF.

16. Legislation requires at this stage that all consultation responses received during this consultation are logged and submitted to the Secretary of State, alongside a summary of the main issues raised and the Submission Plan, Policies map and associated background supporting documentation. The Inspector will use this summary to help steer early discussions during the Examination.
17. An examination in public is the final stage in the process of producing a Local Plan prior to adoption. This report seeks authority for the Executive, having considered responses to the Publication consultation, to recommend to Full Council that the Submission draft Local Plan document be submitted to the Secretary of State and to allow for any non-substantive editorial changes to be made prior to submission. The report also seeks delegated powers for the Director of Economy and Place in consultation with the Leader and the Executive Member for Economic Development and Community Engagement the ability to agree any further or revised responses or proposed changes during the examination period.
18. Throughout the examination process there will be times when the Inspector will indicate that he/she is considering recommending a

particular modification and will normally ask officers whether it could offer a set of suggested wording to meet the concern. As such, Executive needs to recommend to Council to delegate authority to the Director of Economy and Place in consultation with the Leader and the Executive Member for Economic Development and Community Engagement to 'negotiate' such possible modifications with the Inspector during the examination process, to enable the smooth running of the examination.

19. If approved by Council on 17th May for submission to the Secretary of State the Plan and the supporting documents would be submitted to the Planning Inspectorate by 31st May 2018. Following submission, it is anticipated that an Inspector would be appointed by early June and would commence an early appraisal of the Plan. It is estimated that the examination would commence in early September. The diagram below sets out the Local Plan Regulations along with the key stages and dates.





National Policy Context

20. On 16th November 2017 the Secretary of State for Communities and Local Government wrote to the Council. The letter emphasised the importance of up-to date local plans. He then expressed concern about the lack of progress City of York has made on plan-making. The last adopted detailed plan for the city was produced in 1956.
21. The Council responded to the Secretary of State in January 2018 emphasising the importance of responding through the Local Plan process to the release of the MOD sites in November 2016 and including a commitment to submit at the end of May 2018.
22. On 23rd March 2018 the Secretary of State for Communities and Local Government wrote to the Council. The letter notes the progress made since November 2017 and advises that the Council needs to continue to meet the published timetable (the Local Development Scheme) and that it will continue to monitor progress closely. The published timetable (LDS) requires submission of the Local Plan by 31st May 2018.
 - 1.
23. The Secretary of State's (SoS) Written Ministerial Statement (WMS) of 26th March 2018 reinforces the commitment to a plan led system and makes it clear that up to date plans are essential because they provide

clarity to communities and developers about where homes should be built and where not so that development is planned rather than the result of speculative applications. The statement makes it clear that the SoS will closely monitor and consider the case for intervention for those authorities who are not making sufficient progress on their plan-making and fail to publish a plan for consultation, submit a plan for examination or keep policies up to date.

24. The WMS also confirmed a step up in the intervention process for three local planning authorities (Castle Point, Thanet and Wirral) due to consistent failure and lack of progress to get a plan in place. A team of planning experts led by the Government's Chief Planner has been put in place to advise on the next steps in regards to intervention.
25. If the Council does not meet the published timetable for submission by 31st May 2018 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.
26. The Ministry of Housing Communities and Local Government (MCLG) published the Draft revised National Planning Policy Framework (NPPF) on 5th March 2018 for consultation until 10th May 2018. The draft revised NPPF incorporates policy proposals previously consulted on in the Housing White Paper (February 2017) and the Planning for the right homes in the right places consultation (September 2017) including the housing delivery test and the introduction of a standard methodology for calculation housing need. The standard methodology is unchanged from proposals published in September 2017 and reported to Members in the January 2018 report to Executive.
27. The current expectation is for the Government to publish the final revised NPPF in Summer 2018. The transition period for plan-making would be for 6 months following publication.

Local Plan Submission Draft

28. This report and the annexes contain information that Members need to consider when determining whether the Plan should be submitted for Examination in Public. They are available from the author of the report and on-line. The report then briefly highlights relevant information for Members in the order of the annexes listed below.
- Annex A: Local Plan Publication Draft (available online);
 - Annex B: the Policies Map (available online);
 - Annex C: Draft Consultation Statement;
 - Annex D: Sustainability Appraisal / Strategic Environmental Assessment Addendum;
 - Annex E: Habitat Regulations Assessment
 - Annex F: Duty to Co-operate Statement
 - Annex G: Proposed minor modifications to the Local Plan Publication Draft
 - Annex H: Equalities Impact Assessment incorporating Better Decision Making Tool; and
 - Annex I: Local Development Scheme (2017).
29. Subsequent to consultation on the Publication Draft (Regulation 19), some supporting documents have been updated and are available on request as background papers, as identified at the end of this report.

The Proposed Submission Local Plan (Annex A) and Policies Map (Annex B)

30. The proposed Submission Local Plan (currently known as the Publication Draft Local Plan) is the culmination of a lot of hard work including the consideration of a comprehensive evidence base and many thousands of representations from the public. Those representations have been important in shaping the Plan presented. In summary the key themes of the Plan are:

Vision

31. The Local Plan's Vision and outcomes respond to the planning issues, challenges and opportunities facing York, and public consultation. The Vision and outcomes are described in terms of the following interconnected priorities:
- Create a prosperous city for all;

- Provide good quality homes and opportunities;
- Protect the environment; and
- Ensure efficient and affordable transport links.

32. The Local Plan aims to deliver sustainable patterns and forms of development to support the city's ambition to be a city whose special qualities and distinctiveness are recognised worldwide. The Local Plan aims to support this ambition by ensuring that the city's placemaking and spatial planning policies reflect its heritage and contemporary culture, contributing to the economic and social welfare of the community whilst conserving and enhancing its unique historic, cultural and natural environmental assets. The sections of the Local Plan support the delivery of these high level objectives whilst the spatial strategy responds to all of the main objectives.

Spatial Strategy

33. The Spatial Strategy is driven by the need to achieve economic and housing growth whilst identifying the key principles that will shape the future development of the city. In summary these include the following:
- 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.
 - Ensuring accessibility to sustainable modes of transport and a range of services.
 - Preventing unacceptable levels of congestion, pollution and/or poor air quality.
 - Ensuring flood risk is appropriately managed.
 - Where available and viable, the re-use of previously developed land will be encouraged.
34. In addition deliverability is a key consideration and an appraisal of potential development sites has been undertaken to establish realistic assumptions about the availability, suitability and economic viability of land to accommodate future development.

35. The Spatial Strategy includes policies on: the role of the Green Belt; York City Centre and bespoke policies for all of the strategic housing and employment sites in the Plan.
36. The Spatial Strategy also introduces the overall levels of employment and housing growth. It indicates that development during the plan period will be consistent with the priorities below:
- The provision of sufficient land to accommodate around 650 new jobs per annum 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 in excess of 20,000 market and affordable homes across the city to enable the building of strong, sustainable communities through addressing the housing and community needs of York's current and future population. This equates to 923 dwellings per annum based on a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and the post plan period to 2037/38, inclusive of the backlog to 2012.

Provision of good quality homes and opportunities

37. Section 4 'Economy and Retail' of the plan identifies sufficient Employment Sites to meet the requirement set out in the spatial strategy.
38. Section 5 'Housing' provides sufficient housing sites to meet the requirements set out above including provision for gypsy and travellers and travelling showpeople, older persons accommodation and specialist housing along with the provision of affordable homes. It is anticipated that policies in this section will help to deliver approximately 4,000 affordable homes over the plan period.
39. Section 6 'Health and Wellbeing' sets out policies to protect existing and provide for new community facilities including the provision of built sports facilities, childcare provision and the provision of health care services. Section 7 'Education' sets out policies relating to the University of York,

York St John University, York College and Askham Bryan College and Pre-school, Primary and Secondary education.

Protect the environment

40. The Plan includes policies to protect and enhance York's heritage and culture and to ensure that new development is of the highest quality standards in urban design and public realm. The Green Infrastructure chapter recognises the need to protect and enhance York's biodiversity, open space and green corridors whilst promoting accessibility to encourage opportunities for sport and recreation and restore and recreate sites of priority species and habitats. The Plan will protect and preserve York's setting and special character by ensuring that inappropriate development is not permitted in the Green Belt.
41. The Plan seeks to safeguard the city's natural resources and ensure environmental protection. Flood risk will be reduced by ensuring that new development is not subject to flooding and where possible contributes to its reduction through sustainable urban drainage schemes. The climate change chapter will ensure that development generates renewable/low carbon energy, uses natural resources prudently and is built to high standards of sustainable design and construction. The policies are central to fulfilling the aspirations of One Planet Council in relation to environmental sustainability.
42. The importance of reducing waste levels through the reducing, reusing and recycling hierarchy, and identifying the general provision of appropriate sites for waste provision is addressed in the Local Plan. The need to safeguard natural mineral resources and maximise the production and use of secondary aggregates is also addressed.

Ensure efficient and affordable transport links

43. The Plan promotes sustainable transport as a means of achieving sustainable development and includes public transport, walking and cycling improvements. Nevertheless, it also recognises from evidence gathered there is a need for significant investment in transport infrastructure to deliver the growth ambition for the City.

Local Plan Publication Draft Consultation Statement – Annex C

44. During the Regulation 19 consultation period we have received responses from circa 850 individuals, organisation or interest groups, this equates to approximately 5,000 separate comments. Full copies of all comments made will be submitted to the Planning Inspectorate for examination and will be made available on line on submission of the Plan.
45. A draft consultation statement produced under Regulation 22 of planning legislation is provided at Annex C to this report which includes officer summaries of all comments received, set out in Plan order.
46. A short summary of the main issues, by Plan theme, raised at Regulation 19 is set out below.

General, Background, Vision and Development Principles

- A number of comments state that the plan is not considered sound or legally compliant as it does not comply with elements of the NPPF, particularly in regard to the approach to the green belt. (See ‘Spatial Strategy’ below for further detail).
- Those who consider the Plan sound offer additional points of clarification, particularly regarding aspects of policies relating to strategic sites. This includes:
 - Ryedale District Council
 - Selby District Council, noting that both authorities are committed to meeting their objectively assessed housing need;
 - Hambleton District Council;
 - York, North Yorkshire and East Riding LEP, which considers the plan to be both legally compliant and sound, noting the imperative to move to adoption quickly to allow housing and employment targets to be delivered;
 - Historic England support the approach to managing growth which limits impact on the special character and setting of

the City (note, EH raise several soundness issues re individual strategic sites);

- Huntington Parish Council
 - Earswick Parish Council
 - Strensall with Towthorpe Parish Council
 - Internal Drainage Board (noting specific issues regarding surface water drainage)
- Both Harrogate Borough Council and North Yorkshire County Council highlight the need for York's Plan to set an enduring green belt boundary and meet its full OAHN. NYCC further comments on need for the Plan's Mineral and Waste policies to reflect the North Yorkshire and York Minerals and Waste Joint Plan.

Spatial Strategy including Strategic Sites

- Many residents support the principle of a Plan establishing a permanent Green Belt boundary and the approach taken in removing identified areas of safeguarded land from the Plan. Planning agents and developers argue that the boundary is too tightly drawn and will not endure beyond the plan period, ie not provide permanence. They further comment that the Plan is overly reliant on development from a few strategic sites (notably York Central) which may not deliver as anticipated.
- Responses from planning/property agents tend to raise objection to the Plan's annual housing target of 867 units, which reflects neither the SHMA evidenced by independently appointed consultants nor the emerging DCLG methodology. Many believe the Plan to be unsound on this basis.
- The majority of the developers and landowners with interests in the strategic sites support the allocations in principle. However, several request amended boundaries and/or an increase in yield for their sites including ST4, ST7, ST8, ST14, ST15, ST16, and ST31.
- While supporting the general principle of a development strategy which limits peripheral growth to safeguard key elements of the City's special character, Historic England raise concerns regarding the impact of specific strategic sites (including York Central and University of York expansion) on the historic character and setting of

the City. Several other respondents question the soundness of including specific sites, the details of which are set out in Annex 22. This includes Osbaldwick Parish Council, Wheldrake Parish Council, Haxby Town Council, Fulford Parish Council, Elvington Parish Council, Heslington Parish Council, Upper and Nether Poppleton Parish Councils

- East Riding of Yorkshire Council question whether the scale of ST15 is sufficient to deliver necessary supporting infrastructure. On the whole, responses received from local residents in relation to strategic sites tend to raise soundness concerns relating to reasons of impact on surrounding roads, drainage, wildlife, schools and other infrastructure.
- Natural England identified concerns including the need for a final HRA, along with potential impacts on Strensall Common SAC and in relation to ST15.

Economy and Retail

- Most objections deem the amount of land allocated for employment use inadequate as it does not match the City's ambitions for economic growth, particularly in B1a terms.
- Concern that reliance on few large sites does not provide a variety of choice and or the allocated land will not provide sufficient employment for new residents over the course of the plan.

Housing including Housing Allocations

- Some alternative sites have been submitted and will be presented to the Inspector for consideration;
- Support for the overall soundness of the policy. Those opposing the general thrust of policy raise the following issues:
 - non-conformity with NPPF para 182;
 - the Plan is not able to demonstrate a 5-year supply upon adoption;
 - the methodology behind site selection is not sufficiently detailed;
 - the inclusion of off campus student housing commitments and completions is inappropriate in determining housing supply;
 - noting the above, that the inclusion of windfalls is not a plan led approach and could create uncertainty leading to under-delivery.

- Some respondents question how the proposed densities have been calculated. It is argued that high densities will result in flatted development which is not needed in York.
- Whilst some respondents support the flexibility provided in relation to housing mix, other suggest that greater flexibility is required on a site-by-site basis.
- Whilst many local communities support the approach to Gypsy and Traveller provision, some are concerned that the proposed policies fail to satisfy national policy in terms of deliverability through strategic sites and will therefore not fully meet the needs of the travelling community.
- Developers ask that clarification should be provided as to how the demand for gypsy and traveller pitches within new housing developments has been assessed. York Travellers Trust consider the Plan neither legally compliant nor sound in underestimating G+T need, and that it fails its duties under the 2010 Equality Act by not allocating sites.
- Respondents ask that the policies for student accommodation and HMOs are strengthened

Site comments:

- Generally, developers and landowners support the allocation of their sites in principle, although amended boundaries and/or yields and increased flexibility are suggested for H31, and H59.
- Some local residents wish to see lower densities on sites to reduce their impact on infrastructure and existing residents.

Health and Wellbeing

- The majority of respondents make reference to the fact that the issue of the retention and re-use of existing community assets is of the utmost importance in the delivery of the plan and that a strengthening of policy in respect of evidence underpinning their use or re-use is required.
- Several respondents feel that further clarification on the level of developer contribution required is needed.

Education

- Support for the Plan's recognition of the role of the city's Universities in delivering economic growth. Some concern that the Plan does not provide sufficient land for the University of York to grow.
- Some respondents feel that any proposals for development at the University of York should mitigate the effects of housing, traffic and parking to lessen the impact on local communities

Placemaking, Heritage, Design and Culture

- In general these policies are supported by respondents.
- Some developers feel that there is too much emphasis on developer contributions and that the responsibility for placemaking and culture lies with the Council.

Green Infrastructure

- Several developers feel that further detail and clarification on the level of developer contribution is required.
- Many responses related directly to the provision of new open space sites OS1-OS12 which are generally supported by local residents

Managing Appropriate Development in the Green Belt

- Whilst the Green Belt policies are generally supported, some respondents feel that they are overly restrictive and offer little opportunity for rural businesses.

Climate Change

- Some developers argue that energy requirements for new housing developments are solely the remit of Building Regulations and the Plan should not be imposing more onerous requirements on developments. In particular, several state that the requirements to achieve BREEAM 'excellent' rating is unduly restrictive and may render schemes unviable.

Environmental Quality and Flood Risk

- Some respondents consider that these policies are not strong enough in relation to air quality, flooding and drainage.
- Some developers state that further detail and clarification is required on the extent of developer contribution.

Waste and Minerals

- Detailed minerals and waste policies are contained in the Minerals and Waste Joint Plan. Any policies in the York Local Plan must ensure that they are consistent with strategic policies in the MWJP.

Transport and Communications

- Some respondents consider that the current upgrades to the A1237 outer ring road are inadequate and that the road needs to be dualled
- It was highlighted that the connectivity and capacity of the current cycle and pedestrian networks need to be addressed
- Comments about communications infrastructure refer to new development schemes needing to be future proofed to facilitate the provision of mobile, broadband and wireless communications infrastructure, including in the public realm and within private buildings.
- Overall, several respondents request further detail on policy implementation and required developer contributions.

Sustainability Appraisal (Annex D)

47. When producing Local Plans, authorities are required under law to consider the impacts their proposals are likely to have on sustainable development. The Local Plan has been subject to ongoing Sustainability Appraisal also incorporating the legal requirements of Strategic Environmental Assessment (SA/SEA) as required by the SEA Directive (Directive 2001/42/EC). The iterative process of SA/SEA has helped to inform the development of plan up to the Regulation 19 Publication stage.
48. SA/SEA is a means of ensuring that the likely social, economic and environmental effects of the Local Plan are identified, described and appraised to identify how they support the Council's sustainable development objectives. This is achieved using a framework of objectives against which all policies and sites are appraised for their effects over time and their significance. In addition, the SA/SEA

considers all reasonable policy and site alternatives to help understand the relative difference between options.

49. An SA/SEA of the Publication draft Local Plan was published at the Regulation 19 stage. Key results of this appraisal indicate:

- The Local Plan vision is compatible with the sustainability objectives although there is some room for uncertainty in relation to conflicts between growth, resources and environmental factors.
- The key development principles were found to have a positive effect on all SA objectives.
- The preferred housing and employment growth options have a positive effect in the short to medium term. In the longer term, housing growth is given a more negative score as the preferred housing figure meets the CLG baseline rather than the alternative SHMA OAHN.
- Strategic and general site allocations have a positive impact on social and economic objectives. This in some cases is balanced against potential negative impacts in relation to some environmental factors.
- Policies in the plan will cumulatively have a positive effect on the SA objectives. Where negative effects have been identified, suitable mitigation have been proposed cross referencing to other policies in the plan.

50. An SA Addendum prepared for Submission considers the outcome of the Habitat Regulation Assessment Report (2018). Updates to the baseline information, site and policy appraisals are referenced to address air quality and recreational pressure issues and effects on migrant species raised and mitigated. Appraisal of the policy modifications show that the impacts are likely to not significantly affect the appraisal outcomes set out in the SA Report published alongside the Regulation 19 Consultation. The updated SA does not have any material affect on the Publication Draft of the Plan and has no significant effect the previous assessment undertaken.

Habitat Regulation Assessment (HRA) – Annex E

51. Habitat Regulation Assessments (HRA) is a requirement of the Conservation and Habitats and Species Regulations (2010, amended 2011) (“HRA Regs”). This requires that an assessment of the impacts of the Local Plan on sites designated under the EU Directive (92/431/EEC Habitats Directive) must be undertaken. For York, this requires assessment of ‘likely significant effects’ on Strensall Common Special Area of Conservation (SAC) and the Lower Derwent Valley Special Protection Area (SPA/ RAMSAR) as well as 4 sites within 15km of the authority boundary.
52. The HRA has been an iterative process throughout Plan production with the release of an HRA Screening Assessment (2017) for the Regulation 18 consultation concluding further work was required in relation to Strensall Common SAC and the Lower Derwent Valley (SPA). Through the consultation Natural England required further work to consider the impact of air quality on designated sites, which has been carried out.
53. Annex E to this report presents the final Habitat Regulation Assessment (2018) of the Publication draft Local Plan. This report considers the further air quality work and the policies included in the Plan and has sought to add. It concludes that the vast majority of policies can be screened out from further consideration but as regards those which are screened in, no adverse effects on the integrity of any European site would arise on the precautionary approach. Discussions will continue to take place with Natural England, however the updated HRA does not reach any conclusions which undermine the allocations as proposed in the Publication Draft Plan.

Duty to Co-operate – Annex F

54. The Localism Act 2011 introduced the Duty to co-operate (the Duty) that requires local planning authorities and other prescribed bodies to ‘engage constructively, actively and on an on-going basis’ to maximise the effectiveness of local plan preparation in relation to strategic matters.

The duty is now incorporated into the Planning and Compulsory Purchase Act 2004.

55. The examination of a local plan includes consideration of whether the Duty has been complied with. National Planning Practice Guidance makes it clear that the Duty is not a duty to agree. But local planning authorities should make every effort to secure cooperation on strategic matters before Local Plans are submitted for examination. At examination Inspectors will assess the outcomes of cooperation and not just whether authorities have approached others. Failure to demonstrate compliance with the duty at the examination cannot be corrected after the local plan has been submitted for examination.
56. As it has developed the Local Plan has been subject to on-going and constructive engagement with neighbouring authorities and relevant organisations. This has included:
 - the preparation and updating of a Duty to Cooperate Matrix (that has been generally circulated to the officer level groups for subsequent discussion and comment);
 - regular one-to-one officer meetings;
 - making representations, as appropriate, to other authorities Local Plan documents, and vice versa; and
 - regular technical discussions at sub-regional Member and officer groups.
57. Through the meetings highlighted Officers have sought to gauge the appetite of neighbouring authorities for a sub-regional approach to delivering housing within the context of the Duty to Cooperate. Whilst this was not supported for the current round of Local Plans there may be some support to consider this in the future.
58. The Duty requires active and constructive ongoing engagement which is expected to continue up to the point of submission. Details on how the Council has fulfilled the requirements under the Duty were included in the 'Demonstrating the Duty to co-operate (Interim Statement),

September 2017' published to support the Regulation 18 Pre-Publication Draft Consultation.

59. Both the Leeds City Region Planning Portfolios Board and the North Yorkshire and York Spatial Planning and Transport Board (SP&T Board) endorsed the approach taken by City of York Council in meeting the requirements of the Duty to co-operate in the plan making process.
60. The City of York Duty to co-operate Statement (Annex F) has been updated since previous consultation to reflect the process of continuous engagement. This statement contains the two regional bodies endorsement of the approach taken by City of York Council.

Proposed Minor Modifications to the Publication Draft Local Plan – Annex G

61. A list of proposed minor modifications is contained in Annex G. These are recommendations of a minor nature that, whilst not going to soundness, will improve the clarity and usability of the Plan. These modifications on the whole reflect the outcomes of the Habitat Regulations Assessment and add additional clarity to the mitigation measures already included in the Publication Draft Plan. These recommendations, if approved by Executive, will also be put before the Inspector for information as part of the submission documents.

Equalities Impact Assessment (incorporating Better Decision Making Tool) – Annex H

62. Officers have produced an equalities assessment to accompany each stage of the Local Plan called the 'Better Decision Making Tool' (BDMT). The BDMT helps the Council to consider the impact of proposals on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in the Council Plan and will help to provide inclusive and discrimination-free services. The purpose of this tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence. Annex H to this report details the Equalities Impact Assessment incorporating BDMT for the Publication Draft Plan and the

annexes to the EIA include the BDMT completed for Regulation 18 (As reported to the Executive on January 13th July 2017), Regulation 19 consultation (Reported to Executive on 25th January) and for this report on the Local Plan submission.

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Submission for examination

64. Members must only submit a plan for examination which they think is ready for examination and if they have complied with any relevant requirements contained in the Regulations. The NPPF advises that authorities should submit a plan for examination which it considers is 'sound' (see above).
65. Regulation 18 and 19 consultations as required and the form and content of the Plan are consistent with Regulations 8 and 9. The procedural requirements for submission will be followed if the Executive and Council decide to proceed to submission. Members must consider whether in light of the consultation responses received through the Publication Consultation (Reg 19) and the main issues raised, as summarised in this report that the proposed Publication Draft Local Plan meets the above tests and is 'sound'. This includes the approach to both

housing and employment need and supply and the issues outlined in the July 2017 and January 2018 reports to Executive.

66. Development Plan documents must also be prepared in accordance with the Local Development Scheme; and in their preparation the authority must comply with the Statement of Community Involvement and comply with the Duty to Co-operate. The Duty to Co-operate Statement explains the discharge of this duty; and the Council has published and made available successive drafts of the Local Plan and background documents in association with those drafts. The Submission draft and supporting documents will be published and made available and will be considered through the examination process.
67. There are other requirements relating to the content of the Plan including the need to include policies which are designed to secure that development contributes to the adaption and mitigation of climate change. The Council must prepare the Plan having regard to national policies and guidance, and with the objective of contributing to the achievement of sustainable development. The draft plan has been prepared on this basis.
68. The Council has a duty to prepare and submit a plan and development plan documents must be prepared in accordance with the local development scheme. Members need to decide whether, having considered the representations made at Regulation 19 stage outlined in paragraph 32 of this report, that the Plan as it stands is ready for examination; and the NPPF advises that a local planning authority should submit a plan for examination which it considers is “sound”.
69. Having regard to the above background and representations received, it is considered that Members are able to conclude that the plan is ready for examination and is sound. This is reflected in Recommendation (ii).
70. It is not unusual, however, for modifications to the plan to be recommended by an Inspector, or the plan-making authority, in response to questions, discussions or potentially new issues and evidence which arise during and as part of the examination process. This risk is anticipated by the legislation which, as set out above, enables changes

to be recommended by the Inspector in order to make the Plan sound before the Council finally decides whether to adopt the plan. This is reflected in Recommendations (iv) and (v), which seek the appropriate authority to deal with proposed changes which may arise during the examination process.

71. If it is considered that having taken into consideration the representations made the appropriate option is to approve the Submission version of the Local Plan (Annex A), the Policies Map (Annex B) and the Schedule of minor modifications (Annex D) and allow it to be submitted for Examination as per Option 1 this would allow the Council to meet the required published timetable for submission by 31st May 2018.

Next Steps

72. If Members approve the attached Local Plan Submission Draft (Annex A) and Policies Map (Annex B) the document and supporting evidence will be prepared for submission for the public examination before the end of May 2018. The timetable highlighted is in conformity with the Council's published Local Development Scheme (LDS).
73. It is a requirement of the examination process to have a Programme Officer in place. Whilst appointed and paid for by the Council, the officers reports to and acts on behalf of the Inspector. The role is a mix of part and full time depending on the tasks set by the Inspector. All communication with the Inspector, whether by ourselves or any objector, must go through the Programme Officer. No direct communication with the Inspector is permitted, except of course during the formal 'hearing' sessions of the examination, which are chaired by the Inspector.
74. Officers have appointed a Programme Officer to support the examination process. The Programme Officer is working, initially on a part-time basis, to help process responses to the Publication draft consultation and to organise the examination library ready for examination.

Impacts

75. **Financial** – The work on the Local Plan is funded from specific budgets set aside for that purpose. Over the last four years, significant sums have been expended on achieving a robust evidence base, carrying out consultations, sustainability and other appraisals, policy development and financial analyses. Whilst this work remains of great value it is important that progress is made to ensure that unnecessary additional costs do not occur.
76. **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within EAP.
77. **Equalities** – An Equalities Impact Assessment, including the Better decision-making tool, is attached as annex H.
78. **Legal** – 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. The Council also has other legal duties as set out above, including compliance with the Duty to Co-operate.
79. 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. If the draft Local Plan is not prepared in accordance with legal requirements, fully justified and supported by evidence, the draft Local Plan is likely to be found unsound at examination and would not be able to proceed to adoption, subject to the potential for modifications to be made to ensure soundness under section 20 of the 2004 Act.
80. As described above, the HRA and SA have been updated since the Regulation 19 consultation, along with other documents. None of the updates materially affect the contents of the Publication Draft Plan or

significantly affect the previous assessments. These documents will be published in association with the submission version of the plan and the anticipated timeline for the examination may need to take into account any responses to these documents or other new matters arising through the examination process.

81. **Crime and Disorder** – The Plan addresses where applicable.
82. **Information Technology (IT)** – The Plan promotes where applicable.
83. **Property** – The Plan includes land within Council ownership.
84. **Other** – None

Risks

85. The main risks in failing to progress a Local Plan for the City of York in compliance with legislation, policy and guidance are as follows:
 - the plan in its current form is found 'unsound' at examination or other issues are raised which require further work and/or delay to the examination;
 - any further delay in the submission of the Plan would exacerbate ongoing concerns regarding the ability of the Council to steer, promote or restrict development across its administrative area in a plan-led planning system according to its Local Development Scheme, leading to planning by appeal.
86. If the approach taken is subsequently judged to be non-compliant with legislation or guidance either before or after submission this could lead to further technical work and additional consultation adding to the identified costs.
87. Managing the planning process in the absence of a Plan will lead to significant costs to the council in managing appeals.

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

Contact Details

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**Chief Officer Responsible for the
report:**

Neil Ferris
Director of Economy and Place

**Executive Members Responsible for
the Report:**

Cllrs I Gillies and K Aspden

**Report
Approved**



Date 26/04/2018

Specialist Implications Officer(s):

Finance Manager
Senior Solicitor, Planning

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

All

Annexes

- Annex A: Local Plan Publication Draft (available online) ;
- Annex B: the Policies Map (available online);
- Annex C: Draft Consultation Statement;
- Annex D: Sustainability Appraisal / Strategic Environmental Assessment Addendum;
- Annex E: Habitat Regulations Assessment
- Annex F: Duty to Co-operate Statement
- Annex G: Proposed minor modifications to the Local Plan Publication Draft;
- Annex H: Better Decision-Making Tool; and
- Annex I: Local Development Scheme (available online).

Background Papers

Strategic Housing Land Availability Assessment

Transport Topic Paper

Local Plan Viability Assessment



CITY OF YORK LOCAL PLAN

City of York Local Plan
Draft Consultation Statement
Regulation 22(c) of the Town & Country
Planning (Local Planning) (England)
Regulations 2012 (as amended)
April 2018

**City of York Local Plan Consultation Statement Regulation
22(c) of the Town & Country Planning (Local Planning)
(England) Regulations 2012 (as amended)**

Contents

Section 1: Introduction

Section 2: Statement of Community Involvement and Database

Section 3: Development of the Local Plan

Section 4: LDF Core Strategy

Section 5: Production of the City of York Local Plan

Section 6: Main Issues Raised during Regulation 19 Consultation

Section 7: How Comments have been taken into Account

City of York Local Plan Consultation Statement Regulation 22(c) of the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended)

1.0 Introduction

Legislative background

- 1.1 This Statement of Consultation has been prepared in accordance with Regulation 22 (1) (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Its purpose is to show how we have met the legal requirements for consultation.
- 1.2 Regulation 22 (1) (c) requires a statement setting out:
- i) which bodies and persons the local planning authority invited to make representations under regulation 18;
 - ii) how those bodies and persons were invited to make representations under regulation 18;
 - iii) a summary of the main issues raised by the representations made pursuant to regulation 18;
 - iv) how any of those representations made pursuant to regulation 18 have been taken into account;
 - (v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
 - (vi) if no representations were made in regulation 20, that no such representations were made.
- 1.3 During the course of preparing the LDF Core Strategy and now the Local Plan, the relevant Regulations, originally published in 2004 were updated in 2008 and 2009. In April 2012 a set of Regulations were issued which replace all previous versions in their entirety. Whilst the requirement to produce a Consultation Statement is not new, the specific regulations, which refer to it, have changed. The Regulations refer to the entire process of preparing Development Plan Documents (DPDs) such as the Local Plan. Work undertaken under previous Regulations is still valid albeit that the specific Regulation (including number) may have changed. Under previous regulations most of the work in preparing the Local Plan/Core Strategy was referred to as Regulation 25. In the 2012 Regulations the equivalent stage is referred to as Regulation 18. In addition new Regulations came into force on 15th January 2018, these removed paragraph 2 of Regulation 22 "(2) Notwithstanding regulation

3(1), each of the documents referred to in paragraph (1) must be sent in paper form and a copy sent electronically."

2.0 Statement of Community Involvement and Database

Statement of Community Involvement

2.1 The Statement of Community Involvement (SCI) sets out how the Council intends to achieve continuous community involvement in the preparation of all planning documents. The Council's SCI acts to guide consultation on planning documents and sets the scene on how efficient and effective consultation can be achieved. Following three stages of consultation and independent examination, the City of York's SCI was adopted in December 2007.

Database

2.2 The SCI sets out at paragraph 5.1 information regarding the Council's Database. The Council has compiled a database to include the individuals and organisations who have registered an interest in the York Local Development Framework (LDF)/ Local Plan process. This is not a fixed list and further contacts will be added as they are identified, whilst others may no longer wish to be involved and will be removed from the database on request.

3.0 Development of the Local Plan

3.1 The development of the City of York Local Plan reflects work which began in 2005 when the Council commenced the preparation of its Local Development Framework (LDF) Core Strategy. This has included engagement, assessment and the development of a substantial body of evidence. Consultations were undertaken at the following key stages:

- LDF Core Strategy Issues and Options 1 (2006);
- LDF Core Strategy Issue and Option 2 (2007);
- LDF Core Strategy Preferred Options (2009);
- LDF Core Strategy Submission (Publication) (2011);
- Local Plan Preferred Options (2013);
- Local Plan Further Sites (2014);
- Local Plan Preferred Sites (2016);
- Local Plan Pre Publication (2017);
- Local Plan Publication (February 2018).

- 3.2 This document is set out in sections based on the above key consultation stages. Each section identifies where information can be found on the consultation documents produced, who was consulted, how we consulted, the various methods used and a summary of the responses received. All of the consultations referred to in this statement were carried out in compliance with the Council's adopted Statement of Community Involvement.
- 3.3 In line with the regulations this statement also needs to set out how comments and representations made have been taken into account during the Local Plan drafting stage (Regulation 18). Several documents have set this out including *The City of York Local Plan Sustainability Appraisal, Appendix K– Policy and Site Audit Trail (February 2018)* which is Annex 1 to this report. This includes an audit trail of the development of policy and sites within the Local Plan, including views received through consultation starting from the LDF Core Strategy to the Pre-Publication Local Plan (2017). This was undertaken as part of the Sustainability Appraisal process but is still of relevance in relation to the audit of policies and sites.
- 3.4 In addition a schedule of non employment and housing sites/growth related policies modifications to York's Local Plan since the Preferred Options Local Plan in 2013 and officer assessments of housing, employment and other sites since Preferred Sites Consultation (2016) are set out in part of the Council's Executive Report from 13th July 2017 including the Council minutes are set out in Annex 2 of this report. This helps to show the evolution of policies and sites in York's Local Plan.
- 3.5 The changes made between the Pre-Publication and Publication Local Plan for policies and sites are set out as part of the Council's Executive Report in Annex A from 25th January 2018 and the associated Council minutes show the audit trail of Council Members decisions on the proposed changes, please refer to Annex 3 of this report. More information on how comments have been taken into account can also be found in Section 7 of this report.

4.0 LDF Core Strategy

LDF Core Strategy Issues and Options 1 and 2

- 4.1 The first step in preparing the LDF Core Strategy was to consider the key issues and options facing York. To aid the discussion of the issues

and options an initial document was produced called the *Core Strategy Issues and Options (2006)* which outlined some of the key issues facing York and possible options for addressing these documents. To ensure that the Core Strategy would be deemed 'sound' the Council decided to undertake a second round of issues and options consultation, known as the *Core Strategy Issues and Options 2 (2007)* document and was held jointly with the consultation on the review of the Sustainable Community Strategy. This consultation was also known as 'Festival of Ideas 2'.

- 4.2 The LDF Issues and Options consultation for the Core Strategy took place for 7 weeks between June-July 2006 (Issues and Options 1) and 6 weeks between September-October 2007 (Issues and Options 2). The Consultation Statement *LDF Issues and Options Consultation Summer 2006* (July 2007) summarises consultation on Issues and Options 1 and was prepared to support consultation on Issues and Options 2. Please refer to Annex 4 of this report. Whilst the Statement stands alone the information it includes was also included in the Issues and Options 2 statement. The *Core Strategy Consultation Statement* (July 2009) summarised consultation on Issues and Options 1 and 2 and was prepared to support consultation on Preferred Options. Please refer to Annex 5 of this report.
- 4.3 Annex 4 and Annex 5 of this report set out in detail the consultation documents produced, who was consulted, how we consulted; the various methods used, and provide a summary of the responses received. For the purpose of this report, a summary is also provided below.
- 4.4 A list of the people consulted on the LDF Core Strategy Issues and Options 1 and 2 can be found in Appendix 1 of Annex 5 to this report. The Issues and Options consultations involved a mail out, internet content, media coverage, consultation events, workshops, forums and attendance at ward committees, interest group and specific consultee meetings and information was also made available at Council offices. A questionnaire was also circulated as part of the consultation on Issues and Options 2. A total of 932 separate responses were received as a result of the consultation on Issues and Options 1 from 124 respondents. The Council received 1560 responses to the Issues and Options 2 consultation from 78 respondents and 2330 people responded to the Festival of Ideas 2 questionnaire as part of Issues and Options 2.

LDF Core Strategy Preferred Options

- 4.5 The Preferred Options stage of the Core Strategy followed on from the Issues and Options stages. The *Core Strategy Preferred Options (2009)* document draws from the responses that were received during the previous consultation events as well as feeding in the evidence base findings and higher level policy such as national and regional planning policy.
- 4.6 The LDF Preferred Options consultation was undertaken for the Core Strategy for 11 weeks between June-August 2009. The *Core Strategy Preferred Options Consultation Statement & Schedule of Responses (February 2011)* included a summary of the consultation to support the Core Strategy Submission Draft document. Please refer to Annex 6 of this report which sets out the consultation documents produced, who was consulted, how we consulted, the various methods used, and provides a summary of the responses received. For the purpose of this report, a summary is also provided below.
- 4.7 A list of all those consulted on the LDF Core Strategy Preferred Options is provided in Annex 1 of Annex 6 to this report. The Preferred Options consultation involved a mail out, questionnaire, internet content, media coverage, consultation events, workshops, forums and attendance at ward, interest group and specific consultee meetings, and information being made available at Council offices. Over 2,250 'Planning York's Future' questionnaires were returned to the Council and a total of 1249 separate comments on the Core Strategy document were received as a result of the consultation from 117 respondents. In addition over 160 people gave their views by attending one of the consultation workshops.
- 4.8 A Statement in accordance with Regulation 30(d) of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, was produced in September 2011/amended 2012 (*Core Strategy Submission (Publication) Consultation Statement Regulation 30 (1) (d) Statement (September 2011/amended 2012)*). Please refer to Annex 7 of this report. This document set out which bodies and persons the local planning authority invited to make representations as part of the Issues and Options and Preferred Options consultations (Regulation 25); how those bodies and persons were invited to make representations; a summary of the main issues raised by the representations made; and how any representations made have been taken into account. The Statement follows on from, and should be read alongside, the Consultation Statements published for the Core Strategy Issues and Options and Preferred Options consultations above.

LDF Core Strategy Submission (Publication)

4.9 The *Core Strategy Submission (Publication) (2011)* followed on from previous rounds of consultation and draws from the responses received, as well as feeding in the evidence base findings and higher level policy such as national planning policy. It was consulted on over 6 weeks between September-November 2011. A Statement in accordance with Regulation 30(e) of *The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008*, was produced in January 2012 (*Core Strategy Consultation Statement Regulation 30 (1) (e) (January 2012)*). This document provides the number of duly made representations received on the Submission (Publication) Core Strategy, and the main issues raised by the representations received. Please refer to Annex 8 of this report. For the purpose of this report, a summary is also provided below.

4.10 During the representation period a total of 1385 representations were received from 141 organisations and individuals. The Submission (Publication) consultation involved a mail out, questionnaire, internet content, media coverage, consultation events, workshops, forums and attendance at ward, interest group and specific consultee meetings, and information being made available at Council offices.

LDF Core Strategy Submission

4.11 The LDF Core Strategy was submitted to the Secretary of State on 14th February 2012, just before the new NPPF was issued. Following an exploratory meeting with the Inspector on 23rd April 2012 the Director of City and Environmental Services wrote to the Inspector on 28th May 2012 to inform him of the decision to reluctantly recommend to Council the withdrawal of the City of York Council's Core Strategy. This course of action was approved by the City of York Council on 12th July 2012 and the City of York Core Strategy Examination was ceased. The key reasons were:

- the LDF was overtaken by publication of the NPPF;
- moving to a Local Plan would include site allocations, critical to supporting and delivering growth;
- considering allocations would enable a clearer and practical focus on viability and deliverability; and
- the approval of the Community Stadium required the reviewing of the retail evidence base/city centre policies.

4.12 Reflecting the Government's views of plan making and the movement away from a folder of development plan documents to a single plan, in October 2012 Cabinet instructed Officers to begin work on an NPPF compliant Local Plan for York.

5.0 Production of the City of York Local Plan

Local Plan Preferred Options

5.1 The production of a Local Plan allowed for the creation of a planning strategy that responded to relevant contemporary issues facing York. In Autumn 2012 a comprehensive 6 week 'Call for Sites' was carried out, asking developers, landowners, agents and the public to submit land which they thought had potential for development over the next 15-20 years. These sites form the basis of the site selection process for the Local Plan. The press coverage for the consultation included a Your Voice, Autumn 2012, Article – *Planning York's Future*: This publication was distributed to all York residents. The article highlighted the Council's website as a place to find out more. In addition there was a Yorkshire Post, 7 November 2012, Article – *Pioneering Research to Shape Historic City's Economic Future*. The Yorkshire Post is read by approximately 193,000 people. The article highlighted that the Council "is now embarking on wide-ranging research to provide the evidence needed to develop an economic and retail vision to underpin the city's new development brief after initial proposals had to be shelved due to concerns over their viability". There were nearly 300 individual site submissions during the consultation period to be considered for a range of development purposes.

5.2 In addition as part of the initial process of developing the Local Plan, a series of workshops were held to establish key issues within York to help write the Vision. These workshops took place between October and November 2012. The themes of the workshops were in keeping with the Council Plan Themes. The Protect Vulnerable People theme was covered in all workshops, as was Sustainability. The workshops included:

- Create Jobs and Grow the Economy – Held at The Mansion House on 5th November 2012 and chaired by Andrew Follington, Area Commercial Director North Yorkshire of HSBC.
- Get York Moving – Held at The King's Manor on 25th October 2012 and chaired by Nigel Foster, Director for Fore Consulting.

- Build Strong Communities – Held at The King’s Manor on 6th November 2012 and chaired by John Hocking, Executive Director of the Joseph Rowntree Housing Trust.
- Protect the Environment – Held at The King’s Manor on 23rd October 2012 and chaired by Mike Childs, Head of Policy, Research and Science at Friends of the Earth.

5.3 The Local Plan Preferred Options document (June 2013) draws from the responses that were received during earlier consultations on the LDF Core Strategy, Call for Sites, Visioning Workshops and other LDF documents. The City of York Local Plan Preferred Options – Consultation Audit Trail (May 2013) which is Annex 9 of this Report provides an audit trail that describes how the Council has undertaken community participation and stakeholder involvement to produce the Local Plan Preferred Options. A Local Plan Preferred Options Consultation Statement (2015) was also prepared and sets out in detail the consultation documents, who was invited to make the representations, how people were invited to make the representations, the number of responses received, details on the petitions received and the main issues raised. This can be found in Annex 10 to this report. For the purpose of this report, a summary is also provided below. The Annexes to Annex 10 also gives a copy of comments form and site submission form, a copy of the letter to consultees, a copy of the leaflet and a summary of petitions. Summary tables including of all the comments received to the Preferred Options Consultation can be found using the following web link:

https://www.york.gov.uk/downloads/download/3050/local_plan_preferred_options_consultations_summary_tables

5.4 York’s Local Plan Preferred Options was subject to an 8 week consultation from the 5th June to 31st July 2013. Approximately 9,457 responses were received from 4,945 respondents. In addition to individual responses 21 petitions were submitted during the consultation period, containing a total of 9,111 signatures. This was the highest number ever received in York for a consultation of this type.

5.5 During the consultation the Council held: 14 public exhibitions, a staff exhibition at West Offices, 16 meetings with prescribed bodies and key groups and an event was held at the Bar Convent with potential developers for key sites. This was coupled with a high level of media coverage in the local, regional and national press (including the York Press, Yorkshire Post, The Economist and Telegraph).

- 5.6 Additionally, a leaflet advertising the consultation and letting people know how they could comment on the proposals was distributed to every household. Specific consultees including Natural England, English Heritage, the Highways Agency, neighbouring authorities and parish councils were contacted by email or letter to inform them of the consultation process. We also wrote to or emailed approximately 1800 groups, businesses and individuals who previously registered an interest in planning in York and were on the Local Plan Database, to make them aware of the consultation.
- 5.7 A copy of the main documents was available for the public to view in each City of York Council libraries and in West Offices reception. A list of evidence base documents and how they could be viewed was also provided. A link was created from the Council homepage to a new Local Plan Preferred Options page. The new webpage set out what the document was, listed the consultation documents and provided details on the consultation. Several petitions were also received.

Local Plan Further Sites (2014)

- 5.8 During the Local Plan Preferred Options consultation, additional information on sites was submitted by landowners and developers. This included the submission of new sites and further evidence on existing sites. In addition Officers were also undertaking work with the agents and landowners of strategic sites. This was a key part of the process of assessing suitability and deliverability before progressing to the Local Plan's publication stage. Before making any final recommendations on sites to include in the Local Plan for publication and examination the Council wanted to understand the public views on the new sites, the reconsideration of some sites that were previously rejected and potential boundary changes on some of the strategic allocations, this was done through a Further Sites Consultation.
- 5.9 A City of York Local Plan Further Sites Consultation Statement (2015) was prepared and sets out in detail the consultation documents, who were invited to make the representations, how people were invited to make the representations, the number of responses received, details on the petitions received and the main issues raised. This can be found in Annex 11 to this report. For the purpose of this report, a summary is also provided below. The Annexes to Annex 11 also gives a copy of comments form, a copy of the letter to consultees, the main issues raised through consultation on the Technical Appendices. Summary

tables of the comments received to the Further Sites Consultation can be found using the following web link:

https://www.york.gov.uk/downloads/download/1216/local_plan_further_sites_consultation_summary_tables

5.10 The Further Sites Consultation was subject to a six week consultation between Wednesday 4th June and Wednesday 16th July 2014. Approximately 9,595 responses were received from 3,903 respondents. In addition to individual responses five petitions were submitted during the consultation period, containing a total of 1,664 signatures. How people were invited to make representations is set out below:

- Several targeted consultation events took place including the following exhibitions: B&Q Foyer, Hull Road (Tuesday 10th June from 2.30pm to 7.30pm, Monks Cross Shopping Park – Car Park (Thursday 26th June from 2.30pm to 7.30pm), City Centre – Parliament Street (Wednesday 2nd July from 10am to 4pm).
- Area Based meetings were also held with Ward Councillors, Parish Councillors and Planning Panels.
- There was a Council website notice on the City of York Council homepage under Current Consultations. In addition all documents and supporting information available to view on the Council's website.
- A press article was placed in the local Press newspaper on 31st May 2014. A Your Voice Article: – was sent to every household in York.
- A set of hard copies of the consultation documents were placed in West Offices Reception and in libraries across York. Area based maps are also available in each library showing the proposals in that location.
- The local plan twitter feed/facebook were used to publicise the consultation. All consultees on the Council's Local Plan database, which includes anyone who commented at the Preferred Options stage or has otherwise registered an interest in planning in York (approx. 9000), were sent an email/letter informing them of the opportunity to comment and details of the web page and where to find more information.

- There were several ways in which people and organisations were able to comment on the consultation documents. These were by:
 - filling in the comments form (electronically or in writing). Paper copies were placed in the York libraries, West Offices Reception and the exhibitions. People could use the Council's online consultation tool and complete an online response form with questions available on the website at www.york.gov.uk/localplan
 - writing to the Local Plan team using a FREEPOST address: FREEPOST RTEG-TYYU-KLTZ, City of York Council, West Offices, Station Rise, York, YO1 6GA.
 - emailing the Local Plan team at localplan@york.gov.uk

Local Plan Preferred Sites Consultation (2016)

5.11 The Local Plan Preferred Sites Consultation (2016) draws on the previous stages of consultation and technical work undertaken to support the plan. Its purpose was to allow the public and other interested parties to comment on the additional work relating to housing and employment land need and supply and also presented a revised portfolio of sites to meet those needs.

5.12 The Preferred Sites Consultation 2016 took place for a period of eight weeks from Monday 18th July 2016 to Monday 12th September 2016; the statutory 6 week period was extended to take account of the consultation taking place during the summer school holiday period. The Council received 4,286 responses overall from 1,766 respondents. The Local Plan Preferred Sites Consultation Statement (September 2017) gives in detail the consultation documents that were produced, sets out who was consulted, outlines the methods and techniques used during the consultation and summarises the main issues raised in the responses received. This can be found at Annex 12 to this report. Summary tables of the comments received to this consultation can be found at the following web link:
https://www.york.gov.uk/downloads/download/4038/preferred_sites_consultation_response_summaries

5.13 An outline of how people were invited to make representations on the Local Plan Preferred Sites consultation is set out below:

- a press release to advertise consultation and how to respond was issued on 15th July, along with key media interviews including Radio York, Minster FM and York Press;
- all documents and response forms were made available online at www.york.gov.uk/localplan and on the main City of York website consultation finder;
- hard copies of all the consultation documents, exhibition boards and response forms were placed in West Offices Reception; it was also possible for those who required hard copies to ring or email the forward planning team and request a copy of the documents;
- hard copies of all the consultation documents and response forms were placed in Council libraries for the duration of the consultation;
- city wide distribution via Our Local Link of an 'Our City Special' with area based maps and free post response form delivered to every household;
- email or letter to all contacts registered on Local Plan database, including members of the public, statutory consultees, specific bodies including parish councils and planning agents, developers and landowners;
- staffed drop-in sessions/public exhibitions at venues across the City at the following locations:
 - Zone 1: 24th August - Tesco (Tadcaster Road), Dringhouses
 - Zone 2: 16th August - York Sport, Heslington
 - Zone 3: 11th August - Dunnington Reading Rooms, Dunnington
 - Zone 4: 3rd August - West Offices, York City Centre/ 9th August - Osbaldwick Sports Centre, Osbaldwick
 - Zone 5: 18th August - Acomb Explore Library, Acomb
 - Zone 6: 24th august - Oaken Grove Community Centre, Haxby
- exhibition boards and consultation documents including response forms available at ward committee meetings;
- meetings with statutory consultees and neighbouring authorities;
- presentation and question and answer session with York branch of the Yorkshire Local Council Association (attended by Parish Councils), York Property Forum/Chamber of Commerce and the Environment Forum; and
- targeted social media campaign via Facebook and Twitter running for the duration of the consultation.

5.14 There were several ways in which people and organisations could comment on the Preferred Sites consultation. These were by:

- filling in the comments form (available on the Council's website, on the back page of the city wide leaflet and at the libraries/west offices/exhibitions);
- writing to the Local Plan team, via a freepost address;
- emailing the Local Plan team; or
- using the Council's online 'Current Consultations' tool (Survey Monkey) and completing an online response form with questions, via the Council's website.

Pre Publication draft Local Plan Consultation (2017)

5.15 Following the Local Plan Preferred Sites Consultation in 2016 several important factors arose. On the 5th December 2016 a report was considered at the Council Local Plan Working Group (LPWG). The LPWG Report highlighted two key factors firstly, on the 12th July 2016 the Department of Communities and Local Government (CLG) released the Sub National Household Projections (SNHP) which update the May 2016 release of the Sub National Population Projections (SNPP). This release indicates a higher demographic starting point for York and secondly, the Ministry of Defence (MOD) announced on 7 November that they would be disposing of a number of military sites across the country as part of their Strategy – A Better Defence Estate (MOD, 7 November 2016) this included three sites in York: Imphal Barracks, Fulford Road; Queen Elizabeth Barracks, Strensall; and Towthorpe Lines, Strensall. On the 23rd January 2017 City of York Council Members considered a LPWG Report which provided an update on the emerging Local Plan and in particular on the initial consideration of the newly submitted Ministry of Defence (MOD) sites against the Local Plan Site Selection methodology following a report to Executive on 7 December 2016. Following this technical work was carried out which established that the sites represented 'reasonable alternatives' and, therefore, should be considered as part of the Local Plan process. On 7 February 2017, the Department for Communities and Local Government (DCLG) published a Housing White Paper. As part of which, DCLG also consulted on changes to planning policy and legislation in relation to planning for housing, sustainable development and the environment. In response to the context described above the Council undertook further work relating to the following interrelated areas:

- The MOD sites and related supply implications;

- Housing Need;
- Employment Need
- Housing and Employment Land Supply and related consultation responses; and
- Non housing and employment land related policies.

More detailed information on these areas of work can be found in the LPGW Report which was considered on the 10th July 2016 and as part of the Councils Executive Report, 13th July 2017 and its associated annex's, please refer to Annex 2 of this report for the Executive Report. Given the level of change a consultation on a full plan and policies was agreed by the Executive on 13th July 2017.

5.16 A city-wide consultation on the Local Plan Pre Publication Draft (Reg 18) commenced on the 18th September 2017 and finished on 30th October 2017. During the consultation period the Council received responses from circa 1,295 individuals, organisation or interest groups. Given that those responding tend to raise multiple points this equates to around 4,000 representations

5.17 The City of York Local Plan Pre-Publication Consultation Statement (February 2018) which is Annex 13 to this report summarise this Pre-Publication consultation; it outlines the consultation documents that were produced, sets out who was consulted, the methods and techniques used during the consultation and summarises the main issues raised in the responses received. Summary tables of the comments received to this consultation can be found using the following web link:
https://www.york.gov.uk/downloads/download/4256/local_plan_pre-publication_consultation_summary_tables

5.18 A summary of how people were invited to make representations on the Local Plan Pre-Publication consultation is set out below:

- a press release to advertise the consultation and how to respond was issued 15th September 2017;
- all documents and response forms were made available online at www.york.gov.uk/localplan and on the main City of York website consultation finder;
- hard copies of all the consultation documents, exhibition boards and response forms were placed in West Offices Reception; it was also possible for those who required hard copies to ring or email the forward planning team and request a copy of the documents;

- hard copies of all the consultation documents and response forms were placed in Council libraries for the duration of the consultation. In accordance with the SCI, all CYC libraries held a hard copy of the main Pre-Publication draft document, the proposals maps and a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Summary. All other supporting documents were available to view online, with the help of guidance notes provided.
- An 8-page Local Plan Special Edition of Our City delivered to every household in York via Our Local Link, with area based maps and free post response form;
- email or letter to all contacts registered on Local Plan database, including members of the public, statutory consultees, specific bodies including parish councils and planning agents, developers and landowners;
- staffed drop-in sessions/public exhibitions at venues across the City (see below);
- exhibition boards and consultation documents including response forms available at ward committee meetings;
- meetings with statutory consultees¹ and neighbouring authorities;
- presentation and question and answer session with York branch of the Yorkshire Local Council Association (attended by Parish Councils), York Property Forum/Chamber of Commerce and the Environment Forum; and
- targeted social media campaign via Facebook and Twitter running for the duration of the consultation.

5.19 There were several ways in which people and organisations were able to comment on the consultation documents. These were by:

- filling in the comments form (available on the Council's website, on the back page of the city wide leaflet and at the libraries/west offices/exhibitions);
- writing to the Local Plan team, via a freepost address;
- emailing the Local Plan team; or
- using the Council's online 'Current Consultations' tool (Survey Monkey) and completing an online response form with questions, via the Council's website.

5.20 A series of targeted meetings and exhibitions were arranged to publicise the consultation and engage with interested parties. The dates and venues of the public exhibitions were included in the city-wide publication of Our City. The exhibitions were staffed by officers and provided the opportunity for members of the public to find out about the

consultation. Consultation material and area based maps were also available to view. The City was split into five areas for the purpose of the maps to be contained in Our City (the follow the rivers/main roads to avoid dividing sites/residential areas). Eight public exhibitions were held across the city, each staffed by at least 2 officers and provided the opportunity for members of the public to find out about the consultation. Consultation material and area based maps were also available to view.

- Monday 2nd October at Strensall & Towthorpe Village Hall, Strensall (3pm- 7:30pm)
- Wednesday 4th October at Fulford Social Hall, Fulford (3pm 7:30pm)
- Thursday 5th October at Clifton Library, Clifton (3pm-7pm)
- Monday 9th October at Tang Hall Library, Tang Hall (3pm-7:30pm)
- Wednesday 11th October at West Offices, York City Centre (3pm-7:30pm)
- Monday 16th October at Acomb Explore Library, Acomb (3pm-7:30pm)
- Tuesday 17th October at York Sport, Heslington (3pm-7:30pm)
- Wednesday 18th October at Oaken Grove Community Centre, Haxby (3pm-7pm)
- A further exhibition was held at York College in the atrium on Thursday 19th October 2017 10am-2pm, specifically to target the views of young people.

5.21 Community Involvement (Neighbourhood) Officers were briefed and provided with consultation material to take to ward committees during the consultation period.

5.22 A briefing session for Parish Councils was held on Wednesday 27th September 2017 with the York Local Council Association which included representatives from all Parish Councils across York.

5.23 Specific Consultees (approx. 100) including Natural England, Historic England, the Environment Agency and Highways England, neighbouring authorities and Parish Councils were sent an email/letter informing them of the opportunity to comment and details of the web page and where to find more information. Meetings with these groups were also arranged during the consultation period.

5.24 All other consultees on our database, which includes anyone who commented on any previous stages of the local plan or has otherwise registered an interest in planning in York (approx. 10,000), was sent an

email/letter informing them of the opportunity to comment and details of the web page and where to find more information.

- 5.25 All Members received a briefing note setting out the proposed consultation methods and details of the consultation at the start of the consultation period, and a copy of the main documents was placed in the Member's group rooms at the Council's West Offices.
- 5.26 All Directors, Assistant Directors and other relevant officers were sent details of the consultation and informed where they could view the documents.
- 5.27 In addition to the more formal approaches for cooperating with prescribed bodies and other relevant organisations, City of York Council has engaged on an ongoing basis through an extensive series of informal (but recorded) meetings with such bodies and organisations, on a largely one-to-one basis, in relation to the Duty to cooperate. These meetings took place as part of Pre-Publication consultation and are set out in the table under Paragraph 4.13 of Annex 13 to this report. In addition to these meetings, regular sub-regional or sub-area meetings, and meetings for specific projects, where formal minutes or notes are otherwise available, also took place as follows:
- Leeds City Region (LCR) Strategic Planning Duty to Cooperate Group
 - LCR Community Infrastructure Working Group
 - Local Government North Yorkshire and York (LGNYY) Spatial Planning and Transport Board
 - LGNYY Spatial Planning and Transport Technical Officers Group (TOG)
 - York Sub-area Joint Infrastructure Working Forum (YSAJIWF)
 - North Yorkshire Development Plans Forum
 - East Coast Mainline Authorities group (ECMA)
 - ECMA Technical Officers Group
 - Rail North (potential Rail Franchisor under decentralisation)
 - Business Case for improving the York-Harrogate-Leeds line
 - TransPennine Electrification
 - Asset Board
 - A64 Officer's

Publication Draft Local Plan Consultation (February, 2018)

5.28 Following the Pre-Publication Consultation the responses were considered and a final Publication Draft Local Plan was produced. It was agreed by Members on 25th January 2018 that the Plan could be subject to public consultation. The consultation ran for 6 weeks from 21 February to 4 April 2018.

Who was invited to make representations

Specific Consultees

5.29 Specific Consultees include Natural England, Historic England, the Environment Agency and Highways England, neighbouring authorities and parish councils. This group of consultees (approx. 80) was sent an email/letter informing them of the opportunity to comment and details of the web page and where to find more information. A list of these consultees is contained in Annex 14.

General Consultees

5.30 All other consultees on our database, which includes anyone who commented on any previous stages of the local plan or has otherwise registered an interest in planning in York (approx. 10,000), were sent an email/letter informing them of the opportunity to comment and details of the web page and where to find more information. A copy of the letter is contained in Annex 15.

Wider public

5.31 Every household in York (over 87,000) received a leaflet promoting the consultation through their letterbox. The council's internal and corporate communications channels were also used, as well as distribution networks available via the communities and neighbourhoods team. A copy of the leaflet is contained in Annex 16

Internal Consultation

5.32 All Members, Directors, Assistant Directors and other relevant officers were sent details of the consultation and informed where they could view the documents.

Accessible Information

5.33 Key consultation documents were made available in accessible formats on request, including large print or another language.

Duty to Cooperate

5.34 Consultation with neighbouring authorities took place utilising existing structures through the Leeds City Region (LCR) and Local Government North Yorkshire and York (LGNYY) sub-regions, in both of which the City of York is a constituent local authority. The formal groupings within the LCR and LGNYY where issues relating to the Duty are raised are, primarily:

- Leeds City Region Planning Portfolios Board (Member Group)
- Leeds City Region Strategic Planning (DtC) Group (Officer Group)
- Leeds City Region Heads of Planning (HoP) (Officer Group)
- Leeds City Region Directors of Development (DoDs) (Officer Group)
- North Yorkshire and York Spatial Planning and Transport Board (Member Group)
- North Yorkshire, York and East Riding Heads of Planning (Officer Group)
- North Yorkshire, York and East Riding Directors of Development Group (Officer Group)
- North Yorkshire and York Spatial Planning and Transport Technical Officers Group (ToG) (Officer Group) (prior to Jan 2016 when replaced by HoP and DoDs)

5.35 Meetings took place with the Leeds City Region Planning Portfolios Board on 15th December 2017 and the North Yorkshire and York Spatial Planning and Transport Board on 17th January 2018 to discuss the Pre-Publication Draft Local Plan, in advance of the Publication Draft consultation. At both meetings, the approach taken in preparing the Plan was endorsed.

5.36 In addition, consultation with neighbouring authorities and other prescribed bodies has taken place through ongoing meetings with individual authorities and bodies since 2012. The last series of meetings on the Local Plan Publication Draft, February 2018 (Regulation 19 Consultation) was as follows:

- Environment Agency (15th March 2018);
- East Riding Council (3rd April 2018);
- Highways England (20th February 2018);
- Historic England (28th February 2018 and 28th March 2018);
- North Yorkshire County Council (16th March 2018);
- Ryedale District Council (26th March 2018);
- Selby District Council (22nd March 2018);

- York North Yorkshire & East Riding LEP (21st March 2018)

How people were invited to make representations

Media

5.37 The council communications team issued three media releases relating to the consultation; to mark the booklet distribution, the beginning of the consultation and one with a 'two weeks to go' reminder. The Local Plan has regularly appeared on the news agenda throughout the consultation, with council media releases, journalists' enquiries and the interventions of other stakeholders leading to at least ten articles in the York Press alone. York Mix, Minster FM and Radio York have also both covered the consultation and related issues. Details of these items are contained in Annex 17.

CYC Website

5.38 A new 'Publication Draft Local Plan February 2018' consultation page linked from the 'Current Consultations' section on the Council homepage. The new webpage set out what the documents are, lists the consultation documents, give details of the consultation and how to respond.

5.39 The existing 'New Local Plan' webpage was also updated with all of the consultation details, links to downloads and the online consultation form.

5.40 In summary, the Local Plan landing page was viewed 7500 times during the consultation, including 4966 unique views.

CYC Libraries and WO Reception

5.41 A set of hard copies of the consultation documents were placed in West Offices Reception and all CYC libraries.

Twitter Feed/Facebook

5.42 The council's corporate social media accounts were used to publicise the consultation. Twitter and Facebook, including boosted facebook ads targeting adult facebook users in York, were used to publicise the start of the consultation and towards the end of the consultation period to make people aware that the deadline for comments is approaching. Video and image-led content was used to emphasise the scope of the consultation and explain the process.

5.43 In line with effective engagement strategies employed in previous consultations and campaigns, a £250 budget was be set aside to 'boost'

this content to make sure they reach an audience beyond those already engaged with the council.

5.44 In summary, posts were seen 40,626 times, prompting 3810 engagements (likes, comments, shares or clicks on the content).

Leaflets

5.45 An A5 leaflet went to every household (over 87,000) in York. It was distributed by Your Local Link between 14 and 25 February.

Council Intranet

5.46 Articles about the consultation were placed in the online internal newsletter throughout the consultation.

Method of Response

5.47 There were several ways in which people and organisations were able to comment on the consultation documents. These were by:

- filling in the comments form (this was available electronically on our website, and as hard copies at West Office reception and at CYC libraries).
- using the Council's online 'Current Consultations' tool and completing an online response form with questions accessed from the Council's website.

A copy of the comments form is contained at Annex 18.

Consultation Documents

5.48 All documents were available online on the Local Plan webpage and a full set of hard copies of the consultation documents were placed in West Offices Reception to be viewed. All CYC libraries held a hard copy of the Local Plan Publication document, the policies maps and a Sustainability Appraisal (SA/SEA) Non Technical Summary. All locations had the following consultation material:

Main Documents

- City of York Local Plan Publication Draft (February 2018)
- City wide policies maps (North/South/City Centre inset)
- Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

N.B. Background evidence which has informed the Local Plan was published on a new evidence base webpage.

Consultation Material

- Comments form (electronic and hard copies)
- 8 page city-wide leaflet
- Poster (Annex 19)
- Statement of Representations Procedure (including Statement of the Fact) (Annex 20)

Responses

5.49 During the Regulation 19 consultation period we have received responses from circa 850 individuals, organisation or interest groups, this equates to approximately 5,000 separate comments. One petition was received as part of this consultation. This contains 1149 signatures in opposition to a proposal for a 'substantial housing development' being promoted by land owners between Stockton Lane and Malton Road.

5.50 All comments made will be submitted to the Planning Inspectorate for examination and will be made available on line on submission of the Plan.

5.51 A full index of all the respondents is contained at Annex 21, along with a Sequential Identification number (SID) which relates to their individual responses.

5.52 Annex 22 to this report contains summary tables in Plan order which contain a summary of each comment received. The summary of responses has been prepared by Officers to provide a guide to highlight the broad issues raised during this stage of consultation. It should not be taken as a substitute for the full and comprehensive set of all duly made representations. A full set of representations will be publicly available from the Programme Officer's library, and available to view on the Council's website once the Plan is submitted.

6.0 Main Issues Raised during Regulation 19 Consultation

6.1 A set of tables below para. 6.17 identify the main issues by Plan theme, raised at Regulation 19. In brief, these include:

6.2 *General, Background, Vision and Development Principles*

- A number of comments state that the plan is not considered sound or legally compliant as it does not comply with elements of the NPPF,

particularly in regard to the approach to the green belt. (See 'Spatial Strategy' below for further detail).

- Those who consider the Plan sound offer additional points of clarification, particularly regarding aspects of policies relating to strategic sites. This includes:
 - Ryedale District Council
 - Selby District Council, noting that both authorities are committed to meeting their objectively assessed housing need;
 - Hambleton District Council;
 - York, North Yorkshire and East Riding LEP, which considers the plan to be both legally compliant and sound, noting the imperative to move to adoption quickly to allow housing and employment targets to be delivered;
 - Historic England support the approach to managing growth which limits impact on the special character and setting of the City (note, EH raise several soundness issues re individual strategic sites);
 - Huntington Parish Council
 - Earswick Parish Council
 - Strensall with Towthorpe Parish Council
 - Internal Drainage Board (noting specific issues regarding surface water drainage)
- Both Harrogate Borough Council and North Yorkshire County Council highlight the need for York's Plan to set an enduring green belt boundary and meet its full OAHN. NYCC further comments on need for the Plan's Mineral and Waste policies to reflect the North Yorkshire and York Minerals and Waste Joint Plan.

6.3 *Spatial Strategy including Strategic Sites*

- Many residents support the principle of a Plan establishing a permanent Green Belt boundary and the approach taken in removing identified areas of safeguarded land from the Plan. Planning agents and developers argue that the boundary is too tightly drawn and will not endure beyond the plan period, ie not provide permanence. They further comment that the Plan is overly reliant on development from a few strategic sites (notably York Central) which may not deliver as anticipated.
- Responses from planning/property agents tend to raise objection to the Plan's annual housing target of 867 units, which reflects neither the SHMA evidenced by independently appointed consultants nor the emerging DCLG methodology. Many believe the Plan to be unsound on this basis.

- The majority of the developers and landowners with interests in the strategic sites support the allocations in principle. However, several request amended boundaries and/or an increase in yield for their sites including ST4, ST7, ST8, ST14, ST15, ST16, and ST31.
- While supporting the general principle of a development strategy which limits peripheral growth to safeguard key elements of the City's special character, Historic England raise concerns regarding the impact of specific strategic sites (including York Central and University of York expansion) on the historic character and setting of the City. Several other respondents question the soundness of including specific sites, the details of which are set out in Annex 22. This includes Osbaldwick Parish Council, Wheldrake Parish Council, Haxby Town Council, Fulford Parish Council, Elvington Parish Council, Heslington Parish Council, Upper and Nether Poppleton Parish Councils
- East Riding of Yorkshire Council question whether the scale of ST15 is sufficient to deliver necessary supporting infrastructure. On the whole, responses received from local residents in relation to strategic sites tend to raise soundness concerns relating to reasons of impact on surrounding roads, drainage, wildlife, schools and other infrastructure.
- Natural England identified concerns including the need for a final HRA, along with potential impacts on Strensall Common SAC and in relation to ST15.

6.4 *Economy and Retail*

- Most objections deem the amount of land allocated for employment use inadequate as it does not match the City's ambitions for economic growth, particularly in B1a terms.
- Concern that reliance on few large sites does not provide a variety of choice and or the allocated land will not provide sufficient employment for new residents over the course of the plan.

6.5 *Housing including Housing Allocations*

- Some alternative sites have been submitted and will be presented to the Inspector for consideration;
- Support for the overall soundness of the policy. Those opposing the general thrust of policy raise the following issues:
 - non-conformity with NPPF para 182;
 - the Plan is not able to demonstrate a 5-year supply upon adoption;
 - the methodology behind site selection is not sufficiently detailed;
 - the inclusion of off campus student housing commitments and completions is inappropriate in determining housing supply;

- noting the above, that the inclusion of windfalls is not a plan led approach and could create uncertainty leading to under-delivery.
- Some respondents question how the proposed densities have been calculated. It is argued that high densities will result in flatted development which is not needed in York.
- Whilst some respondents support the flexibility provided in relation to housing mix, other suggest that greater flexibility is required on a site-by-site basis.
- Whilst many local communities support the approach to Gypsy and Traveller provision, some are concerned that the proposed policies fail to satisfy national policy in terms of deliverability through strategic sites and will therefore not fully meet the needs of the travelling community.
- Developers ask that clarification should be provided as to how the demand for gypsy and traveller pitches within new housing developments has been assessed. York Travellers Trust consider the Plan neither legally compliant nor sound in underestimating G+T need, and that it fails its duties under the 2010 Equality Act by not allocating sites.
- Respondents ask that the policies for student accommodation and HMOs are strengthened

Site comments:

- Generally, developers and landowners support the allocation of their sites in principle, although amended boundaries and/or yields and increased flexibility are suggested for H31, and H59.
- Some local residents wish to see lower densities on sites to reduce their impact on infrastructure and existing residents.

6.6 *Health and Wellbeing*

- The majority of respondents make reference to the fact that the issue of the retention and re-use of existing community assets is of the utmost importance in the delivery of the plan and that a strengthening of policy in respect of evidence underpinning their use or re-use is required.
- Several respondents feel that further clarification on the level of developer contribution required is needed.

6.7 *Education*

- Support for the Plan's recognition of the role of the city's Universities in delivering economic growth. Some concern that the Plan does not provide sufficient land for the University of York to grow.

- Some respondents feel that any proposals for development at the University of York should mitigate the effects of housing, traffic and parking to lessen the impact on local communities

6.8 *Placemaking, Heritage, Design and Culture*

- In general these policies are supported by respondents.
- Some developers feel that there is too much emphasis on developer contributions and that the responsibility for placemaking and culture lies with the Council.

6.9 *Green Infrastructure*

- Several developers feel that further detail and clarification on the level of developer contribution is required.
- Many responses related directly to the provision of new open space sites OS1-OS12 which are generally supported by local residents

6.10 *Managing Appropriate Development in the Green Belt*

- Whilst the Green Belt policies are generally supported, some respondents feel that they are overly restrictive and offer little opportunity for rural businesses.

6.11 *Climate Change*

- Some developers argue that energy requirements for new housing developments are solely the remit of Building Regulations and the Plan should not be imposing more onerous requirements on developments. In particular, several state that the requirements to achieve BREEAM 'excellent' rating is unduly restrictive and may render schemes unviable.

6.12 *Environmental Quality and Flood Risk*

- Some respondents consider that these policies are not strong enough in relation to air quality, flooding and drainage.
- Some developers state that further detail and clarification is required on the extent of developer contribution.

6.13 *Waste and Minerals*

- Detailed minerals and waste policies are contained in the Minerals and Waste Joint Plan. Any policies in the York Local Plan must ensure that they are consistent with strategic polices in the MWJP.

6.14 *Transport and Communications*

- Some respondents consider that the current upgrades to the A1237 outer ring road are inadequate and that the road needs to be duelled

- It was highlighted that the connectivity and capacity of the current cycle and pedestrian networks need to be addressed
- Comments about communications infrastructure refer to new development schemes needing to be future proofed to facilitate the provision of mobile, broadband and wireless communications infrastructure, including in the public realm and within private buildings.
- Overall, several respondents request further detail on policy implementation and required developer contributions.

6.17 The tables below contain a more comprehensive summary of the main issues raised during the Regulation 19 Consultation on the Publication draft Local Plan. These are broken down into:

- Table 1: Main Issues Raised by Prescribed Bodies
- Table 2: Main Issues Raised by Adjacent Local Authorities
- Table 3: Main issues Raised about the SA/SEA
- Table 4: Main issues Raised in Plan Order

6.18 These summaries have been prepared by Officers to provide a guide to highlight the broad issues raised during this stage of consultation. It should not be taken as a substitute for the full and comprehensive set of all duly made representations. A full set of representations will be publicly available from the Programme Officer’s library, and available to view on the Council’s website once the Plan is submitted. Annex 22 to this report contains a summary of all comments raised, set out in Plan order.

Table 1: Main Issues Raised by Prescribed Bodies

Prescribed Body	Main Issues Raised
Natural England	<ul style="list-style-type: none"> • Raise a number of concerns about the lack of final assessment for the Conservation of Habitats and Species Regulation 2017 (HRA); • Advises that the SA should be updated following the conclusions of an updated HRA when that information becomes available. The SA should also be updated once additional air quality assessments that address the impact of traffic emissions on nationally and internationally designated sites has been completed; • The information provided in relation to the assessment of recreational disturbance and urban edge effects upon Strensall Common SAC and SSSI is insufficient, making

	<p>the Plan unsound;</p> <ul style="list-style-type: none"> • Welcome the requirements set out in Policy SS19 that relate to Strensall Common, however, do not consider that sufficient evidence is available to judge whether such measures would be sufficient to avoid adverse effects on the integrity of the SAC or damage to the SSSI; • Outstanding concerns regarding the potential for functional linkages between birds found on ST15 and the Lower Derwent Valley Special Protection Area; • Welcomes policy SS13 which sets out the necessary compensation and mitigation measures in the context of the conclusions of the SA, concerning the preferred Spatial Strategy and Site ST15, • Welcomes policy GI2, but recommends the consideration of references to the protection afforded to internationally and nationally designated sites in line with paras 113 and 117 of NPPF and the policy is updated to clarify around how windfall sites are treated; • Recommends that the policies map is updated to clearly distinguish between nationally and internationally designated sites of ecological value; • Advise including a specific reference to the protection of best and most versatile agricultural land. Also advise specific reference to the importance of protecting wider soils resources including in relation to ecosystem services such as carbon storage and their role in flood prevention; • Consider including protection for ancient woodland and veteran trees in Policy GI4, in line with para 118 of NPPF; • There are a number of woodlands on the Ancient Woodlands Inventory within the CYC area which should be included on the Policies Map; • ST15 has had various boundary changes through the different drafts of the Local Plan, and a great deal of evidence has been gathered but not made public, this should be published to clarify what evidence is relevant to various boundaries and amendments; • Welcome the assessment against Objective 8 in the SA, which is detailed and accurate. Agree with the scoring and weighting applied.
<p>Historic England</p>	<ul style="list-style-type: none"> • Welcome the intention to limiting the amount of growth which is proposed around the periphery of the built-up area of the City to safeguard key elements identified in the

	<p>Heritage Topic Paper as contributing to the special character and setting of the historic city.</p> <ul style="list-style-type: none"> • The new free-standing settlements – as a strategy for accommodating York’s development needs, new free-standing settlements will result in far less harm to the special character and setting of the historic city than would be caused by development on the edge of the existing built-up area of the City. The plan should set out its development strategy more clearly. • York Central - support the redevelopment of this brownfield site, but are concerned about the potential impact the level of development might have upon the city’s heritage. No evidence base to support 2,500 dwellings and 100,000sq m of office floorspace which would not result in adverse impact on City’s infrastructure, traffic, and heritage. • The University - concerned about the area identified for the future expansion of the University and feel further consideration is needed to safeguard the elements which contribute to the setting of the City. • Other Strategic Sites - several of the sites do not appear to have taken account of the elements which the Council has identified as contributing to York’s special character. • Various suggested amendments to policies and sites.
<p>Environment Agency</p>	<ul style="list-style-type: none"> • Comment that the Plan is not legally compliant or sound, but that this would be ameliorated by including additional text to require developers to meet the requirements of the Water Framework Directive. • Several further detailed comments, including suggested modifications, regarding sites: <ul style="list-style-type: none"> - H7, to further distinguish between areas allocated for open space and student housing in terms land within Flood Zone 3b; - ST20, raising no concerns to the principle of multi-storey parking at St Georges Field, providing that development does not increase flood risk vulnerability. However, EA do not support any development in the Foss Basin, with the possible exception of water compatible uses, subject to detail. As such they do not consider it appropriate to include the Foss Basin within the ST20 site allocation and that the Local Plan should not be adopted with this allocation included.

Highways England	<ul style="list-style-type: none"> • The A64 should be included within the plan definition of York's strategic road network. • HE can confirm that a new access on the A64 has been agreed in principle to serve land west of Elvington Lane as highlighted in Policy T4. The junction layout is not yet agreed and is subject to approval of acceptable proposed alignment and design. • Policy SS4 (York Central) should include reference to the A64 Hopgrove Roundabout improvement (A64/A1237) that is currently in preparation, with the aim of inclusion for implementation in the next roads period. • HE is supportive of the principle stated in Policy T7 that strategic development sites must specifically identify any traffic impacts on the A64 arising from proposed development, individually and in combination with other strategic sites, and any mitigation including physical capacity enhancements required. These must be agreed with HE and neighbouring authorities as appropriate. • HE expect that the strategic sites located around the A1237 Northern Ring Road will combine to have a significant impact on the junctions of the A1237 with the A64 east and west of York. We will therefore need to have a good understanding of that cumulative impact and the scale and nature of any improvement required if we are to be able to state that the Plan is sound • The plan contains strong policy direction on sustainable transport. However, sustainable transport provision in isolation is insufficient to accommodate York's development aspirations, and both demand management and physical capacity improvements will be required.
National Federation of Gypsy and Traveller Liaison groups	<ul style="list-style-type: none"> • Support the policy, asks that H5 (policy) specifically recognise that the requirement for pitches will be kept under regular review and ensure that sites remain available to travellers.
York Travellers Trust	<ul style="list-style-type: none"> • Considers that the Plan underestimates Gypsy and Traveller need, nor provides for sites in the green belt, and is not legally compliant with the 2010 Equality Act; • Suggests modifications, including: <ul style="list-style-type: none"> - Detailed changes to H5 to reflect higher levels of need; - Plan should identify specific sites or broad locations to accommodate Gypsy and Traveller housing need; - SS2 – should allow for safeguarded land, including for

	Gypsy and Traveller communities.
Osbalwick Parish Council	<ul style="list-style-type: none"> • Considers that the Plan uses of out-of-date mapping which does not properly show the extent of development boundaries (notably omitting Derwenthorpe); • Suggests modifications, including: <ul style="list-style-type: none"> - An Environmental Capacity Study should be undertaken to support the Plan. - ST4 should be removed from the Plan due to its elevated presence in open countryside, traffic concerns, open space and wildlife value; - ST7 should be removed from the Plan and retained as green belt in permanence; the site is important to the historic character and setting of the city, developers deem it unviable and there are significant environmental concerns; - ST15 should be promoted as a self sustaining new town; - ST27 must require the increase in student numbers to be accommodated on site in full to avoid further disruption to the housing market; similarly, H7 should require all HE establishments to accommodate student housing growth on campus; - H8 - reduction in the acceptability threshold percentages halved for both neighbourhood and street level thresholds; - Identify green burial site in Osbalwick; - Clarify role of 'Streetscape Strategy and Guidance'.
Coal Authority	<ul style="list-style-type: none"> • No comments
York, North Yorkshire and East Riding Local Enterprise Partnership	<ul style="list-style-type: none"> • Considers the Plan to be Legally Compliant and generally sound, with the following issues: <ul style="list-style-type: none"> - The Plan should be advanced quickly to adopted, to enable at least the 867 per annum homes to be delivered; - ST5 York Central is an increasingly important site, and the increased planned target of 100,000sqm B1a office space is welcomed; - Welcome funding from West Yorkshire Combined Authority to dual the A1237.
Wheldrake Parish Council	<ul style="list-style-type: none"> • Residents feeling that their submissions with regards to the previous consultation period have not been taken into account; • Objection to site SS18 (ST33), as feel that would place an unacceptable and unjustifiable pressure on the current infrastructure and services. The proximity to the development to the industrial estate is also an issue. A significant proportion of ST33 is located on good quality agricultural land and also on green belt. • Objection to site SS13 (ST15) as the residents do not feel they have been properly consulted regarding their

	<p>needs.</p> <ul style="list-style-type: none"> • ST15 should be amended to reflect the developers viable, sustainable and ecologically friendly site option; • E8 should be removed from the plan or designated as green space within the village;
NHS Property Services	<ul style="list-style-type: none"> • Clifton Park Hospital Site could accommodate a mixed used scheme that could meet the identified need for additional housing sites in York. • The LP Housing Requirement, as the updated SHMA figures were rejected by CYC. PDLP provides 3,248 homes less than minimum calculated using government's standardised methodology. PDLP approach to dealing with housing shortfall is incorrect and unsound. • Placing Clifton Moor Hospital Site in Green Belt as sites does not perform any of Green Belt purposes set out in Paragraph 80 of NPPF. • If it is considered that additional housing sites are required to ensure an adequate supply for the Government's OAN, have submitted representations to put forward three sites for consideration as windfall sites. • Supports HW1, which seeks to protect existing community facilities. • Supports H1 - the consultation Plan identifies that CYC have five spatial principles. The redevelopment of land at Peppermint Court can be considered to be in line with these strategies. • Suggests modifications, including: <ul style="list-style-type: none"> - Should any part of the Peppermill Court, Cherry Tree House or Limetrees site be declared as surplus to the operational healthcare requirements of the NHS in the future, then the site should be considered suitable and available for alternative use, and considered deliverable within the period 5 - 10 years. - Limetrees site does not contribute to the purposes of the green belt.
Haxby Town Council	<ul style="list-style-type: none"> • Considers the Plan to be Legally Compliant • Considers that ST9 should be deferred until the improvements to the A1237 have been completed. Notes other concerns re sewerage and drainage, school and health care provision, and impacts on landscape.
National Grid	<ul style="list-style-type: none"> • Considers that several sites cause the Plan to be unsound due to preferring that buildings are not built directly beneath its overhead lines due to occupiers of properties being in the vicinity of lines, and because National Grid needs quick and easy access to carry out maintenance. Sites that cross or in close proximity to National Grid infrastructure are ST1 -British Sugar/Manor School and ST7 - Land East of Metcalfe Lane.

Fulford Parish Council	<ul style="list-style-type: none"> • Considers the Plan to be Legally Compliant. • SS1 – that the Plan should set a target of 706 dwg/annum; • SS2/GB1 – green belt should not be set by using the residual land once development needs have been accommodated. Should instead reflect NPPF; • Delete ST15 – land provides an important green belt function, including the separation of Elvington from the main urban area; • Delete ST4 - land provides an important green belt function, and the presence of the University is being used to justify further development of open land; • Delete ST36 – site should be considered as part of the Plan’s review, as it is unlikely to start before the end of the Plan period; • Undue concentration of major development in the SE quadrant of the city. Cumulative impact of these proposals would cause harm to this area of the city. There would not only be a significant loss of open land and visual outlook but also greatly increased traffic congestion, traffic noise, air pollution and community severance; • Modifications to other Housing policies, including to H8 re HMO thresholds.
Network Rail	<ul style="list-style-type: none"> • Considers the Plan Legally Compliant. • Requests modifications to policies governing ST1 and ST2, to note site’s proximity to the Millfield Lane level crossing and the need to minimise new pedestrian, cycle and vehicular traffic because of the crossing’s high risk rating.
Huntington Parish Council	<ul style="list-style-type: none"> • Considers the Plan Legally Compliant and generally sound.
Earswick Parish Council	<ul style="list-style-type: none"> • Considers the Plan sound. • Supports SS1, particularly that no safeguarded land is allocated and that permanent green belt boundaries will be established; • ST35 – highlighting the potential for traffic impacts.
Strensall with Towthorpe Parish Council	<ul style="list-style-type: none"> • Considers the Plan is legally compliant and generally sound. • Supports Plan’s housing target, in preference to the overestimated DCLG target of 1070/annum; • Supports reduced housing target on ST35, but has concerns in particular regarding infrastructure requirements and site access; • ST9 should be removed from the Plan or its site significantly reduced given likely traffic and infrastructural impacts.
Elvington Parish	<ul style="list-style-type: none"> • General concern that the Plan does not reflect local public

Council	<p>need.</p> <ul style="list-style-type: none"> • ST15 – would support the site in its previous location, closer to the A64; • Development of H39 raises Green Belt issues; site should be deleted and replaced with H26 Dauby Lane; • Plan should uphold the Inspectors previous decision re SP1; • Conditional support for ST26 and E9
Heslington Parish Council	<ul style="list-style-type: none"> • Comments that the Plan is not legally compliant, as it is not clear the Council has provided the proof of “exceptional” circumstances to support green belt land releases. • Suggest that the University of York’s Campus East has the potential to provide all further identified university uses, by using the site more intensively, in preference to ST27; • Heslington Parish Council would welcome full and well-justified reasons as to why the development (ST27) has been put-forward as being necessary in the proposed location for further university uses that cannot be incorporated into the two existing campuses, particularly given the land’s green belt status; • HPC would like to see the cumulative traffic flow impacts from local proposed developments - ST15, ST27, H56 and the ST4 analysed by CYC/Developers to evidence that there will be no adverse traffic congestion for Hull Road, Field Lane, University Road and Heslington Lane. • There is no proof that mitigation can compensate for the impacts of ST15, including on productive farmed land of the best and most versatile arable land, infrastructure that will join already highly congested roads; pollution damage: water, air, soil, noise, light, increased footfall and pet predation, to these two highly sensitive areas and irreplaceable habitats. This is a “stand alone” site that requires extensive mitigation measures and infrastructure.
Upper and Nether Poppleton Parish Councils	<ul style="list-style-type: none"> • Raise a number of concerns relating to the soundness of the Plan. • The expansion of Northminster Business Park is too great, and not supported by the Neighbourhood Plan; • Poppleton Garden Centre should remain as an asset to the area; if the site is to be developed, the Parish Council’s only support development of the existing built footprint; • The Plan lacks an integrated Transport Strategy – questions the loss of proposed rail halt for York Business Park, and lack of discussion around cumulative impact of development on the transport network; • More evidence/assessment required to understand the cumulative impact of proposed development on the City’s

	<p>historic character and setting, open space, education provision and natural environment;</p> <ul style="list-style-type: none"> • SS2 does not properly describe the role of York's green belt.
Internal Drainage Board	<ul style="list-style-type: none"> • Comments that the Plan is sound, subject to some specific comments around managing surface water drainage. The Board believes that, in an area where drainage problems could exist, development should not be allowed at any location until the Local Authority is satisfied that surface water drainage has been satisfactorily provided for. In addition the Board does not consider that development within Flood Zone 3 is desirable or sustainable in the longer term.
York Civic Trust	<ul style="list-style-type: none"> • Believes plan to be legally compliant. • Considers Plan to be unsound because: • No evidence to justify 15% target of journeys by public transport on new developments and no target offered for cycling and walking. • Transport policy statements in the draft Local Plan need to be justified. Suggests amendments. • References to future transport-related documentation makes it impossible to judge potential effectiveness. • Design standards and policy thresholds are not specified (To be set out in Supplementary Planning Document).As a result it is impossible to judge the potential effectiveness and soundness. • ST14 and ST15 may not comply with NPPF. • Inconsistencies with information provided regarding statutory consultees required for listed building consent applications, e.g. 'English Heritage' rather than 'Historic England'. • Suggests various modifications to policies, such as T2, T4, T5, T8, DP2, DP3, ST14, D4, D5 and D7.

Table 2: Main Issues Raised by Adjacent Local Authorities

Local Authority	Main Issues Raised
Ryedale District Council	<ul style="list-style-type: none"> • No issues raised, support the housing sites proposed and feel they have been suitably involved in the process.
Selby District Council	<ul style="list-style-type: none"> • Both Selby and York have agreed to meet their own objectively assessed housing need within their own authority boundaries. Seeks assurance through the LP that York is able to meet its own housing requirements.

Hambleton District Council	<ul style="list-style-type: none"> • Generally support the Local Plan.
East Riding of Yorkshire Council	<ul style="list-style-type: none"> • Unclear whether (Land West of Elvington Lane) would be sufficient to deliver the necessary supporting infrastructure outlined in Policy SS13. Does not consider policy unsound but needs further clarification within the plan to outline how this strategic allocation will be delivered, including provision of services; • Costs of the services have not been clarified in other policies. Suggests it may be helpful to include viability of essential infrastructure and the costs and mechanisms for securing funding.
Harrogate Borough Council	<ul style="list-style-type: none"> • HBC is planning to deliver a step change in housing delivery in order to meet in full its objectively assessed need. It is not making provision to deal with undersupply elsewhere; • Concerns over longevity of York's green belt boundary.
North Yorkshire County Council	<ul style="list-style-type: none"> • Welcome commitment in SS1 to development not leading to environmental problems and transport congestion for neighbouring authorities; • Note that the plan whilst delivering higher housing numbers than has been achieved over the last 10 years, does not make any additional uplift to the OAN for market signals; • If Green Belt boundary is too inflexible may result in pressure for growth on areas in NY. Want to avoid this to avoid adverse effects on NY infrastructure and services; • Plan needs sufficient provision of safeguarded land to meet future needs beyond the plan period; • Detailed minerals and waste policies are contained in the Minerals and Waste Joint Plan. Any policies in the York Local Plan must ensure that they are consistent with strategic policies in the MWJP. • Various comments from NYCC on their Strategic Transport Prospectus for North Yorkshire.

Table 3: Main issues Raised about the SA/SEA

Site/Policy Reference	Main Issues Raised
General Comments	<ul style="list-style-type: none"> • Support and agreement with City of York Council processes, procedures and justification; • SA methodology and analysis of alternative sites is flawed in respect of its treatment of Green Belt issues; • Contrary to Wildlife and Countryside Act 1981 - it is disturbing protected species and/or destroying their resting places and/or breeding grounds;

	<ul style="list-style-type: none"> • Contrary to the Natural Environment and Rural Communities Act 2006, section 40, to conserve biodiversity; • Justification required of policy choices in relation to results of SA and why policies have been rejected or progressed; • The plan strikes the right balance between providing the homes and jobs York needs while protecting the greenbelt & historic character and setting of the city. General Support expressed; • Not compliant with NPPF Para 112. No ranking of land hierarchy in Green Belt; • Transportation issues: no new bus services to serve developments, address inward commutes, limited work in reducing need to travel, roads, air quality and 'i-travel York' needs extending more widely; • SA Indicators Obj 6 should be amended to include key local indicators that monitor sustainable travel behaviour and access to public transport services year on year.
SS1	<ul style="list-style-type: none"> • Housing figure too low. Concerned about the backlog. Failure to meet housing need has direct and negative impact on the economy.
SS2	<ul style="list-style-type: none"> • SA Criteria 1 – 4 does not include Green Belt, no justification of why all sites must score 22 and not all criteria of same importance; • Lack of clarity, definition and consistency in the application of Green Belt policy within the SA process; • Green Belt policy has been inappropriately subsumed and considered in an inadequate and inconsistent way in the SA, under the wider and less well defined (than Green Belt) concept of landscape protection.
SS10	<ul style="list-style-type: none"> • Review of SA for the proposed allocation and the alternative boundaries that have been put forward raises questions over the proposed boundary of ST8; • This site should form part of alternative site 914 as together these sites would naturally extend Huntington with the A1237 providing a strong defensible boundary.
SS11	<ul style="list-style-type: none"> • Overwhelming of local infrastructure, congestion and pollution. Sustainability not addressed in the plan; • Reduce the scale of the development, provide additional amenities, re-open Haxby railway station and increase bus services.
SS12	<ul style="list-style-type: none"> • Significant change in Sustainability Appraisal Scoring between Preferred Sites and Pre-publication consultations. ST14 not sustainably appropriate to take forward for allocation.
SS13	<ul style="list-style-type: none"> • Flaw in SA scoring system due to lack of local services near site; • Potential to disturb wildlife; • Creation of new infrastructure across virgin arable land is clearly contrary to the SA parameters for land use; • Full ecological survey undertaken; • All access to be via proposed new roadways; • Identify and justify loss of Green Belt land.

SS18	<ul style="list-style-type: none"> • Each SA objective inappropriately assessed for this site; • Remove site from plan, not suitable for development.
SS19	<ul style="list-style-type: none"> • Suggest changes in scoring for Objectives 9 and 13.
SS20	<ul style="list-style-type: none"> • Suggest changes in scoring for Objectives 6, 9 and 13.
ST9	<ul style="list-style-type: none"> • Issues with surface water drainage, impact on existing infrastructure, air pollution and quality of life; • Development should be focussed around Poppleton, not Haxby, due to greater infrastructure. Development in Haxby must see school expansion alongside road and drainage capacity improvements.
ST15	<ul style="list-style-type: none"> • Issues with existing infrastructure, HGV traffic, wildlife and housing affordability; • Contrary to NPPF: environment, pollution, land environmental value and ecological surveys; • SA08 & SA09: issues raised; • Mitigation measure needs to occur 5 years before commencement, not 4 years; • Clearly identify number of hectares of Green Belt arable land required; • Pedestrian and cyclist access should run alongside vehicular access; • Full ecological survey undertaken; • Consideration on how to protect Grimston Wood.
ST33	<ul style="list-style-type: none"> • Infrastructure cannot cope with development and primary school needs expanding.
T2	<ul style="list-style-type: none"> • Insufficient operating centre opportunity to support bus or coach operations, either on new sites or by utilising or expanding upon existing operating centres; • Where existing operating facilities are situated, local planning policy appears to oppose the development, expansion or improvement of existing depot facilities with significant issues in gaining planning consent; • Current land classification and insufficient appropriate site opportunities coupled with increasing land costs result in a significant barrier to any potential new operating centre, either for incumbent or new operators to the York bus and coach market;
H1	<ul style="list-style-type: none"> • Site ST7: Alternative Site Size proposed: Option A: 845 houses in an area of 43.53ha, 60% net developable area 26.4Ha at 32dph; • Option 2. 945 houses on an area of 43.53Ha, 70% net developable area - 30.47 Ha net site area at 32dph; • Option 3: 1,225 Homes on an area of 57.27 Ha, 70% net developable area – 40.1 Ha net site area at 32dph.
H39	<ul style="list-style-type: none"> • Issues with Green Belt Assessments and SA Appendix J for site, inconsistencies in criteria and conclusions; • Development will have large effect on openness of landscape but will only make small contribution to housing target; • No settled Green Belt Policies undermines SA conclusions and that site is suitable for development;

	<ul style="list-style-type: none"> • H39 more acceptable than ST15.
H54	<ul style="list-style-type: none"> • Issues with building on Green Belt, wildlife habitats, capability of existing infrastructure, congestion and impact on quality of life.
H56	<ul style="list-style-type: none"> • Object to SA for site. HIA violating criteria 3 and 6. Lack of SEA.
H59	<ul style="list-style-type: none"> • Suggest changes in scoring for Objectives 5, 6 and 13
E18	<ul style="list-style-type: none"> • Open grassland enhances approach to village, makes industrial estate less intrusive and acts as village green. Building would degrade village.
E8	<ul style="list-style-type: none"> • Suggest changes in scoring for Objectives 3, 5, 6, 8 and 15.

Table 4: Main issues Raised in Plan Order

Main Issues Raised	
General Comments	
General Comments	<ul style="list-style-type: none"> • Many comments bring up the need for appropriate infrastructure prior to development across the whole of York in general, particularly the roads; • On the whole, respondents stated that the Plan was Legally Compliant but then made comments about specific areas of the Plan, namely site allocations; • Many comments support the plan as a whole stating that it meets the needs of the people in York, preserves green belt, heritage, villages; • Some comments state that the plan is not sound or legally compliant as it does not comply with elements of the NPPF and that the evidence base is not adequate.
Section 3: Spatial Strategy	
SS1: Delivering Sustainable Growth for York	<ul style="list-style-type: none"> • Responses from planning/property agents tend to raise objection to the Plan's annual housing target of 867 units, which reflects neither the SHMA evidenced by independently appointed consultants nor the emerging DCLG methodology. Many believe the Plan to be unsound on this basis.
SS2: The Role of York's Green Belt	<ul style="list-style-type: none"> • Many residents support the principle of a Plan establishing a permanent Green Belt boundary and the approach taken in removing identified areas of safeguarded land from the Plan. Planning agents and developers argue that the boundary is too tightly drawn and will not endure beyond the plan period, ie not provide permanence. They further comment that the Plan is overly reliant on development from a few strategic

	<p>sites (notably York Central) which may not deliver as anticipated.</p>
SS3-SS24 (Strategic Sites)	<ul style="list-style-type: none"> • While supporting the general principle of a development strategy which limits peripheral growth to safeguard key elements of the City's special character, Historic England raise concerns regarding the impact of specific strategic sites (including York Central and University of York expansion) on the historic character and setting of the City. Several other respondents question the soundness of including specific sites, the details of which are set out in Annex 22. This includes Osbaldwick Parish Council, Wheldrake Parish Council, Haxby Town Council, Fulford Parish Council, Elvington Parish Council, Heslington Parish Council, Upper and Nether Poppleton Parish Councils • East Riding of Yorkshire Council question whether the scale of ST15 is sufficient to deliver necessary supporting infrastructure. • On the whole, responses received from local residents in relation to strategic sites tend to raise soundness concerns relating to reasons of impact on surrounding roads, drainage, wildlife, schools and other infrastructure. • Natural England highlight a number of outstanding concerns, including around the lack of a final assessment for the HRA, impacts on Strensall Common SAC and impacts at ST15. •
Section 4: Economy and Retail	
EC1: Provision of Employment Land	<ul style="list-style-type: none"> • Most objections deem the amount of land allocated for employment use inadequate as it does not match the City's ambitions for economic growth, particularly in B1a terms; • Concern that reliance on few large sites does not provide a variety of choice and or the allocated land will not provide sufficient employment for new residents over the course of the plan; • The shortage of B1a use class in particular highlighted multiple times; • Several specific comments were received in relation to employment site allocations. Various responses from developers / businesses asking for specific use classes to be added to those permitted for their site.
EC2: Loss of Employment Land	<ul style="list-style-type: none"> • Some responses stated that more clarity is required on what is "compelling evidence to demonstrate that the site is no longer needed" and what is meant by "significant changes in the economic circumstances of the district".

EC3: Business and Industrial Uses within Residential Areas	<ul style="list-style-type: none"> • The soundness of the policy is questioned as it does not recognise type of business that is incompatible with residential areas e.g. York Business Park has car sale businesses with high security next to an elderly care home which causes disruption.
EC4: Tourism	<ul style="list-style-type: none"> • York Racecourse considers this policy inconsistent within greenbelt designation that prevents their ambitions for expansion / hotel; • Similarly one rep mentions Sim Balk Lane as potential for developing more out-of-centre hotel capacity; • One comment expressing concern about loss of coach parking.
EC5: Rural Economy	<ul style="list-style-type: none"> • Some respondents consider that the aspirations and objectives of this policy are constrained by green belt policies.
R1-R4	<ul style="list-style-type: none"> • Question the use of the term 'neighbourhood parades' in the plan and the implications, inconsistent with NPPF; • Major retail compendiums raise concerns that the retail policies restricts their potential to grow; • Some support the existing Park and Ride being re-located to land south of the Designer Outlet as parking is an issue at busy times; • One objection to out-of-centre retailing in general because of the traffic it causes.
Section 5: Housing	

<p>H1 (Policy): Housing Allocations</p>	<ul style="list-style-type: none"> • Some alternative sites have been submitted and will be presented to the Inspector for consideration; • Support for the overall soundness of the policy. Those opposing the general thrust of policy raise the following issues: <ul style="list-style-type: none"> ○ non-conformity with NPPF para 182; ○ the Plan is not able to demonstrate a 5 year supply upon adoption; ○ the methodology behind site selection is not sufficiently detailed; ○ the inclusion of off campus student housing commitments and completions is inappropriate in determining housing supply; ○ noting the above, that the inclusion of windfalls is not a plan led approach and could create uncertainty leading to under-delivery. • It is recommended by some that the council allocates more small sites than required to form a buffer to deal with under delivery, this would also provide choice and flexibility.
<p>H2 (Policy): Density of Residential Development</p>	<ul style="list-style-type: none"> • Some respondents question how the proposed densities have been calculated. It is argued that high densities will result in flatted development which is not needed in York; • Some feel that development densities in York City Centre and York Urban Area are optimistically high; • Supporting text needs to reference those elements that relate to gross and net densities e.g. open space, water attenuation etc; • Some feel that the densities are too high for rural villages and that urban brownfield sites should take even higher densities.
<p>H3 (Policy): Balancing the Housing Market</p>	<ul style="list-style-type: none"> • Whilst some respondents support the flexibility provided in relation to housing mix, other suggest that greater flexibility is required on a site-by-site basis; • Some raise concerns that the Plan includes several student sites in its future supply, which is inappropriate, as there is no justification regarding how these developments will result in the release of housing into the general housing market • It is felt by some that there is insufficient provision, protection and availability of social housing;

<p>H4 (Policy): Promoting Self and Custom House Building</p>	<ul style="list-style-type: none"> • Some developers feel that the Plan does not provide evidence and justification that supports 5% of plots on sites of 5 ha and above; • There is no evidence to suggest that people wanting to build their own home would want to live within a larger housing development; • The proposed approach only changes the type of house and does not contribute to boosting the supply of housing.
<p>H5 (Policy): Gypsies and Travellers</p>	<ul style="list-style-type: none"> • Several comments generally support the Plan's approach to the provision of sites to meet the needs of Travellers. Some state that they are grateful that the Council have listened and previously proposed allocated sites have been removed. Some feel that policy H5 does not reflect national policy; • Amongst other respondents, York Travellers Trust consider the Plan neither legally compliant nor sound in underestimating G+T need, and that it fails its duties under the 2010 Equality Act by not allocating sites. • It is highlighted by several developers that the provision of pitches for travellers as part of strategic housing allocations is an unusual approach and request that clarification should be provided as to how demand for pitches within new housing developments has been assessed and how this may compare with opportunities for individual pitches in the existing urban areas; • The policy should specifically recognise that the requirement for pitches will be kept under regular review and ensure that sites remain available to travellers; • It is argued that no detail is given on how the commuted sum towards the development of land would be calculated.
<p>H6 (Policy): Travelling Showpeople</p>	<ul style="list-style-type: none"> • Some respondents support the policy and consider that full consideration for the needs of Travelling Showpeople has been assessed; • It is considered by some that site SP1 is unsound as it constitutes 'inappropriate development in the Green Belt'; • Other support the allocation, stating that it meets the needs identified in the evidence base.

H7 (Policy): Student Housing	<ul style="list-style-type: none"> • Several comments state that the Plan needs to make clear that Student Housing sits outside the OAN and Housing Supply; • It is highlighted that there is no mention of the increase in potential student accommodation at Askham Bryan College; • Some feel that the University of York, York St John University and Askham Bryan College should, to avoid further unbalance of the housing market in the areas of York close proximity to their campuses, be required to accommodate all increased numbers of students on campus;
H8 (Policy): Houses in Multiple Occupation	<ul style="list-style-type: none"> • Some feel that the policy needs strengthening; and • The policy should contain a restriction on extensions to existing and proposed HMOs.
H9 (Policy) : Older Persons Specialist Housing	<ul style="list-style-type: none"> • Some feel that whilst house builders can provide elderly persons housing under C3, the provision of extra care housing as a C2 class is more complex and policy H9 requires further clarification on what is required in terms of numbers and types and a demonstration of need.
H10 (Policy): Affordable Housing	<ul style="list-style-type: none"> • Some consider that the plan does not provide enough housing to meet projected need nor does it provide enough affordable housing; • Others generally support the provision of affordable housing and maintain that urban extensions provide the opportunity to help meet affordable housing requirements across the city; • Clarification is sought as to as to where off-site contributions from rural sites will go;
Section 6: Health and Wellbeing	
HW1: Protecting Existing Facilities	<ul style="list-style-type: none"> • Majority of respondents made reference to the fact that the issue of the retention and re-use of existing community assets is of the utmost importance in the delivery of the plan and that a reinforcement of these issues is needed in the policy; • Many respondents noted that the policy is not robust enough, particularly in respect of evidence required to support the use/reuse of a facility.
HW2: New Community Facilities	<ul style="list-style-type: none"> • Majority of respondents feel that the evidence base and viability assessment needs to be more rigorous and robust and that developer contributions and the types of facilities

	should be made clearer;
HW3: Built Sports Facilities	<ul style="list-style-type: none"> • Many respondents feel that more clarity is needed with regard to developer contributions and viability assessments;
HW4: Childcare Provision	<ul style="list-style-type: none"> • Majority of respondents feel that further clarification on the level of contribution required is needed; • Some of the respondents felt that that issues with evidence base and viability assessment needed addressing; • Many of the respondents objected to strategic sites being required to undertake an audit and believe that this is responsibility of the local authority;
HW5: Healthcare Services	<ul style="list-style-type: none"> • Majority of respondents objected to the requirement that a developer is required to undertake an assessment of accessibility and capacity at the application stage and that further detail on the extent of developer contributions is required.
HW6: Emergency Services	<ul style="list-style-type: none"> • Majority of respondents feel that further clarification on the level of developer contribution required is needed;
HW7: Healthy Places	<ul style="list-style-type: none"> • Majority of the respondents objected to the requirement that sites are selected on the grounds of being sustainable, that the need for such an assessment is negated by the allocation and that the policy should be deleted; • Some respondents feel that the HIA should be submitted with planning applications, not prior to them.
Section 7: Education	
ED1: University of York ED2: Campus West ED3: Campus East	<ul style="list-style-type: none"> • Support for the Plan's recognition of the role of the city's Universities. • Some concern that the Plan does not provide sufficient land for the University of York to grow; • Some respondents feel that policies ED1, ED2 and ED3 should be consolidated into one policy and reworded to reflect NPPF requirements; • It is considered by some that any proposals for development at the university should mitigate their impact on housing, traffic and parking.
ED4: York St. John University Lord Mayor's Walk Campus	<ul style="list-style-type: none"> • General support was received in relation to this policy.

<p>ED6: Preschool, Primary and Secondary Education ED7: York College and Askham Bryan College ED8: Community Access to Sports and Cultural Facilities on Education Sites</p>	<ul style="list-style-type: none"> • Several respondents feel that further detail and clarification on the level of developer contribution is required; • Some respondents feel that there are issues with schooling and impact on road infrastructure that need addressing;
Section 8: Placemaking, Heritage, Design and Culture	
<p>D1: Placemaking</p>	<ul style="list-style-type: none"> • Some of the respondents feel that the policy should include a caveat so that it is subject to deliverability and viability considerations and that any potential harm should be assessed against wider benefits;
<p>D2: Landscape and Setting</p>	<ul style="list-style-type: none"> • Many of the respondents have made reference to the fact that the policy make reference to York Landscape Character Appraisal and that they cannot locate it and request that City of York Council provide it in the Evidence Base Document.
<p>D3: Cultural Provision</p>	<ul style="list-style-type: none"> • Several developers object to the request that strategic sites will need to demonstrate that future cultural provision has been considered and provide a Cultural Wellbeing Plan as they believe this is a task only City of York Council can perform; • The policy is fully supported by some in relation to the promotion and protection of theatres.
<p>D4: Conservation Areas</p>	<ul style="list-style-type: none"> • Some of the respondents feel that the policy does not accord with the NPPF; • It is considered by some that more clarity should be provided to define the level of detail required at outline planning application stage for sites within or adjacent to conservation areas in terms of full design details required.
<p>D5: Listed Buildings</p>	<ul style="list-style-type: none"> • The policy is generally supported as it is in alignment with the NPPF.
<p>D6: Archaeology</p>	<ul style="list-style-type: none"> • The policy is generally supported.

D7: The Significance of Non-Designated Heritage Assets	<ul style="list-style-type: none"> Some consider that there is an absence of commitment from the Council to protect the city's non-designated heritage assets in the policy.
D8: Historic Parks and Gardens D11: Extensions and Alterations to Existing Buildings D12: Shopfronts	<ul style="list-style-type: none"> The policies are supported.
D13: Advertisements	<ul style="list-style-type: none"> Some argue that the policy is unlawful and over-prescriptive. It is felt by some that a reference to temporary advertising, especially in reference to conservation areas should be added.
D14: Security Shutters	<ul style="list-style-type: none"> The policy is supported.
Section 9: Green Infrastructure	
G11: Green Infrastructure	<ul style="list-style-type: none"> Several respondents feel that the policy needs further detail and clarification on the level of developer contribution is required; Some respondents made site specific comments in relation to the policy and how revision of wording and revisions to the policies map is needed.
G12: Biodiversity and Access to Nature	<ul style="list-style-type: none"> Several respondents feel that the policy needs further detail and clarification on the level of developer contribution is required; Some respondents feel that the policy should include Local Nature Reserves as the NPPF does not have any specific mention of protecting these sites.
G13: Green Infrastructure Network	<ul style="list-style-type: none"> Several respondents feel that the policy needs further detail and clarification on the level of developer contribution is required;
G14: Trees and Hedgerows	<ul style="list-style-type: none"> General support for the policy; Several developers question as to why developer contribution is required to protect existing trees and hedgerows.
G15: Protection of Open Space and Playing Fields	<ul style="list-style-type: none"> Several responses relate to specific sites and areas of green space, such as the area surrounding Clifford's Tower. Some of the respondents question as to why developer

	contribution is required to protect existing pitches from development.
GI6: New Open Space Provision	<ul style="list-style-type: none"> • Some of the respondents feel that clarification of the level of developer contribution is required; • Some of the respondents made objection to the policy in relation to OS10. They believe that the proposal goes against the NPPF, would compromise the SSSI and has no evidence supporting its scale and location; • Some of the respondents have raised issue with the wording and accuracy of the policy. They feel that provision for open space should not be left to the developer alone but in consultation with the local communities. • Some of the respondents made Strategic Site specific responses and feel that there should be clarification of the relationship between OS sites and ST sites and that it would be prudent to insert the current standard for calculating recommended open space in new developments in the supporting text. Some of the respondents outright object to open space provision on ST7, ST8, ST9 and ST35.
GI7: Burial and Memorial Grounds	<ul style="list-style-type: none"> • One of the respondents supports the expansion of current burial grounds; • One of the respondents feels that an area for potential burial grounds at Osbaldwick has been overlooked and that it should be identified as a Green Burial Ground.
Section 10: Managing Appropriate Change in the Green Belt	
	<ul style="list-style-type: none"> • General support for Green Belt policies; • Some landowners believe that the Green-belt designation is unduly restrictive; • Policy GB4 needs to reflect NPPF which states that exceptions allow housing to be built on Green belt land if it is <i>entirely</i> affordable housing, not <i>partly</i> affordable housing; • The green belt policies offer little opportunity for rural businesses, which are not allied to agriculture or forestry, to establish or expand.
Section 11: Climate Change	
	<ul style="list-style-type: none"> • Several developers feel that energy requirements for new housing developments are solely the remit of Building Regulations and CYC should not be imposing more onerous requirements on developments; • There is objection to the Policy being applied to strategic

	<p>housing on the basis that the Policy lacks clarity as to whether it applies to major residential schemes;</p> <ul style="list-style-type: none"> • Some consider that the requirement to achieve a BREEAM 'excellent' rating is unduly restrictive; requirements should be revised to achieve a 'Very Good' rating instead.
Section 12: Environmental Quality and Flood Risk	
	<ul style="list-style-type: none"> • General support for Policies ENV1-5; • Some feel that the policies are inadequate with regards to air quality; • Some respondents consider that policies ENV4 and ENV5 fail to tackle, and are in danger of exacerbating, existing drainage and surface water issues; • Further detail and clarification required on the extent of developer contribution.
Section 13: Waste and Minerals	
	<ul style="list-style-type: none"> • Detailed minerals and waste policies are contained in the Minerals and Waste Joint Plan. Any policies in the York Local Plan must ensure that they are consistent with strategic policies in the MWJP. • A minor factual update is required in paragraph 13.3 which states that AWRP will become commissioned in early 2018. However, the site became fully operational at the end of January 2018 therefore this paragraph requires updating to reflect the current status of the site.
Section 14: Transport and Communications	
	<ul style="list-style-type: none"> • Whilst all the policy objectives relating to transport, such as contributing to economic vitality, public health protection of the natural environment and improved access for the transport disadvantaged etc, can be found throughout the Plan they are not consistently presented as a justification for the transport policies in the Plan; • The design standards and policy thresholds referred to are not yet specified as they are to be contained in Supplementary Planning Documents which are awaited, so it is not possible to judge the potential effectiveness, and hence soundness, of the Local Plan; • The transport policies contain several qualifications which risk undermining the effectiveness of the plan; • Several policies (e.g. T1 and T8) are supported in principle, but elements within them relating to Site ST5 York Central are considered unsound;

	<ul style="list-style-type: none">• Policy T1 fails to meet requirements of Para 17 of NPPF - the needs of disabled and those with mobility issues/impairments are not considered;• The projected increase in travel time and peak hour congestion is not acceptable;• No analysis has been undertaken on potential improvements (other than those already included in the plan);• Some consider that current upgrades to the A1237 outer ring road are inadequate;• Proposed developments along the A1237 ring road corridor, render the plan unsound as the sustainable transport infrastructure to support these developments would, at a minimum, involve grade separated junctions on the overloaded A1237, and without significant government or regional funding this will never be economically viable;• An Infrastructure Delivery Plan has been not available to be read alongside the Local Plan and so how can residents and businesses be confident that infrastructure proposals are sufficiently detailed and feasible;• The transport policies are based throughout on the Local Transport Plan 2011-2031 (LTP3) which is out of date;• The city's infrastructure will not be able to accommodate any more than 867 new homes each year;• The list of strategic cycle and pedestrian improvements is incomplete and fails to address key inadequacies in the connectivity and capacity of the current networks;• The Local Plan is not consistent the National Cycling and Walking Investment Strategy 2017, in that measures outlined within it are not sufficient to meet the overall aim of that Strategy;• The Transport Topic Paper (and Plan) is informed by an outdated transport model that fails even to mention cycling or cycling infrastructure;• Policy T8 Demand Management is wholly inadequate, particularly when set against the prediction of a 55% increase in congestion. There is a much wider range of demand management measures available;• There is insufficient consideration of freight in the Plan;
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	<ul style="list-style-type: none"> • Further detail on the extent of developer contributions should be made
C1: Communications Infrastructure	<ul style="list-style-type: none"> • The policy should require refurbishment and new development schemes to be future proofed to facilitate the provision of mobile, broadband and wireless communications infrastructure, including in the public realm and within private buildings.
Section 15: Delivery and Monitoring	
DM1: Infrastructure and Developer Contributions	<ul style="list-style-type: none"> • Note the requirement for developers to provide necessary infrastructure to mitigate against local impacts but this isn't set out in the policy, just the justification and it is suggested that these should be incorporated in the actual policy; • The viability work currently being undertaken by CYC needs to be vigorously tested, working with the development industry, including an assessment of the cumulative impact on viability; • Whilst the text to support DM1 makes an attempt to draw the relevant policies referencing developer contributions, it must be acknowledged that they all make demands which would in the main be covered by CIL.

7.0 How Comments have been taken into Account

- 7.1 This section identifies where information can be found on how comments have been taken into account and signposts the relevant documents in relation Regulation 18.
- 7.2 The *City of York Local Plan Sustainability Appraisal Appendix K– Policy and Site Audit Trail (February 2018)* document sets out an audit trail of the development of policy and sites. To ensure the chronology of policy development was captured an 'audit trail' was completed which addressed national policy, local evidence, the SA/SEA, third party representations and the reasons for changes at each stage. This analysis described how policy has evolved from initial conception through to the Consultation (2017). An audit for each policy theme/area rather than for every policy was completed. Please refer to Annex 1 of this report. The strategic sites audit trail provides an understanding of the evolution of Strategic sites that have been identified as reasonable alternatives through the site selection process and considered for potential allocation in the Local Plan, this is also in Annex 1 to this report. All of the sites which passed criteria 1 to 4 were considered reasonable alternatives but some were not chosen as allocations. Between Pre-Publication 2017 and Publication 2018 the list of reasonable alternative sites has been subject to further technical officer analysis which included updates to availability and deliverability, analysis of further evidence in relation to show, stoppers and technical officer comments. Part 3 of Annex K which is Annex 1 to this report summarises this information.

- 7.3 Since the Local Plan Publication Draft was taken to Members in autumn 2014 there have been a number of national and local policy updates. The evidence base that underpins the emerging Local Plan has also progressed. The Local Plan has also evolved in response to consultation responses. It has therefore been important to take these national and local updates including consultation responses into account when developing the local plan policies. On this basis the Council undertook further work to refine the local plan policies. The changes were wide ranging and are provided in Annex 7 of the Council's Executive Report from 13th July 2017. It includes a schedule of track changes to show the non employment and housing sites/growth related policies modifications to York's Local Plan since the Preferred Options Local Plan in 2013 this is included as Annex 2 of this report. Annex 2 of this report also includes the officer assessments of housing, employment and other sites since Preferred Sites Consultation (2016) these are highlighted in Annex's 3-5 of the 13th July Executive Report. These officer assessments summarise the comments made through the Preferred Sites Consultation (2016) and recommendations to the Executive about how these changes could be taken into account. The minutes of this meeting are also included within Annex 2 of this report.
- 7.4 The changes made between the Pre-Publication (2017) and Publication (February, 2018) Local Plan are set out in part of the Council's Executive Report from 25th January 2018, please refer to Annex 3 of this report. A detailed summary of the comments made to the Pre-Publication Consultation and how they were taken into account in the drafting of the Publication Consultation is shown. This was Annex A to the Executive Report 25th January 2018. The Annex contains a proforma for each policy in the emerging Local Plan which includes:
- changes to policy post Pre-Publication Consultation with changes shown as 'tracked changes';
 - supporting text changes;
 - summary of reasons for change; and
 - consultation responses summarised as supports, objections and comments.
- 7.5 The proformas are in plan-order and presented in two sections; policies and general site allocations. This includes suggested changes to the sites and alternative site allocations. All strategic sites (ST) are represented in the SS site policies section. A table of sites submitted that were previously rejected or new sites considered are also summarised. Appendix 1 to Annex A of the Executive Report sets out analysis of any re-submitted previous rejected sites and any new sites that have been submitted as part of the consultation which have been identified as having potential for allocation. Additional changes to the Publication Local Plan (February, 2018) were also made following the Executive on 25th January 2018. These are also included as Annex 3 to this report. The minutes from the 25th January 2018 are also included in Annex 3.

Annexes

These Annexes are available upon request from the author of this report.

Annex 1 – City of York Local Plan Sustainability Appraisal Appendix K– Policy and Site Audit Trail (February 2018)

Annex 2 – Council Executive Report (13th July 2017) including Annex's 3-5 and 7 and associated minutes

Annex 3 – Council Executive Report (25th January 2018) including Annex A and the associated minutes.

Annex 4 – LDF Issues and Options Consultation Summer 2006 (July 2007)

Annex 5 – Core Strategy Consultation Statement (July 2009)

Annex 6 – Core Strategy Preferred Options Consultation Statement & Schedule of Responses (February 2011)

Annex 7 – Core Strategy Submission (Publication) Consultation Statement Regulation 30 (1) (d) Statement (September 2011/amended 2012)

Annex 8 – Core Strategy Consultation Statement Regulation 30 (1) (e) (January 2012)

Annex 9 – City of York Local Plan Preferred Options – Consultation Audit Trail (May 2013)

Annex 10 – City of York Local Plan Preferred Options Consultation Statement (2018)

Annex 11 – City of York Local Plan Further Sites Consultation Statement (2018) –

Annex 12 – City of York Local Plan Preferred Sites Consultation Statement (September 2017)

Annex 13 - City of York Local Plan Pre-Publication Consultation Statement (February 2018)

Publication Draft Consultation Annexes

Annex 14 – List of Specific Consultees

Annex 15 – Consultation Letter

Annex 16 – City Wide Leaflet

Annex 17 – Media Releases and examples

Annex 18 – Comments Form

Annex 19 – Poster

Annex 20 – Statement of Representation Procedure

Annex 21 – Index of Respondents

Annex 22 – Summary tables of comments in Plan order

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**CITY OF YORK
LOCAL PLAN
Habitat Regulation Assessment
of the Local Plan
April 2018**



Habitats Regulations Assessment of the City of York Council Local Plan

26 April 2018

Waterman Infrastructure & Environment Limited


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This document has been prepared and checked in accordance with Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS OHSAS 18001:2007)

Issue	Date	Prepared by	Checked by	Approved by
First	26 April 2018	Bernie Fleming Fleming Ecology	Bernie Fleming Fleming Ecology	Niall Machin Associate Director
Second				

Comments

Second

Comments



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Contents

Summary

1. Introduction.....	2
2. Identifying the European Sites potentially at risk.....	7
3. Screening the Policies – process and outcomes.....	23
4. Appropriate Assessment and Integrity Test.....	38
5. Overall Conclusion and Formal Record of the HRA.....	45

Figures

Figure 1: Consideration of development proposals affecting European sites	3
Figure 2: The four stage assessment of plans under the Habitats Regulations.....	4

Tables

Table 1: Potential mechanisms and the initial list of European sites that could be affected.....	8
Table 2: Description of European Sites.....	17
Table 3: Summarised, initial list of European sites, affected features and potential effects	22
Table 4: Screening Categories	23
Table 5: Summary of the Formal Screening of the Policies and Allocations by Potential Effect	34
Table 6: Summary of the Formal Preliminary Screening of the Policies and Allocations by Category ...	36
Table 7: Summary of the Appropriate Assessment.....	43

Appendices

- A. Conservation objectives and Site Improvement Plans for European sites
- B. Record of preliminary screening of proposed policies prior to mitigation
- C. Proposed mitigation measures
- D. Air Quality Study

Contents



Summary

The City of York Council is in the process of producing its Local Plan. This Habitats Regulations Assessment (HRA) represents the evaluation of the Plan under the Conservation of Habitats and Species Regulations 2017 (the *Habitats Regulations*).

Its role is to test the impact of the proposed policies and allocations on the internationally important sites for biodiversity in and around the City. Together, these Special Protection Areas, Special Areas of Conservation and Ramsar sites are known as European sites.

HRA asks very specific questions of a local plan. Firstly, it “*screens*” the plan to identify which policies or allocations may have a *likely significant effect* (LSE), *alone or* (if necessary) *in combination* with other plans and projects, on the European sites. If LSEs can be ruled out, then the plan may be adopted but if they cannot be ruled out, the plan must be subjected to the greater scrutiny of an ‘*appropriate assessment*’ to find out if the plan will have an *adverse effect on the integrity* (AEOI) of the European sites. Again, if AEOI can be ruled out, the plan may be adopted. If necessary, the plan should be amended to *mitigate* any problems, which typically means that some policies or allocations need to be modified or, more unusually, may have to be removed altogether.

This document follows best practice (drawing heavily, in particular, on guidance contained within the Habitats Regulations Assessment Handbook¹) and takes full account of Government policy and law. This HRA also draws on the outputs of the draft HRAs completed in 2014 and 2017 which were carried out to inform development of the Plan.

163 policies and associated allocations were screened; the individual outcomes of the preliminary screening of each policy and allocation can be found in Appendix B and are summarised in Table 6. The subsequent screening outcomes appear in summarised form only in Tables 7. Overall, this HRA found that LSE could be ruled out for 158 policies and allocations which could be excluded from any further scrutiny.

However, LSE could not be ruled out alone in terms of Policies SS19/ST35, E18 and H59 because of anticipated increases in recreational pressure, changes to the hydrological regime and the effect of air pollution on the adjacent Strensall Common. Again, because of anticipated increases in recreational pressure, LSE could not be ruled out alone for Policy SS18/ST33 on the Lower Derwent Valley. Finally, even though situated several kilometres from the Lower Derwent Valley, LSE could not be ruled out alone for Policy SS13/ST15 for two reasons: again because of anticipated increases in recreational pressure but also for impacts on the bird communities of the European site that utilised land beyond the European site boundary.

Accordingly, having regard to CJEU case law, an appropriate assessment was carried out. After further scrutiny, including changes to policy wording, it was concluded that the Plan would not have an adverse effect on the integrity of any European site. There was no need for an in combination assessment.

The requirement for HRA is driven from the European Union’s Habitats Directive and the decision to leave the EU potentially throws doubt on the need for the HRA of this local plan. However, UK law and policy is currently unchanged and the need for HRA remains. The HRA of the Council’s Local Plan will therefore continue and the recommendations will be acted upon until such time as Government indicates otherwise

¹ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, DTA Publications Ltd



1. Introduction

Background

- 1.1. The City of York Council (the *Council*) is developing its Local Plan. This will deliver the strategic vision and objectives in York over a 20 year period. When adopted, the Local Plan will influence all future development within the Council's boundaries.
- 1.2. The Habitats Directive requires local (or '*competent*') authorities to assess the impact of development plans on the Natura 2000 network of protected sites. The Directive is given domestic effect by the Habitats and Species Regulations 2017² (the '*Habitats Regulations*'). In England, this requirement is implemented via a *Habitats Regulations Assessment (HRA)* which comprises a series of mandatory tests.
- 1.3. A draft HRA (Amec, 2014)³ was prepared alongside the Local Plan Publication draft. However, consultation on this document and its supporting evidence base was halted following a decision by Full Council in October 2014 to undertake further work on the Local Plan evidence base in relation to housing numbers. Work continued to update the policies and portfolio of site allocations within the Plan until late 2017.
- 1.4. Subsequently, a further draft HRA was completed (Waterman, 2017)⁴ to evaluate the impact of these changes to the Plan. However, this only comprised an initial 'screening assessment (alone)' and did not explore the in combination or appropriate assessment (or AA) stages.
- 1.5. Defra guidance⁵ (expanded in C12.1 of the Handbook⁶) allows competent authorities to reduce the duplication of effort by drawing on earlier conclusions where there has been no material change in circumstances. If there is any doubt, the allocation or policy is assessed as normal. Consequently, this current HRA draws on the findings of both previous documents where possible but evaluates the Plan in the context of contemporary evidence.

Habitats Regulations Assessment of Local Plans, Natura 2000 and European sites

- 1.6. Natura 2000 is the cornerstone of European nature conservation policy; it is an EU-wide network of Special Protection Areas (SPA) classified under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated under the 1992 Habitats Directive. Together, the network comprises over 27,500 sites⁷ and safeguards the most valuable and threatened habitats and species across Europe; it represents the largest, coordinated network of protected areas in the world.
- 1.7. In the UK, these sites are commonly referred to as 'European sites' which, according to Government policy⁸, also comprise 'Wetlands of International Importance', or Ramsar sites. Over 8% of the UK land area forms part of this network including, locally, sites such as Strensall Common, Skipwith Common, the Lower Derwent Valley and River Derwent. Further afield, it also incorporates such well known sites as the Yorkshire Dales and the North York Moors.
- 1.8. The Regulations employ a series of mandatory tests outlined in Fig 1 (derived from Circular 06/05).

² The Conservation of Habitats and Species Regulations 2017 SI No 1012

³ City of York Council Habitats Regulations Assessment of the Local Plan. AMEC Environment & Infrastructure UK limited. September 2014 (DRAFT).

⁴ HRA of Plan Allocations. Habitats Regulations Assessment of City of York Council Local Plan. Waterman Infrastructure & Environment Limited. September 2017

⁵ Habitats Directive – Guidance on competent authority coordination under the Habitats Regulations, Defra (July 2012).

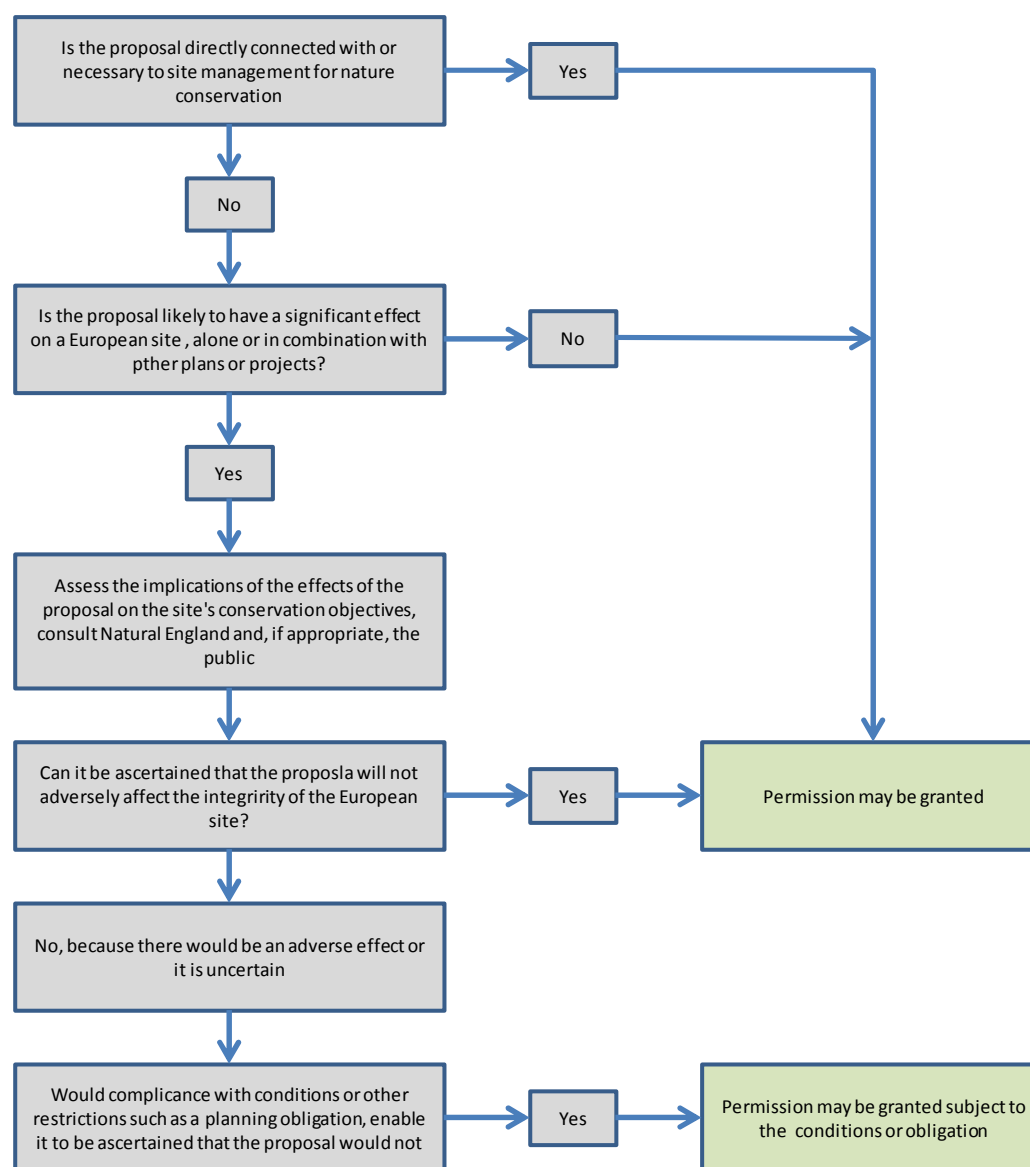
⁶ Tyldesley, D., and Chapman, C., (2013) *The Habitats Regulations Assessment Handbook*, DTA Publications Ltd

⁷ Natura 2000 Barometer

<https://view.officeapps.live.com/op/view.aspx?src=http://ec.europa.eu/environment/nature/natura2000/barometer/docs/Natura%202000%20barometer.xlsx> accessed 30 March 2018

⁸ ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (16 August 2005)

Figure 1: Consideration of development proposals affecting European sites

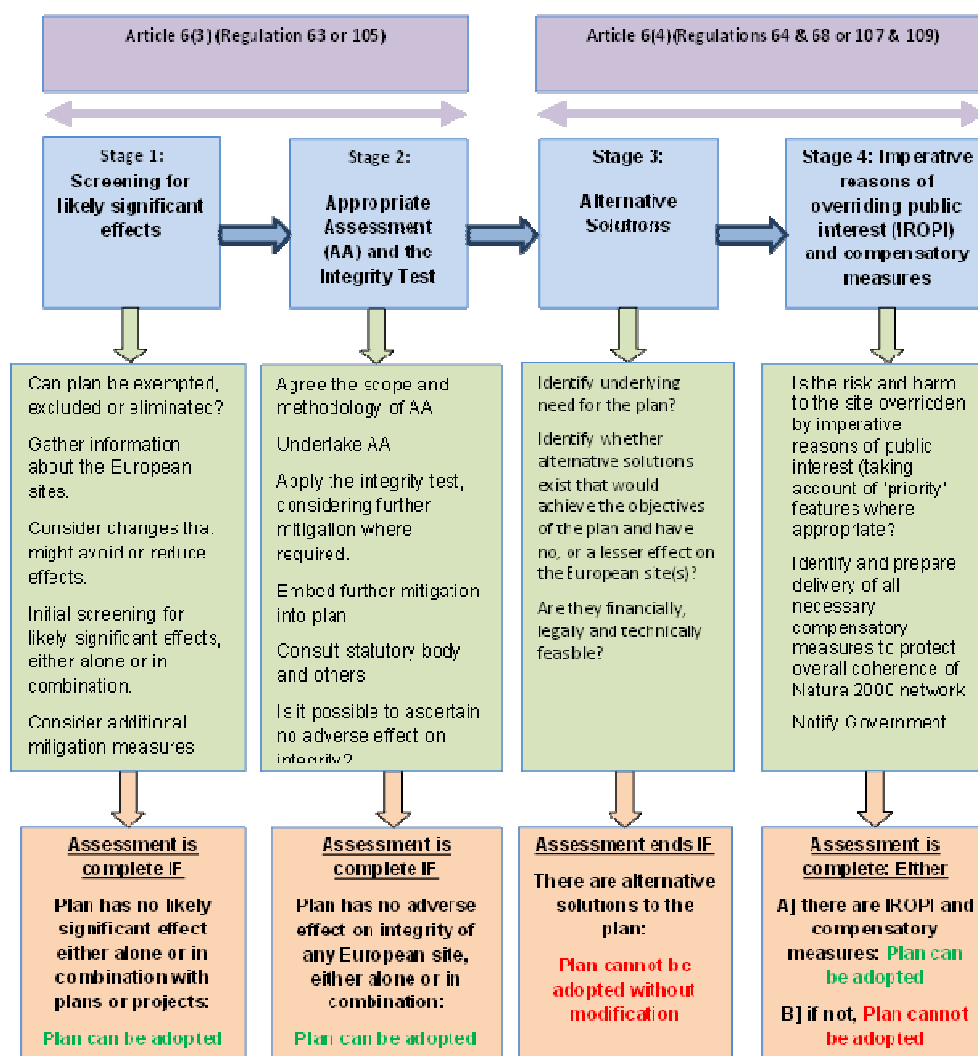


- 1.9. In practical terms, experience gained from implementation of the process has encouraged the adoption of additional filters at the outset to explore if the plan even needs to be subject to HRA at all. This more sensible approach is laid out in Fig 2 where many of the component steps are given expression. It is the process described in Fig 2 that is followed in this HRA.
- 1.10. So, for example, the initial test adopted in this HRA (in Section 2) firstly explores if the plan can be excluded from the HRA simply because it is considered that it could not have any conceivable effect on a European site before exploring whether the plan is actually necessary for the management of a European site (in section 2 of this HRA).
- 1.11. If the plan cannot be ruled out at this stage, the competent authority (ie the Council) must then identify whether the plan is '*... likely to have a significant effect on a European Site ... either alone or in combination with other plans or projects*'. If significant effects are found to be absent or can be avoided, the plan may be adopted without further scrutiny.



1.12. An in-combination assessment is required where an impact is identified which would have an insignificant effect on its own ('a residual effect') but where likely significant effects arise cumulatively with other plans or projects. Together, these first few steps of Stage 1 (in Fig 2) are often referred to as 'Screening'.

Figure 2: The four stage assessment of plans under the Habitats Regulations



1.13. This HRA utilises guidance provided by the Habitats Regulations Assessment Handbook. The Handbook draws on best practice and case law at home and across the EU to identify over 180 principles that inform how HRA should be carried out. Subscribers to the Handbook include Natural England, the Environment Agency and the Planning Inspectorate which ensures that key decision-makers will be familiar with the approach shown in Fig 2.

Definitions, Evidence, the Precautionary Principle and Case Law

1.14. The meaning of the key terms in HRA is of considerable importance and the following definitions apply:



- ... irrespective of the normal English meaning of 'likely', in this statutory context a 'likely significant effect' is a possible significant effect; one whose occurrence cannot be excluded on the basis of objective information';
 - A significant effect is any effect that would undermine the conservation objectives for a European site ...;
 - 'Objective', in this context, means clear verifiable fact rather than subjective opinion. ... There should be credible evidence to show that there is a real rather than a hypothetical risk of effects that could undermine the site's conservation objectives. Any serious possibility of a risk that the conservation objectives might be undermined should trigger an 'appropriate assessment'.
- 1.15. In other words, this means the initial screening phase should not be exhaustive, a point candidly described by Advocate General Sharpston in paragraphs 49 and 50 of the Sweetman case⁹ when describing the levels of scrutiny to be applied to each test as follows:
- 'The threshold at the first stage [the test for LSE] ... is thus a very low one. It operates merely as a trigger, in order to determine whether an appropriate assessment must be undertaken ... The threshold at (the second) [the appropriate assessment] stage is noticeably higher than that laid down at the first stage. That is because the question (to use more simple terminology) is not 'should we bother to check?' (the question at the first stage) but rather 'what will happen to the site if this plan or project goes ahead ...'.*
- 1.16. The judge in the Bagmoor Wind case¹⁰ was similarly clear:
- 'If the absence of risk ... can only be demonstrated after a detailed investigation, or expert opinion, that is an indicator that a risk exists and the authority must move from preliminary examination to appropriate assessment'.*
- 1.17. Fundamentally, the HRA process employs the precautionary principle and Regulation 105¹¹ ensures that where a plan is 'likely to have a significant effect', it can only be adopted if it can be ascertained that it 'will not adversely affect the integrity of the European site' (or AEOI).
- 1.18. Indeed, the test in an 'appropriate assessment' is more thorough and must determine whether it can be 'ascertained that the plan will not adversely affect the integrity of the European site'). If AEOI can be avoided, the plan can again be adopted (Fig 1). If AEOI cannot be avoided, derogations would have to be sought to allow the plan to continue; these are regarded as a last resort and considered only in exceptional circumstances. These latter stages are not shown in Fig 1 but the entire process is summarised in Stages 2, 3 & 4 of Fig 2.
- 1.19. The HRA of development plans was first made a requirement in the UK following a ruling by the European Court of Justice in EC v UK¹². However, the judgement¹³ recognised that any assessment had to reflect the actual stage in the strategic planning process and the level of evidence that might or might not be available. This was given expression in the UK High Court (Feeney¹⁴) which stated: "Each ... assessment ... cannot do more than the level of detail of the strategy at that stage permits". Further, the Supreme Court (Champion)¹⁵ has found "appropriate" is not a technical term and indicates no more than that the assessment should be appropriate to the task in hand.

⁹ C-258/11 Sweetman reference for a preliminary ruling from the Supreme Court of Ireland .. opinion of the Advocate General 22 November 2012

¹⁰ Bagmoor Wind Limited v The Scottish Ministers Court of Sessions [2012] CSIH 93

¹¹ Change in Regulation numbers from previous HRA relates to consolidation of the 2010 Regulations in 2017

¹² Case C-6/04: Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland judgment of the Court 20 October 2005.

¹³ Opinion of advocate general Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland

¹⁴ Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin

¹⁵ R (on the application of Champion) v. North Norfolk District Council [2015] UKSC 52.



- 1.20. HRA is an iterative process enabling the early identification of potential conflicts and providing the opportunity to resolve them prior to publication of the Submission Plan, perhaps by steering development away from sensitive sites or by influencing their design or scale. As both the European and domestic courts have shown though, there are limits to the effectiveness of undertaking a full, formal assessment during these early stages when evidence regarding ecological matters and indeed the actual allocations is often lacking.
- 1.21. This is where a way has to be found that whilst mindful of the need for the precautionary principle to be applied, the HRA must strive to identify only those plausible effects and not the extremely unlikely. Indeed, the Court of Appeal (re Boggis¹⁶) stated that there should be “*credible evidence that there was a real, rather than a hypothetical, risk*”.
- 1.22. Because this is a strategic plan, the ‘*objective information*’¹⁷ required by the HRA is typically only available at a strategic or high level, without the detail that might be expected at the planning application stage.
- 1.23. Just prior to the publication of this HRA, European Court of Justice gave its ruling on the People Over Wind¹⁸ case which provided a new interpretation of when and how mitigation measures should be considered in an HRA. In departing from previous decisions, it clearly identifies that measures designed specifically to avoid or reduce likely significant effects should not be evaluated at the screening stage but reserved for the appropriate assessment. The implications of this recent judgment are still to be fully understood, in circumstances where the plan which the specific subject of consideration under the Directive and Regulations itself includes policies which provide for mitigation, but for the avoidance of doubt this HRA takes full account of this ruling by considering mitigation as part of any appropriate assessment.
- 1.24. The owner of land affected by Policies SS19/ST35, H59 and E18 at Strensall, DIO, has produced two Shadow HRA s(December 2017)^{19 20} to inform their aspirations. Some evidence provided by the DIO has been taken into account in this HRA, where appropriate, but it should be noted that the DIO evaluated a ‘larger’ scheme and the Council has not accepted some of its conclusions.
- 1.25. Also landowners affected by Policies SS13/ST15 have independently produced ecological information in support of their proposals and this is taken account of in the evaluation of those policies.
- 1.26. The requirement for this HRA is embedded in the European Union’s Habitats Directive and so the decision to leave the EU potentially throws doubt on the need for the HRA of this and other local plans. However, UK law and policy is currently unchanged and the need for HRA remains. The HRA of the Council’s Local Plan will therefore continue and the recommendations will be acted upon until such time as Government indicates otherwise.
- 1.27. Lastly, although this HRA has been prepared to help the Council discharge its duties under the Habitats Regulations, the Council is the competent authority and it must decide whether to adopt this report or otherwise.

¹⁶ Peter Charles Boggis and Easton Bavants Conservation v Natural England and Waveney District Council, High Court of Justice Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061 20th October 2009

¹⁷ European Court of Justice Case C – 127/02 *Waddenzee* 7 September 2004

¹⁸ [Case C/323-17 People Over Wind](#)

¹⁹ Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Queen Elizabeth Barracks (QEB). Information to support a Habitats Regulations Assessment.

^{20 20} Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Towthorpe Lines. Information to support a Habitats Regulations Assessment.



2. Identifying the European Sites potentially at risk

- 2.1. Prior to the identification of vulnerable European sites, Stage 1 of Fig.2 (elaborated in F3.2 – F3.4 of the Handbook) encourages a brief review of the plan to explore if it can be:
- **Excluded** from the HRA because 'it is not a plan within the meaning and scope of the Habitats Directive', or
 - **Eliminated** from the HRA because it can easily be shown that although 'it is a plan ... it could not have any conceivable effect on any European site', or
 - **Exempted** from the HRA because it is '... directly connected with or necessary to the management of the ... European site' (ie the first formal stage of the HRA - Fig 1).
- 2.2. Taking these in turn, **it is clear the Local Plan represents a real plan with the potential to harm European sites and so can neither be excluded nor eliminated from the HRA. Likewise, the purpose of the Plan is not the nature conservation management of any European sites and so it cannot be made exempt from further assessment.** Consequently, the next steps in Stage 1 of Fig 2 need to be pursued by identifying which European sites and which features may be vulnerable as follows.
- 2.3. To encourage a consistent, reliable and repeatable process, the *Handbook* (F4.4) identifies 16 generic criteria, listed below in Table 1 (Columns 1 & 2), that when evaluated generates a precautionary, 'long' list of European sites in Column 3 which might be affected by the Plan²¹. However, when considered further, using readily available information and local knowledge (Column 4) the list of plausible threats can be refined and the list of affected sites reduced (Column 5). Albeit a coarse filter, this enables the exercise to comply with the Boggis case and attempts to only consider realistic and credible threats whilst avoiding the hypothetical or extremely unlikely.
- 2.4. If Column 5 remains empty of European sites, following the tests in Column 2, then no European sites will be considered to be at risk and no further scrutiny will be required. Note that sites identified against the first criterion (ie '1. All plans') should be ignored as this is simply a list of European sites within the City Council's boundary.
- 2.5. The search was restricted to those European sites found within 20km of the district boundary as this was considered to be the maximum extent that policies and allocations could seriously be considered to generate measurable effects. This focuses the attention of this HRA on the River Derwent, Lower Derwent Valley and Strensall Common European sites, which are all found within the Council boundary and, Kirk Deighton, Skipwith Common, the Thorne and Hatfield Moor complex and the Humber Estuary which are all found in neighbouring local authorities.
- 2.6. It is important to note that although the outcomes of this site identification task will reflect the type and location of activities proposed within the plan and/or the ecological characteristics of the European sites, it does not represent the test for likely significant effect (which follows later).

²¹ This table is taken from the Handbook albeit with changes to the number and titles of Columns appropriate to this HRA.

Table 1: Potential mechanisms and the initial list of European sites that could be affected

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
1. All plans (terrestrial, coastal and marine)	Sites within the geographic area covered by or intended to be relevant to the plan	Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC) Strensall Common (SAC)	This 'test' simply identifies all the European sites in the Council's geographic area. All sites present will be included.	Lower Derwent Valley River Derwent Strensall Common
2. Plans that could affect the aquatic environment	Sites upstream or downstream of the plan area in the case of river or estuary sites	Humber Estuary (SPA, SAC, Ramsar) Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC)	Effects considered are those associated with the physical presence of built development and the <i>localised</i> effects on surface/groundwater resources and quality, resulting from changes in run-off, sedimentation, erosion etc. No development is proposed that could lead to such effects in the vicinity of any of the three European sites. Therefore, effects on the aquatic environment of the Humber Estuary, the Lower Derwent Valley and the River Derwent can be ruled out and are removed from further consideration. Note that the <i>indirect</i> effects of changes to wastewater disposal are assessed separately under '7b'.	None
	Open water, peatland, fen, marsh and other wetland sites with relevant hydrological links to land within the plan area, irrespective of distance from the plan area	Skipwith Common (SAC) Strensall Common (SAC)	Effects considered are those associated with the physical presence of built development and the <i>localised</i> effects on surface/groundwater resources and quality, resulting from changes in run-off, sedimentation, erosion etc. No development is proposed that could lead to such effects in the vicinity of Skipwith Common.	Strensall Common

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
			<p>Therefore, effects on the aquatic environment of Skipwith Common can be ruled out and are removed from further consideration.</p> <p>However, this may not be the case at Strensall Common where development immediately adjacent to this wetland site is proposed. Consequently, adverse effects cannot be ruled out here and so Strensall Common will remain in the assessment.</p> <p>Note that the <i>indirect</i> effects of changes to wastewater disposal are assessed separately under '7b'.</p>	
3. Plans that could affect the marine environment	Sites that could be affected by changes in water quality, currents or flows; or effects on the inter-tidal or sub-tidal areas or the sea bed, or marine species	Humber Estuary (SPA, SAC, Ramsar)	Given the distance and lack of public access to the closest parts of the Upper Estuary, it is considered almost inconceivable that any aspect of the Plan could affect any of the physical and biological processes/features of the Humber Estuary. Consequently, effects on the marine environment on the Humber Estuary are removed from any further consideration in this HRA.	None
4. Plans that could affect the coast	Sites in the same coastal 'cell', or part of the same coastal ecosystem, or where there are interrelationships with or between different physical coastal processes	None	N/A	None
5. Plans that could	Sites whose qualifying features	Humber Estuary (SPA, SAC,	This considers direct impacts of plan proposals on	Humber Estuary

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
affect mobile species	include mobile species which may be affected by the plan irrespective of the location of the plan's proposals or whether the species would be in or out of the site when they might be affected	Ramsar) Kirk Deighton (SAC) Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC)	mobile species. Given that the great crested newts of Kirk Deighton SAC will be restricted to the breeding pond and surrounding land, and that no development is proposed nearby, then adverse effects can be ruled out. Therefore, effects on mobile species at Kirk Deighton SAC are removed from any further consideration in this HRA. However, impacts on various bird, mammal and fish populations of the Humber and River Derwent and Lower Derwent Valley cannot be ruled out at this stage and so these sites remain in the HRA for further consideration.	Lower Derwent Valley River Derwent
6. Plans that could increase recreational pressure on European sites potentially vulnerable or sensitive to such pressure	(a) Such European sites in the plan area	Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC) Strensall Common (SAC)	Due to the proximity of development, impacts on the three European sites cannot be ruled out at this stage and so they remain in the HRA for further consideration.	Lower Derwent Valley River Derwent Strensall Common
	(b) Such European sites within an agreed zone of influence or other reasonable and evidence-based travel distance of the plan area boundaries that may be affected by local recreational or other visitor pressure from within the plan area	Humber Estuary (SPA, SAC, Ramsar) Kirk Deighton (SAC) Thorne Moor (SAC) Hatfield Moor (SAC) Thorne & Hatfield Moors (SPA) Skipwith Common (SAC)	Kirk Deighton SAC lies around 15km from the nearest allocation on private land with no public access and so effects from recreational pressure at Kirk Deighton SAC are removed from any further consideration in this HRA. In terms of public pressure, the otherwise fragile sites of all the components of the Thorne & Hatfield Moors complex , display either restricted access and/or effective visitor management to	Humber Estuary Skipwith Common



Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
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strongly suggest that not only would visitor numbers would be low, but they are likely to be well managed and the sites (and associated mobile species) would be resilient to change brought about by this Plan. Therefore, effects of recreational pressure on the **Thorne and Hatfield Moor sites are removed from any further consideration in this HRA.**

Impacts from recreational pressure on the Humber Estuary and Skipwith Common cannot be ruled out at this stage and so remain in the HRA for further consideration.

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
	irrespective of distance from the plan area	River Derwent (SAC) Skipwith Common SAC Strensall Common (SAC)	either alone or in combination with other plans or projects ²² . All potentially affected sites can therefore be ruled out from further scrutiny.	
	(b) Sites used for, or could be affected by, discharge of effluent from waste water treatment works or other waste management streams serving the plan area, irrespective of distance from the plan area	Humber Estuary (SAC, Ramsar) Lower Derwent Valley (SAC, Ramsar) River Derwent (SAC)	Yorkshire Water has a legal duty to provide wastewater treatment for new dwellings. Policy GI2 (vii) effectively relates the construction of new development to the availability of capacity at wastewater treatment works across the area. Consequently, adverse effects on the receiving water bodies from the anticipated increase in wastewater disposal can be ruled out of this HRA with no residual effects. All potentially affected sites can be removed from further scrutiny.	None
	(c) Sites that could be affected by the provision of new or extended transport or other infrastructure	None	No such infrastructure proposed	None
	(d) Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from significant increases in traffic	Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC) Skipwith Common (SAC) Strensall Common (SAC)	Adverse impacts from increased air pollution can be possible on sites found within 200m of roads. Components of all four listed European sites are situated within this limit and so all are retained for further assessment.	Lower Derwent Valley River Derwent Skipwith Common Strensall Common
8 Plans for linear developments or infrastructure	Sites within a specified distance from the centre line of the proposed route (or alternative	None	No such infrastructure proposed	None

²² Water Resource Management Plan 2014 Strategic Environmental Assessment Post Adoption Statement Cascade/Yorkshire Water

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
	routes), the distance may be varied for differing types of site / qualifying features and in the absence of established good practice standards, distance(s) to be agreed by the statutory nature conservation body			
9. Plans that introduce new activities or new uses into the marine, coastal or terrestrial environment	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the new activities proposed by the plan	None	No such activities proposed	None
10. Plans that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the plan	None	No such activities proposed	None
11. Plans that could change the quantity, quality, timing, treatment or mitigation of emissions or discharges to air, water or soil	Sites considered to have qualifying features potentially vulnerable or sensitive to the changes in emissions or discharges that could arise as a result of the plan	None	No such activities proposed	None
12. Plans that could	Sites whose qualifying features	None	No such activities proposed	None

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
change the quantity, volume, timing, rate, or other characteristics of biological resources harvested, extracted or consumed	include the biological resources which the plan may affect, or whose qualifying features depend on the biological resources which the plan may affect, for example as prey species or supporting habitat or which may be disturbed by the harvesting, extraction or consumption			
13. Plans that could change the quantity, volume, timing, rate, or other characteristics of physical resources extracted or consumed	Sites whose qualifying features rely on the non-biological resources which the plan may affect, for example, as habitat or a physical environment on which habitat may develop or which may be disturbed by the extraction or consumption	None	No such activities proposed	None
14. Plans which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are considered to be potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the plan	Lower Derwent Valley (SPA, SAC, Ramsar) River Derwent (SAC) Thorne & Hatfield Moors (SPA) Humber Estuary (SPA, SAC, Ramsar) Kirk Deighton (SAC)	For the purposes of this HRA, it is considered that the effects of this category will be captured effectively via the application of criteria 5 (mobile species) and/or 6 (recreation). Therefore, this criterion is screened out to avoid duplication and so impacts resulting from 'Disturbance' will be removed from further consideration in this HRA on all five European sites listed.	None
15. Plans which could introduce or increase or change the timing,	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes	None	No such activities proposed	None

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
nature or location of light or noise pollution	in light or noise that could be brought about by the plan			
16. Plans which could introduce or increase a potential cause of mortality of species	Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the plan	None	No such activities proposed	None

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- 2.7. The outputs of the review carried out in Table 1 not only reduce the number of factors at play but clarify the nature of potential impacts.
- 2.8. Firstly, this exercise rules out the possibility of any credible effects from any aspect of the Plan on Kirk Deighton SAC, Thorne Moor SAC, Hatfield Moor SAC and Thorne & Hatfield Moors SPA. These sites will therefore be ruled out of any further scrutiny in this HRA.
- 2.9. Secondly, it confirms that the focus of this HRA should be restricted to only the following European sites, features and issues:

European sites	Feature
Aquatic environment	Strensall Common SAC
Mobile species	Humber Estuary SPA, SAC and Ramsar Lower Derwent Valley SPA, SAC and Ramsar River Derwent SAC
Recreational pressure	Humber Estuary SPA and Ramsar Lower Derwent Valley SPA, SAC and Ramsar Skipwith Common SAC Strensall Common SAC
Airborne pollution	Lower Derwent Valley SPA, SAC and Ramsar River Derwent SAC Skipwith Common SAC Strensall Common SAC

- 2.10. The net result, and benefit to the HRA, is that the list of issues and sites potentially affected is reduced, making for a shorter and more focused HRA than would otherwise be the case.
- 2.11. However, as impacts on a number of European sites cannot be ruled out, further ecological information needs to be gathered to inform subsequent tests in the HRA. Consequently, all five sites that remain at risk are described and their reasons for designation (or qualifying features) listed in Table 2 below. Their conservation objectives, and a list of the 'pressures and threats' they experience (the latter drawn from Natural England's Site Improvement Plans or SIPs) are provided in Appendix A.

Table 2: Description of European Sites

Site name	Description	Qualifying Features
Humber Estuary SAC, SPA & Ramsar	<p>The Humber Estuary carries a high suspended sediment load which sustains a dynamic system of intertidal and subtidal mudflats, sandflats, saltmarsh and reedbeds extending to around 37,000ha. Other notable habitats include sand dunes, coastal lagoons and sub-tidal sandbanks. Qualifying (mobile) species include river and sea lamprey which migrate through the estuary to rivers in the Humber catchment.</p> <p>Importantly, the estuary regularly supports around 150,000 wintering and passage waterbirds. At high tide, large mixed flocks congregate in key roost sites often beyond the European site boundary due to the combined effects of extensive land claim, coastal squeeze and lack of grazing marsh and grassland on both banks of the estuary. In summer, the site supports important breeding populations of Bittern, Marsh harrier, Avocet and Little tern.</p> <p>Natural England has assessed 98% of the underpinning Humber Estuary SSSI to be in 'favourable' or 'unfavourable recovering' condition. 2% of the site has been assessed to be in 'unfavourable no change' or 'unfavourable declining' condition, although the majority of the affected units are associated with Barton and Barrow Claypits far away on the south bank. However, the 'threat' level is considered to be 'high' across a much wider area.</p> <p>The corresponding SIP for the European site identifies, <i>inter alia</i>, a number of threats including water pollution and public pressure.</p> <p>Whilst therefore potentially vulnerable to a wide range of factors, its size, considerable distance from any point sources within the Council area and relative robustness of many of the features make the likelihood of harmful effects rather remote.</p> <p>The one possible exception to this is the population of lamprey which migrate from the sea, via the Humber to breeding grounds in the River Derwent. Physical or chemical barriers to migration may cause harm and so factors like wastewater disposal can require careful scrutiny if not addressed effectively in policy terms.</p>	<p>SPA</p> <ul style="list-style-type: none"> • A021 <i>Botaurus stellaris</i>; great bittern (Non-breeding); • A021 <i>Botaurus stellaris</i>; great bittern (Breeding); • A048 <i>Tadorna tadorna</i>; common shelduck (Non-breeding); • A081 <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding); • A082 <i>Circus cyaneus</i>; hen harrier (Non-breeding); • A132 <i>Recurvirostra avosetta</i>; pied avocet (Non-breeding); • A132 <i>Recurvirostra avosetta</i>; pied avocet (Breeding); • A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding); • A143 <i>Calidris canutus</i>; red knot (Non-breeding); • A149 <i>Calidris alpina alpina</i>; dunlin (Non-breeding); • A151 <i>Philomachus pugnax</i>; ruff (Non-breeding); • A156 <i>Limosa limosa islandica</i>; black-tailed godwit (Non-breeding); • A157 <i>Limosa lapponica</i>; bar-tailed godwit (Non-breeding); • A162 <i>Tringa totanus</i>; common redshank (Non-breeding); • A195 <i>Sterna albifrons</i>; little tern (Breeding); • Waterbird assemblage. <p>SAC Annex I habitats:</p> <ul style="list-style-type: none"> • 1130 Estuaries; • 1110 Sandbanks which are slightly covered by sea water all the time; • 1150 Coastal lagoons * Priority feature; • 1310 Salicornia and other annuals colonizing mud and sand; • 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>); • 2110 Embryonic shifting dunes;

Site name	Description	Qualifying Features
		<ul style="list-style-type: none"> • 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes); • 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes) * Priority feature; • 2160 Dunes with <i>Hippophae rhamnoides</i>. <p>SAC Annex II species:</p> <ul style="list-style-type: none"> • 1095 sea lamprey <i>Petromyzon marinus</i>; • 1099 river lamprey <i>Lampetra fluviatilis</i>; • 1364 grey seal <i>Halichoerus grypus</i>. <p>Ramsar</p> <p>Criterion 1 – near natural estuary;</p> <p>Criterion 3 – breeding colony of grey seals;</p> <p>Criterion 5 – Internationally important assemblage of wintering waterfowl;</p> <p>Criterion 6 – Internationally important populations of waterbirds on passage: Eurasian golden plover <i>Pluvialis apricaria</i>, red knot <i>Calidris canutus</i>, dunlin <i>Calidris alpina</i>, black-tailed godwit <i>Limosa limosa islandica</i> and redshank <i>Tringa tetanus</i>;</p> <p>Criterion 6 – Internationally important populations of waterbirds in winter: common shelduck <i>Tadorna tadorna</i>, Eurasian golden plover <i>Pluvialis apricaria</i>, red knot <i>Calidris canutus</i> and dunlin <i>Calidris alpina</i>;</p> <p>Criterion 8 – migration route for river lamprey <i>Lampetra fluviatilis</i> and sea lamprey <i>Petromyzon marinus</i>.</p>

Site name	Description	Qualifying Features
<p>Lower Derwent Valley SAC, SPA & Ramsar</p>	<p>The Lower Derwent Valley (LDV) supports the largest single expanse of wet, neutral (MG4) hay meadow in the UK. The site also hosts alder woodland and internationally important populations of breeding and wintering waterbirds. The habitats are reliant in part on the maintenance of a favourable hydrological regime, including periodic inundation, whilst the mobile species remain susceptible to public pressure and disturbance. Wintering and breeding waterbirds communities both utilise functionally-linked land outside the designated site, sometimes several kilometres distant. In common with the River Derwent SAC, the qualifying features include otter. Importantly, the Ramsar designation adds wetland invertebrates, passage birds, ruff and whimbrel. Reflecting the ecology of the species and habitats, an approach based on the evaluation of just the SPA and SAC features is considered adequate to embrace all features across all designations. Most of the site is privately owned and farmed with limited public access but all is managed for nature conservation in partnership with Natural England, including the LDV National Nature Reserve. Limited car parking and a formal arrangement of screens, footpaths and hides effectively reduces the impact of existing recreational pressure although some 'informal' access or trespass occurs. Despite this, the site is relatively robust but large increases in visitors may be difficult to accommodate without adequate mitigation including, eg the establishment of new wet grassland with associated visitor facilities in less fragile locations. The grassland and water bodies remain vulnerable to nutrient enrichment - the addition of inorganic nitrogen fertiliser is not allowed - but birds and mammals can be considered resilient to this pressure. There are five component SSSIs. All of Derwent Ings SSSI to be in 'favourable' or 'unfavourable recovering' condition. 99.6% of the River Derwent SSSI is 'favourable' or 'unfavourable recovering'; 0.4% is 'unfavourable no change' but the threat level is 'high' across a much wider area. All of Newton Mask SSSI, Brighton Meadows SSSI and Melbourne and Thornton Ings SSSI are in favourable condition but carry a range of threats. The corresponding SIP for the European site identifies, <i>inter alia</i>, a number of threats including public pressure, undergrazing and invasive species.</p>	<p>Lower Derwent Valley SAC</p> <ul style="list-style-type: none"> H91E0: Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) H6510: Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) S1355: <i>Lutra lutra</i>: otter <p>Lower Derwent Valley SPA</p> <ul style="list-style-type: none"> Waterbird assemblage A052(NB) <i>Anas crecca</i>: Eurasian teal A050(NB) <i>Anas penelope</i>: Eurasian wigeon A056(B) <i>Anas clypeata</i>: Northern shoveler A151(NB) <i>Philomachus pugnax</i>: ruff A140(NB) <i>Pluvialis apricaria</i> : European golden plover A037 (NB) <i>Cygnus columbianus bewickii</i>: Bewick's swan (not listed in SIP) (NB) non-breeding (B) breeding <p>Lower Derwent Valley Ramsar</p> <ul style="list-style-type: none"> Criterion 2 - Assemblage of wetland invertebrates. Criterion 4 – Nationally important populations of ruff <i>Philomachus pugnax</i> and whimbrel <i>Numerius phaeopus</i> on passage Criterion 5 – Internationally important assemblage of wintering birds Criterion 6 – Internationally important populations of wigeon <i>Anas penelope</i> and teal <i>Anas crecca</i>

Site name	Description	Qualifying Features
River Derwent SAC	<p>The River Derwent represents one of the best examples in England of a lowland river stretching from Ryemouth in the north to its confluence with the Ouse in the south of the District – a small section lies within the Lower Derwent Valley National Nature Reserve.</p> <p>It supports diverse communities of flora and fauna, notably floating vegetation dominated by water crowfoot; and river lamprey <i>Lampetra fluviatilis</i>, sea lamprey <i>Petromyzon marinus</i>, otter <i>Lutra lutra</i> and bullhead <i>Cottus gobio</i>. The mobile species utilise extensive stretches of water both upstream and downstream of the designated site, and elsewhere within the catchment beyond the boundaries of the SAC, and are critically dependent on the maintenance of a favourable hydrological conditions throughout their range. In particular, lamprey migrate to the open sea via the Derwent, Ouse and Humber Estuary providing an intimate link between both sites.</p> <p>The Derwent carries a high nutrient load providing a degree of resilience against air pollution and whilst the fish and mammal features can be considered unaffected by air pollution, the floating vegetation communities may be vulnerable.</p> <p>Limited car parking and a formal arrangement of footpaths reduces the impact of existing recreational pressure (although informal access or trespass also occurs) and the simple width of the channel reduces direct impacts. Overall, the site is relatively robust but vulnerable to changes in water quality (especially inputs of phosphate) from wastewater disposal, for instance.</p> <p>There are two component SSSIs – the River Derwent and Newton Mask. Natural England has assessed 99.6% of the River Derwent SSSI to be in ‘favourable’ or ‘unfavourable recovering’ condition; 0.4% is ‘unfavourable no change’ but the threat level is considered to be ‘high’ across a much wider area. All of Newton Mask SSSI is considered to be in favourable condition but carries a ‘medium’ threat level.</p> <p>The corresponding SIP for the European site identifies, <i>inter alia</i>, a number of threats including water pollution, physical changes to the channel and hydrological changes.</p>	<ul style="list-style-type: none"> • H3260. Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; rivers with floating vegetation often dominated by water-crowfoot; • S1095. <i>Petromyzon marinus</i>; sea lamprey; • S1099. <i>Lampetra fluviatilis</i>; river lamprey; • S1163. <i>Cottus gobio</i>; bullhead; • S1355. <i>Lutra lutra</i>; otter.

Site name	Description	Qualifying Features
Skipwith Common SAC	<p>Skipwith Common supports extensive areas of both wet and dry heath, with rush pasture, mire, reedbed, open water and woodland. The entire European site is managed as a National Nature Reserve by Natural England, grazed with cattle and sheep and has been dedicated as open access land under CRoW. The number of visitors is thought to be increasing causing some erosion and disturbance of grazing animals, and the heathland could be vulnerable to nitrogen deposition. The site remains both fragile and vulnerable.</p> <p>The underpinning Skipwith Common SSSI was assessed by Natural England to be in 'favourable' or 'unfavourable recovering' condition in 2014. The corresponding SIP for the European site identifies, <i>inter alia</i>, a number of threats including public pressure, air pollution and drainage.</p>	<ul style="list-style-type: none"> • H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; wet heathland with cross-leaved heath (or 'wet heath'); • H4030. European dry heaths (or 'dry heath').
Strensall Common SAC	<p>Strensall Common is managed in part by the Yorkshire Wildlife Trust and MOD, and, at over 570ha, 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 and ponds.</p> <p>Vulnerable to nitrogen deposition, it is also subject to considerable visitor pressure although an established network of paths reduces trampling pressure; regular closures of much of the heath by the MOD to allow safe operation of the adjacent firing ranges also helps reduce the intensity of this threat. However, both the dry and wet heath habitats are particularly vulnerable, not only to erosion etc, but also changes to the local hydrological regime and so construction proposed nearby will require careful scrutiny.</p> <p>The underpinning SSSI is considered by Natural England to be in favourable or unfavourable-recovering condition. The corresponding SIP for the European site identifies, <i>inter alia</i>, a number of threats including public pressure and air pollution</p>	<ul style="list-style-type: none"> • H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; wet heathland with cross-leaved heath; • H4030. European dry heaths.



2.12. The outputs of Table 1 allow this HRA to focus solely on a restricted number of possible impacts on five European sites: the Humber Estuary, Lower Derwent Valley, the River Derwent and both Skipwith and Strensall Commons. However, by drawing on the additional information provided in Table 2, the HRA is able to further refine the possible impacts to specific features, habitats and species. These, the key issues for the next, formal stage of this screening exercise are presented in Table 3.

Table 3: Summarised, initial list of European sites, affected features and potential effects

European site	Potential effects	Specific features
Lower Derwent Valley SPA, SAC & Ramsar	(5) Impacts on mobile species	Breeding, non-breeding birds and otter
	(6) Impacts from recreational pressure	All habitats and species
	(7d) Impacts from air pollution	All habitats
River Derwent SAC	(5) Impacts on mobile species	Otter, bullhead and lamprey
	(6) Impacts from recreational pressure	Otter, bullhead and lamprey Floating vegetation dominated by water crowfoot
	(7d) Impacts from air pollution	Floating vegetation dominated by water crowfoot
Skipwith Common SAC	(6) Impacts from recreational pressure	Wet heath and Dry heath
	(7d) Impacts from air pollution	Wet heath and Dry heath
Strensall Common SAC	(2) Impacts on the aquatic environment	Wet heath and Dry heath
	(6) Impacts from recreational pressure	Wet heath and Dry heath
	(7d) Impacts from air pollution	Wet heath and Dry heath
Humber Estuary SAC, SPA, Ramsar	(5) Impacts on mobile species	Lamprey, grey seal and both breeding and non-breeding birds
	(6) Impacts from recreational pressure	Breeding and non-breeding birds

2.13. Note that whilst Ramsar features often share considerable overlap with SPA and SAC features and so can frequently be considered as one, the relationship is not always so convenient. For instance, the wetland invertebrate assemblage in the Lower Derwent Valley (a Ramsar feature) is not represented in the corresponding SAC. However, as the safeguard of these features depends on ensuring that the supporting wetland and grassland habitats of the SAC are retained in favourable conservation status, then assessing the impact of the plan proposals on the latter will be sufficient to deliver the necessary scrutiny of Ramsar sites as required by current Government policy. Therefore, there will no specific reference to Ramsar features in the following screening exercise unless it is required for clarity.

3. Screening the Policies – process and outcomes

Methodology

- 3.1. Section 2 of this HRA confirmed that the Local Plan could not be excluded from scrutiny and identified which European sites and which features might be affected by it. Again, by drawing on the Handbook, the next step, encompassing the second formal test from Fig 1, is to identify if there is a credible risk that a proposal in the Local Plan may lead to a LSE on a European site (by threatening to undermine its conservation objectives). It achieves this by evaluating the proposals in the plan against the following criteria to see if they are:
- **Screened out from further scrutiny** (because the individual policies or allocations are considered not 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects');
 - **Screened in for further scrutiny** (because the individual policies or allocations are considered 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects').
- 3.2. To achieve this, the Handbook provides a list of 'screening categories' (Table 4) designed to evaluate both policy and site-based allocations to provide a rigorous and transparent approach to the screening process.

Table 4: Screening Categories

Code	Category	Outcome
A	General statement of policy/general aspiration	Screened out
B	Policy listing general criteria for testing the acceptability/sustainability of the plan	Screened out
C	Proposal referred to but not proposed by the plan	Screened out
D	Environmental protection/site safeguarding policy	Screened out
E	Policies or proposals which steer change in such a way as to protect European sites from adverse effects	Screened out
F	Policy that cannot lead to development or other change	Screened out
G	Policy or proposal that could not have any conceivable effect on a site	Screened out
H	Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects)	Screened out
I	Policy or proposal with a likely significant effect on a site alone	Screened in
J	Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination	Check
K	Policy or proposal not likely to have a significant effect either alone or in combination (screened out after the in combination test)	Check
L	Policy or proposal likely to have a significant effect in combination (screened in after the in combination test)	Check

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- 3.3. The impact of each potential effect is evaluated against the conservation objectives (Appendix A) of the relevant features of the European sites (Table 3) and categorised according to criteria in Table 4 for every policy and/or allocation in the Plan. This provides a bespoke screening opinion for each and every policy and/or allocation in the Plan. The outcomes are summarised in Tables 5 and 6 but given the large number of policies and allocations, the preliminary screening outcome for each policy and allocation is only presented in Appendix B.
- 3.4. Issues of particular importance, arranged by potential effect, which influenced the outcome of this exercise, are discussed below.

Screening

Potential Effect – Aquatic environment

European sites	Feature
Strensall Common	Wet heath and Dry heath

Context

- 3.5. This potential effect is concerned with built development and its localised effects on surface and sub-surface flows both in terms of water quality and water resources resulting from changes in run-off, sedimentation, erosion etc. Table 3 shows that both the wet heath and dry heath communities of Strensall Common could be affected and consequently, only three policies/allocations required evaluation.
- 3.6. The Council proposes development at three locations immediately adjacent or in close proximity to the Strensall Common European site (Policies SS19/ST35, E18 and H59). Together these comprise the development of 545 dwellings (500 under SS19/ST35 and 45 under H59) and a 4ha employment area. Despite supporting extensive areas of wet heath, a threatened habitat with a restricted distribution in the UK and beyond, changes to the hydrological regime are not identified as a key pressure or threat in the Strensall Common SIP (Appendix A).

Screening opinions

- 3.7. Wet and dry heath is found in the vicinity of all three proposed policies/allocations and extends across much of the European site. It is a fragile habitat, vulnerable to changes in the local surface or sub-surface hydrological regime. It is anticipated that construction of the proposed development, across all three allocations would be prolonged, extending over several years and would comprise substantial earthworks, the installation of drains and the storage of fuel and other potential contaminants, all with the potential to adversely affect the local hydrological regime.
- 3.8. Whilst it is not suggested that impacts from construction will adversely affect the entire site, it is possible that changes to drainage patterns could extend across significant areas of the SAC. This would conflict with the conservation objective for Strensall Common to '*maintain ... the extent and distribution ... the structure and function ... and the supporting processes ... of the qualifying natural habitats ...*'

Therefore, there is a risk that the proposals contained within Policy SS19/ST35, E18 and H59 could undermine the conservation objectives of the heathland features of Strensall Common SAC and that a likely significant effect cannot be ruled out (alone). Consequently, the policies must be screened in (Category I) and an appropriate assessment is required.

Potential Effect – Mobile Species

European sites	Feature
Lower Derwent Valley	Breeding and non-breeding birds, and otter
River Derwent	Otter, bullhead and lamprey
Humber Estuary	Lamprey, grey seals and both breeding and non-breeding birds

Context

- 3.9. Mobile Species are defined here as those that utilise ('functionally-linked') land or water beyond the European site boundary for some part of their life-cycle be it seasonally, diurnally or even intermittently. Consequently, they are vulnerable to a range of both localised and strategic effects away from protected areas. Therefore, in the case of fish and otter, effects on water quality and resources will have to be considered both up and downstream, and, in terms of bird populations, attention will have to be paid to land-take or disturbance on potentially wide areas of land.
- 3.10. Table 3 shows that a number of mobile species across three European sites (the Humber Estuary, River Derwent and Lower Derwent Valley) could be affected and potentially, a considerable number of policies/allocations could be affected. All the potential European sites selected identify 'disturbance' as a key pressure or threat in the relevant SIP (Appendix A).
- 3.11. The individual features are considered in turn by site. Inevitably, because of some shared features, this introduces some repetition.

Screening opinions

- 3.12. Effects on mobile species are only likely to be significant where development is located in relatively close proximity to a European site or to land or water that is in hydraulic continuity to the site.

Humber Estuary

- 3.13. Given the absence of proposed development in close proximity to the estuary or known, functionally-linked land, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the breeding and non-breeding bird populations of the Humber Estuary SPA and so likely significant effects (alone) can be screened out (Category G).**
- 3.14. Similarly, and simply because of the distance between the Plan area and seal haul-out areas, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the grey seal populations of the Humber Estuary SAC and so likely significant effects (alone) can be screened out (Category G).**
- 3.15. Furthermore, with the lack of proposals in the Plan for the creation of physical or other obstructions in watercourses, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the lamprey and bullhead populations of the Humber Estuary SAC (or River Derwent SAC) and so likely significant effects (alone) can be screened out (Category G).**

River Derwent

- 3.16. Otters are associated with waterways throughout the district and, in common with experiences across much of lowland England, populations have been steadily increasing as water quality, in



particular, has improved. Otters are typically nocturnal and elusive and although they will range widely in the rivers and adjacent riparian habitats to forage, holts are typically established away from human influence. As no allocations promote obstructions in the rivers and all are situated far from water courses, no significant effects are anticipated.

- 3.17. Consequently, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the otter populations of the River Derwent (or Lower Derwent Valley SAC) SAC and so likely significant effects (alone) can be screened out (Category G).**
- 3.18. Given the absence of proposals for the creation of physical or other obstructions in watercourses, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the lamprey and bullhead populations of the River Derwent (or Humber Estuary) SAC and so likely significant effects (alone) can be screened out (Category G).**

Lower Derwent Valley

- 3.19. As with otters associated with the River Derwent (above), **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the otter populations of the Lower Derwent Valley SAC (and River Derwent SAC) and so likely significant effects (alone) can be screened out (Category G).**
- 3.20. The Lower Derwent Valley supports diverse, fragile breeding and non-breeding bird populations throughout the year, both within the SPA and on functionally-linked land beyond. All are equally vulnerable to disturbance from public pressure which could result in their disturbance or displacement.
- 3.21. However, only one policy is considered to affect the location of mobile species on functionally-linked land, the proposal for a new garden village at Elvington (SS13/ST15 – Land West of Elvington Lane). Evidence drawn from ecological reports prepared²³²⁴ by two landowners associated with this proposal has confirmed the presence of significant numbers of non-breeding golden plover and lapwing associated with the Lower Derwent Valley SPA utilise land in and around this major new settlement.
- 3.22. The policy wording provides comprehensive mitigation measures including the establishment of extensive areas of wet grassland which would represent ideal habitat for mobile species. However, the policy wording does not make it clear whether this is provided within the allocation boundary or as off-site mitigation. Consequently, there can be no confidence that the demands of the policy wording can be met and harm cannot be ruled out.
- 3.23. This would conflict with the conservation objective for the Lower Derwent Valley SPA to ‘ensure that the integrity of the site is maintained by *...maintaining ... the extent and distribution ... the structure and function ... and the supporting processes on which the habitats of the qualifying features rely .. and the distribution of the qualifying features*’
- 3.24. Therefore, **there is a risk that the proposals contained within Policy SS13/ST15 could undermine the conservation objectives for the Lower Derwent Valley SPA and that a likely significant effect cannot be ruled out (alone). Consequently, the policy must be screened in (Category I) and an appropriate assessment is required.**

²³ Elvington Bird Surveys 2015, (report 2016), Wold Ecology Ltd

²⁴ Langwith Farm Wintering Bird Surveys 2017-18 (unpublished report 2018) MAB Environment and Ecology Ltd

- 3.25. It should be noted that this evaluation is only concerned with direct effects from new development. Indirect effects resulting from an increased number of visitors to the site or land nearby are considered immediately below.

Potential Effects – Recreation

European Sites	Feature
Humber Estuary	Breeding and non-breeding birds
Lower Derwent Valley	All habitats and species
River Derwent	All habitats and species
Skipwith Common	Wet and Dry heath
Strensall Common	Wet and Dry heath

Context

- 3.26. For those European sites around York, adverse ecological effects from recreational pressure are largely limited to walking (frequently with dogs).
- 3.27. The most popular destinations can draw in visitors in great numbers from considerable distances and lead to erosion and disturbance. Less popular sites, or those with fewer facilities, have a smaller catchment, fewer visitors and the issue is typically less problematic. Alternatively, sites managed specifically to encourage large numbers of visitors can tolerate these pressures without causing significant harm.
- 3.28. Excessive recreational pressure typically leads to the disturbance of qualifying species, and a reduction in habitat quality/extent from trampling. It can be particularly problematic on land with open or unauthorised access where desire lines can be created and so compromise site management.
- 3.29. In addition, dogs can not only cause localised eutrophication but can also disturb grazing stock, reducing the effectiveness of site management and a decline in the condition of features not normally considered vulnerable.
- 3.30. Distance or accessibility remain key factors and in general, where modest residential allocations are situated over 5km from a vulnerable European site, then LSE (alone) can often (but not always) be ruled out. Of course, each site is different and other key factors will include the fragility of the feature, size of the development, the accessibility of alternative destinations, the availability of footpaths, public transport and so on
- 3.31. Of note, all purely employment allocations (except E18 which is situated immediately adjacent to Strensall Common SAC) are excluded from consideration in this category; given the reduced opportunities for workers to visit European sites nearby during the working day, any adverse impacts can be screened out, alone.
- 3.32. Table 3 shows that a number of features across five European sites (the Humber Estuary, River Derwent, Lower Derwent Valley and both Skipwith and Strensall Commons) and consequently, numerous policies/allocations could be affected. All the potential European sites selected identify 'disturbance/public access' as a key pressure or threat in the relevant SIP (Appendix A).
- 3.33. As with 'mobile species' previously, this evaluation is presented by European site to provide clarity albeit with some repetition.



Screening Opinions

Humber Estuary

- 3.34. Given the absence of proposed development nearby, limited access to the foreshore, compounded by private ownership of much of the functionally-linked land **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of any of the features of the Humber Estuary SPA and SAC and so likely significant effects alone can be screened out (Category G)**; a visitor survey in 2012²⁵ suggested that the median distance travelled by visitors (by car) was just 4.4km.

Lower Derwent Valley

- 3.35. Otters are found in and along the banks of the Lower Derwent Valley (and River Derwent). The evaluation of this issue is similar to that provided for 'mobile species' above. They are clearly associated with waterways throughout the district and populations have been steadily increasing as water quality, in particular, has improved. Otters are typically nocturnal and elusive and although they will range widely in the rivers and adjacent riparian habitats to forage, holts are typically established away from human influence. Given that access to the riverside is effectively (although not entirely) restricted by management measures and private ownership, adverse effects can be ruled out.
- 3.36. Consequently, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the otter populations of the Lower Derwent Valley (or River Derwent) SAC and so likely significant effects (alone) can be screened out (Category G)**.
- 3.37. Such mitigating factors do not apply to the bird communities and habitats of the Lower Derwent Valley. This comprises diverse, fragile breeding and non-breeding bird populations throughout the year, both within the SPA and on functionally-linked land beyond which are vulnerable to disturbance and displacement (and predation by domestic cats). In addition, the terrestrial habitats, especially the grassland communities, are all equally vulnerable to trampling, erosion and the disturbance of stock.
- 3.38. Whilst access to much of the SPA is managed and/or restricted, it is not completely controlled. Furthermore, whilst the majority of functionally-linked land is found on private land, access here can also not be fully managed and some trespass occurs. Consequently, given the location of the proposed large garden village at Elvington (Policy SS13 (ST15)) within a few kilometres of the European site, and the more modest SS18/ST33 within 2km, harmful effects cannot be ruled out if recreational pressure is to increase considerably.
- 3.39. This would conflict with the conservation objective for the Lower Derwent Valley SPA to '*ensure that the integrity of the site is maintained by ...maintaining ... the extent and distribution ... the structure and function ... and the supporting processes on which the habitats of the qualifying features rely .. the population ... and the distribution of the qualifying features*'
- 3.40. Consequently, **it is considered that there is a risk that the proposals contained within Policies SS13/ST15 and SS18/ST33 could undermine the conservation objectives for the Lower Derwent Valley European site and that a likely significant effect cannot be ruled out (alone). Consequently, the policy must be screened in (Category I) and an appropriate assessment is required.**



- 3.41. It should be noted that despite its proximity to the Lower Derwent Valley, H39 is screened out of the need for further assessment due to the lack of local access other than to a small section of the riverbank where harmful effects are highly unlikely.

River Derwent

- 3.42. Both lamprey and bullhead populations, and floating vegetation communities can be considered immune to recreational pressure due to their relative inaccessibility. Otters are also considered to avoid harm for the same reasons as expressed above for the Lower Derwent Valley. Therefore, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the River Derwent SAC and so likely significant effects (alone) can be screened out (Category G).**
- 3.43. As with the Lower Derwent Valley immediately above, H39 is screened out of the need for further assessment due to the lack of local access allied with the intrinsic resilience of aquatic features to recreational pressure.

Skipwith Common

- 3.44. The dry and wet heathland communities of Skipwith Common SAC are vulnerable to recreational pressure. It is a popular site for (dog) walking with the small, local community but limited places to park currently appear to deter larger numbers from further afield. The site is carefully managed as a National Nature Reserve by Natural England and a mosaic of fenced grazing compartments effectively delineate a network of footpaths which largely prevent the damaging trampling of fragile habitats (although some erosion and widening of paths is evident). That said, even dogs on leads can have the subtle effect of driving grazing stock into cover reducing the effectiveness of the essential grazing management. These issues can only be expected to increase if the local population grows considerably.
- 3.45. However, there are no proposals for development of any scale in close proximity with SS18/ST33 being 10km distant, and both ST36 and the garden village at Elvington (SS13/ST15) over 15km away by road.
- 3.46. Therefore, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives of the wet heath and dry heath at Skipton Common SAC and so likely significant effects (alone) can be screened out (Category G).**

Strensall Common

- 3.47. Strensall Common supports similar habitats to Skipwith Common and currently experiences similar issues. This large heathland attracts more visitors although access is heavily influenced by a network of footpaths, limited car parking and active management of parts by the Yorkshire Wildlife Trust; regular closure of large parts of the Common by the MOD to allow for firing practice on the adjacent ranges also reduces public pressure. However, the wet and dry heathland communities which represent a threatened habitat with a restricted distribution in the UK and beyond remain particularly vulnerable to increases in public pressure.
- 3.48. The Council proposes development at three locations immediately adjacent or in close proximity to the Strensall Common European site (Policies SS19/ST35, E18 and H59). Together these comprise the development of 545 dwellings (500 under SS19/ST35 and 45 under H59) and a 4ha employment area.
- 3.49. However, a number of mitigation measures are embedded in Policy SS19/ST35 that require any development to produce a visitor management strategy, informed by a range of visitor and ecological surveys, to deliver effective, deliverable, mitigation measures prior to any consent. In addition, development must provide extensive open space within the development, including a new



area of strategic open space (OS12) and restrict direct access to the Common. Whilst these measures can therefore be expected to successfully restrict use of the European site for recreation by new residents of SS19/ST35 they will do little to influence the behaviour of those new residents that do visit the European site.

- 3.50. No such mitigation is proposed in the policy wording or explanatory text for neither the specific allocations (E18 and H59), nor their over-arching policies (EC1 and H1). Whilst the impact from both can be considered to be less than that provided by SS19/ST35, a function of scale and in terms of E18 its employment use, unrestricted access from both these allocations will still provide a threat.
- 3.51. Together, all three policies have considerable potential to increase public pressure on Strensall Common prompting further trampling, erosion and disturbance of stock. Consequently, the impact of these policies could conflict with the conservation objective for Strensall Common to '*maintain ... the extent and distribution ... the structure and function ... and the supporting processes ... of the qualifying natural habitats ...*'
- 3.52. Therefore, given the uncertainty surrounding Policies SS19, E18 and H59 **there is a risk that the proposals could undermine the conservation objectives for Strensall Common SAC and that a likely significant effect cannot be ruled out (alone). Consequently, the policy must be screened in (Category I) and an appropriate assessment is required.**
- 3.53. All other policies and/or allocations were screened out of the HRA in terms of this potential effect.

Potential Effects – Air Pollution

European sites	Feature
Lower Derwent Valley	All habitats
River Derwent	Floating vegetation dominated by water crowfoot
Skipwith Common	Wet and dry heath
Strensall Common	Wet and dry heath

Context

- 3.54. Development is typically associated with increased traffic and emissions which can increase the airborne concentration of nitrogen oxides (NO_x) and the rate of nitrogen deposition from the atmosphere. Impacts are assessed by calculating the relative contribution of the Plan in relation to the relevant *critical level* for NO_x and the *critical loads* for nitrogen deposition.
- 3.55. Both NO_x and nitrogen deposition have been associated with impacts on vegetation even though levels fall quickly in the first few metres from a road before gradually levelling out until, beyond 200m, it becomes difficult to distinguish from background levels. In other words, impacts at 10m, 50m or 200m can be very different from that at the roadside. Consequently, only those European sites found within 200m of a road are assessed.
- 3.56. The long-term environmental standard or critical level for NO_x is 30 $\mu\text{g m}^{-3}$. It is a precautionary threshold below which there is confidence that adverse effects on vegetation will not arise. The critical loads for nitrogen deposition are specific to each individual feature. These are presented as a range of values and, as a precautionary approach, only the lower values are used as these will exaggerate any negative outcomes.
- 3.57. The contribution made by traffic flows associated with the Plan is termed the 'Process Contribution' (PC) and is used to calculate the total 'Predicted Environmental Concentration' (PEC) which equates to the combination of the PC with the existing baseline concentration.



- 3.58. Defra and Environment Agency online guidance states that emissions can be considered to be insignificant where the PC in terms of both critical levels and critical loads, is less than 1% of the long term environmental standard and if the PEC is less than 70% of the long-term environmental standard. However, building on recent case law in Sussex²⁶, this must be considered in combination, typically with other policies in the Plan and with those in neighbouring authorities. As a consequence, all air quality data took account of local, regional and national trends and evidence.
- 3.59. Consequently, the additional contributions that might arise from increased traffic are only likely to be significant where the European site lies within 200m of a road, is known to be sensitive to such effects and where the appropriate critical loads and levels are either exceeded or approaching exceedance.
- 3.60. However, this is not a simple mathematical relationship. Account must be taken of the type of habitats (some are more resilient than others) and the distribution of the designated features – not all are distributed evenly across all sites. Furthermore, roadside communities are often highly modified from roadworks, informal footpaths, boundary features, salt spreading in winter and the need for roadside management such as the regular cutting of vegetation. This means that the conservation objectives of a European site may not apply to land in close proximity to a road where the greatest impact from vehicle emissions is likely to be experienced, and where there is little realistic prospect of successfully restoring the site to a favourable condition.
- 3.61. It should also be noted that employment allocations have the potential to generate specific, point-sourced emissions that may or may not adversely affect European sites. As no information is provided on the latter, it is assumed that for this stage in the assessment process, that no such processes are proposed allowing this assessment to focus solely on road traffic emissions.
- 3.62. Reflecting these and other issues, Natural England's SIPs (Appendix 1A) only identified air pollution as a key pressure or threat for Skipwith Common and Strensall Common.

Screening opinion

- 3.63. The site assessments below rely heavily on information drawn from the Air Pollution Information System (APIS)²⁷ and the Air Quality Assessment: Air Quality Modelling Assessment (Waterman Infrastructure & Environment Ltd, April 2018) which draws on data from across the City of York and also takes account of data from neighbouring authorities so providing the in combination assessment required. As before, each site is taken in turn.

River Derwent

- 3.64. The Air Quality Report suggests a mean NO_x concentration of 16.26 $\mu\text{g m}^{-3}$ in 2015, falling over the Plan period to 10.40 $\mu\text{g m}^{-3}$. Despite being a mean value, it can be safely assumed that concentrations of NO_x are currently below the annual Critical Level of 30 $\mu\text{g m}^{-3}$ across the entire European site and are expected to fall further.
- 3.65. Further analysis at various crossing points along the river where emissions from road traffic would be at their highest showed that in terms of NO_x concentrations, PC and PEC contributions would equate to 4.6% and 39.3% of the long-term environmental standard. Whilst the latter suggests an insignificant outcome, falling well below 70%, the former exceeds the 1% threshold.
- 3.66. The single, most vulnerable feature, the floating vegetation community does not, unusually, benefit from a defined critical load making similar analysis impossible. Although data is presented for the

²⁶ This table is taken from the Handbook albeit with changes to the number and titles of Columns appropriate to this HRA.

²⁷ Water Resource Management Plan 2014 Strategic Environmental Assessment Post Adoption Statement, Cascade/ Yorkshire Water



SSSI communities, these are not directly comparable to the European site feature and so are not relied upon heavily here.

- 3.67. However, important evidence can be drawn from the ecological characteristics of the river. APIS data for the River Derwent suggests that only 6% of overall nitrogen deposition is caused by local road traffic. Although an approximation and often an underestimate, this strongly suggests the contribution from road traffic will be minor with other sources, with livestock, for example, contributing an order of magnitude more. Furthermore, although the site is very long, roads of any magnitude within 200m of the river (such as the A1079) are few and far between and largely restricted to occasional river crossings (which typically lie on the Council boundary) at Stamford Bridge, Kexby, Elvington and Bubwith.

The River Derwent already carries a high nitrogen load, a consequence largely of the erosion and transport of soil particles within the system from the extensive, rural catchment. Like most meso/eutrophic systems, it is phosphate limited. When combined, these two factors alone make it highly resilient to what are relatively low increases in deposition from road traffic. Consequently, the potential for harmful effects is low, with negligible contributions provided by road traffic at only a handful or point-based locations.

- 3.68. Furthermore, this has to be assessed in the context that overall, despite the projected increases in traffic the electrification of vehicles and improved efficiency of conventional engines will lead to the overall contribution from road traffic being less at the end of the Plan period than at the start. In effect, the Plan doesn't meaningfully increase nitrogen deposition, it simply slows down the rate of improvement.
- 3.69. Given these factors, **in terms of air pollution, it is considered highly unlikely that any proposals in the Plan that would increase the volume of road traffic and air pollution could undermine the conservation objectives of the floating vegetation community of the River Derwent SAC and so likely significant effects (alone and in combination) can be screened out (Category H).**

Lower Derwent Valley SPA and SAC

- 3.70. The Air Quality Report suggests a mean NO_x concentration of $17.18 \mu\text{g}/\text{m}^3$ in 2015, falling over the Plan period to $11.00 \mu\text{g}/\text{m}^3$. Despite being a mean value, it can be safely assumed that concentrations of NO_x are currently below the annual Critical Level of $30 \mu\text{g}/\text{m}^3$ across the entire European site and are expected to fall further.
- 3.71. Evaluating nitrogen deposition against these critical loads, the Air Quality report predicts that nitrogen deposition will fall over the Plan period from $17.36 \text{ kgNha}^{-1}\text{yr}^{-1}$ to $11.31 \text{ kgNha}^{-1}\text{yr}^{-1}$ reflecting wider, anticipated improvements in air quality despite an increased contribution from development promoted by the Plan. Despite being a mean figure, it is reasonable to assume that nitrogen deposition levels across the Lower Derwent Valley also fall below the minimum critical loads of $20\text{-}30 \text{ kgNha}^{-1}\text{yr}^{-1}$ both now and in the future. Therefore, in terms of nitrogen deposition, the effect of the Plan is considered to be insignificant.
- 3.72. Further analysis showed that in terms of NO_x concentrations, PC and PEC contributions would equate to 0.1% and 36.8% of the long-term environmental standard. Both fall well below the 1% and 70% thresholds strongly suggesting an insignificant outcome.
- 3.73. The critical loads identified for the habitat of the qualifying breeding and wintering birds struggle to relate to the habitats at the SPA as they tend to describe the more typically associated upland and coastal communities of these species. We consider that use of these would lead to a flawed outcome and they have been put to one side. However, by adopting figures for the low altitude hay meadows of the Lower Derwent Valley SAC, critical loads of $20\text{-}30 \text{ kgNha}^{-1}\text{yr}^{-1}$ are found and are



utilised. Critical loads are not available for the alder woodland feature.

- 3.74. Therefore, in terms of nitrogen deposition, this suggested that PC and PEC contributions would equate to 0% and 56% of the lowest critical load. Again, both fall well below the 1% and 70% standards and also strongly suggest an insignificant outcome.
- 3.75. As the European site occupies the same geography to the River Derwent, this outcome is heavily influenced by the lack of major roads nearby. Although the site extends over a large area (1092ha), roads of any magnitude within 200m of the river are few and far between; these comprise a 500m stretch of the A163 that runs alongside the hay meadows just to the west of the river crossing at Bubwith, and two locations found south-east of Wheldrake and in the centre of Thorganby where relatively discrete parcels of land lie within 50m of Church Lane.

Given the low PC and PEC values, no transects were carried out for these specific locations. These meadows are considered sensitive to nitrogen deposition and in order to maintain floristic diversity of the SAC feature and to provide the vegetative structure to support the breeding and wintering birds of the SPA, the use of nitrogen-based inorganic fertiliser is not allowed. Yet, further evidence can be drawn from the ecological characteristics of the valley.

- 3.76. Almost the entire European site is subject to regular, annual flooding. Not only will periodic flooding contribute far greater amounts of nitrogen to the grassland and other habitats than air pollution but it is regarded as an integral component of the (semi-) natural system. Recent events suggest that flooding is affecting more land and is becoming more frequent and prolonged.
- 3.77. Furthermore, APIS data for the Lower Derwent Valley that suggests only 4% of overall nitrogen deposition is caused by local road traffic. Although an approximation and often an underestimate, this strongly suggests the contribution from road traffic will be minor with other sources, such as livestock farming contributing an order of magnitude more.

When the impact of flooding is considered alongside these low values, harmful effects on the habitats of the European site from road traffic can be discounted.

- 3.78. Given these factors, **it is considered highly unlikely that any proposals in the Plan that would increase the volume of road traffic and air pollution could undermine the conservation objectives (alone and in combination) of the habitats of the Lower Derwent Valley European site and so likely significant effects can be screened out (Category H).**

Skipwith Common

- 3.79. The (minimum) critical load for nitrogen deposition at Skipwith Common (10-20 kgNha⁻¹yr⁻¹) is already and clearly exceeded with an average rate of 19.2 kgNha⁻¹yr⁻¹ which almost exceeds the maximum critical load.
- 3.80. APIS data for Skipwith Common suggests that 10% of overall nitrogen deposition is caused by local road traffic. Although an approximation and often an underestimate, this strongly suggests the contribution from road traffic will be minor with other sources, such as livestock contributing three times as much. This site was not assessed by the air quality study.
- 3.81. The site extends to almost 300ha across a rural landscape. It is, however, bordered by a minor road to the east and is even bisected by another (although the latter is impassable to most vehicles and so is disregarded by this HRA).
- 3.82. However, the eastern boundary of the site is dominated by a dense scrub and woodland easily extending beyond 20m width at its narrowest point. This is not representative of the designated heathland habitats and also provides an effective barrier to the widespread dispersal of airborne nitrogen.



- 3.83. Although not assessed by the Air Quality report, it is reasonable to presume that that despite the projected increases in traffic across the authority area, the electrification of vehicles and improved efficiency of conventional engines will lead to the overall contribution from road traffic being less at the end of the Plan period than at the start. In effect, the Plan doesn't meaningfully increase nitrogen deposition, it simply slows down the rate of improvement.
- 3.84. Given these factors, **it is considered highly unlikely that any proposals in the Plan could undermine the conservation objectives (alone and in combination) of the features of Skipwith Common SAC and so likely significant effects can be screened out (Category H).**

Strensall Common

- 3.85. The Council proposes development at three locations immediately adjacent or in close proximity to Strensall Common European site (Policies SS19/ST35, E18 and H59). Together these comprise development of 545 dwellings and a 4ha employment area. They will all contribute to higher traffic flows in the area as will other allocations across the city and, potentially, beyond.
- 3.86. The Air Quality report suggests a mean NO_x concentration of 13.13 $\mu\text{g}\text{m}^{-3}$ in 2015, falling over the Plan period to 8.40 $\mu\text{g}\text{m}^{-3}$. This means that concentrations of NO_x are currently below the annual Critical Level of 30 $\mu\text{g}\text{m}^{-3}$ across the entire European site and are expected to fall further. Therefore, in terms of NO_x the effect of the Plan is considered to be insignificant.
- 3.87. Further analysis showed that in terms of NO_x concentrations, PC and PEC contributions would equate to 6.5% and 34.5% of the long-term environmental standard. Whilst the latter suggests an insignificant outcome, falling well below 70%, the former clearly exceeds the 1% threshold.
- 3.88. In terms of nitrogen deposition, the report suggested that PC and PEC contributions would equate to 2.8% and 157% of the lowest critical load. This time, both clearly exceed the 1% and 70% standards.
- 3.89. Given the level of exceedance, a likely significant effect cannot be ruled out and **there is a risk that emissions from road traffic associated with Policies SS19/ST35, E18 and H59 could undermine the conservation objectives for Strensall Common SAC and that a likely significant effect cannot be ruled out (alone and in combination). Consequently, the policies must be screened in (Category I) and an appropriate assessment is required.**

Summary of the Screening Exercise

- 3.90. In terms of impact type, the outcomes of this stage of the formal screening assessment are brought together in Table 5 whilst Table 6 presents the same outputs but in terms of category.

Table 5: Summary of the Formal Screening of the Policies and Allocations by Potential Effect

Potential effects	Outcome of screening assessment
2 Aquatic Environment	<p>Likely significant effects cannot be ruled out on the aquatic environment of Strensall Common with regard to Policies SS19/ST35, E18 and H59 alone (Category I). An appropriate assessment is required.</p> <p>No other effects on the aquatic environment are anticipated and all other remaining policies have been screened out</p> <p>The outcome of the screening of each, individual allocation, is presented in Appendix B and summarised in Table 6 below.</p>



Potential effects	Outcome of screening assessment
5 Mobile species	<p>Likely significant effects can be ruled out in terms of all mobile species on the Humber Estuary alone (Category G). There are no residual effects and no need for an in combination assessment).</p> <p>Likely significant effects can be ruled out in terms of all mobile species on the River Derwent alone (Category G). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects can be ruled out in terms of otters on the Lower Derwent Valley alone (Category G). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects <u>cannot</u> be ruled out from Policy SS13/ST15 in terms of breeding and non-breeding birds on the Lower Derwent Valley alone (Category I). An appropriate assessment is required.</p> <p>No other effects are anticipated on mobile species and all other remaining policies have been screened out</p> <p>The outcome of the screening of each, individual allocation, is presented in Appendix B and summarised in Table 6 below.</p>
6 Recreation	<p>Likely significant effects can be ruled out in terms of the impact of recreational I pressure on the Humber Estuary alone. There are no residual effects and no need for an in combination assessment (Category G)</p> <p>Likely significant effects can be ruled out in terms of the impact of recreational pressure on otters of the Lower Derwent Valley alone (Category G). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects <u>cannot</u> be ruled out from Policy SS13/ST15 and Policies SS18/ST33 in terms of the impact of recreational pressure on the breeding and non-breeding birds of the Lower Derwent Valley alone (Category I). An appropriate assessment is required.</p> <p>Likely significant effects can be ruled out in terms of the impact of recreational pressure on all features of the River Derwent alone (Category G). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects can be ruled out in terms of the impact of recreational pressure on all features on Skipwith Common alone (Category G). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects <u>cannot</u> be ruled out Policies SS19, E18 and H59 in terms of the impact of recreational pressure on all the features on Strensall Common alone Category I). An appropriate assessment is required.</p> <p>No other effects from increases in recreational pressure are anticipated and all other remaining policies have been screened out</p> <p>The outcome of the screening of each, individual allocation, is presented in Appendix B and summarised in Table 6 below.</p>
7d Air pollution	<p>Likely significant effects can be ruled out in terms of the impact of air pollution on all features of the River Derwent alone and in combination (Category H). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects can be ruled out in terms of all the impact of air pollution on features of the Lower Derwent Valley alone and in combination (Category H). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects can be ruled out in terms of the impact of air pollution on all features of Skipwith Common alone and in combination (Category H). There are no residual effects and no need for an in combination assessment.</p> <p>Likely significant effects <u>cannot</u> be ruled out in terms of the impact of air pollution on all features of Strensall Common alone and in combination (Category I).An appropriate assessment is required.</p> <p>No other effects from changes in air pollution are anticipated and all other remaining policies have been screened out</p> <p>The outcome of the screening of each, individual allocation, is presented in Appendix B and summarised in Table 6 below.</p>



3.91. Note, that to avoid confusion between housing policies and allocations which share the same names, eg H3, actual allocations have been renamed with an '(A)' eg H3(A) and housing policies with a '(P)' eg H3(P). This nomenclature is followed throughout the rest of this HRA where a potential for misunderstanding arises. Also, for brevity, closely related 'SS' and 'ST' policies/allocations are only identified by the 'SS' policy number but only in the following tables.

Table 6: Summary of the Formal Preliminary Screening of the Policies and Allocations by Category

Screening outcome	Policies
A	DP1
General statement of policy	SS2
Screened out	ED1
B	DP2, DP3, DP4, SS1
General criteria for testing acceptability of proposals	EC1, EC2
Screened out	R1, R2, R3, R4 H1(P), H2(P), H3(P), H4(P), H8(P), H9(P), H10(P) HW1, HW2, HW3, HW4, HW5, HW7 ED6, ED8 D1, D2, D3, D4, D5, D6, D7, D8, D9, D10, D11, D12, D13, D14 GI7, GB1, GB2, GB3 CC1, CC2, CC3, ENV3, ENV4, ENV5 T1, T7, T8 DM1
C	WM1, WM2
Proposal referred to but not proposed by the Plan	T2
Screened out	
D	GI1, GI2, GI3, GI4, GI5, GI6
Environmental protection policy	OS1, OS2, OS5, OS6, OS7, OS8, OS9, OS10, OS11, OS12
Screened out	ENV1, ENV2
G	SS3, SS4, SS5, SS6, SS7, SS8, SS9, SS10, SS11, SS12, SS14, SS15, SS16, SS17, SS20, SS21, SS22, SS23, SS24
No conceivable effect on a European site	EC3, EC4, EC5
Screened out	E8, E9, E10, E11, E16 H5(P), H6(P), H7(P) H1a(A), H2b(A), H3(A), H5(A), H6(A), H7(A), H8(A), H10(A), H20(A), H22(A), H23(A), H29(A), H31(A), H38(A), H39(A), H46(A), H52(A), H53(A), H55(A), H56(A), H58(A), SH1 HW6 ED2, ED3, ED4, ED5, ED7 GB4, T3, T4, T5, T6, T9 C1
I	SS13, SS18, SS19
Likely significant effect alone cannot be ruled out	E18
Screened in	H59(A)



Screening outcome	Policies
J Likely significant effect in combination cannot be ruled out Screened in	None

- 3.92. It should be noted that some policies will be screened out for certain potential effects and screened in for others. Where this happens, the Policy is categorised according to the most important outcome. Policy SS19/ST35 is a good example. It is screened out (G) in terms of impacts on mobile species but screened in in terms of air pollution (I). Therefore, it is identified in Table 6 and Appendix B as Category 'I'.

Screening Conclusions and Next Steps

- 3.93. This exercise found that it was not possible to screen out likely significant effects alone (Category I) for Policies SS13/ST15, SS18/ST33, SS19/ST35, E18 and H59 for a range of possible but credible impacts regarding air pollution, mobile species and recreational pressure affecting two European sites: the Lower Derwent Valley and Strensall Common. These are summarised below.

Summary of screening exercise

Policy	Likely significant effect
SS13/ST15	Effects on bird communities at Elvington garden village on land that is functionally-linked at to the Lower Derwent Valley SPA cannot be ruled out alone; an appropriate assessment is required.
SS13/ST15	Effects from recreational pressure on the bird communities of the Lower Derwent Valley SPA cannot be ruled out alone; an appropriate assessment is required.
SS18/ST33	Effects from recreational pressure on the bird communities of the Lower Derwent Valley SPA cannot be ruled out alone; an appropriate assessment is required.
SS19/ST35, E18, H59	Effects from recreational pressure on the dry and wet heathland communities at Strensall Common SPA cannot be ruled out alone; an appropriate assessment is required.
SS19/ST35, E18, H59	Effects on the aquatic environment from built development at Strensall Common SPA cannot be ruled out alone; an appropriate assessment is required.
SS19/ST35, E18, H59	Effects from air pollution on the dry and wet heathland at Strensall Common SPA cannot be ruled out alone; an appropriate assessment is required.

- 3.94. All other policies and allocations were screened out of further scrutiny within the HRA.
- 3.95. An appropriate assessment is now required that will assess whether it can be ascertained that an adverse effect on the integrity of the European sites can be ruled out. Drawing on the recent People Over Wind ruling, this will explore if the addition of mitigation measures can avoid a negative outcome.



4. Appropriate Assessment and Integrity Test

- 4.1. The initial screening assessment has identified that likely significant effects cannot be ruled out alone for Policies SS13/ST15, SS18/ST33 for their potential effect on the Lower Derwent Valley, and Policies SS19/ST35, E18 and H59 in terms of their potential effect on Strensall Common.
- 4.2. The role of the appropriate assessment is to identify whether it can be ascertained that it '*will not adversely affect the integrity of the European site*'. In line with the recent People Over Wind ruling it will also explore if mitigation can be applied that would allow a positive conclusion to be drawn.
- 4.3. The Handbook addresses the reduced level of detail in a plan as opposed to a project when carrying out the appropriate assessment and 'integrity test'. In F.10.1 it states:

Because the integrity test incorporates the application of the precautionary principle as a matter of law, and because plan assessments are, by their nature, less precise than project assessments, it is important for the assessment process to eliminate the prospect of adverse effects on site integrity in so far as that is possible at the level of specificity inherent in the nature and purpose of the particular plan.

- 4.4. It goes onto suggest possible mitigation measures that could be applied which are taken into account when each potential adverse effect is considered by site below.

Strensall Common

European site	Potentially vulnerable features identified during screening
Strensall Common	Wet and dry heath

- 4.5. The screening exercise has concluded that a likely significant effect cannot be ruled out alone for three policies: SS19/ST35, H59 and E18. This is because of concern that:
 - Works associated with construction would cause changes to the hydrological regime or aquatic environment of the Common that could harm the wet and dry heath communities;
 - The increase in recreational pressure would lead to trampling, erosion and eutrophication of the fragile heathland communities and interfere with the management of the site by the disturbance of grazing stock; and
 - Increased road traffic pollution would lead to eutrophication of the dry and wet heathland communities.
- 4.6. All three allocations lie immediately adjacent to the European Site; SS19/ST35 provides for 500 new dwellings, H59 for 45 and E18 allows for a 4ha employment area. Each of the three potential effects are taken in turn below:

Aquatic environment

- 4.7. The screening exercise concluded that significant effects on the aquatic environment from built development at Strensall Common SPA cannot be ruled out alone.
- 4.8. The HRA prepared by Amec Foster Wheeler^{28, 29} for the landowner, evaluated all three allocations. It concluded that (further to site-specific assessment) none would be likely to result in a significant effect on the SAC given the ability to design and employ a range of standard mitigation measures.

²⁸ Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Queen Elizabeth Barracks (QEB). Information to support a Habitats Regulations Assessment.

²⁹ Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Towthorpe Lines. Information to support a Habitats Regulations Assessment.



- These included the incorporation of Sustainable Drainage Systems (SUDS) for the management of surface water, use of silt fencing to trap sediment, and the adoption of best practice measures for pollution management embedded within a Construction Management Plan (CEMP).
- 4.9. The need for these and a number of other mitigation measures are embedded in Policy SS19 that require hydrological and related studies to be completed and used to inform the development of effective, deliverable, mitigation measures prior to any consent.
 - 4.10. It should be noted here that Amec's shadow HRA was completed before the People Over Wind ruling. Consequently, it relates to the use of mitigation at the screening stage not the appropriate assessment.
 - 4.11. Whilst mindful of the different tests employed at these two stages, it is considered that there is no reason to disagree with this conclusion and consequently, the potential threat is removed. There is, however, no such requirement that relates directly to Policies E18 and H59. Despite this, as the recommendations made in the Amec shadow HRA simply require the implementation of standard evaluation and construction techniques which are commonplace in such situations, it is considered reasonable to expect that the same measures will be employed as a matter of course when development proposals are submitted for E18 and H59.
 - 4.12. Consequently, it is concluded that **the Council can ascertain that Policies SS19/ST35, E18 and H59 will have no adverse effect on the integrity of Strensall Common European site in terms of impacts on the aquatic environment. There would be no residual effects and no need for an in combination assessment.**

Recreational pressure

- 4.13. The screening exercise concluded that significant effects from recreational pressure on the dry and wet heathland communities at Strensall Common SPA cannot be ruled out alone.
- 4.14. Comprehensive mitigation is already embedded within Policy SS19/ST35 which provides for extensive open space within the allocation and restricts direct access to the Common for new residents. This is expected to successfully reduce but not prevent the frequency of visits to the Common and so cannot be relied upon entirely to safeguard the European site. Furthermore, no effective measures are proposed that will address the behaviour of visitors (and their dogs) when on the Common. Policies H59 and E18 face no restrictions although their impact is considered to be of a much smaller scale.
- 4.15. Drawing on experience from other heathlands across England facing similar threats, it is considered that this would be most effectively addressed by the establishment of a permanent, suitably-staffed wardening service that could focus on the management of people to ensure good behaviours are adopted. Whilst the specific wording is a matter for the Council, it is suggested that the addition of text which achieved the following purpose, added to sub-section (ii) of SS19/ST35, would allow this potential threat to be removed:
- 4.16. **'the introduction of an efficient wardening service that could supplement the work of existing landholders (including the MOD and Yorkshire Wildlife Trust) across the entire Common to present a physical presence on site and encourage good behaviours by the public.'**
- 4.17. This could be supplemented by the addition of the following text to the explanatory text:

'A recreational strategy physical presence on site could promote good behaviours by visitors, encouraging use of existing paths and ensuring dogs are properly controlled. The necessary costs would best be secured by an appropriate levy or similar on each development.'



- 4.18. Allocations E18 and H59 do not benefit from the mitigation measures already embedded in SS19/ST35. Given the employment function of the latter this is not considered to be an issue. Similarly, the relatively small allocation of 45 houses at H59 will have use of the new open space immediately adjacent to the development. Furthermore, a wardening service will not discriminate between visitors to the Common and can be expected to promote the same good behaviours amongst residents from H59 as SS19/ST35. Therefore it is considered that the adoption of the suggested amendments to the policy wording and explanatory text above would remove any potential threat from increased residential pressure from all three policies/allocations.
- 4.19. Consequently, if the proposed amendments are adopted, it is concluded that **the Council can ascertain that Policies SS19/ST35, E18 and H59 will have no adverse effect on the integrity of Strensall Common European site in terms of recreational pressure. There would be no residual effects and no need for an in combination assessment.**

Air pollution

- 4.20. The screening exercise concluded that significant effects from air pollution on the dry and wet heathland at Strensall Common SPA cannot be ruled out alone.
- 4.21. The Air Quality report predicts that nitrogen deposition will fall over the Plan period from 24.08 kgNha⁻¹yr⁻¹ to 15.41 kgNha⁻¹yr⁻¹ reflecting wider, anticipated improvements in air quality despite an increased contribution from development promoted by the Plan. However, this shows that both existing and predicted nitrogen deposition at Strensall Common clearly exceed the minimum critical loads of 10-20 kgNha⁻¹yr⁻¹.
- 4.22. Drawing on screening opinion, the Air Quality report showed that in terms of NO_x concentrations, PC and PEC contributions would equate to 6.5% and 34.5% of the long-term environmental standard. Whilst the latter suggests an insignificant outcome, falling well below 70%, the former clearly exceeds the 1% threshold.
- 4.23. In terms of nitrogen deposition, the report suggested that PC and PEC contributions would equate to 2.8% and 157% of the lowest critical load. This time, both clearly exceed the 1% and 70% standards.
- 4.24. Detailed APIS data for Strensall Common suggests that only 8% of overall nitrogen deposition is caused by local road traffic. Although an approximation and often an underestimate, this strongly suggests the contribution from road traffic will be relatively minor with other sources, such as livestock contributing nearly half (47%) of the total contribution.
- 4.25. Along Towthorpe Moor Lane, road traffic is predicted to decline³⁰ in real terms across the Plan period so resulting in a corresponding reduction in nitrogen deposition. Furthermore, the SAC boundary here is dominated by extensive scrub and bracken extending several metres into the European site. These are not representative of the designated heathland habitats and also provide an effective barrier to the widespread dispersal of airborne nitrogen. Consequently, harmful effects on Strensall Common from traffic along this road can be discounted.
- 4.26. Such mitigating factors do not apply to the north along Lords Moor Lane/York Lane that bisects the site in the north. Here, the road runs (for around 1.5km) through open heathland with wet and dry heath present beyond a few metres distance of the kerbside. Traffic levels are predicted to increase throughout the Plan period. Although traffic and therefore air quality data meets the needs of the recent Wealden decision to take account of in combination traffic from York and neighbouring authorities this means it doesn't currently identify what contribution the three local



- allocations make to this. For the purpose of this HRA it is assumed, with some confidence that its location ensures that SS19/ST35, E18 and H59 will contribute by far the vast majority of traffic along Lords Moor Lane/York Lane. None of the HRA of the neighbouring authorities' local plans identified any impact on Strensall Common either from air pollution or any other factor so reducing the possibility of any in combination effects.
- 4.27. Given the expected increases in traffic, and the open heathland it crosses harmful effects on the vegetation in closest proximity the road cannot be ruled out. However, these roadside communities like most others are considerably modified by the effects of road maintenance, salt-spreading, pollution, ditches, eutrophication from horses and litter, and erosion/compaction from vehicles. Beyond this strip, which at Strensall frequently extends from the kerb for an estimated 2-5 metres along both sides of the carriageway, the more characteristic heathland communities gradually regain dominance. Despite this, Natural England has assessed heathland here to be in favourable or recovering condition, which can suggest enhanced resilience.
 - 4.28. Transects carried out for the Air Quality report identify that roadside nitrogen deposition increases at the kerbside by 2.8% of the PC declining to 1% at 10m suggesting that nitrogen deposition quickly returns to near-background levels. Levels fall to zero somewhere between 50 and 100m from the kerb. However, PEC never appears to fall below 150% anywhere across the site.
 - 4.29. It is important to realise that exceeding a 1% threshold does not indicate harm but rather a figure below which the change in concentration or deposition cannot be described as negligible. However, a PEC of 150% is more than double the equivalent threshold and a PC of 2.8% (measured at the kerbside) almost three times the PC threshold. Yet, the overall concentration of NO_x of 13.13 $\mu\text{g}\text{m}^{-3}$ in 2015, falling over the Plan period to 8.40 $\mu\text{g}\text{m}^{-3}$ is well below the critical level of 30 $\mu\text{g}\text{m}^{-3}$; it represents a set of contrasting data.
 - 4.30. It should be remembered that the 70% threshold also does not equate to harm as any value less than 100% of the critical level or load suggests harm should not arise. Indeed, levels below 70% are relatively rare anywhere in the UK. This situation focuses attention back onto the critical loads
 - 4.31. If it is accepted that the 1% increase in PC nitrogen deposition is an almost imperceptible increase over background levels, then rates above this are restricted to a strip 10m wide, on each side of the carriageway for a 1500m stretch of the European site where vegetation could be measurably affected. It should be noted that models seem to suggest that traffic levels decline significantly part-way along Lords Moor Lane/York Lane but this is discounted as what appears to be erroneous data. Together, this scenario suggests a total area potentially affected along Lords Moor Lane/York Lane would be limited to 3.0ha or 0.53% of the area of the European site.
 - 4.32. Given the modified nature of kerbside vegetation, this is considered to be a maximum figure. It could be suggested that any harm is also reversible as deposition continues to decline. However, this is not expected to result in rapid improvement as existing elevated levels of soil nitrogen will persist for many years and other adverse factors, listed above, are not expected to diminish.
 - 4.33. Furthermore, the data and opinion has to be considered in the context that overall, despite the projected increases in traffic the electrification of vehicles and improved efficiency of conventional engines will lead to the overall contribution from road traffic being less at the end of the Plan period than at the start. In effect, the Plan doesn't meaningfully increase nitrogen deposition, it simply slows down the rate of improvement.
 - 4.34. Given the size of the European site, the modest area that could potentially be affected allied with the active management of the site for nature conservation and its favourable or recovering condition and, not least, that air quality is predicted to be better at the end of the Plan period than today it is concluded that an adverse effect on the integrity of the site can be ruled out.



- 4.35. Consequently, it is concluded **that the Council can ascertain that Policies SS19/ST35, E18 and H59 will have no adverse effect on the integrity of Strensall Common European site in terms of the impact of air pollution. There would be no residual effects, and no need for an in combination assessment.**

Lower Derwent Valley

European site	Potentially vulnerable features identified during screening
Lower Derwent Valley	Breeding and non-breeding bird populations

- 4.36. The screening assessment has concluded that a likely significant effect cannot be ruled out alone for two policies SS13/ST15 and SS18/ST33. This is because of concern that:

- There is doubt surrounding the deliverability of mitigation for Elvington Garden Village within the footprint of the existing allocation;
- Increased recreational pressure from Elvington Garden Village will lead to disturbance of breeding and non-breeding bird populations of the Lower Derwent Valley;
- Increased recreational pressure from Policy SS18/ST33 will lead to disturbance of breeding and non-breeding bird populations of the Lower Derwent Valley

- 4.37. Two proposals are relevant, the 147 homes provided for by SS18/ST33 in Wheldrake and the garden village of SS13/ST15 at Elvington.

Recreational pressure - SS18/ST33

- 4.38. This policy encourages the construction of 147 new dwellings within just 2km of the SPA including 'Bank Island', the most important site for breeding birds across the entire European site. Given that the SPA would be perhaps be one of the most obvious destinations for outdoor recreation, the impact of increased public pressure (frequently allied with dog walking) and predation pressure from cats ensured that LSE alone cannot be ruled out.
- 4.39. Policy SS18/ST33 already provides some mitigation by ensuring that any new development must accord with principle (iv) to '*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*'. However, this fails to adequately describe a desired outcome and cannot be relied on to provide adequate mitigation.
- 4.40. Given the careful management of recreational pressure at the Lower Derwent Valley including footpaths, hides and wardening, it is considered that a modest revision to section (iv) of the Policy SS18/ST33 by incorporation of the following wording or similar would be sufficient to effectively remove the potential threat and avoid an adverse effect on the integrity of the European site alone.
- '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 homeowners to promote good behaviours when visiting the European site. The former could be supported by enhancing the local footpath network and improving signage.'***
- 4.41. Consequently, if the proposed amendment is adopted it is concluded that **the Council can ascertain that Policies SS18/ST33 will have no adverse effect on the integrity of the Lower Derwent Valley European site in terms of the disturbance of bird populations. There would be no residual effects and no need for an in combination assessment.**



Recreational pressure and mobile species - SS13/ST15

- 4.42. Policy SS13/ST15 encourages the development of 3,399 dwellings and around 2,200 units in a new garden village near Elvington. It lies just a few kilometres to the west of the Lower Derwent Valley on land that is functionally-linked to the bird populations of the European site. Furthermore, the Lower Derwent Valley will provide an attractive countryside destination for new residents which could provide a threat to various features of the European site.
- 4.43. Comprehensive requirements for mitigation are already embedded in the existing policy that anticipates the establishment of extensive areas of wet grassland and public open space. Together, these would provide enhanced areas of functionally-linked land for bird populations from the European site and provide alternative countryside recreational opportunities for new residents. Unfortunately, there are insufficient opportunities within SS13/ST15 to deliver all aspects of the built development alongside the measures to provide public open space and ecological mitigation.
- 4.44. The opportunity to implement these mitigation measures is provided by Policy/Allocation OS10 which is situated immediately adjacent to the west of SS13/ST15. The purpose of OS10 is described as the provision of *'significant areas of open space ... in connection with a strategic site'* designed to *'mitigate ... for ecological impacts'* and, as a *'New Area for Nature Conservation on land to the South of the A64 in association with ST15'*. However, there is no formal policy mechanism in SS13/ST15 that ensures both it and OS10 must be pursued together to secure sustainable development.
- 4.45. To provide certainty that the embedded mitigation and open space requirements described in Policy SS13/ST15 can be delivered, it is recommended that the Plan is modified to provide a formal link in policy terms with OS10. This will enable delivery of the ecological mitigation whilst public open space can be secured within the footprint of SS13/ST15.
- 4.46. This can be delivered by deleting the phrase **'(as shown on the proposals map)'** in sub-section (iv) and amending sub-section (vi) to read as follows: **'Incorporation of a new nature conservation area (as shown on the proposals map as allocation OS10 and included within Policy G16 New Open Space Provision)...**

Should this or similar wording be added to Policy SS13/ST15 **it is concluded that the Council can ascertain that Policies SS18/ST33 will have no adverse effect on the integrity of the Lower Derwent Valley European site in terms of the disturbance of bird populations. There would be no residual effects and no need for an in combination assessment.**

Appropriate Assessment Summary

- 4.47. The outcomes of the appropriate assessment are summarised in Table 7 below.

Table 7: Summary of the Appropriate Assessment

Issue	Recommended mitigation	Outcome
Aquatic Environment Strensall Common Policies SS19, E18 and H59	None required	Existing policies sufficient to avoid an adverse effect on the integrity of the site. There are no residual effects and no need for an in combination assessment

Issue	Recommended mitigation	Outcome
Recreational pressure Strensall Common Policies SS19, E18 and H59	Amend wording of Policy SS19/ST35 to identify need for a funded wardening service and amend Policy GI2, H59 and E18 to secure protection of European sites	Mitigation sufficient to change conclusion: LSE alone can now be ruled out There are no residual effects and no need for an in combination assessment
Air pollution Strensall Common Policies SS19, E18 and H59	None required.	Existing policies sufficient to avoid an adverse effect on the integrity of the site. There are no residual effects and no need for an in combination assessment.
Recreational pressure Lower Derwent Valley Policies SS18/ST33	Add requirements for the provision of educational material and improve accessibility of alternative countryside destinations nearby	Mitigation sufficient to avoid an adverse effect on the integrity of the site. There are no residual effects and no need for an in combination assessment.
Recreational pressure Lower Derwent Valley Policies SS13/ST15	Add requirements to link Policies SS19/ST35 with OS10 to provide capacity for ecological mitigation to be delivered	Mitigation sufficient to avoid an adverse effect on the integrity of the site. There are no residual effects and no need for an in combination assessment.
Mobile species Lower Derwent Valley Policy SS13/ST15	Add requirements to link Policies SS19/ST35 with OS10 to provide capacity for ecological mitigation to be delivered	Mitigation sufficient to avoid an adverse effect on the integrity of the site. There are no residual effects and no need for an in combination assessment.

4.48. Table 7 shows that upon further scrutiny and the adoption of mitigation, the Council would be able to ascertain no adverse effect on the integrity of the European sites.



5. Overall Conclusion and Formal Record of the HRA

- 5.1. 163 policies and allocations were screened; the individual outcomes of the first exercise without the benefit of mitigation can be found in Tables 5 & 6, and in Appendix B.
- 5.2. Overall, this HRA found that likely significant effects could be ruled out alone for 158 policies and allocations which could therefore be excluded from any further scrutiny. However, likely significant effects could not be ruled out alone for elements of five policies: SS13, SS18, SS19, E18 and H59.
- 5.3. In terms of Policies SS19, E18 and H59, likely significant effects could not be ruled out because of anticipated increases in recreational pressure, changes to the hydrological regime and the effect of air pollution on the adjacent Strensall Common SAC.
- 5.4. Similarly, likely significant effects could not be ruled out alone for Policies SS18/ST33 because of anticipated increases in recreational pressure on the Lower Derwent Valley nearby.
- 5.5. Finally, likely significant effects could not be ruled out alone for Policy SS13/ST15 for two reasons: again because of anticipated increases in recreational pressure but also for impacts on the bird communities of the Lower Derwent Valley that also utilised land beyond the European site boundary.
- 5.6. Accordingly, an appropriate assessment was required. Taking account of recent changes in case law, mitigation was only evaluated at this stage in the HRA.
- 5.7. Upon further scrutiny it was found that the Council could ascertain that there would be no adverse effect on the integrity of the Strensall Common in terms of air pollution and effects on the aquatic environment without the need for further mitigation. However, the adoption of mitigation measures, delivered by changes to policy wording was found necessary to allow the Council to draw the same conclusion. There were no residual effects and no need for an in-combination assessment.
- 5.8. Should these mitigation measures be adopted **the Council would be able to conclude that the Plan will have no adverse effect on the integrity of any European sites.**

Formal HRA Record

The City of York Local Plan was considered in light of the assessment requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 by the City of York Council which is the competent authority responsible for adopting the plan and any assessment of it required by the Regulations. Having carried out a 'screening' assessment of the plan and an appropriate assessment, the competent authority has concluded that they can ascertain that the Local Plan will have no adverse effect on the integrity of any European sites.



APPENDICES

A. Conservation objectives and Site Improvement Plans for European sites

Lower Derwent Valley SPA	
Conservation objectives ³¹	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site.
Lower Derwent Valley SAC	
Conservation objectives ³²	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species, and, • The distribution of qualifying species within the site.
SIP pressures and threats (SPA and SAC) ³³	<ul style="list-style-type: none"> • Hydrological changes; • Drainage; • Public access/Disturbance; • Invasive species; • Undergrazing; • Inappropriate scrub control; • Air pollution: impact of atmospheric nitrogen deposition.
River Derwent SAC	
Conservation objectives ³⁴	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural

³¹ Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Queen Elizabeth Barracks (QEB). Information to support a Habitats Regulations Assessment.

³¹ Amec Foster Wheeler Environment & Infrastructure Limited. December 2017. DIO York Sites: Towthorpe Lines. Information to support a Habitats Regulations Assessment.

³¹ European Site Conservation Objectives for Lower Derwent Valley SPA, Natural England, 30 June 2014 (Version 2)

³² European Site Conservation Objectives for Lower Derwent Valley SAC, Natural England (undated)

³³ Lower Derwent Valley Site Improvement Plan, Natural England, v1.0, 6 October 2014

³⁴ European Site Conservation Objectives for River Derwent Valley SAC, Natural England, 30 June 2014 (Version 2)

Appendices



	<p>habitat;</p> <ul style="list-style-type: none"> • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species, and, • The distribution of qualifying species within the site.
SIP pressures & threats	<ul style="list-style-type: none"> • Physical modification; • Water pollution; • Invasive species; • Change in land management; • Water abstraction.
Skipwith Common SAC	
Conservation objectives ³⁵	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the qualifying natural habitats; • The structure and function (including typical species) of the qualifying natural habitats and, • The supporting processes on which the qualifying natural habitats rely.
SIP pressures & threats ³⁶	<ul style="list-style-type: none"> • Public access/Disturbance; • Inappropriate scrub control; • Drainage; • Air pollution: impact of atmospheric nitrogen deposition.
Strensall Common SAC	
Conservation objectives ³⁷	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the qualifying natural habitats; • The structure and function (including typical species) of the qualifying natural habitats and, • The supporting processes on which the qualifying natural habitats rely.
SIP pressures & threats ³⁸	<ul style="list-style-type: none"> • Public access/Disturbance; • Inappropriate scrub control; • Air pollution: impact of atmospheric nitrogen deposition.
Humber Estuary SPA	
Conservation objectives ³⁹	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features;

³⁵ European Site Conservation Objectives for Skipwith Common SAC, Natural England, 30 June 2014 (Version 2)

³⁶ Skipwith Common Site Improvement Plan, Natural England, v1.0, 18 December 2014

³⁷ European Site Conservation Objectives for Skipwith Common SAC, Natural England, 30 June 2014 (Version 2)

³⁸ Skipwith Common Site Improvement Plan, Natural England, v1.0, 18 December 2014

³⁹ European Site Conservation Objectives for the Humber Estuary SPA, Natural England, 30 June 2014 (Version 3)

Appendices

HRA of City of York Local Plan

Project Number: WIE13194-102

Document Reference: WIE13194-102-1-2-BF



- The supporting processes on which the habitats of the qualifying features rely;
- The population of each of the qualifying features; and,
- The distribution of the qualifying features within the site.

Humber Estuary SAC

Conservation objectives⁴⁰

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- The populations of qualifying species; and,
- The distribution of qualifying species within the site.

SIP pressures⁴¹

- Water pollution;
- Coastal squeeze;
- Changes in species distributions;
- Undergrazing;
- Invasive species;
- Natural changes to site conditions;
- Public access/Disturbance;
- Fisheries: Fish stocking;
- Fisheries: Commercial marine and estuarine (P);
- Fisheries: Commercial marine and estuarine (T);
- Direct and take from development;
- Air pollution: impact of atmospheric nitrogen deposition;
- Shooting/scaring;
- Direct impact from third party;
- Inappropriate scrub control;
- Fisheries: Commercial marine and estuarine (T);
- Direct and take from development;
- Air pollution: impact of atmospheric nitrogen deposition;
- Shooting/scaring;
- Direct impact from third party;
- Inappropriate scrub control.

⁴⁰ European Site Conservation Objectives for the Humber Estuary SAC, Natural England, 31 March 2014 (Version 2)

⁴¹ Humber Estuary Site Improvement Plan, Natural England, v1.1, 8 July 2015

Appendices

HRA of City of York Local Plan

Project Number: WIE13194-102

Document Reference: WIE13194-102-1-2-BF

B. Record of preliminary screening of proposed policies prior to mitigation

Policy	Rationale	Screening outcome
DP1 York Sub Area	This policy represents a vision or aspirations for the City. It does not directly lead to development and so can have no effects on European sites.	A – Screened out
DP2 Sustainable Development	This policy draws on the NPPF to describe the presumption in favour of sustainable development before identifying broad principles for development. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
DP3 Sustainable communities	This policy identifies broad social criteria for evaluating development proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
DP4 Approach to Development management	This policy again refers to the presumption in favour of sustainable development before identifying tests for proposals that apply if the proposals lie outside the Plan. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
SS1 Delivering Sustainable Growth	This policy identifies high level housing and employment targets but does not identify development sites, instead identifying broad principles for development. It does not directly lead development and so can have no effects on European sites. Individual housing and employment allocations are considered in under their specific, respective policies.	B – Screened out
SS2 Green Belt	This policy identifies the extent and role of the Green Belt without adding criteria for development proposals. It does not directly lead to development and so can have no effects on European sites.	A – Screened out
SS3 York City Centre	This policy makes provision for development within York City Centre (ST5, ST20, and ST32) which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS4 York Central	This policy makes provision for development within York Central (ST5) which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS5 Castle Gateway	This policy makes provision for development within York Central (ST20) at Castle Gateway which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G - Screened out
SS6 British Sugar/Manor	This policy makes provision for development of this urban site (ST1) at British Sugar/Manor School which is situated far from the nearest European site. At such distances localised	G - Screened out

Appendices



Policy	Rationale	Screening outcome
School	effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	
SS7 Civil Service Sports Ground	This policy makes provision for development of this urban site (ST2) at the Civil Service Sports Ground which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G - Screened out
SS8 Land adjacent to Hull Road	This policy makes provision for development of this urban extension site (ST4) on Land adjacent to Hull Road which is situated over 10km by road from the most convenient access point to the nearest European site, the Lower Derwent Valley. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS9 East of Metcalfe Lane	This policy makes provision for the development of this garden village (ST7) on Land East of Metcalfe Lane which is situated over 15km by road from the most convenient access point to the nearest European site, the Lower Derwent Valley. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS10 Land North of Monks Cross	This policy makes provision for the development of this urban extension site (ST8) on Land North of Monks Cross which is situated less than 5km by road from the most convenient access point to the nearest European site, Strensall Common. At such distances localised effects associated with the proximity of development (ie recreational pressure) are possible but avoided by the greenspace required as part of this allocation. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS11 Land North of Haxby	This policy makes provision for the development of this urban extension site (ST9) on Land North of Haxby which is situated less than 5km by road from the most convenient access point to the nearest European site, Strensall Common. At such distances localised effects associated with the proximity of development (ie recreational pressure) are possible but avoided by the greenspace required as part of this allocation. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS12 Land West of Wigginton Road	This policy makes provision for the development of this garden village (ST14) on Land West of Wigginton Road which is situated approximately 7km by road from the most convenient access point to the nearest European site,	G – Screened out

Appendices



Policy	Rationale	Screening outcome
	<p>Strensall Common. At such distances localised effects associated with the proximity of development (ie recreational pressure) are possible but avoided by the greenspace required as part of this allocation. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	
SS13 Land West of Elvington Lane	<p>This policy makes provision for the development of this new settlement (ST15) on Land West of Elvington Lane which is situated approximately 7km by road from the most convenient access point to the nearest European site, the Lower Derwent Valley SPA. At such distances localised effects associated with the proximity of development (ie recreational pressure) cannot be ruled out.</p> <p>However, this development is believed to directly affect large numbers (perhaps up to 5%) of the non-breeding golden plover and lapwing populations of the SPA which utilise 'functionally-linked' land far beyond the boundaries of the designated site. Again, harmful effects cannot be ruled out.</p> <p>Comprehensive mitigation measures are embedded in SS13/ST15 and the adjacent Policy OS10 which is proposed to deliver the mitigation measures. However, the Plan fails to adequately ensure that both policies must be implemented together to deliver the necessary ecological safeguards. Consequently, LSE alone cannot be ruled out.</p> <p>In contrast, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p>	I – Screened in LSE alone
SS14 Terry's Extension Sites	<p>This policy makes provision for the development of this urban development site (ST16) at Terry's Extension Sites which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
SS15 Nestle South	<p>This policy makes provision for the development of this urban development site (ST17) at Nestle South which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G - Screened out
SS16 Land at Tadcaster Road, Copmanthorpe	<p>This policy makes provision for the development of this urban extension site (ST31) on Land at Tadcaster Road, Copmanthorpe which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
SS17 Hungate	<p>This policy makes provision for the development of this urban development site (ST32) at Hungate which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out policy GI2 (vii).</p>	G – Screened out

Appendices



Policy	Rationale	Screening outcome
	No other impacts are anticipated.	
SS18 Station Yard Wheldrake	<p>This policy makes provision for the development of this village extension site (ST33) at Station Yard Wheldrake which is situated just 2km from the most convenient access point to the nearest European site, the Lower Derwent Valley.</p> <p>At such distance, prior to mitigation LSE alone from recreational pressure cannot be ruled out. Modest mitigation is provided for in the policy but it is vague and ineffective. Although the LDV is well managed and can be resilient to recreational pressure, LSE cannot be ruled out at this stage.</p> <p>In contrast strategic issues, such as the disposal of wastewater are effectively screened out by Policy GI2 (vii).</p>	I – Screened in LSE alone
SS19 Queen Elizabeth Barracks, Strensall	<p>This policy makes provision for the development of Queen Elizabeth Barracks (ST35) which is situated adjacent to Strensall Common.</p> <p>At such close proximity, recreational pressure is will represent a threat but whilst comprehensive mitigation is embedded in Policy SS19/ST35 to restrict access to the Common it does little to influence behaviours within the European site. Consequently, LSE alone from recreational pressure cannot be ruled out.</p> <p>Harmful effects from changes to the hydrological regime and increases in road traffic emissions have been screened out.</p> <p>Strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p>	I – Screened in LSE alone
SS20 Imphal Barracks, Fulford Road	<p>This policy makes provision for the development of Imphal Barracks in York (ST36) at Imphal Barracks, Fulford Road which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
SS21 Land South of Airfield Business Park, Elvington	<p>This policy makes provision for the establishment of this business park (ST26) on Land South of the Airfield Business Park, Elvington which is situated approximately 7km by road from the most convenient access point to the nearest European site, the Lower Derwent Valley. At such distances localised effects associated with the proximity of development (ie recreational pressure) are possible but avoided by the business use of the site which will ensure that both the modest workforce will have limited opportunities to visit the European site. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
SS22 University of York Expansion	<p>This policy makes provision for the expansion of the University (ST27) which is situated around 13km by road from the most convenient access point to the nearest European site, the Lower Derwent Valley. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out

Appendices

Policy	Rationale	Screening outcome
SS23 Land at Northminster Business Park	This policy makes provision for the establishment of this business park (ST19) on Land at Northminster Business Park which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
SS24 Whitehall Grange, Wiggington Road	This policy makes provision for the establishment of this business park (ST37) at Whitehall Grange, Wiggington Road which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
EC1 Provision of Employment land	This policy brings together a range of employment allocations together providing a brief description. Given the lack of detail this policy cannot directly lead to development and so can have no effect on European sites. The individual allocations ST5, ST19, ST26, ST27 & ST37 are evaluated under the relevant Spatial Strategy (SS) Policy above, whilst E8, E9, E10, E11, E16 & E18 are evaluated in turn below.	B – Screened out
E8	This policy makes provision for light industrial development and research within Wheldrake (E8) which is situated only around 2km from a convenient access point to the Lower Derwent Valley. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
E9	This policy makes provision for light industrial development and research within Elvington (E9) which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
E10	This policy makes provision for light industrial development within Dunnington (E10) which is situated far from the nearest, European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
E11	This policy makes provision for light industrial development and research within Monks Cross (E11) which is situated several kilometres from the nearest European site. At such distances localised effects associated with the workforce from the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out

Appendices

Policy	Rationale	Screening outcome
E16	This policy makes provision for light industrial development near Monks Cross (E11) which is situated several kilometres from the nearest European site. At such distances localised effects associated with the workforce from the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
E18	This policy makes provision for unspecified employment development adjacent to Strensall Common SAC (E18). At such distance, especially as no meaningful avoidance or mitigation measures are put forward in the site policy or over-arching policy (H1), LSE alone from recreational pressure cannot be ruled out. In contrast, strategic issues, such as the disposal of wastewater are effectively screened out policy GI2 (vii).	I – Screened in LSE alone
EC2 Loss of employment land	This policy aims to safeguard employment land before identifying criteria to evaluate development proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
EC3 Business within Residential Areas	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
EC4 Tourism	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
EC5 Rural economy	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
R1 Retail hierarchy	This policy seeks to safeguard retail provision in the city centre before identifying criteria to evaluate development proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
R2 District and Local Centres and Neighbourhood Parades	This policy seeks to safeguard retail provision in the local centres before identifying criteria to evaluate development proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
R3 York City Centre Retail	This policy seeks to support retail provision in the city centre before identifying criteria to evaluate development proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
R4 Out of Centre	This policy seeks to influence out of town retail provision by identifying criteria to evaluate development proposals. It	B – Screened out

Appendices

Policy	Rationale	Screening outcome
Retail	does not directly lead to development and so can have no effects on European sites.	
H1(P) Housing Allocations	<p>This policy simply makes provision for the development of a number of housing allocations. Given the lack of detail this policy cannot directly lead to development and so can have no effect on European sites. The individual housing allocations: H1(P1), H1(P2), H3, H5, H6, H7, H8, H10, H20, H22, H23, H29, H31, H38, H39, H46, H52, H53, H55, H56, H58, H59 are dealt with individually below.</p> <p>The individual strategic housing allocations ST1, 2, 4, 5, 7, 8, 9, 14, 15, 16, 17, 31, 32, 33, 35 & 36 are considered under their associated spatial strategy (SS) policies above.</p>	B – Screened out
H1 (Phase 1) (A)	<p>This policy makes provision for the development within York (H1 Phase 1) at the former Gas Works site at Heworth Green which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
H1 (Phase 2) (A)	<p>This policy makes provision for the development within York (H1 Phase 2) at the former Gas Works site at Heworth Green which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
H3(A)	<p>This policy makes provision for the development (H3) at Burnholme School which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
H5(A)	<p>This policy makes provision for the development (H5) at Lowfield School which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
H6(A)	<p>This policy makes provision for the development (H6) at The Square on Tadcaster Road which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p> <p>No other impacts are anticipated.</p>	G – Screened out
H7(A)	<p>This policy makes provision for the development (H7) at Bootham Crescent which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p>	G – Screened out

Appendices

Policy	Rationale	Screening outcome
	No other impacts are anticipated.	
H8(A)	This policy makes provision for the development (H8) at Askham Bar Park and Ride which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H10(A)	This policy makes provision for the development (H10) at The Barbican which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H20(A)	This policy makes provision for the development (H20) at the Former Oakhaven EPH which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H22(A)	This policy makes provision for the development (H22) at the Former Heworth Lighthouse which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H23(A)	This policy makes provision for the development (H23) at the Former Grove House EPH which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H29(A)	This policy makes provision for the development (H29) at Land at Moor Lane, Copmanthorpe which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H31(A)	This policy makes provision for the development (H29) at Eastfield Lane, Dunnington which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H38(A)	This policy makes provision for the development (H29) at Rufforth Primary School which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely.	G – Screened out

Appendices



Policy	Rationale	Screening outcome
	Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	
H39(A)	This policy makes provision for the development (H39) North of Church Lane, Elvington which is situated just a few hundred meters from the River Derwent and Lower Derwent Valley European sites, albeit over 5km from the most convenient access point at Wheldrake. Given the lack of access locally, the proximity of the allocation is considered to be largely irrelevant. Even where access can be gained, the European site is largely confined to the channel and regarded as resilient to public pressure. In terms of the more distant access at Wheldrake, at such distances, localised effects associated with the proximity of development are possible but unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).	G – Screened out
H46(A)	This policy makes provision for the development (H46) at New Earswick which is situated just over 5km by road from the most convenient access point to Strensall Common. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H52(A)	This policy makes provision for the development (H52) at Willow House EPH which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H53(A)	This policy makes provision for the development (H53) at Knapton Village which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H55(A)	This policy makes provision for the development (H55) on Land at Layerthorpe which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H56(A)	This policy makes provision for the development (H56) on Land at Hull Road which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H58(A)	This policy makes provision for the development (H29) at Clifton Without Primary School which is situated far from the	G – Screened out

Appendices

Policy	Rationale	Screening outcome
	<p>nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.</p>	
H59(A)	<p>This policy makes provision for the development (H59) at Queen Elizabeth Barracks at Strensall which is situated adjacent to Strensall Common European site.</p> <p>At such distance, especially as no meaningful avoidance or mitigation measures are put forward in the site policy or overarching policy (H1), LSE alone from recreational pressure cannot be ruled out.</p> <p>In contrast, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).</p>	I – Screened in LSE alone
H2(P) Density of Residential Development	This policy seeks to influence the density of housing by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
H3(P) Balancing the Housing Market	This policy seeks to balance the housing market by identifying criteria to influence the housing mix. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
H4(P) Promoting Self-build and Custom House Building	This policy seeks to influence the types and design of housing by identifying criteria to encourage self-build proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
H5(P) Gypsies & Travellers	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H6(P) Travelling Showpeople	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
H7(P) Student Housing	<p>This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out policy GI2 (vii). No other impacts are anticipated.</p> <p>The named allocation, SH1, is evaluated as a single allocation elsewhere in this table.</p>	G – Screened out
SH1 Student housing	This policy makes provision for the development of student housing at Heweth Croft (SH1) which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of	G – Screened out

Appendices

Policy	Rationale	Screening outcome
	wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	
H8(P) Houses in Multiple Occupation	This policy seeks to influence the occupancy of student housing by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
H9(P) Older Persons Specialist Housing	This policy seeks to influence the provision of specialist housing for older persons by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
H10(P) Affordable housing	This policy seeks to influence the provision of affordable housing for older persons by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW1 Community facilities	This policy seeks to secure the retention of existing community facilities by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW2 New community facilities	This policy seeks to influence the provision of new community facilities by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW3 Built sport facilities	This policy seeks to influence the availability of sports facilities by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW4 Childcare provision	This policy seeks to influence the availability of childcare provision by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW5 Healthcare services	This policy seeks to influence the availability of healthcare services by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
HW6 Emergency Services	This policy seeks to influence the provision of a handful of modest buildings in existing allocations to provide parking facilities for vehicles of the emergency services. Although it does promote development, it is inconceivable that this would result in harmful impacts on European sites.	G – Screened out
HW7 Healthy places	This policy seeks to influence the adoption of healthy places by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
ED1 York University	This policy represents a vision or aspirations for the University. It does not directly lead to development and so can have no effects on European sites.	A – Screened out
ED2 Campus West	This policy makes provision for the expansion of Campus West which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii).	G – Screened out

Appendices

Policy	Rationale	Screening outcome
	No other impacts are anticipated.	
ED3 Campus East	This policy makes provision for the expansion of Campus East which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
ED4 York St John University Lord Mayor's Walk Campus	This policy makes provision for the expansion of York St John University Lord Mayor's Walk Campus which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
ED5 York St John University Further Expansion	This policy makes provision for the further expansion of York St John University which is situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
ED6 Preschool, Primary and Secondary Education	This policy seeks to influence the provision of pre-, primary and secondary schools by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
ED7 York and Askham Bryan Colleges	This policy makes provision for the further expansion of York College and Askham Bryan Colleges which are situated far from the nearest European site. At such distances localised effects associated with the proximity of development are unlikely. Furthermore, strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G – Screened out
ED8 Access to facilities on education sites	This policy seeks to influence the provision for community access to sport and cultural facilities on educational sites by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D1 Placemaking	This policy seeks to improve poor urban and natural environments by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D2 Landscape and Setting	This policy seeks to promote appreciation of the wider landscape character in design by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D3 Cultural provision	This policy seeks to promote York's cultural character by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D4	This policy seeks to promote development that enhances the special character of the area by identifying criteria to	B – Screened out

Appendices



Policy	Rationale	Screening outcome
Conservation areas	evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	
D5 Listed buildings	This policy seeks to promote development that preserves the significance and heritage values of buildings by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D6 Archaeology	This policy seeks to influence development that affects archaeological features by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D7 Non-designated Heritage Assets	This policy seeks to influence development that affects non-designated heritage assets by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D8 Historic Parks and Gardens	This policy seeks to influence development that affects historic parks and gardens by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D9 Historic Environment Record	This policy seeks to ensure that the historic record remains accurate and available by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D10 City walls	This policy seeks to conserve and enhance the value of the City Walls by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D11 Alterations to Existing buildings	This policy seeks to promote high quality design for proposals affecting listed buildings by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D12 Shopfronts	This policy seeks to influence the design of shopfronts by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D13 Advertisements	This policy seeks to influence the display of advertisements by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
D14 Shutters	This policy seeks to influence the use of security shutters by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
G11 Green infrastructure	This policy seeks to conserve and enhance the natural environment. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
G12 Biodiversity	This policy also seeks to conserve and enhance York's biodiversity resource. It provides environmental benefits and will not result in any adverse effects.	D – Screened out
G13 Green infrastructure network	This policy also seeks to conserve and enhance York's green infrastructure. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out

Appendices

Policy	Rationale	Screening outcome
GI4 Trees and hedgerows	This policy also seeks to conserve and enhance York's trees and hedgerows. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
GI5 Open space and playing fields	This policy seeks to protect existing open space of recreational or environmental importance. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
GI6 New open space provision	This policy seeks to safeguard protected areas for nature conservation and secure the establishment of new open space for both recreational and environmental reasons. It provides environmental benefits and will not result in any adverse effects on European sites	D – Screened out
OS1	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS2	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS5	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS6	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS7	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS8	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS9	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS10	This policy seeks to secure new open space to provide mitigation for the adjacent SS13/ST15. The proposed establishment of wet grassland for breeding and non-breeding birds can only benefit the nearby LDV European site.	D – Screened out
OS11	This policy seeks to provide new open space for recreation and amenity. It provides environmental benefits and will not result in any adverse effects on European sites.	D – Screened out
OS12	This policy seeks to secure new open space adjacent to H59. By providing additional space for recreation it can only benefit the adjacent Strensall Common SAC by reducing recreational pressure.	D – Screened out
GI7 Burial and Memorial Grounds	This policy seeks to establish new open space for recreational and environmental purposes including the provision of mitigation for certain developments. It does not directly lead to development but does provide the mechanism for avoiding harm on European sites.	B – Screened out
GB1 Development in	This policy seeks to influence new development in the Green Belt by identifying criteria to evaluate proposals. It does not	B – Screened out

Appendices

Policy	Rationale	Screening outcome
the Green belt	directly lead to development and so can have no effects on European sites.	
GB2 Development in Settlements within the Green Belt	This policy seeks to influence new development in settlements 'washed-over' by the Green Belt by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
GB3 Re-use of buildings	This policy seeks to influence the reuse of existing buildings within the Green Belt by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
GB4 Exception sites for Affordable Housing in the Green Belt	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vii). No other impacts are anticipated.	G - Screened out
CC1 Renewable and Low Carbon Energy Generation and Storage	This policy seeks to influence the reduction in carbon emissions from new development alongside renewable power generation by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
CC2 Sustainable design and Construction of New Development	This policy seeks to promote a reduction in carbon emissions and the adoption of climate change adaptation techniques in new development by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
CC3 District Heating and Combined Heat and Power	This policy seeks to promote more sustainable heating and power sources in new development by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
ENV1 Air Quality	This policy seeks to safeguard human health but will also protect biodiversity and will not result in any adverse effects on European sites.	D – Screened out
ENV2 Environmental Quality	This policy seeks to influence a wide range of environmental pollutants but will also protect biodiversity and will not result in any adverse effects on European sites.	D – Screened out
ENV 3 Land Contamination	This policy seeks to reduce the environmental effects of contaminated land by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
ENV4 Flood Risk	This policy seeks to reduce the level of risk associated with floods by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
ENV5 Sustainable Drainage	This policy seeks to reduce excessive surface water drainage from new developments by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
WM1	This policy refers to measures contained within and to be	C – Screened out

Appendices



Policy	Rationale	Screening outcome
Sustainable Waste Management	delivered by the Minerals and Waste joint Plan established by the Council along with North Yorkshire County Council.	
WM2 Sustainable Minerals Management	This policy refers to measures contained within and to be delivered by the Minerals and Waste joint Plan established by the Council along with North Yorkshire County Council.	C – Screened out
T1 Sustainable Access	This policy seeks to promote sustainable travel by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
T2 Strategic Public Transport Improvements	This policy refers to measures contained within and to be delivered by the Local Transport Plan but also promotes local infrastructure improvements. None threaten European sites.	C – Screened out
T3 York Station and Associated Facilities	This policy promotes development in and around York Station but it is inconceivable that this would result in any adverse impacts on European sites.	G – Screened out
T4 Strategic Highway Network Improvements	This policy promotes local infrastructure improvements across the City including the junction of Strensall Road and the A1237. However, this lies far distant from the SAC and it is inconceivable that this would result in any adverse impacts on European sites.	G – Screened out
T5 Strategic Cycle and Pedestrian Networks	This policy promotes improvements to the cycling and pedestrian network. However, it is inconceivable that this would result in any adverse impacts on European sites.	G – Screened out
T6 Development at or Near Public Transport Corridors and Interchanges	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vi). No other impacts are anticipated.	G – Screened out
T7 Minimising and Accommodating Generated Trips	This policy seeks to reduce traffic and promote sustainable travel by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
T8 Demand Management	This policy seeks to reduce traffic and promote sustainable travel by identifying criteria to evaluate proposals. It does not directly lead to development and so can have no effects on European sites.	B – Screened out
T9 Alternative Fuels and Freight Centres	This policy encourages development in unknown locations. The scale and nature of this type of development make it highly unlikely that direct impacts on European sites would result and strategic issues, such as the disposal of wastewater are effectively screened out by policy GI2 (vi). No other impacts are anticipated.	G – Screened out
C1 – Communications Infrastructure	This policy encourages communications infrastructure but it is inconceivable this will adversely affect European sites.	G – Screened out
DM1 –	This policy seeks to ensure the provision of appropriate	B – Screened out

Appendices



Policy	Rationale	Screening outcome
Infrastructure and Developer Contributions	infrastructure alongside new development. It does not directly lead to development and so can have no effects on European sites.	

Appendices



C. Proposed mitigation measures

Appendices



Additional text is represented with an underline and deleted text is ~~stuck through~~.

Policy SS13: Land West of Elvington Lane

The development of Land West of Elvington Lane (ST15) supports the Local Plan vision in delivering a new sustainable garden village for York. It will deliver approximately 3,339 dwellings, around 2,200 units of which will be delivered within the plan period. In addition to complying with the policies within this Local Plan, the site must be masterplanned and delivered in accordance with the following key principles.

- i. Create a new 'garden' village that reflects the existing urban form of York as a compact city surrounded by villages.
- ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.
- iii. Be of a high design standard to reflect the existing settlement form of villages around the main urban area of York in-keeping with the existing urban form. 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.
- iv. Create new open space (~~as shown on the proposals map~~) within the site to maintain views of the Minster and existing woodland.
- v. Impacts 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 compensatory 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.
- 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:
 - incorporation of a new nature conservation area (as shown on the proposals map as allocation OS10 and included within Policy GI6) 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 an 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.
- vii. Deliver ecological mitigation and compensation measures 5 years prior to commencement of any development. They must be supported by a long term management plan, and be retained and monitored in perpetuity.



- viii. Protect the character, setting and enjoyment of Minster Way.
- ix. Provide an appropriate range of shops, services and facilities including social infrastructure such as health, social, leisure, cultural and community uses to meet the needs of future residents, 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.
- x. Deliver new on-site education provision to meet nursery, primary 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.
- 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 impacts of the site individually and cumulatively with site's ST7, ST8, ST9, ST14, ST27, ST35 and ST36 should be addressed.
- xii. Ensure provision of necessary transport infrastructure to access the site with primary access via the A64 (as shown on the proposals map) and a potential secondary access via Elvington Lane. The capacity of the local highway network including Elvington Lane and junctions is limited.
- 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.
- xiv. Explore the potential for local bridleways (e.g. Fordlands Road/ Forest Lane) running through or near the site to be used as cycle routes.
- 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.
- xvi. Deliver high quality, frequent and accessible public transport services through the whole site which provide links to new community facilities, as well as to York city centre and other appropriate service hubs, including University of York. A public transport hub at the local centre should provide appropriate local interchange and waiting facilities for new residents. It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport.
- xvii. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well-connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- xviii. Exploit synergies with the proposed university expansion in terms of site servicing including transport, energy and waste.



Policy SS18: Station Yard, Wheldrake

Station Yard, Wheldrake (ST33) will deliver approximately 147 dwellings at this village extension development site. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the following key principles.

- 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.
- ii. Be of a high design standard to which will provide an appropriate new extension to Wheldrake whilst maintaining the character of the village.
- iii. Conserve and enhance the special character and/or appearance of the adjacent Wheldrake Conservation Area.
- 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 homeowners to promote good behaviours when visiting the European site. The former could be supported by enhancing the local footpath network and improving signage**
- v. Establish a landscape setting, given the open fields to the south of the site.
- vi. Create new local facilities as required to meet the needs of future occupiers of the development.
- vii. Provide on-site open space to provide additional amenity green space and children's play facilities for the village.
- viii. Provide required financial contributions to existing nursery, primary and secondary facilities to enable the expansion to accommodate demand arising from the development.
- ix. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well-connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- x. Undertake a noise assessment to inform the development, this may result in a reduction in the developable area should a buffer to the existing industrial area be required.

Policy SS19: Queen Elizabeth Barracks, Strensall

Following the Defence Infrastructure Organisation's disposal of the site by 2021, Queen Elizabeth Barracks (ST35) will deliver 500 dwellings at this rural development site. Development is anticipated to commence in 2023. In addition to complying with the policies within this Local Plan, the site must be delivered in accordance with the following key principles.

- i. The mitigation hierarchy should be followed to ensure no net loss of biodiversity; where possible development should deliver biodiversity gain. Development will only be allowed where it can be demonstrated that it will not have an adverse impact, alone or in combination, upon the integrity of Strensall Common SAC and SSSI.
- ii. Take full account of the extent and quality of ecological interest on Strensall Common through the preparation of a comprehensive evidence base to support the required Habitat Regulations Assessment and other assessments to be able to fully understand and avoid, mitigate or compensate impacts. To help deliver this, a detailed Visitor Impact Mitigation Strategy must be prepared, which will be informed by comprehensive and repeatable visitor surveys (to be repeated as necessary). The Strategy will identify effective measures which will encourage both the use of alternative sites instead of Strensall Common and less damaging visitor behaviour on the Common. This will include (but not be limited to) the following measures:
 - Within the site divert new users away from the SAC by:
 - Providing natural green space within the site boundary attractive to a range of users, particularly dog walkers;
 - The provision of a circular walk within the site;
 - Ensuring no access throughout the life of the development either by vehicle, cycle or foot to adjoining land on the north, south and eastern site boundary, and
 - Providing publicity, education and awareness to support these aims
 - On Strensall Common ensure suitable behaviour by visitors by:
 - Implementing actions to manage recreational pressure at points of arrival, by type of activity and location of activity on site;
 - Ongoing monitoring that will specifically lead to the implementation of prompt remedial measures such as the closure of access points etc if adverse effects are identified, **and**
 - Publicity, education and awareness **and**
 - **• The introduction of an efficient wardening service that could supplement the work of existing landholders across the entire common to present a physical presence on site and encourage good behaviours by the public.**



- iii. Ensure all ecological avoidance, mitigation and compensation measures are fully operational and functioning prior to commencement of any development. Measures must be supported by a long term management plan which includes ongoing monitoring and remedial measures.
- iv. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.
- v. The development of this area must be informed by an assessment of architectural interest of the site and its buildings. Those buildings which are considered to be of historic interest should be retained and reused.
- vi. Be of a high design standard, ensuring the development has a distinct identity from Strensall village and not be just a continuation of the existing development. The site should have its own identity and character that in its layout and spaces, reflects the site's long use as a barracks, its landscape context, and the natural site assets.
- vii. Retain all identified good quality trees, with appropriate distance to tree canopy, unless they pose an unreasonable restriction on development and their contribution to the public amenity and amenity of the development is very limited, and their loss is outweighed by the benefits and mitigation provided by the development.
- viii. Undertake an archaeological evaluation consisting of geophysical survey and excavation of trenches to identify the presence and assess the significances of archaeological deposits.
- ix. Prepare a Flood Risk Assessment and full drainage strategy. The strategy should be developed in conjunction with the Council and required statutory bodies and should ensure that the development will not exacerbate any existing issues with surface water and drainage. Hydrological studies that explore surface and sub-surface characteristics of the local hydrological regime would be required to identify the impact on the wet heath communities of Strensall Common SAC/SSSI and identify mitigation measures where required. Any hydrology plan/study also needs to consider impacts on water logged archaeological deposits.
- x. Increase the area and quality of open space within any proposed development beyond that found at present in order to reduce the impact of recreational pressure on Strensall Common SSSI'/SAC'.
- xi. Create new local facilities as required to meet the needs of future occupiers of the development.
- xii. Deliver sufficient education provision, including a new primary school, to meet the demand arising from the development. Further detailed assessments and associated viability work will be required.
- xiii. 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 impacts of the site individually and cumulatively with sites ST7, ST8, ST9, ST14 and ST15 should be addressed.



- xiv. Give further consideration to road safety at the Strensall Road/Towthorpe Moor Lane, in addition to the use of Towthorpe Moor Lane by through traffic. If identified as necessary, mitigation to Strensall Road/Towthorpe Moor Lane junction will be required.
- xv. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well-connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling). Cycle paths will need to be provided along the site frontages connecting into the site and also focus upon the route into the village and local facilities.
- xvi. Undertake detailed noise and contamination assessments, including detailed assessment of the current and future use of the military training area adjacent to the site.

SS19 Explanatory text update:

3.84 The location of this site 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. **A recreational strategy and physical presence on site with the use of a warden could promote good behaviours by visitors, encouraging use of existing paths and ensuring dogs are properly controlled. The necessary costs for this would best be secured by an appropriate levy or similar on each development.** Potential access points into the planned development also need to consider impacts on Strensall Common.



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):

Site	Floorspace	Suitable Employment Uses
ST5: York Central	100,000sqm	B1a
ST19: Land at Northminster Business Park (15ha)	49,500sqm	B1c, B2 and B8. May also be suitable for an element of B1a.
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	B1b, B1c, B2 and B8.
ST37: Whitehall Grange, Wigginton Road (10.1ha)	33,330sqm	B8

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 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.
E10: Chessingham Park, Dunnington (0.24ha)	792sqm	B1c, B2 and B8.
E11: Annamine Nurseries. Jockey Lane (1ha)	3,300sqm	B1a, B1c, B2 and B8.
E16: Poppleton Garden Centre (2.8ha)	9,240sqm	B1c, B2 and B8. May also be suitable for an element of B1a.
E18: Towthorpe Lines, Strensall (4ha)*	13,200sqm	B1c, B2 and B8 uses.

*** Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.**



Policy H1: Housing Allocations

In order to meet the housing requirement set out in Policy SS1 the following sites, as shown on the proposals map and set out in the schedule below are proposed for residential development.

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:

- 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.

Where developers are seeking revisions to existing planning permissions and associated conditions and S106 agreements, changes in market conditions will be taken into account

Where sites contain existing openspace 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.

This policy applies to all the sites listed in the Table 5.1 overleaf:

Table 5.1: Housing Allocations

Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings)	Estimated Phasing
H1	Former Gas Works, 24 Heworth Green (Phase 1)	2.87	271	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	Short Term (Years 1 - 5)
H5**	Lowfield School	3.64	162	Short to Medium term (Years 1 - 10)
H6	Land R/O The Square Tadcaster Road	1.53	0*	Short to Medium Term (Years 1 - 10)
H7**	Bootham Crescent	1.72	86	Short to



Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings)	Estimated Phasing
				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	56	Short Term (Years 1 - 5)
H22	Former Heworth Lighthouse	0.29	15	Short Term (Years 1 - 5)
H23	Former Grove House EPH	0.25	11	Short Term (Years 1 - 5)
H29	Land at Moor Lane Copmanthorpe	2.65	88	Short Term (Years 1 - 5)
H31	Eastfield Lane Dunnington	2.51	76	Short Term (Years 1 - 5)
H38	Land RO Rufforth Primary School Rufforth	0.99	33	Short Term (Years 1 - 5)
H39	North of Church Lane Elvington	0.92	32	Short Term (Years 1 - 5)
H46**	Land to North of Willow Bank and East of Haxby Road, New Earswick	2.74	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	25	Short Term (Years 1 - 5)
H59**/***	Queen Elizabeth Barracks – Howard Road, Strensall	1.34	45	Medium to Long Term (Years 6 - 15)
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	266	Short to Medium Term (Years 1 - 10)



Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings)	Estimated Phasing
ST4	Land Adjacent to Hull Road	7.54	211	Short to Medium Term (Years 1 - 10)
ST5	York Central	35.0	1,700	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 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)		33	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	Short to Medium Term (Years 1 - 10)
ST17	Nestle South (Phase 2)	4.70	600	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	328	Short to



Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings)	Estimated Phasing
				Medium Term (Years 1-10)
ST33	Station Yard, Wheldrake	6.0	147	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)

*Allocated for specialist housing (Use Class C3b¹) for residential extra care facilities in association with the Wilberforce Trust.

** Sites that contain existing open space

***** Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.**

¹ C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. The Town and Country Planning (Use Classes) Order 1987 (as amended)



D. Air Quality Assessment



Air Quality Assessment

Air Quality Modelling Assessment

April 2018

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Quality Assurance – Approval Status

This document has been prepared and checked in accordance with Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS OHSAS 18001:2007)

Issue	Date	Prepared by	Checked by	Approved by
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Final	25 April 2018	Chris Brownlie Principal Consultant 	Kirsty Rimondi Technical Director	Guido Pellizzaro Associate Director 

Comments

Comments



Disclaimer

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Contents

1. Introduction	1
2. Air Quality Legislation and Planning Policy	2
Legislation	2
European Union Framework Directive	2
Air Quality Standards Regulations	2
The UK Air Quality Strategy	2
Critical Level	2
Critical Loads	3
3. Assessment Methodology and Significance	4
Assessment Methodology	4
Model Verification	4
Atmospheric Chemistry	4
Nitrogen Deposition	4
Sensitive Receptors	5
Assessment Criteria	6
4. Baseline Conditions	7
City of York Review and Assessment	7
City of York Air Quality Monitoring Data	7
Background Concentrations	8
Baseline Critical Loads	11
Nitrogen Deposition	11
5. Air Quality Assessment	13
Annual Mean NO _x	13
Nitrogen Deposition	13
6. Summary and Conclusions	15

Tables

Table 1: Summary of Relevant Critical Level for Ecological Sites	3
Table 2: Conversion Factors to Determine Dry Deposition	5
Table 3: Habitat Sensitivity	6
Table 4: Measured Concentrations at the Fulford Road Roadside Automatic Monitor	7
Table 5: Measured Concentrations at the City of York Diffusion Tubes	8
Table 6: APIS Background Concentrations ($\mu\text{g}/\text{m}^3$)	9
Table 7: Critical Loads for Nitrogen Deposition (2033)	12
Table 8: Maximum Predicted Annual Mean NO _x Concentrations	13
Table 9: Maximum Predicted Nitrogen Deposition	14



Appendices

Appendix A Air Quality Assessment Detailed Methodology



1. Introduction

- 1.1. The City of York Council (CYC) is developing its Local Plan. This will deliver the strategic vision and objectives in York over a 20-year period described in the Pre-Publication Draft Local Plan (Regulation 18) Consultation document¹. When adopted, the Local Plan will influence all future development within the City Council's boundaries. Atmospheric emissions from additional vehicles because of the Local Plan have the potential to impact on ecological sites within York
- 1.2. The purpose of this air quality assessment is to predict the potential effect of the Local Plan on local air quality specifically in relation to ecological sites. The most significant pollutant associated with road traffic emissions in relation to ecological sites is Nitrogen Dioxide (NO_x) and Nitrogen Deposition. Therefore, this assessment focuses on these pollutant.
- 1.3. The results of the air quality modelling are presented in this report and are compared to the relevant Critical Level for NO_x and the Critical Load for Nitrogen Deposition (defined in Chapter 2: Air Quality Legislation and Planning Policy) for each ecological designated site. The results are considered against the relevant screening criteria, where these results cannot be screened as being insignificant, further consideration of the significance in relation to the relevant ecological sites is provided in the Habitats Regulations Assessment (HRA).
- 1.4. Section 2 of this air quality assessment gives a summary of legislation, planning policy and guidance relevant to air quality. Section 3 provides details of the assessment methodology and Section 4 sets out the baseline conditions. The results of the assessments are presented in Section 5. A summary of the findings and conclusions of the assessment is given in Section 6. The air quality assessment is supported by: **Appendix A: Air Quality Assessment Detailed Methodology**.

¹ https://www.york.gov.uk/downloads/download/4036/pre-publication_draft_local_plan_reg_18_consultation

2. Air Quality Legislation and Planning Policy

Legislation

European Union Framework Directive

- 2.1. Air pollutants at high concentrations can give rise to adverse impacts on the health of humans and ecosystems. European Union (EU) legislation on air quality forms the basis for national UK legislation and policy on air quality.
- 2.2. The European Union Framework Directive 2008/50/EC² on ambient air quality assessment and management came into force in May 2008 and was implemented by Member States, including the UK, by June 2010. The Directive aims to protect human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollutants.

Air Quality Standards Regulations

- 2.3. The Air Quality Standards Regulations 2010³ implement Limit Values prescribed by the Directive 2008/50/EC. The Limit Values are legally binding and the Secretary of State, on behalf of the UK Government, is responsible for their implementation.

The UK Air Quality Strategy

- 2.4. The Environment Act 1995⁴ required the preparation of a national air quality strategy setting health-based air quality objectives for specified pollutants and outlining measures to be taken by local authorities in relation to meeting these (the Local Air Quality Management (LAQM) regime).
- 2.5. The current UK Air Quality Strategy (UK AQS) was published in 2007⁵ and sets out air quality objectives for local authorities to meet when undertaking their LAQM duties. Objectives in the UK AQS are in some cases more onerous than the Limit Values set out within the relevant EU Directives and the Air Quality Standards Regulations 2010. In addition, objectives have been established for a wider range of pollutants.
- 2.6. Currently it is a Local Authority's responsibility to determine the effect of a development against the UK AQS objectives.

Critical Level

- 2.7. Critical Levels relate to effects on plant physiology, growth and vitality, and are expressed as atmospheric concentrations over an averaging time and are defined by the UN ECE⁶ as:

“concentrations of pollutants in the atmosphere above which direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may occur according to present knowledge”.
- 2.8. The critical levels for NO_x are set by in the EU Ambient Air Quality Directive and transposed into law by the Air Quality Standards Regulations. The Critical Levels for NO_x relevant to this assessment are summarised in Table 1 below.

² European Council Directive 2008/50/EC of 21 May 2008 on ambient air quality and cleaner air for Europe

³ Defra, 2010, 'The Air Quality Standards Regulations'

⁴ Office of the Deputy Prime Minister (ODPM), 1995, 'The Environment Act 1995'

⁵ Defra, 2007, 'The Air Quality Strategy for England, Scotland, Wales & Northern Ireland'

⁶ <http://www.unece.org/env/lrtap/WorkingGroups/wge/definitions.htm>

Table 1: Summary of Relevant Critical Level for Ecological Sites

Pollutant	Critical Level	Averaging Period
Nitrogen Oxides (NO _x)	30µg/m ³	Annual Mean
	75µg/ m ³	24 Hour Mean

- 2.9. Several studies^{7,8} have indicated that the 'UN/ECE Working Group on Effects strongly recommended the use of the annual mean value, as the long-term effects of NO_x are thought to be more significant than the short-term effects'. Therefore, this assessment only considers the annual mean NO_x concentration.

Critical Loads

- 2.10. A Critical Load is defined by the Air Pollution Information System (APIS)⁹ as:

"A quantitative estimate of exposure to deposition of one or more pollutants, below which significant harmful effects on sensitive elements of the environment do not occur, according to present knowledge. The exceedance of a critical load is defined as the atmospheric deposition of the pollutant above the critical load."

- 2.11. When pollutant loads (or concentrations) exceed the Critical Load, it is considered that there is a risk of harmful effects. The excess over the critical load is termed the exceedance. A larger exceedance is often considered to represent a greater risk of damage.
- 2.12. Maps of Critical Loads and their exceedances are used to show the potential extent of pollution damage and aid in developing strategies for reducing pollution. Decreasing deposition below the Critical Load is seen as means for preventing the risk of damage. However, even a decrease in the exceedance may infer that less damage will occur.
- 2.13. Critical Loads have been designated within the UK based on the sensitivity of the receiving habitat and have been reviewed for this assessment. Further information on the Critical Loads considered in this air quality assessment are discussed below (under the heading Background Concentrations).

⁷ Sutton et al. (2013), The European Nitrogen Assessment: Sources, Effects and Policy Perspectives. Page 414. Cambridge University Press. 664pp. ISBN-10:1107006120

⁸ June 2011. Manual on Methodologies and Criteria for Modelling and Mapping Critical Loads & Levels and Air Pollution Effects, Risks and Trends. Chapter 3: Mapping Critical Levels for Vegetation

⁹ <http://www.apis.ac.uk/>



3. Assessment Methodology and Significance

Assessment Methodology

3.1. This air quality assessment was undertaken using a variety of information and procedures as follows:

- a review of the APIS website¹⁰ to identify the baseline conditions within the relevant ecological sites and those habitats sensitive to changes in NO_x and nitrogen deposition;
- application of the ADMS-Roads dispersion model to predict the Process Contribution (PC) from the traffic flows associated within the Local Plan (details of the dispersion modelling are presented in Appendix A);
- the calculation of the total Predicted Environmental Concentration (PEC) which includes the PC combined with the existing baseline concentration;
- comparison of the predicted air pollutant concentrations with the relevant Critical Level and Critical Load; and
- determination of the likely significant effects of the Local Plan on air quality within the ecological sites using the Defra and Environment Agency online guidance document¹¹.

Model Verification

3.2. Model verification is the process of comparing monitored and modelled pollutant concentrations and, if necessary, adjusting the modelled results to reflect actual measured concentrations, to improve the accuracy of the modelling results. The model has been verified by comparing the predicted annual mean NO₂ concentrations for the baseline year of 2016, with results from the CYC monitoring locations. The verification and adjustment process is described in detail in **Appendix A**.

Atmospheric Chemistry

Nitrogen Deposition

- 3.3. Nitrogen deposition rates were calculated using the conversion factors provided within the EA AQTAG¹² document.
- 3.4. Predicted pollutant concentrations were multiplied by the relevant deposition velocity and conversion factor to calculate the dry deposition flux. The conversion factors used for the determination of nitrogen deposition are presented within Table 2.

¹⁰ <http://www.apis.ac.uk/>

¹¹ Defra and Environment Agency (2016) Guidance: 'Air emissions risk assessment for your environmental permit' <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit> last updated 2 August 2016

¹² Environment Agency (2006), Technical Guidance on Detailed Modelling approach for an Appropriate Assessment for Emissions to Air AQTAG 06

Table 2: Conversion Factors to Determine Dry Deposition

Pollutant	Deposition Velocity (m/s)	Conversion Factor ($\mu\text{g}/\text{m}^2/\text{s}$ to $\text{ka}/\text{ha}/\text{yr}$ of pollutant species)
NO _x	0.0015	96

- 3.5. The PC and PEC proportion of the Critical Level or Critical Load were then calculated using the critical loads as presented on the APIS website¹³ and presented in the subheading Baseline Critical Loads below.

Sensitive Receptors

- 3.6. Tailpipe emissions from the additional vehicles as a result of the Local Plan have the potential to impact on ecological sites within York. The study was completed using the APIS website to identify habitats that may be sensitive to changes in NO_x as well as Nitrogen Deposition. A summary of those habitats is provided in Table 3.
- 3.7. Results have been modelled along a transect at intervals of 1-5m; 10m; 15m; 20m; 25m; 50m; 100m; and 150m intervals from the roadside, additionally concentrations were modelled as a grid with a resolution of 20m across each of the ecological sites. **Figures 1 - 7** show the locations of the transects within each of the ecological sites.

¹³ www.apis.ac.uk

Table 3: Habitat Description

Site	
Strensall Common	<ul style="list-style-type: none"> • Dwarf shrub heath (<i>Calluna vulgaris</i> - <i>Deschampsia flexuosa</i> heath) & (<i>Erica tetralix</i> - <i>Sphagnum compactum</i> wet heath); • Fen, marsh and swamp (<i>Molinia caerulea</i> - <i>Potentilla erecta</i> mire) • Northern wet heath: <i>Erica tetralix</i> dominated wet heath • European dry heaths (H4030)
Clifton Ings	<ul style="list-style-type: none"> • Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland), (<i>Cynosurus cristatus</i> - <i>Caltha palustris</i> grassland)
Fulford Ings	<ul style="list-style-type: none"> • Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland) • Fen, marsh and swamp (<i>Juncus subnodulosus</i> - <i>Cirsium palustre</i> fen meadow)
Askham Bog	<ul style="list-style-type: none"> • Broad-leaved, mixed and yew woodland (<i>Alnus glutinosa</i> - <i>Urtica dioica</i> woodland); <i>Quercus robur</i> - <i>Pteridium aquilinum</i> - <i>Rubus fruticosus</i> woodland) • Fen, marsh and swamp (<i>Juncus effusus</i> / <i>acutiflorus</i> - <i>Galium palustre</i> rush pasture) • Fen, marsh and swamp (<i>Juncus subnodulosus</i> - <i>Cirsium palustre</i> fen meadow)
Church Ings	<ul style="list-style-type: none"> • Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland)
Acaster South Ings	<ul style="list-style-type: none"> • Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland)
River Derwent	<ul style="list-style-type: none"> • Fen, marsh and swamp (<i>Carex echinata</i> - <i>Sphagnum recurvum</i> (<i>fallax</i> / <i>auriculatum</i> (<i>denticulatum</i>)) mire) • Fen, marsh and swamp (<i>Juncus effusus</i> / <i>acutiflorus</i> - <i>Galium palustre</i> rush pasture) • Fen, marsh and swamp (<i>Filipendula ulmaria</i> - <i>Angelica sylvestris</i> mire) • Broad-leaved, mixed and yew woodland (<i>Salix cinerea</i> - <i>Galium palustre</i> woodland) (<i>Alnus glutinosa</i> - <i>Fraxinus excelsior</i> - <i>Lysimachia nemorum</i> woodland)
Lower Derwent	<ul style="list-style-type: none"> • Acid grassland (<i>Festuca ovina</i> - <i>Agrostis capillaris</i> - <i>Galium saxatile</i> lowland acid grassland (U4a)) • Neutral grassland (<i>Cynosurus cristatus</i> - <i>Centaurea nigra</i> grassland)

Note: Habitat descriptions taken from APIS website

Assessment Criteria

- 3.8. The Defra and Environment Agency online guidance¹¹ states that the PC can be considered insignificant if:
- the short-term PC is less than 10% of the short-term environmental standard (Critical Level for NOx or Critical Load for nitrogen deposition); and
 - the long-term PC is less than 1% of the long-term environmental standard.
- 3.9. If these criteria are exceeded the following guidance is provided on when further consideration of potential impacts may be useful:
- the short-term PC is less than 20% of the short-term environmental standard minus twice the long-term background concentration; and
 - the long-term PEC is less than 70% of the long-term environmental standard.
- 3.10. If these criteria are achieved, then predicted impacts are insignificant. Where these criteria are not achieved the results have been passed to the project ecologist for further consideration.



4. Baseline Conditions

City of York Review and Assessment

- 4.1. CYC completed a First Stage Review and Assessment of air quality in December 1998¹⁴. This determined that the AQS objectives for CO, Benzene (C₆H₆), 1,3 butadiene (C₄H₆), and lead (Pb) were not at risk of being exceeded. However, it also concluded that further stages of review and assessment were required for NO₂, SO₂ and PM₁₀.
- 4.2. A Second and Third Stage Review and Assessment of air quality was undertaken in February 2000¹⁵. This report concluded that the air quality objectives for SO₂ and PM₁₀ would be met. The report also predicted breaches of the annual average NO₂ objective at five locations around the inner ring road.
- 4.3. Therefore, CYC declared an AQMA at these five locations around the inner ring road, for the annual mean NO₂ AQS objective in January 2002, this AQMA was subsequently amended in 2012 to include the 1-hour mean NO₂ AQS objective as several properties within the AQMA. An AQMA was also declared in 2010 for the annual mean NO₂ objective for an area along Fulford Road, Main Street and Selby Road.
- 4.4. CYC undertook an Updating and Screening Assessment (USA) in 2015¹⁶ and an Annual Status Report in 2017¹⁷, the findings of both confirmed that 1,3 butadiene, CO, Pb, Benzene and SO₂ still met the objective levels and therefore did not require a Detailed Assessment. While there had been a slight increase in concentrations in 2016 compared with 2015 there was evidence of a steady downward trend in nitrogen dioxide concentrations within York over the last 7 years.
- 4.5. Air quality modelling work undertaken by CYC indicates that with the proposed third Air Quality Action Plan (AQAP3) measures in place, the air quality objectives for NO₂ will be met across York by 2021.

City of York Air Quality Monitoring Data

- 4.6. CYC currently undertakes monitoring at nine locations within the City of York using automatic monitors. Of these nine locations, eight of the locations monitor NO₂, four monitor PM₁₀ and three monitors PM_{2.5}. NO₂ was also measured at 234 locations using diffusion tubes.
- 4.7. The results for the Fulford Road monitoring location classified as a roadside location, are presented in **Table 4** below for 2016 and 2017. Fulford Road monitoring location is presented as it is located approximately 0.5km from the Fulford Ings ecological site.

Table 4: Measured Concentrations at the Fulford Road Roadside Automatic Monitor

Pollutant	2016	2017
NO _x	59	55
NO ₂	25	23

- 4.8. The monitoring results in **Table 4** indicate that the annual mean NO_x objective of 30µg/m³ (for ecological sites) was exceeded in 2016 and 2017. The results for the nearest nitrogen diffusion tube roadside locations to the selected ecological sites are presented in **Table 5**.

¹⁴ City of York Council (1998) First Stage Review and Assessment of Air Quality

¹⁵ City of York Council (2000) Second and Third Stage Review and Assessment

¹⁶ City of York Council, Updating and Screening Assessment for City of York Council, April 2015.

¹⁷ City of York Council, 2017 Air Quality Annual Status Report, June 2017.

Table 5: Measured Concentrations at the City of York Diffusion Tubes

Site ID	Name	Distance to nearest ecological Site	2013	2014	2015	2016
47	Strensall Road	4.3km Strensall Common	28.2	28.0	27.6	28.3
A12	7 Clifton Green (Lamppost)	1.0km Clifton Ings	30.7	33.8	28.7	29.0
A96	Ousecliffe Gardens (signpost, outside 31 Water End)	0.9km Clifton Ings	31.5	34.4	28.4	31.7
C29	34 Selby Road (Lamppost)	0.7km Fulford Ings	30.2	33.5	28.8	30.0
C30	2 Selby Road (Lamppost)	0.7km Fulford Ings	34.0	35.2	29.3	30.8
C34	103 Main St	0.3km Fulford Ings	26.6	28.6	23.7	25.2
C36	50 Main St	0.3km Fulford Ings	26.9	30.8	29.7	28.5
C38	8 Main St (Lamppost)	0.3km Fulford Ings	30.7	30.8	28.2	28.1
C39	18 Main St	0.4km Fulford Ings	31.5	35.3	35.1	32.6
C58	4 Main St (Drainpipe)	0.4km Fulford Ings	36.3	39.5	36.8	35.5
95a/b/c	Fulford AQS	0.5km Fulford Ings	25.2	26.0	24.7	23.7
C43/43a/44	39 Fulford (Lamppost)	0.5km Fulford Ings	29.4	31.1	28.0	29.4

- 4.9. The monitoring results in **Table 5** indicate that the annual mean NO₂ objective of 40µg/m³ has been met at all monitoring locations between 2013 and 2016.

Background Concentrations

- 4.10. The ADMS Roads model has been used to model pollutant concentrations at the ecological receptors. To estimate the total concentrations due to the contribution of any other nearby sources of pollution, background pollutant concentrations need to be added to the modelled concentrations.
- 4.11. Current NO_x and nitrogen deposition concentrations within the ecological sites have been taken from the APIS website. The website presents a range of concentrations for each ecological site, **Table 6** presents the maximum NO_x and Nitrogen Deposition concentrations from the APIS website for each ecological site which have been used in the assessment. The year 2033 is presented as this is the final year which the Local Plan covers.



Table 6: APIS Background Concentrations ($\mu\text{g}/\text{m}^3$)

Site		NOx ($\mu\text{g}/\text{m}^3$)		Nitrogen Deposition (KgN ha/yr)	
		2015	2033	2015	2033
Strensall Common	• Dwarf shrub heath (<i>Calluna vulgaris</i> - <i>Deschampsia flexuosa</i> heath) & (<i>Erica tetralix</i> - <i>Sphagnum compactum</i> wet heath)	13.13	8.40	24.08	15.41
	• Fen, marsh and swamp (<i>Molinia caerulea</i> - <i>Potentilla erecta</i> mire)				
	• Northern wet heath: <i>Erica tetralix</i> dominated wet heath				
	• European dry heaths (H4030)				
Clifton Ings	• Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland), (<i>Cynosurus cristatus</i> - <i>Caltha palustris</i> grassland)	26.65	17.06	21.84	13.98
Fulford Ings	• Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland)	19.69	12.60	21.14	13.53
	• Fen, marsh and swamp (<i>Juncus subnodulosus</i> - <i>Cirsium palustre</i> fen meadow)				
Askham Bog	• Broad-leaved, mixed and yew woodland (<i>Alnus glutinosa</i> - <i>Urtica dioica</i> woodland); <i>Quercus robur</i> - <i>Pteridium aquilinum</i> - <i>Rubus fruticosus</i> woodland)	22.02	14.09	34.58	22.13
	• Fen, marsh and swamp (<i>Juncus effusus</i> / <i>acutiflorus</i> - <i>Galium palustre</i> rush pasture)				
	• Fen, marsh and swamp (<i>Juncus subnodulosus</i> - <i>Cirsium palustre</i> fen meadow)				
Church Ings	• Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland)	15.26	9.77	20.58	13.17
Acaster South Ings	• Neutral grassland (<i>Alopecurus pratensis</i> - <i>Sanguisorba officinalis</i> grassland)	14.78	9.46	18.90	12.10
River Derwent	• Fen, marsh and swamp (<i>Carex echinata</i> - <i>Sphagnum recurvum</i> (fallax) / <i>auriculatum</i> (denticulatum) mire)	16.26	10.40	14.56	9.32
	• Fen, marsh and swamp (<i>Juncus effusus</i> / <i>acutiflorus</i> - <i>Galium palustre</i> rush pasture)				
	• Fen, marsh and swamp (<i>Filipendula ulmaria</i> - <i>Angelica sylvestris</i> mire)				
	• Broad-leaved, mixed and yew woodland (<i>Salix cinerea</i> - <i>Galium palustre</i> woodland) (<i>Alnus glutinosa</i> - <i>Fraxinus excelsior</i> - <i>Lysimachia nemorum</i> woodland)				
	• Water courses of plain to montane levels with the <i>Ranuncion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation (H3260)				
	• <i>Petromyzon marinus</i> - Sea lamprey (S1095)				
	• <i>Lampetra fluviatilis</i> - River lamprey (S1099)				
	• <i>Cottus gobio</i> - Bullhead (S1163)				
	• <i>Lutra lutra</i> - Otter (S1355)				

Lower Derwent	• Acid grassland (<i>Festuca ovina</i> - <i>Agrostis capillaris</i> - <i>Galium saxatile</i> lowland acid grassland (U4a))				
	• Neutral grassland (<i>Cynosurus cristatus</i> - <i>Centaurea nigra</i> grassland)				
	• Lowland hay meadows (<i>Alopecurus pratensis</i> , <i>Sanguisorba officinalis</i>) (H6510)				
	• <i>Lutra lutra</i> - Otter (S1355)				
	• <i>Anas penelope</i> (Western Siberia/North-western/North-eastern Europe) - Eurasian wigeon (A050)	17.18	11.00	17.36	11.11
	• <i>Anas crecca</i> (North-western Europe) - Eurasian teal (A052)				
	• <i>Anas clypeata</i> (North-western/Central Europe) - Northern shoveler (A056)				
	• <i>Pluvialis apricaria</i> [North-western Europe - breeding] - European golden plover (A140)				
	• <i>Philomachus pugnax</i> (Western Africa - wintering) - Ruff (A151)				
	• <i>Cygnus columbianus bewickii</i> (Western Siberia/North-eastern & North-western Europe) - Tundra swan (A037)				

Note: As per the DMRB guidance the APIS background concentrations have been reduced by 2% per year to estimate concentrations for the assessment year

Baseline Critical Loads

Nitrogen Deposition

- 4.12. The critical loads for nitrogen deposition for each of the ecological sites to be considered have been taken from APIS and are presented in **Table 7**. The 2033 deposition rates from **Table 6** are presented to represent the current levels experienced within the ecological sites so a comparison with the Critical Loads can be made and identify if the Critical Loads within the ecological site are likely to be exceeded.

Table 7: Critical Loads for Nitrogen Deposition (2033)

Habitat		Critical Load (kgN/ha/yr)		Nitrogen Deposition (kgN ha/yr)	Headroom (kgN/ha/yr)	
		Low Limit	High Limit		Low Limit	High Limit
Strensall Common	Dwarf Shrub Heath / Northern Wet Heath / European Dry Heaths	10	20	15.41	-5.41	4.59
	Fen, Marsh and Swamp	15	25	15.41	-0.41	9.59
Clifton Ings	Neutral Grassland	20	30	13.98	6.02	16.02
Fulford Ings	Neutral grassland	20	30	13.53	6.47	16.47
	Fen, Marsh and Swamp	15	30	13.53	1.47	16.47
Askham Bog	Broad-leaved, Mixed and Yew Woodland	10	20	22.13	-12.13	-2.13
	Fen, Marsh and Swamp	15	25	22.13	-7.13	2.87
	Fen, Marsh and Swamp	15	30	22.13	-7.13	12.87
Church Ings	Neutral Grassland	20	30	13.17	6.83	16.83
Acaster South Ings	Neutral Grassland	20	30	12.10	7.90	17.90
River Derwent	Fen, Marsh and Swamp	10	15	9.32	0.68	5.68
	Fen, Marsh and Swamp	15	25	9.32	5.68	15.68
	Fen, Marsh and Swamp / Broad-leaved, Mixed and Yew Woodland	15	30	9.32	5.68	20.68
Lower Derwent	Acid Grassland	10	15	11.11	-1.11	3.89
	Neutral Grassland / Lowland Hay Meadows	20	30	11.11	8.89	18.89

- 4.13. As shown in **Table 7**, the current Critical Loads in 2033 for the Lower Limits are exceeded at the Strensall Common and Askham Bog and Church Ings ecological sites. The lower level is also exceeded for the Acid Grassland habitat at the Lower Derwent ecological site. The Higher Limit is also exceeded for the Broad-leaved, mixed and yew woodland habitat at the Askham Bog ecological site all other Higher Limits for the remaining habitats and sites are met.

5. Air Quality Assessment

Annual Mean NO_x

- 5.1. The modelling results for the maximum predicted annual mean NO_x concentration at the ecological receptors due to traffic emissions are summarised in **Table 8**. **Figure 8** shows the location of the maximum predicted concentration within each of the ecological sites.

Table 8: Maximum Predicted Annual Mean NO_x Concentrations

Receptor	Grid Reference of Receptor	Predicted Annual Mean NO _x Concentration (µg/m ³)		Proportion of Critical Level (%)	
		PC	PEC	PC	PEC
Strensall Common	463590, 460035	1.95	10.35	6.5	34.5
Clifton Ings	458510, 452590	0.14	17.20	0.5	57.3
Fulford Ings	461087, 448678	3.46	16.06	11.5	53.5
Askham Bog	456840, 447700	0.53	14.62	1.8	48.7
Church Ings	459465, 445780	0.02	9.79	0.1	32.6
Acaster South Ings	459360, 444360	0.01	9.47	0.0	31.6
River Derwent	470500, 451120	1.39	11.79	4.6	39.3
Lower Derwent	470480, 446350	0.03	11.03	0.1	36.8

- 5.2. As shown in **Table 8** predicted NO_x concentrations are below the annual mean Critical Level of 30µg/m³ at all ecological receptor locations. The PC is below the criteria for insignificant impacts at the Clifton Ings, Church Ings, Acaster South Ings and Lower Derwent ecological sites, the PEC is also below the criteria for insignificant impacts at the Strensall Common, Fulford Ings, Askham Bog and River Derwent ecological sites, as such the predicted effects on annual mean NO_x concentrations are considered insignificant.

Nitrogen Deposition

- 5.3. The results of the maximum nitrogen deposition modelling are summarised in **Table 9**.

Table 9: Maximum Predicted Nitrogen Deposition

Receptor		Process Contribution (kgN/ha/yr)		Proportion of Critical Load (%)			
				PC		PEC	
		PC	PEC	Low	High	Low	High
Strensall Common	Dwarf shrub heath	0.28	15.69	2.8	1.4	157	78
	Northern wet heath						
	European dry heaths (H4030)						
	Fen, marsh and swamp	0.28	15.69	1.9	1.1	105	63
Clifton Ings	Neutral Grassland	0.02	14.00	0.1	0.1	70	47
Fulford Ings	Neutral grassland	0.50	14.03	2.5	1.7	70	47
	Fen, marsh and swamp	0.50	14.03	3.3	1.7	94	47
Askham Bog	Broad-leaved, mixed and yew woodland	0.08	22.21	0.8	0.4	222	111
	Fen, marsh and swamp	0.08	22.21	0.5	0.3	148	89
	Fen, marsh and swamp	0.08	22.21	0.5	0.3	148	74
Church Ings	Neutral grassland	0.002	13.17	0.0	0.0	66	44
Acaster South Ings	Neutral grassland	0.001	12.10	0.0	0.0	61	40
River Derwent	Fen, marsh and swamp	0.20	9.52	2.0	1.3	95	63
	Fen, marsh and swamp	0.20	9.52	1.3	0.8	63	38
	Fen, marsh and swamp / Broad-leaved, mixed and yew woodland	0.20	9.52	1.3	0.7	63	32
Lower Derwent	Acid Grassland	0.004	11.11	0.0	0.0	111	74
	Neutral Grassland	0.004	11.11	0.0	0.0	56	37

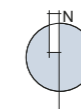
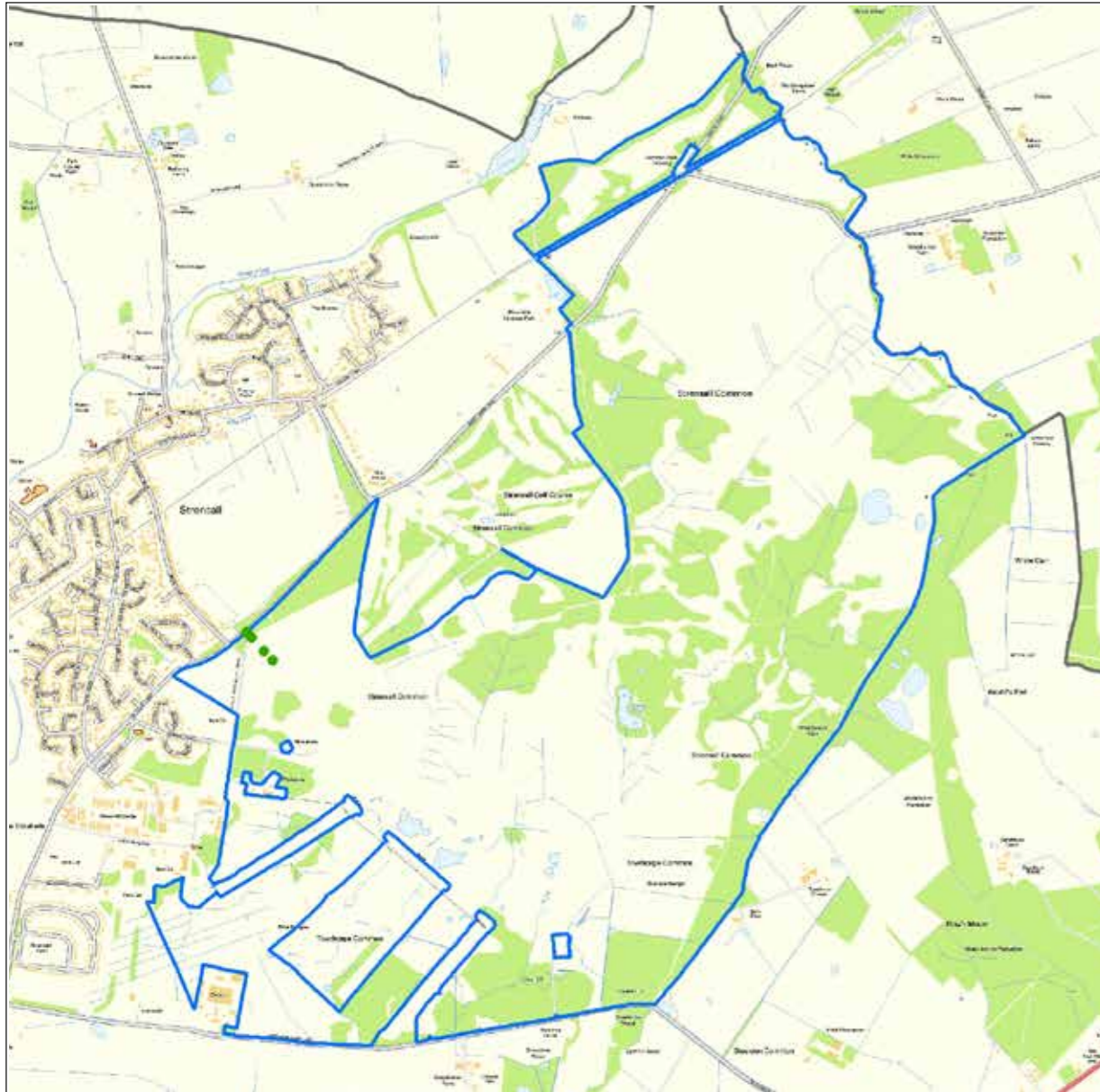
- 5.4. As shown in **Table 9**, the maximum PCs are below the criteria for insignificant impacts considering both the low and high Critical Loads at the Clifton Ings, Askham Bog, Church Ings, Acaster South Ings, and Lower Derwent ecological sites, it is considered the impact is **insignificant** at these ecological sites. The maximum PEC is below the criteria for insignificant impacts, considering the high Critical Load, for the Fen, Marsh and Swamp habitat at the Strensall Common ecological site, the Fulford Ings ecological site, and the River Derwent ecological site, it is considered the impact is **insignificant** at these ecological sites.
- 5.5. The PC and PEC for the Dwarf shrub heath at the Strensall Common ecological site is above the criteria for insignificant impacts and can therefore not be screened out at this stage, further consideration to the significance of impacts at this site is considered further in the HRA.



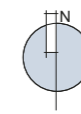
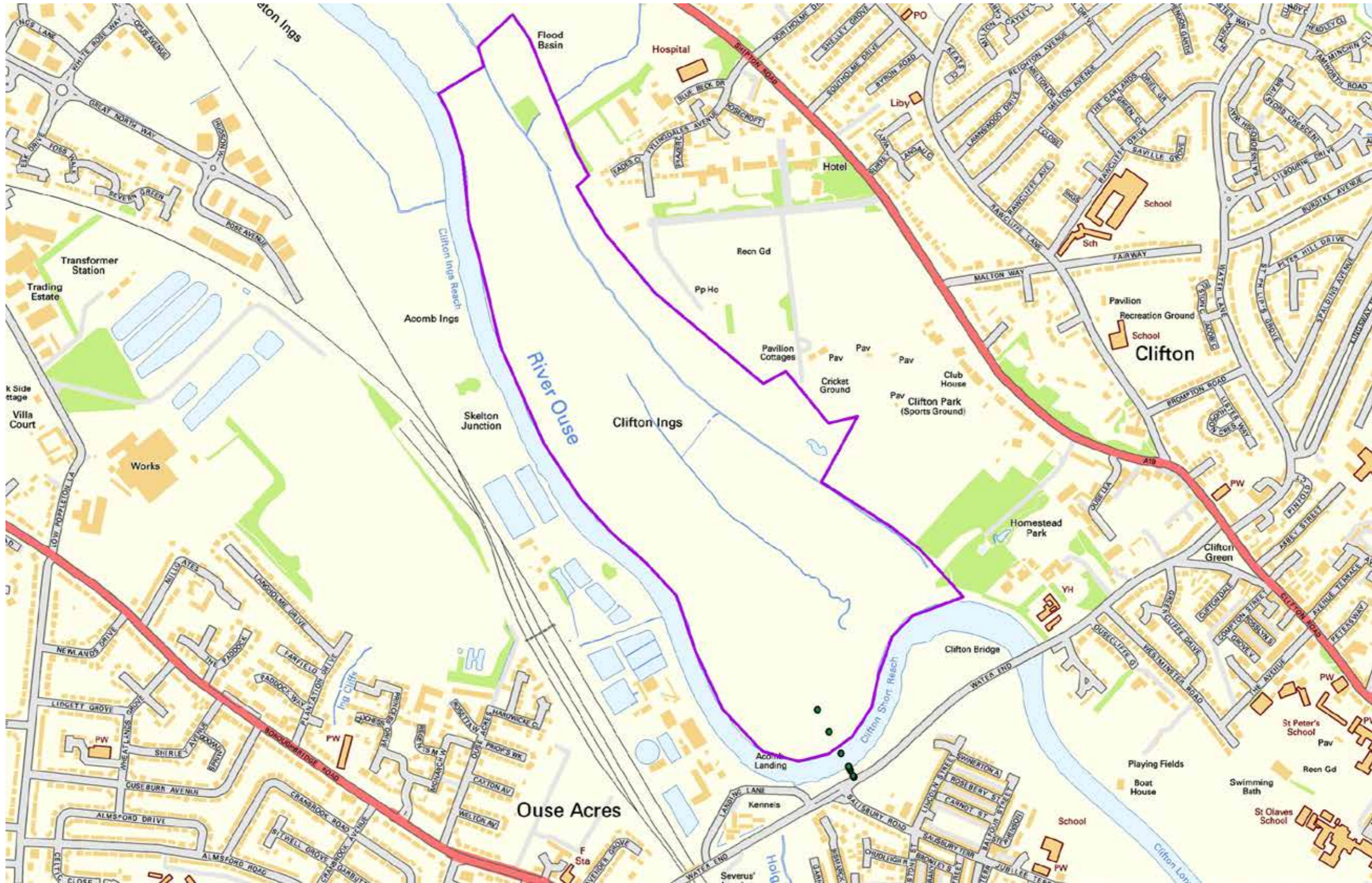
6. Summary and Conclusions

6.1. Overall the assessment has identified that following the adoption of the Local Plan:

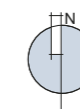
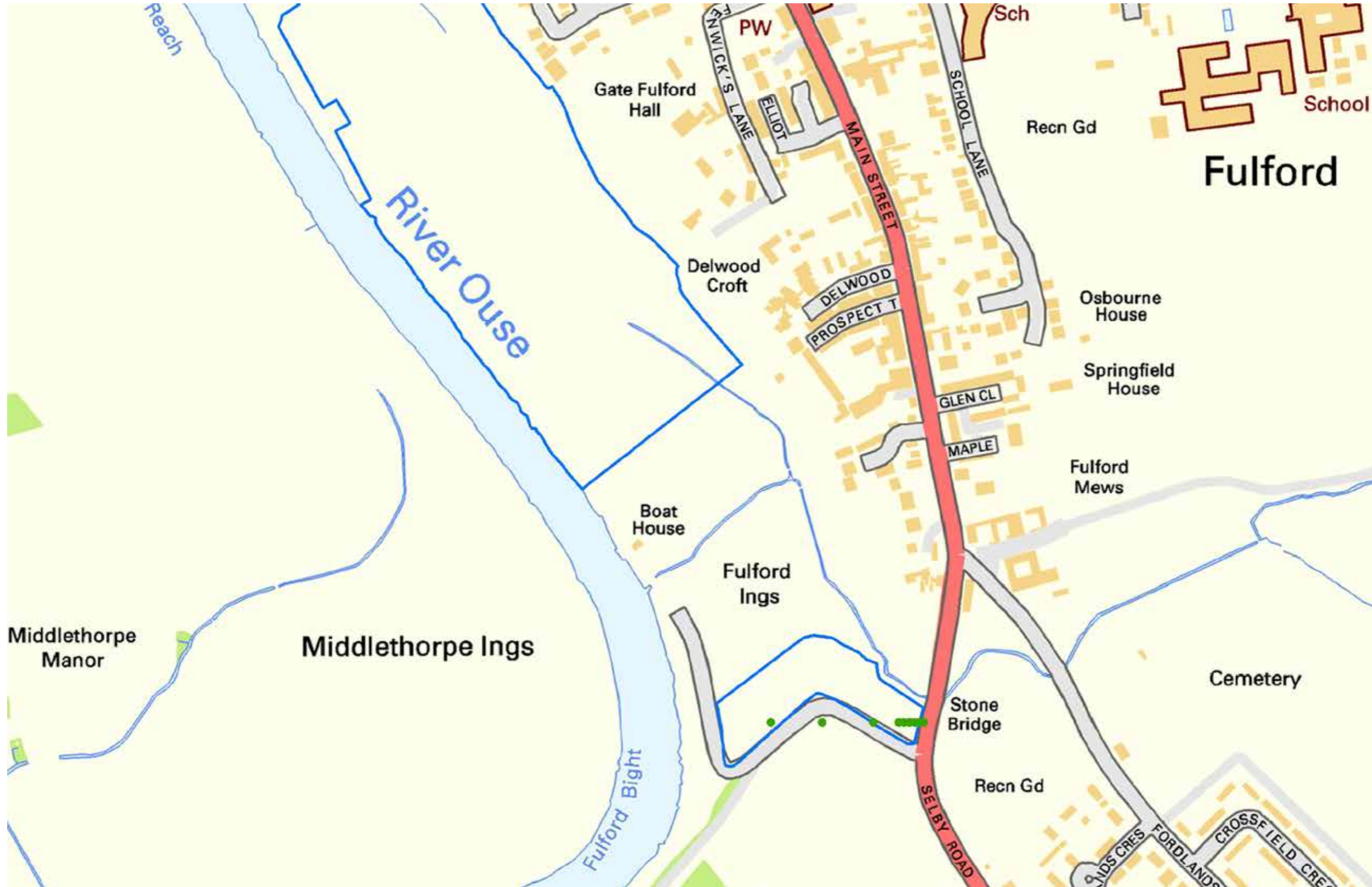
- the predicted effects on annual mean NO_x concentrations are considered insignificant at all ecological sites;
- the predicted effects on nitrogen deposition is insignificant at most ecological sites, however the impacts at the Dwarf shrub heath at the Strensall Common ecological site cannot be screened out at this stage. Therefore, further consideration to the significance of impacts at this site is considered within the HRA.



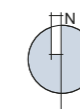
Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 1: Strensall Common Transect Location
Figure Ref	WIE13194-103_GR_AQ_1A
Date	April 2018
File Location	\\s-incs\wiel\projects\wie13194\103\graphics\laq\issued figures



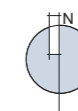
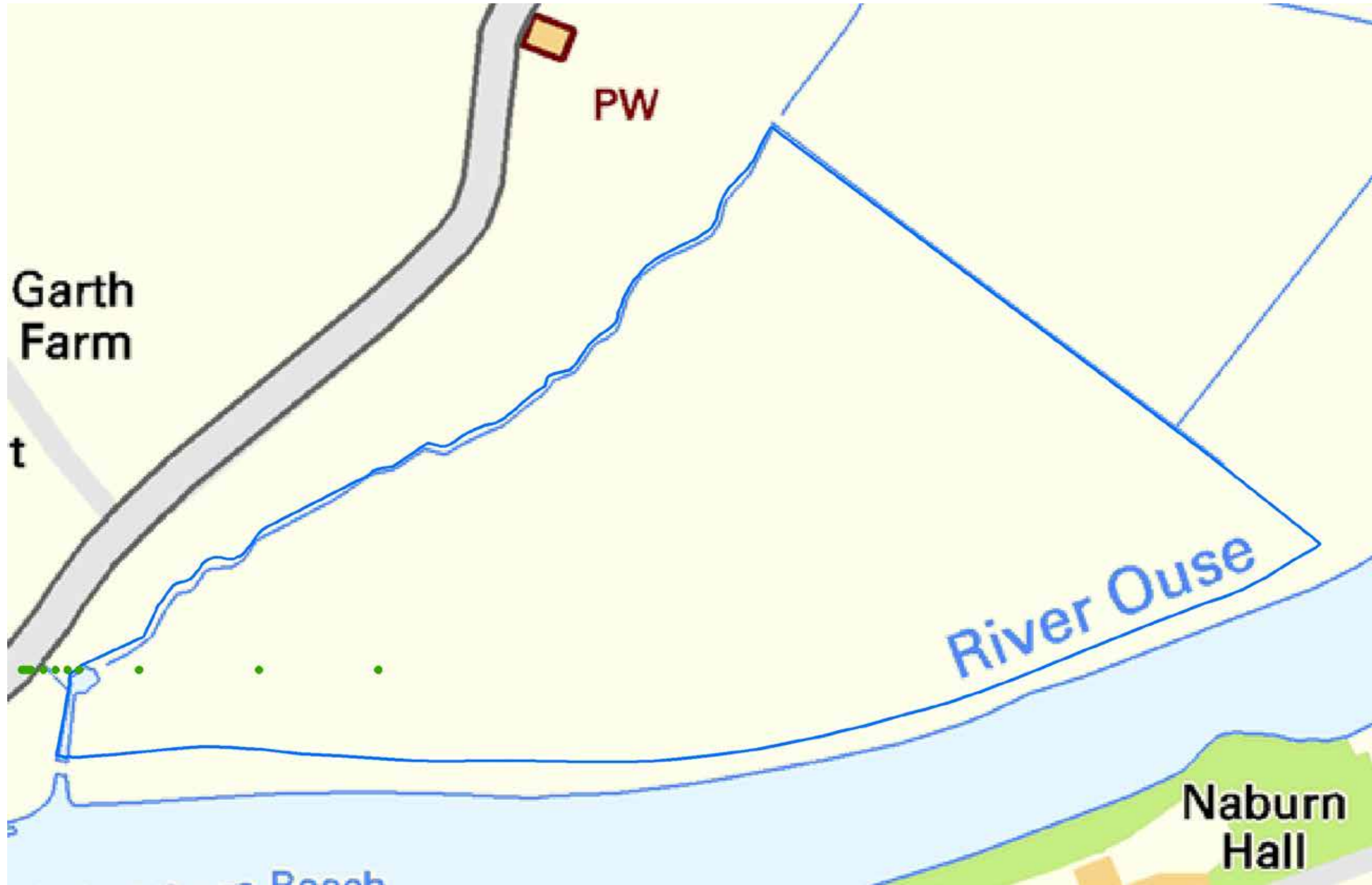
Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 2: Clifton Ings Transect Location
Figure Ref	WIE13194-103_GR_AQ_2A
Date	April 2018
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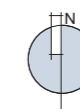
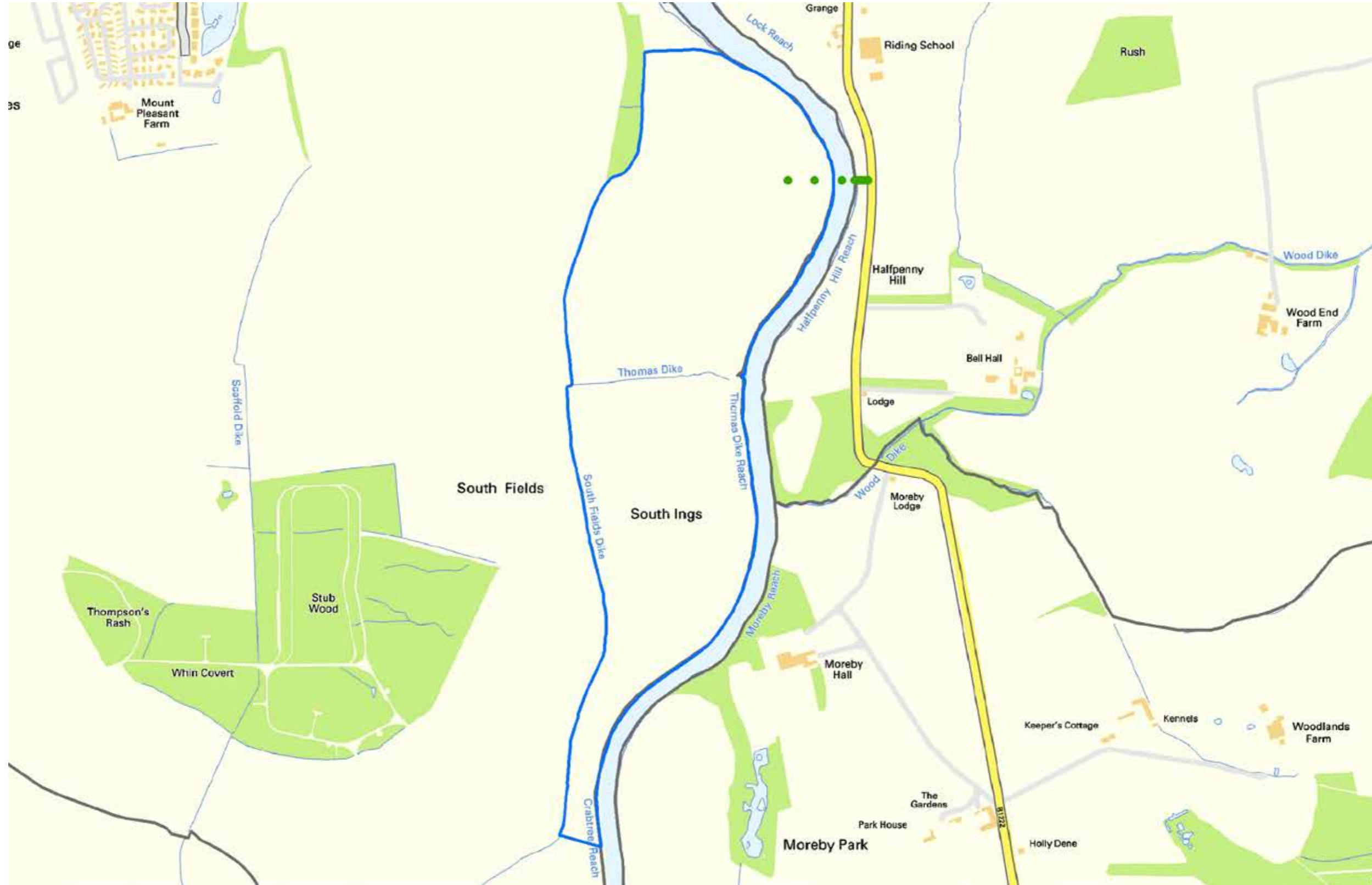
Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 3: Fulford Ings Transect Location
Figure Ref	WIE13194-103_GR_AQ_3A
Date	April 2018
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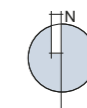
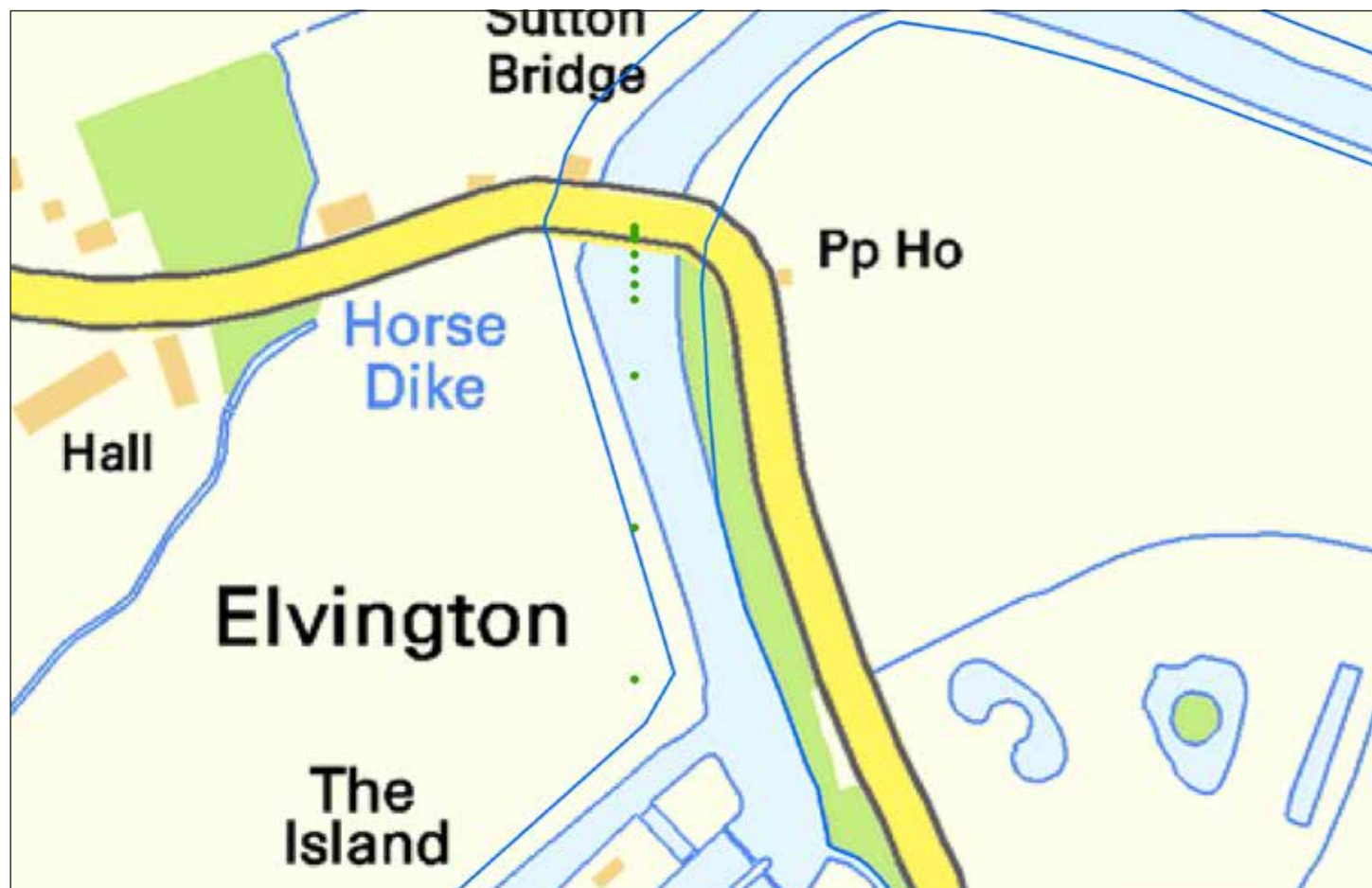
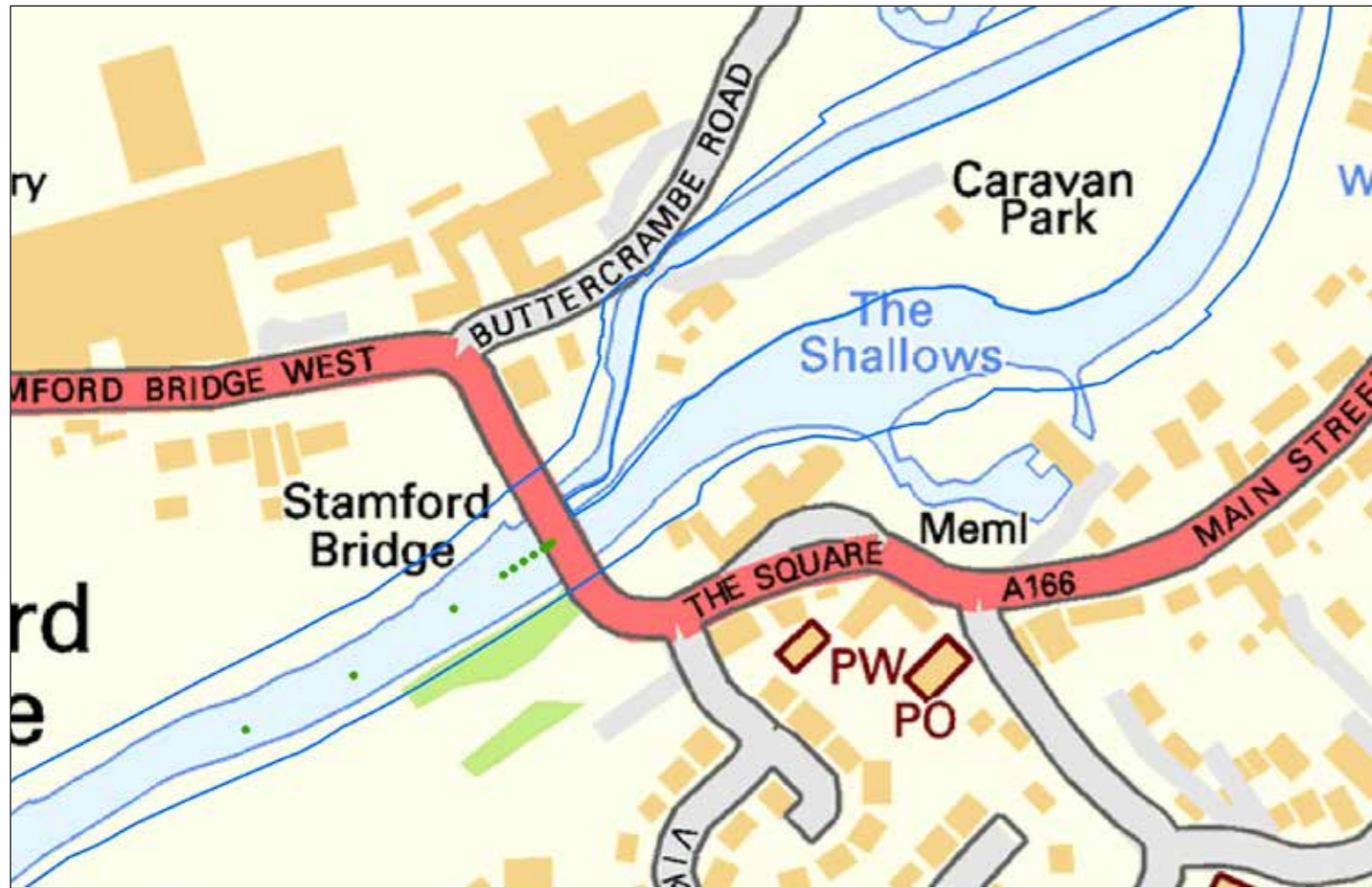
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Figure Title	Figure 4: Askham Bog Transect Location
Figure Ref	WIE13194-103_GR_AQ_4A
Date	April 2018
File Location	\\s-inc\wiel\projects\wie13194\103\graphics\laq\issued figures



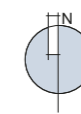
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Figure Title	Figure 5: Church Transect Location
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Date	April 2018
File Location	\\s-Incs\wie\projects\wie13194\103\graphics\laq\issued figures



Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 6: Acaster South Ings Transect Location
Figure Ref	WIE13194-103_GR_AQ_6A
Date	April 2018
File Location	\\s-incs\wiel\projects\wie13194\103\graphics\laq\issued figures



Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 7: River Derwent Transect Locations
Figure Ref	WIE13194-103_GR_AQ_7A
Date	April 2018
File Location	\\s-inc\wiel\projects\wie13194\103\graphics\laq\issued figures



Project Details	WIE13194-103: York Air Quality Assessment
Figure Title	Figure 8: Maximum Concentration Locations
Figure Ref	WIE13194-103_GR_AQ_8A
Date	April 2018
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APPENDICES

Appendix A

Air Quality Assessment Detailed Methodology



Appendix A: Air Quality Assessment Detailed Methodology

- 1.1 This appendix presents the technical information and data upon which the air quality assessment is based.

ADMS-Roads

- 1.2 In urban areas, pollutant concentrations are primarily determined by the balance between pollutant emissions that increase concentrations, and the ability of the atmosphere to reduce and remove pollutants by dispersion, advection, reaction and deposition. An atmospheric dispersion model is used as a practical way to simulate these complex processes; which requires a range of input data, which can include pollutant emissions rates, meteorological data and local topographical information.
- 1.3 The potential effects of the Development on local air quality was assessed using the advanced atmospheric dispersion model ADMS-Roads, taking into account the contribution of emissions from forecast road-traffic on the local road network by the completion year (taken to be 2033).
- 1.4 The ADMS-Roads model is a comprehensive tool for investigating air pollution in relation to road networks. On review of the Site, and its surroundings, ADMS-Roads was considered appropriate for the assessment of the potential long and short-term effects of the Development on air quality. The model uses advanced algorithms for the height-dependence of wind speed, turbulence and stability to produce improved predictions of air pollutant concentrations. It can predict long-term and short-term concentrations, including percentile concentrations.
- 1.5 ADMS-Roads model is a formally validated model, developed in the United Kingdom (UK) by CERC (Cambridge Environmental Research Consultants). This includes comparisons with data from the UK's air quality Automatic Urban and Rural Network (AURN) and specific verification exercises using standard field, laboratory and numerical data sets. CERC is also involved in European programmes on model harmonisation and their models were compared favourably against other E.U and U.S. EPA systems. Further information in relation to this is available from the CERC website at www.cerc.co.uk.

Traffic Data

- 1.6 Traffic flow data comprising Annual Average Daily Traffic (AADT) flows, traffic composition (% Heavy-Duty Vehicles (HDVs)) were used in the model as provided by City of York Council for the surrounding road network.
- 1.7 The City of York Transport Model has been developed using the Cube modelling platform. The Cube Platform uses Cube software to calculate the existing and future year travel demand (i.e. trip generation, distribution and mode choice), Cube Voyager is used to model the PT network (Bus and Rail), and the highway network is modelled in SATURN. The model is a WebTag compliant multimodal variable demand model.
- 1.8 The Model area is divided up into zones for the purposes of loading demand onto the network. In total, 352 zones have been defined, as follows:
- 223 zones in the simulation network representing York city centre and the area outside York city centre
 - 36 zones in a buffer network representing Yorkshire and the Humber Region
 - 4 buffer zones representing the rest of the UK outside of the Yorkshire and Humber Region



- 1.9 For the zones in the simulation area representing York city centre and the area outside York city centre bespoke trip generation (and mode share) rates were generated for each Local Plan allocation based on its location within 9 broader zoning areas. These trips were loaded onto the network from within its respective modelling zone. For trips originating outside of the of the simulation area , existing trip rates were 'growthed' using TEMPRO Growth factors. Trips were then assigned on the network using SATURN to calculate forecast future year traffic information such as vehicle flows and journey times, on the modelled highway network.
- 1.10 As the SATURN model is an assignment model, flows on individual links can go down if an alternative route becomes quicker due to highway improvements downstream (such as the A1237 junction improvements, for example). Another circumstance whereby flows on a link can reduce is if it becomes difficult to exit the link at some point downstream, due to increases in traffic on opposing turns, for example. Links with low traffic volumes, for example, Flaxton Road or Towthorpe Moor Lane, are generally more sensitive to these effects.
- 1.11 The transport modelling typically provided forecast future year traffic information (in this case for 2032/33) in the am and pm peak periods, whereas air quality modelling requires daily traffic flow information. However, conversion factors can be used to provide a useful estimate of the annual average daily flows (AADFs). These conversion factors are based on average flows as measured by automatic traffic counters.
- 1.12 To ensure the in-combination effect of neighboring authorities has been assessed, local traffic growth factors were applied to the future year flows to consider traffic growth and cumulative developments in the area. **Table A1** presents the traffic data used within the Air Quality Assessment.

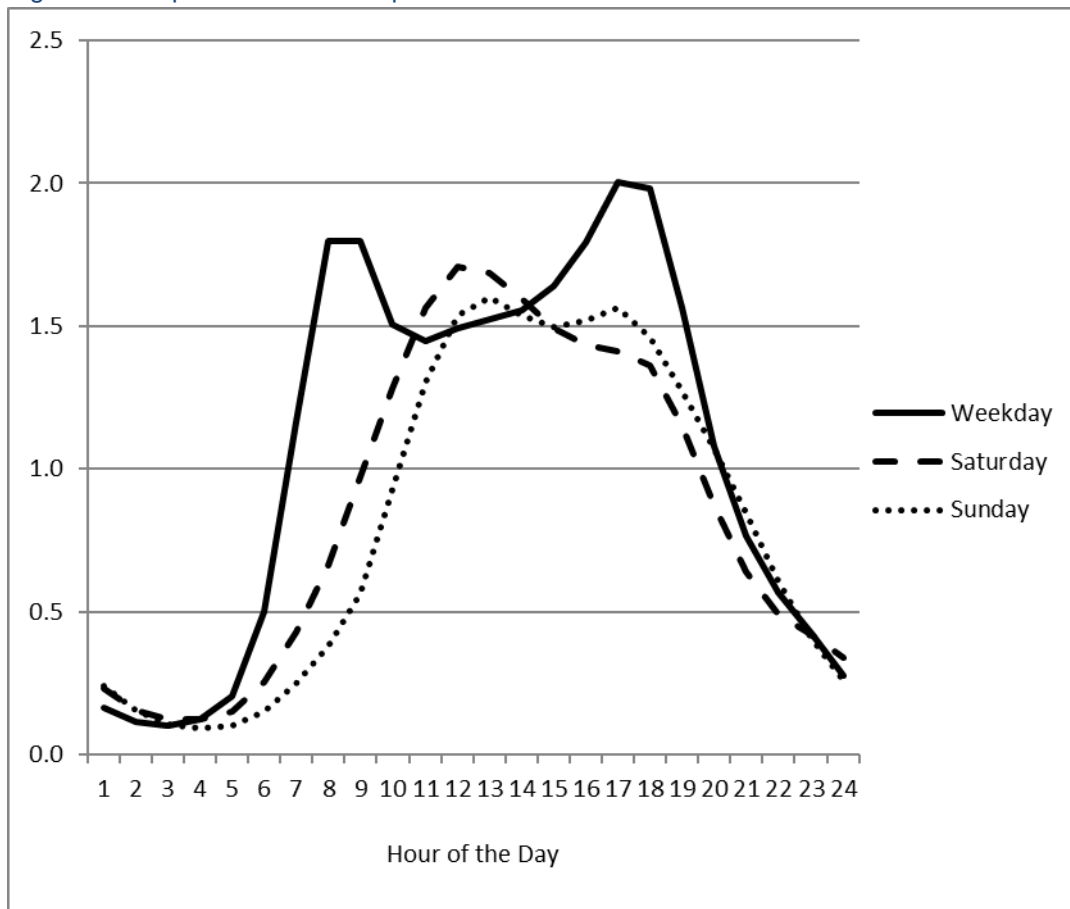
Table A1: 24-hour AADT Data Used within the Assessment

Ecological Site	Link Name	Speed (kph)	Base 2016		Without 2033		With 2033	
			AADT	%HDV	AADT	%HDV	AADT	%HDV
Strensall Common	Strensall Road	46	11,709	6.0	12,786	6.0	14,353	6.0
	Flaxton Road	62	1,925	6.0	2,102	6.0	3,416	6.0
	A1237	45	27,378	4.0	29,897	4.0	40,267	4.0
Clifton Ings	Water End	37	18,839	6.0	18,839	6.0	19,823	6.0
Fulford Ings	Radway Green Road	44	17,544	6.0	19,965	6.0	22,429	6.0
Askham Bog	A64	98	53,662	6.0	61,067	6.0	64,015	6.0
	Tadcaster Road	62	9,133	6.0	10,393	6.0	10,501	6.0
Acaster South Ings	B1222	67	2734	6.0	2,734	6.0	2,709	6.0
Church Ings	B1222	67	2734	6.0	2,734	6.0	2,709	6.0
River Derwent	A166	59	11,573	5.6	12,927	5.6	12,746	5.6
	A1079	61	16,655	7.4	18,604	7.4	19,527	7.4
Lower Derwent	B1228	53	4,641	7.1	5,184	7.1	5,606	7.1

Diurnal Profile

- 1.13 The ADMS-Roads model uses an hourly traffic flow based on the daily (AADT) flows. Traffic flows follow a diurnal variation throughout the day and week. Therefore, a diurnal profile was used in the model to replicate how the average hourly traffic flow would vary throughout the day and the week. This was based on data collated by Waterman from the Department for Transport (DfT) statistics Table TRA0307: 'Traffic Distribution by Time of Day on all roads in Great Britain', 2016¹, which was used to be consistent with the traffic data used. **Figure A1** presents the diurnal variation in traffic flows which has been used within the model.

Figure A1: Department for Transport Diurnal Traffic Variation



Meteorological Data

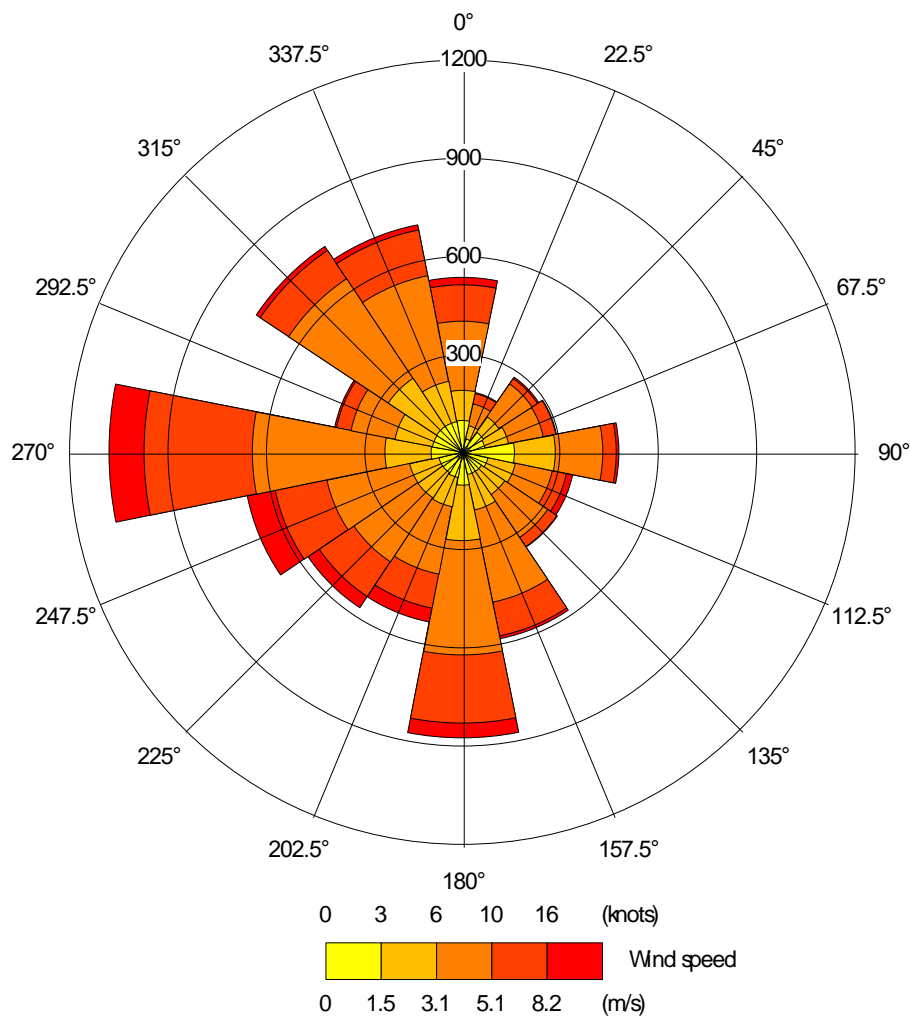
- 1.14 Local meteorological conditions strongly influence the dispersal of pollutants. Key meteorological data for dispersion modelling include hourly sequential data including wind direction, wind speed, temperature, precipitation and the extent of cloud cover for each hour of a given year. As a minimum ADMS-Roads requires wind speed, wind direction, and cloud cover.
- 1.15 Meteorological data to input into the model were obtained from the Linton on Ouse Airport Meteorological Station, which is the closest to the Site and considered to be the most representative. The 2016 data were used to be consistent with the base traffic year and model

¹ Department for Transport (DfT) Statistics, www.dft.gov.uk/statistics/series/traffic



verification year. It was also used for the 2033 scenario for the air quality assessment. **Figure A2** presents the wind-rose for the meteorological data.

Figure A2: 2016 Wind Rose for the Linton on Ouse Airport Meteorological Site



- 1.16 Most dispersion models do not use meteorological data if they relate to calm winds conditions, as dispersion of air pollutants is more difficult to calculate in these circumstances. ADMS-Roads treats calm wind conditions by setting the minimum wind speed to 0.75 m/s. It is recommended in LAQM.TG(16) that the meteorological data file be tested within a dispersion model and the relevant output log file checked, to confirm the number of missing hours and calm hours that cannot be used by the dispersion model. This is important when considering predictions of high percentiles and the number of exceedances. LAQM.TG(16) recommends that meteorological data should only be used if the percentage of usable hours is greater than 85%. 2016 meteorological data from Linton on Ouse Airport includes 8,660 lines of usable hourly data out of the total 8,784 for the year, i.e. 98.6% of usable data. This is above the 85% threshold, and is therefore adequate for the dispersion modelling.



- 1.17 A value of 0.2 was used for the Linton on Ouse Airport Meteorological Station, which is representative of agricultural areas and is considered appropriate following a review of the local area surrounding the Meteorological Station.

Model Data Processing

- 1.18 There are a number of other parameters that are used within the ADMS-Roads model which are described for completeness and transparency:
- The model requires a surface roughness value to be inputted.
 - A value of 0.5 was used for the Site, which is representative of parkland and open suburbia;
 - A value of 0.2 was used for the Linton on Ouse Airport Meteorological Station, which is representative of agricultural areas; and
 - The model requires the Monin-Obukhov length (a measure of the stability of the atmosphere) to be inputted. A value of 30m (representative of large towns) was used for the modelling; and

Model Verification

- 1.19 Model verification is the process of comparing monitored and modelled pollutant concentrations for the same year, at the same locations, and adjusting modelled concentrations if necessary to be consistent with monitoring data. This increases the robustness of modelling results.
- 1.20 Discrepancies between modelled and measured concentrations can arise for a number of reasons, for example:
- Traffic data uncertainties;
 - Background concentration estimates;
 - Meteorological data uncertainties;
 - Sources not explicitly included within the model (e.g. car parks and bus stops);
 - Overall model limitations (e.g. treatment of roughness and meteorological data, treatment of speeds); and
 - Uncertainty in monitoring data, particularly diffusion tubes.
- 1.21 Box 7.15 in LAQM.TG(16) indicates a method based on comparison of the road NO_x contributions and calculating an adjustment factor. This requires the roadside NO_x contribution to be calculated. In addition, monitored NO_x concentrations are required, which were calculated from the annual mean NO₂ concentration at the diffusion tube site using the NO_x to NO₂ spreadsheet calculator as described above. The steps involved in the adjustment process are presented in **Table A2**.

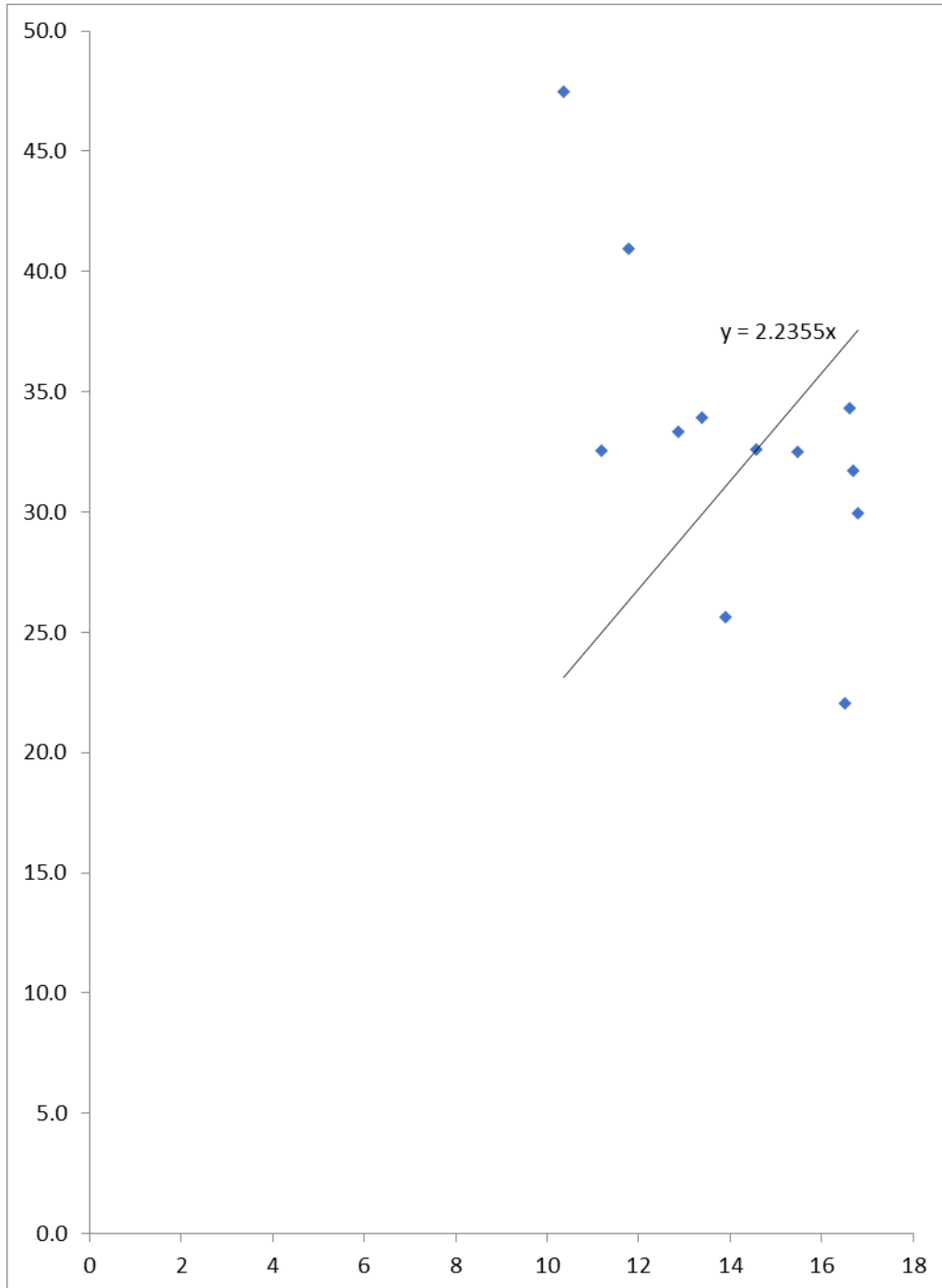
Table A2: Model Verification Result for Adjustment NO_x Emissions (µg/m³)

Site ID	Monitored NO ₂	Monitored NO _x	Monitored Road NO ₂	Monitored Road NO _x	Modelled Road NO _x	Ratio of Monitored Road Contribution NO _x /Modelled Road Contribution NO _x
47	28.3	48.7	16.9	33.3	12.9	2.6
A12	29.0	52.5	16.7	30.0	16.8	1.8
A96	31.7	54.2	16.2	32.5	15.5	2.1
C29	30.0	51.2	16.4	32.6	14.6	2.2
C30	30.8	52.9	17.2	34.3	16.6	2.1
C34	25.2	41.9	13.2	25.6	13.9	1.8
C36	28.5	48.9	16.5	32.6	11.2	2.9
C38	28.1	48.0	16.1	31.7	16.7	1.9
C39	32.6	57.7	20.3	41.0	11.8	3.5
C58	35.5	64.2	23.2	47.5	10.4	4.6
95a/b/c	23.7	38.7	11.4	22.0	16.5	1.3
C43/43a/44	29.4	50.7	17.1	34.0	13.4	2.5

- 1.22 Figure A3 shows the mathematical relationship between modelled and monitored roadside NO_x (i.e. total NO_x minus background NO_x) in a scatter graph (data taken from Table A2), with a trendline passing through zero and its derived equation.



Figure A3: Unadjusted Modelled versus Monitored Annual Mean Roadside NO_x at the Monitoring Sites (µg/m³)



1.23 Consequently, in **Table A11** the adjustment factor (2.2355) has been applied to the modelled NO_x Roadside concentrations.

Table A3: Model Verification Result for Adjustment NO_x Emissions (µg/m³)

Site ID	Adjusted Modelled Road NO _x	Adjusted Modelled Total NO _x	Modelled Total NO ₂	Monitored Total NO ₂	% Difference
47	26.6	42.1	25.1	28.3	-11.2
A12	34.8	53.9	31.2	29.0	7.7
A96	32.1	53.8	31.5	31.7	-0.6
C29	30.2	48.8	28.9	30.0	-3.8
C30	37.1	55.7	32.1	30.8	4.2
C34	28.8	45.1	26.7	25.2	6.0
C36	23.2	39.5	24.0	28.5	-15.8
C38	34.5	50.8	29.4	28.1	4.7
C39	24.4	41.1	24.9	32.6	-23.7
C58	21.4	38.1	23.4	35.5	-34.1
95a/b/c	34.2	50.9	29.5	23.7	24.5
C43/43a/44	27.7	44.4	26.5	29.4	-10.0

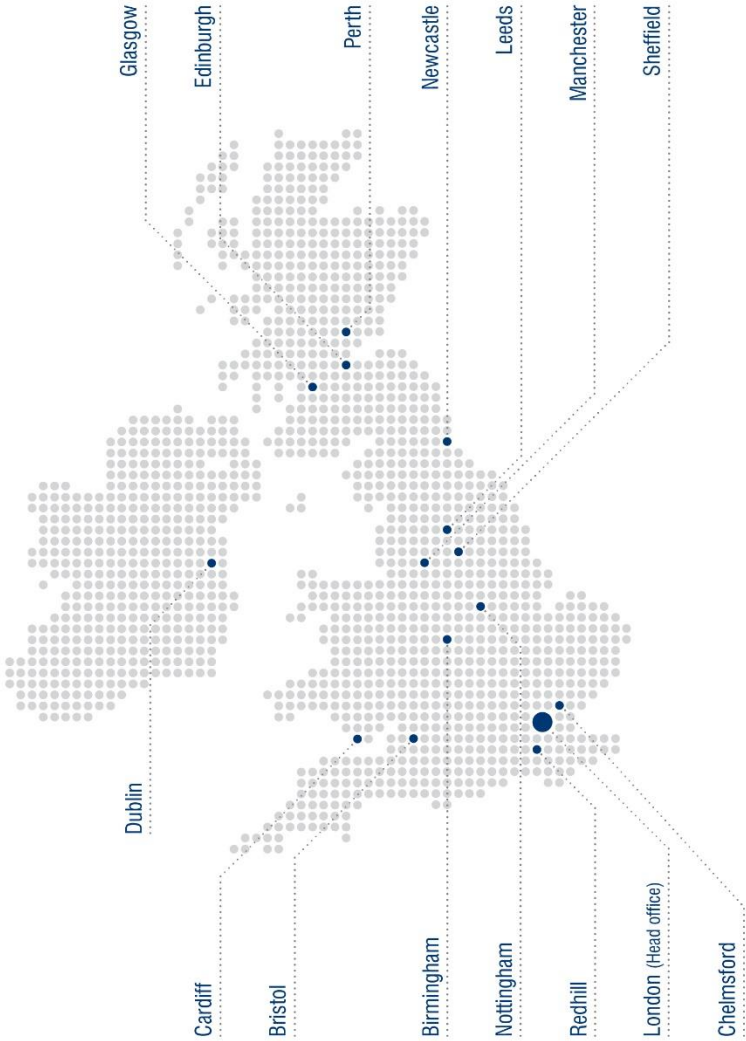
- 1.24 Based on the results from **Table A3**, the NO_x adjustment process was applied to all roadside NO_x modelling for 2016 and 2033 'without' and 'with' the Plan in place, at the specific receptor locations assessed.

Verification Summary

- 1.25 Any atmospheric dispersion model study will always have a degree of inaccuracy due to a variety of factors. These include uncertainties in traffic emissions data, the differences between available meteorological data and the specific microclimate at each receptor location, and simplifications made in the model algorithms that describe the atmospheric dispersion and chemical processes. There will also be uncertainty in the comparison of predicted concentrations with monitored data, given the potential for errors and uncertainty in sampling methodology (technique, location, handling, and analysis) as well as processing of any monitoring data.
- 1.26 Whilst systematic under or over prediction can be taken in to account through the model verification / adjustment process, random errors will inevitably occur and a level of uncertainty will still exist in corrected / adjusted data.
- 1.27 Model uncertainties arise because of limited scientific knowledge, limited ability to assess the uncertainty of model inputs, for example, emissions from vehicles, poor understanding of the interaction between model and / or emissions inventory parameters, sampling and measurement error associated with monitoring sites and whether the model itself completely describes all the necessary atmospheric processes.
- 1.28 Overall, it is concluded that with the adjustment factors applied to the ADMS-Roads model, it is performing well and modelled results are considered to be suitable to determine the potential effects of the Development on local air quality.

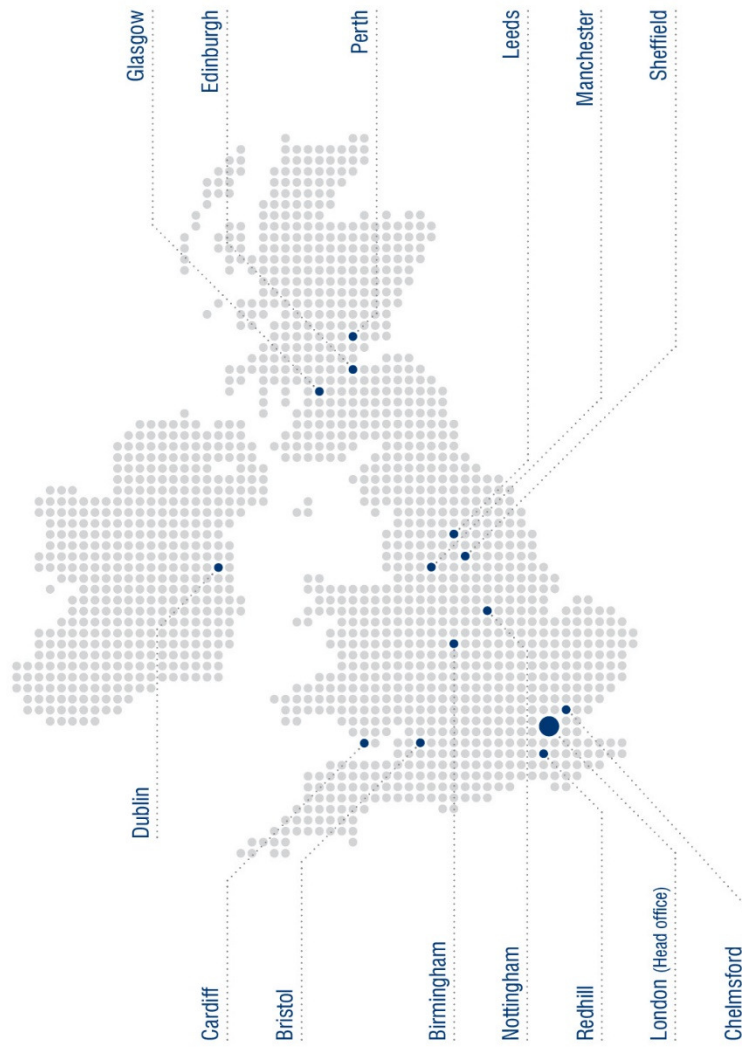


UK and Ireland Office Locations





UK and Ireland Office Locations



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YORK

CITY OF YORK
LOCAL PLAN
Submission Draft
Statement to demonstrate compliance
with the Duty to co-operate
April 2018

Table of Contents

	Executive Summary	i
1	Purpose.....	1
2	Introduction	1
3	The Duty to co-operate and its context.....	2
	The Localism Act	2
	The National Planning Policy Framework (2012)	3
	Guidance on meeting the requirements of the Duty	4
	Fulfilling the requirements of the Duty to co-operate.....	5
4	Showing compliance with the Duty to co-operate.....	6
	Evidential context (from examination of other local plans or core strategies)	6
	Geographical extent for co-operation.....	6
	Functional extent for co-operation.....	8
	Eliminating non-strategic matters from the Duty	13
	Healthcare	13
	Emergency services	13
	Gas	13
	Electricity supply and transmission	13
	Telecommunications.....	14
	Water	14
	Community facilities.....	14
	Aerodrome Safeguarding.....	14
	Identifying the strategic matters that require cooperation	14
	Leeds City Region Statement of Cooperation for Local Planning	19
	The case for not producing joint local plans.....	19
	The City of York Local Plan Duty to co-operate Matrix	20
	Identifying issues for inclusion in the Duty to co-operate Matrix	20
	Issues identified through the production of the LDF core strategy as predecessor to the Local Plan	20
	Issues identified in the transition from a LDF core Strategy to a Local Plan	28
	Demonstrating the resultant positive outcomes	95
	Housing	95
	Gypsy and Travellers.....	97
	Transport	98
	Infrastructure.....	100
	Energy	101
	Flood Risk.....	102
	Minerals and waste planning	103
5	Continuing Compliance with the Duty into the future.....	104
	List of Annexes (available from the author of the report)	107
	Annex 1: Leeds City Region Statement of Cooperation for Local Planning	
	Annex 2: City of York Local Plan Duty to co-operate Matrix	
	Annex 3: Former Strategic Approach to Co-operation	
	Annex 4: RSS York Sub area Policy.....	

Annex 5: Example Record(s) of engagement with Local Authority or ‘Prescribed Body’	
Annex 6: LCR Strategic Economic Plan (SEP) Self-Assessment	
Annex 7: Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy	
Annex 8: Minutes of Leeds City Region Planning Portfolios Board, 15 December 2017.....	
Annex 9: Minutes of the York & North Yorkshire Spatial Planning & Transport Board, 17 January 2018.....	

List of Figures

Figure 4.1 Location of York within the Yorkshire and Humber Area.....	7
Figure 4.2 The North Yorkshire and York Sub Region	7
Figure 4.3 York’s setting with the two Local Enterprise Partnership areas of which it is a member	8
Figure 4.4 The York Sub - area.....	9
Figure 4.5 2011 York travel to work area (TTWA) compared to the 2001 TTWA.....	10
Figure 4.6 Functional Economic Areas.....	11
Figure 4.7 Geographic and thematic (housing and travel) coverage of the area for cooperation under the Duty	12
Figure 4.8 Map of the Humber River Basin District Catchments	12
Figure 4.9 Yorkshire and the Humber partnership / governance arrangements (as at December 2015).....	16

List of Tables

Table 4.1 Changing methods of co-operation through the Core Strategy plan-making process.....	17
Table 4.2 Strategic matters requiring cooperation from City of York’s and other authorities’ Duty to co-operate matrices	21
Table 4.3 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan).....	25
Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues	29
Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan.....	73

Executive Summary

- E1.1 Section 110 of the Localism Act, 2011, introduced section 33A to the Planning and Compulsory Purchase Act 2004 which sets out a duty to co-operate in relation to the planning of sustainable development.
- E1.2 The Duty to co-operate requires local planning authorities, county councils and prescribed bodies to *‘engage constructively, actively and on an ongoing basis [...] in the preparation of development plan documents, or the preparation of other local development documents, with other local planning authorities.*
- E1.3 Demonstrating compliance with the Duty to cooperate is critical for ensuring the plan is legally compliant. It is one of the first legal tests to be considered by an inspector at examination of the Plan at an Examination in Public (EiP). If a local planning authority cannot demonstrate that it has complied with the Duty to co-operate then the Local Plan will not be able to proceed further in examination.
- E1.3 This statement sets out the current situation with respect to ongoing engagement that has taken place in accordance with the Duty to co-operate throughout the preparation of the York Local Plan and an explanation of how that co-operation has influenced the plan, leading to positive outcomes and providing the foundation for proving that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National Planning Policy Framework.
- E1.4 In preparing this statement due consideration has been given to numerous Inspectors’ reports for various local plans or core strategies that had been deemed by the Inspectors to either have demonstrated, or failed to have demonstrated that they had complied with the Duty. A review of the more recent Examinations where the Inspectors had either expressed concerns that the Duty had not been met or stated explicitly that the Duty had not been complied with showed that
- it was not clear how the [cross boundary cooperation] work undertaken fed into and influenced the preparation of the local plans, and
 - what the ‘concrete actions and outcomes’ were.
- E1.5 In view of these considerations the aspects that this statement have sought to address are as follows:
- Identify whether any prescribed body or other organisation has expressed concerns relating to a cross-boundary-issue, at any stage of the Plan’s preparation (including the LDF Core Strategy (CS) as the predecessor to the local plan), particularly in relation to meeting housing need and transport.
 - Establish whether these concerns have been addressed as the Plan has been prepared (including taking the CS forward to the local plan)
 - Identify the concerns that have not yet been addressed
 - Identify those that don’t need to be considered further
 - identify those concerns that do need to be addressed
 - Establish a way forward for addressing concerns that need to be addressed
 - Show where cooperation has influenced the plan and led to concrete actions and outcomes
 - Demonstrate how this has or will be done.

- E1.6 This statement
- Identifies the geographic extent for co-operation
 - Identifies the functional extent for co-operation
 - Identifies the thematic extent for co-operation
 - Identifies those elements that can be eliminated from the Duty to co-operate
 - Identifies those strategic matters that require co-operation
 - Sets out the case for not producing a joint plan (or plans)
 - Provides a comprehensive record of the formal and informal consultations that have taken place during the preparation of the plan.
 - Demonstrates resultant positive outcomes
- E1.7 It is the Council's view that it has complied with the requirements of the Duty to co-operate and this cooperation has resulted in the following positive outcomes with regard to the City of York Local Plan:
- it meets its own housing need (like the local development plans of its neighbours) without any undue pressure being placed on York's neighbours;
 - it addresses many of the strategic priorities in the Leeds City Region Strategic Economic Plan (SEP);
 - policies within it have been improved following consideration of the advice given by prescribed bodies and other organisations through ongoing discussion and representations at various stages of its preparation;
 - a reduction in the amount of growth around the periphery of the built up area of the city
 - it minimises the increase in inward or outward commuting;
 - West Yorkshire Combined Authority funding a pre-feasibility study for dualling the A1237 Outer Ring Road;
 - the establishment of a multi-organisation Memorandum of Understanding for the A64 Trunk Road York-Scarborough Improvements, and
 - an agreement between City of York Council (CYC), Harrogate Borough Council (HBC) and North Yorkshire County Council (NYCC) for improved rail services between York Harrogate and Leeds (NYCC is intending to fund improvements to the line).
- E1.8 The Council's view that it has complied with the requirements of the Duty to co-operate is reinforced by the views expressed by the Leeds City Region Planning Portfolios Board and the North Yorkshire and York Spatial Planning and Transport Board as member level boards in the two sub-regional areas in which the City of York is a constituent authority. **Both of these boards endorsed the approach taken by City of York Council in meeting the requirements of the Duty to co-operate in the plan making process.**

1 Purpose

- 1.01 This statement shows how the council has satisfied the current requirements of the Duty to co-operate (“the Duty”), which became a statutory requirement on 15 November 2011, by continuing and improving the arrangements for joint working (initially in place between 2004 and 2011/12 for the Local Development Framework Core Strategy and from 2011/12 to 2018¹) in preparing the City of York Local Plan.
- 1.02 In particular, this statement will provide the evidence to support the Local Plan when it is Examined to show the LPA has, as stipulated in paragraph 182 of the National Planning Policy Framework (NPPF), prepared a Local Plan in accordance with the Duty to co-operate pursuant to S33A of the Planning and Compulsory Purchase Act 2004 (“the Duty”), and that the Local Plan is positively prepared and effective in relation to the test of “soundness”. In this respect the local planning authority should submit a plan for examination which it considers to be ‘sound’ - namely that it is:
- positively prepared
 - justified
 - effective
 - consistent with national policy
- 1.03 With regard to the list above, two key aspects of this statement are: demonstrating that cooperation has influenced the plan, and that it has produced positive outcomes.
- 1.04 This statement has been prepared in support of the City of York, Local Plan Submission Draft Local Plan (herein referred to as the Plan, as appropriate, for ease of reference),.

2 Introduction

- 2.01 The overarching priority for national planning policy (NPPF) is to deliver long term sustainable growth, ensuring that councils positively take into account the three pillars of sustainable development – economic, environmental and social - in their local plans. Many social, environmental and economic issues can only be effectively addressed over a number of local authority administrative boundaries. This is because people and businesses do not confine their activities to one council area. For example:
- Employees may live in one area and work in another;
 - retail development may attract customers from across a wide catchment area, and
 - people may travel to visit tourist attractions, leisure facilities or sporting venues
- 2.02 Similarly, from an environmental perspective:
- Residents in some areas may consume water and power that has travelled hundreds of miles;
 - surface water run-off in one location may present a flooding hazard to communities further 'downstream', and
 - water and air pollution may have a damaging impact on environmental assets that are some distance away.

¹ The anticipated year of the Local Plan Examination and Adoption is 2018

- 2.03 It is important that in drawing up the Local Plan City of York Council recognises cross boundary strategic planning relationships and ensures that they are properly understood and addressed.
- 2.04 The City of York Council has a long history of joint working and co-operation with its neighbouring authorities and key stakeholders to achieve better spatial planning outcomes. The Local Plan is no exception. On-going and constructive engagement with neighbouring authorities and relevant organisations has taken place since work on the Local Development Framework Core Strategy (CS), as the antecedent to the Local Plan, began in 2004. It is important to note that this not only occurred locally between the City of York Council and individual neighbouring authorities and organisations, but also as part of wider planning arrangements at sub-regional and regional levels.
- 2.05 This statement sets out the current situation with respect to ongoing engagement that has taken place in accordance with the Duty throughout the preparation of the York Local Plan and an explanation of how that co-operation has influenced the plan, leading to positive outcomes and providing the foundation for proving that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National Planning Policy Framework. It supersedes the Duty to co-operate papers that supported the CS submission in 2012; the Local Plan Preferred Options in 2013 and the (halted) Local Plan Publication Draft in October 2014.

3 The Duty to co-operate and its context

The Localism Act

- 3.01 Section 110 of the Localism Act, 2011, introduced section 33A to the Planning and Compulsory Purchase Act 2004 (referred to here-after as the “2004 Act”) which sets out a duty to co-operate in relation to the planning of sustainable development (referred to here-after as “the Duty”). The Duty applies to all local planning authorities, county councils in England and to a number of other “prescribed” bodies.
- 3.02 The Duty requires local planning authorities, county councils and prescribed bodies to ‘*engage [with each other] constructively, actively and on an ongoing basis*’..... in the preparation of development plan documents, or the preparation of other local development documents, with other local planning authorities. If considered appropriate, this can (under section 33A (6) of the 2004 Act) include, taking a joint approach for undertaking the activities for preparing such documents and preparing joint local development documents². The Duty also includes activities that prepare the way for or support the abovementioned activities, such as the preparation of the evidence base.
- 3.03 The Duty to co-operate should be applied where such activities relate to any “strategic matter”. A strategic matter is defined as “*sustainable development or use of land that has or would have a significant impact on at least two planning areas*”

² If the person is a local planning authority, considering whether to agree, under section 28 of the Planning and Compulsory Purchase Act 2004, to prepare joint local development documents.

including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas” (section 33A (4) (a) of the 2004 Act). For York this comprises, principally, the local planning authority areas of Ryedale, Selby, Harrogate, Hambleton and the East Riding of Yorkshire, as well as recognising wider strategic issues at the Leeds City Region, the North Yorkshire and York Sub Region, and the York, North Yorkshire and East Riding Local Enterprise Partnership levels. The aim of such cooperation is to maximise the effectiveness of the development plan document.

3.04 Other public bodies, in addition to local planning authorities, are subject to the Duty to co-operate by being prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013³. Of those listed in the regulations it is considered that bodies most relevant to the City of York Council are as follows:

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as Historic England)
- Natural England
- the Homes and Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the Office of Road and Rail (formerly the office of Rail Regulation)⁴
- Highways England (where the Secretary of State is the highways authority)

3.05 The Local Enterprise Partnership (LEP) and the Local Nature Partnership (LNP) are also included as prescribed bodies under clause 33A (9) of the 2004 Act⁵. For York this includes the York, North Yorkshire and East Riding LEP, the Leeds City Region LEP and the North Yorkshire and York LNP

3.06 At the independent examination of a local plan, the Inspector must determine whether or not the Duty has been complied with. If it is determined that the Duty has not been met, a plan will automatically fail as not legally compliant, and cannot go forward for examination of its overall soundness.

The National Planning Policy Framework (2012)

3.07 Paragraphs 178-181 of the National Planning Policy Framework (NPPF) sets out further details on how the provisions of the Localism Act should be implemented, in relation to the Duty. It states that public bodies should:

- *‘Cooperate on planning issues that cross administrative boundaries, particularly those that relate to **strategic priorities** set out in paragraph 156...’* including:
 - *‘the homes and jobs needed in the area [in the local plan];*

³ Planning Practice Guidance Paragraph: 005 Reference ID: 9-005-20150402, Revision date: 02 04 2015

⁴ Several attempts were made to engage with the ORR, but it did not respond to any requests made by CYC to engage

⁵ Through amendment in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012

- *the provision of retail, leisure and other commercial development;*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities, and*
- *climate change mitigation and adaptation, conservation of the natural and historic environment, including landscape;*
- *undertake 'joint working on areas of common interestfor the mutual benefit of neighbouring authorities';*
- *'....work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co ordinated and clearly reflected in individual Local Plans';*
- *'....consider producing joint planning policies on strategic matters and informal strategies such as join infrastructure and investment plans;*
- *'....take account of different geographic areas, including travel-to-work areas.....Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable economic growth in consultation with Local Enterprise Partnerships and Local Nature Partnerships Authorities should also work collaboratively with private sector bodies, utility and infrastructure providers, and*
- *'....demonstrate the evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Co-operation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the infrastructure necessary to support current and projected future levels of development.*

Guidance on meeting the requirements of the Duty

- 3.08 Government guidance on the Duty, contained in its Planning Practice Guidance (PPG), states that the *'duty to cooperate is not a duty to agree.'* However, it also states that *'local planning authorities should make every effort to cooperate on strategic cross boundary matters before they submit their Local Plans for examination.'* Furthermore it makes it clear that cooperation is about more than just consultation, stating that *'LPAs should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone'*
- 3.09 PPG makes it explicitly clear that if a local planning authority cannot demonstrate that it has complied with the Duty then the Local Plan will not be able to proceed further in examination. Ultimately, cooperation should produce effective and deliverable policies on strategic cross boundary matters.
- 3.10 Although there is neither a definitive list of the activities that the Duty covers, and the actions that constitute effective cooperation under the duty, nor is there any advice in

PPG as to how local planning authorities can satisfy themselves about whether they have complied with the duty, PPG states that:

- *'The activities that fall within the duty to cooperate include activities that prepare the way for or support the preparation of Local Plans and can relate to all stages of the plan preparation process. This might involve joint research and evidence gathering to define the scope of the Local Plan, assess policy impacts and assemble the necessary material to support policy choices. These could include assessments of land availability, Strategic Flood Risk Assessments and water cycle studies.'*
- *'Cooperation should produce effective policies on cross boundary strategic matters. This is what local planning authorities and other public bodies should focus on when they are considering how to meet the duty.'*
- *'Section 33A (6) of the 2004 Act requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.'*

3.11 Planning Practice Guidance also provides useful information relating to an authority's plan that is reliant on cooperation by another local planning authority and which is not forthcoming, in that although any such lack of cooperation should not prevent a plan from being submitted, the authority submitting it will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved.

3.12 Although the Local Enterprise Partnership (LEP) and the Local Nature Partnerships are prescribed bodies under the 2004 Act, PPG states *'Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, local planning authorities and the public bodies that are subject to the duty must cooperate with them and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making. Local Enterprise Partnerships and Local Nature Partnerships are prescribed for this purpose....'*

Fulfilling the requirements of the Duty to co-operate

3.13 The Council considers that the requirements of the Duty can be split into two main components: the process of co-operation and the outcomes of co-operation. The Council therefore considers that there is a need to demonstrate two things:

- That it has striven to co-operate with neighbouring authorities and prescribed bodies (i.e. that constructive engagement has occurred, actively and on an on-going basis in line with section 33A of the Act 2004. In other words the process of co-operation, covered in Section 4 of this statement)
- That the basis and results of this co-operation have been positively prepared and are effective (i.e. that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National Planning Policy Framework. In other words the outcomes of co-operation, also covered in Section 4).

4 Showing compliance with the Duty to co-operate

Evidential context (from examination of other local plans or core strategies)

- 4.01 The City of York Local Plan Duty to Cooperate Statement, September 2014⁶, prepared in support of the abandoned City of York Publication Draft Local Plan, 2014, considered in substantial detail numerous Inspectors' reports for various local plans or core strategies that had been deemed by the Inspectors to either have demonstrated, or failed to have demonstrated that they had complied with the duty. The key learning points were:
- Document where and when co-operation has taken place, with whom and on what basis, as well as confirming that such positive engagement will continue;
 - show that opportunity has been allowed for prescribed bodies to raise concerns;
 - show that offers of joint working (where made and as appropriate) are taken-up, and
 - short and succinct duty to cooperate statements are effective (but length needs to be commensurate with the complexities of the area and the issues upon which to cooperate)
- 4.02 A more recent review of Examinations where the Inspectors had either expressed concerns that the Duty had not been met or stated explicitly that the Duty had not been complied with showed that it was not clear how the [cross boundary cooperation] work undertaken fed into and influenced the preparation of the local plans and what the 'concrete actions and outcomes' were.
- 4.03 The implications of the above for what this Duty to co-operate statement should do are as follows:
- Identify whether any prescribed body or other organisation has expressed concerns relating to a cross-boundary-issue, at any stage of the Plan's preparation (including the LDF Core Strategy (CS) as the predecessor to the local plan), particularly in relation to meeting housing need and transport.
 - Establish whether these concerns have been addressed as the Plan has been prepared (including taking the CS forward to the local plan)
 - Identify the concerns that have not yet been addressed
 - Identify those that don't need to be considered further
 - identify those concerns that do need to be addressed
 - Establish a way forward for addressing concerns that need to be addressed
 - Show where cooperation has influenced the plan and led to concrete actions and outcomes
 - Demonstrate how this has or will be done.

Geographical extent for co-operation

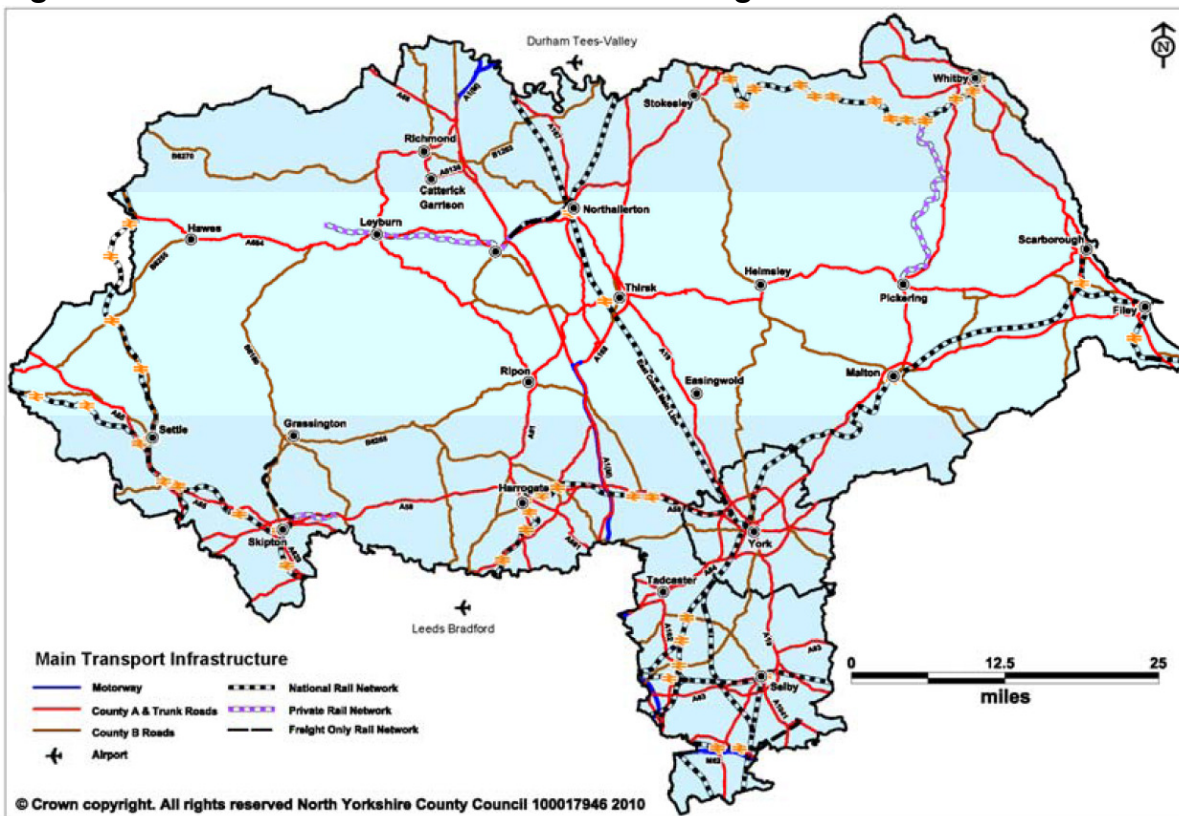
- 4.04 The City of York sits in the centre of Yorkshire and the Humber Area, as shown in Figure 4.1. York falls within two sub-regions: the Leeds City Region (a city region and a Local Enterprise Partnership area) and the North Yorkshire and York Sub-region. Figure 4.2 shows the North Yorkshire and York sub-region (comprising the City of York, the County of North Yorkshire and the districts / boroughs within it).

⁶ See <http://democracy.york.gov.uk/documents/s91892/Annex%20G%20Duty%20to%20Cooperate.pdf>

Figure 4.1 Location of York within the Yorkshire and Humber Area



Figure 4.2 The North Yorkshire and York Sub Region



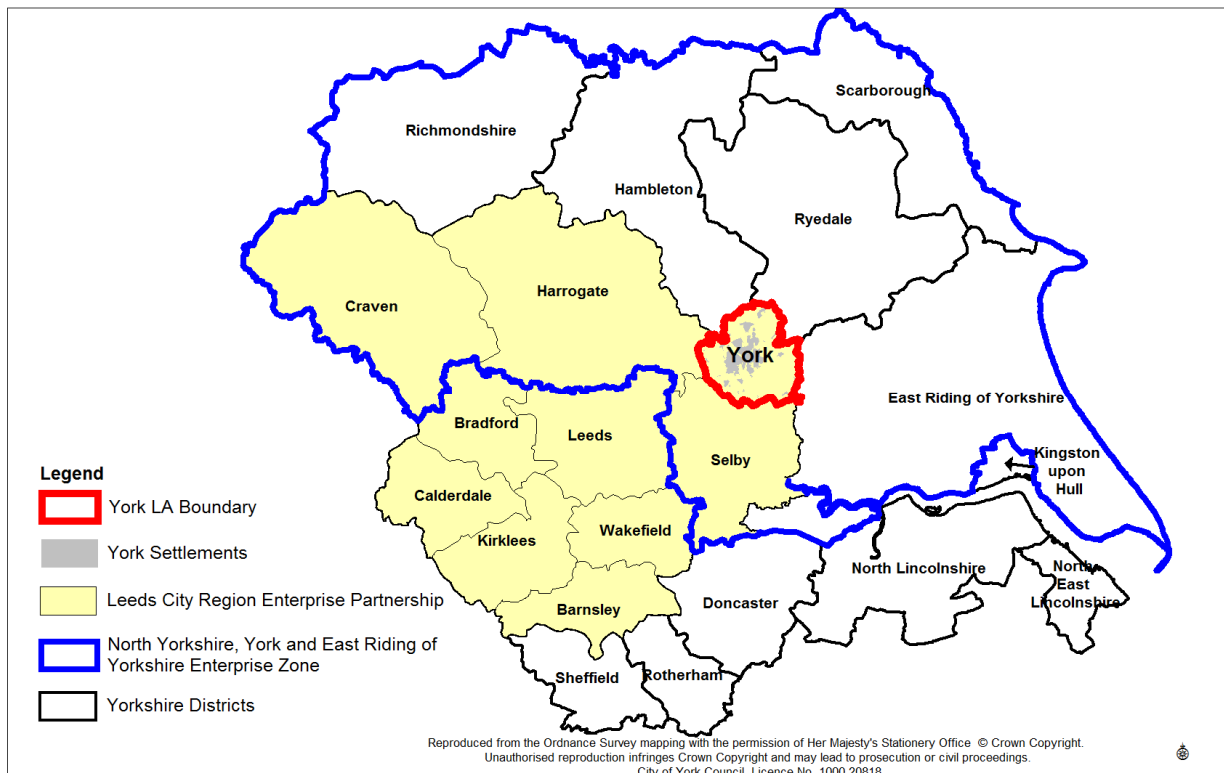
4.05 Figure 4.2 also shows the main settlements and transport links within the North Yorkshire and York Sub-area

4.06 Local Government North Yorkshire and York (LGNY) was the formal partnership governance structure between all authorities within the sub-region and its objective is *‘to promote effective working between local authorities and to ensure wider local authority representation, collaboration and co-operation on a sub-regional basis and effective sub-regional representation at regional and national levels.’*

Functional extent for co-operation

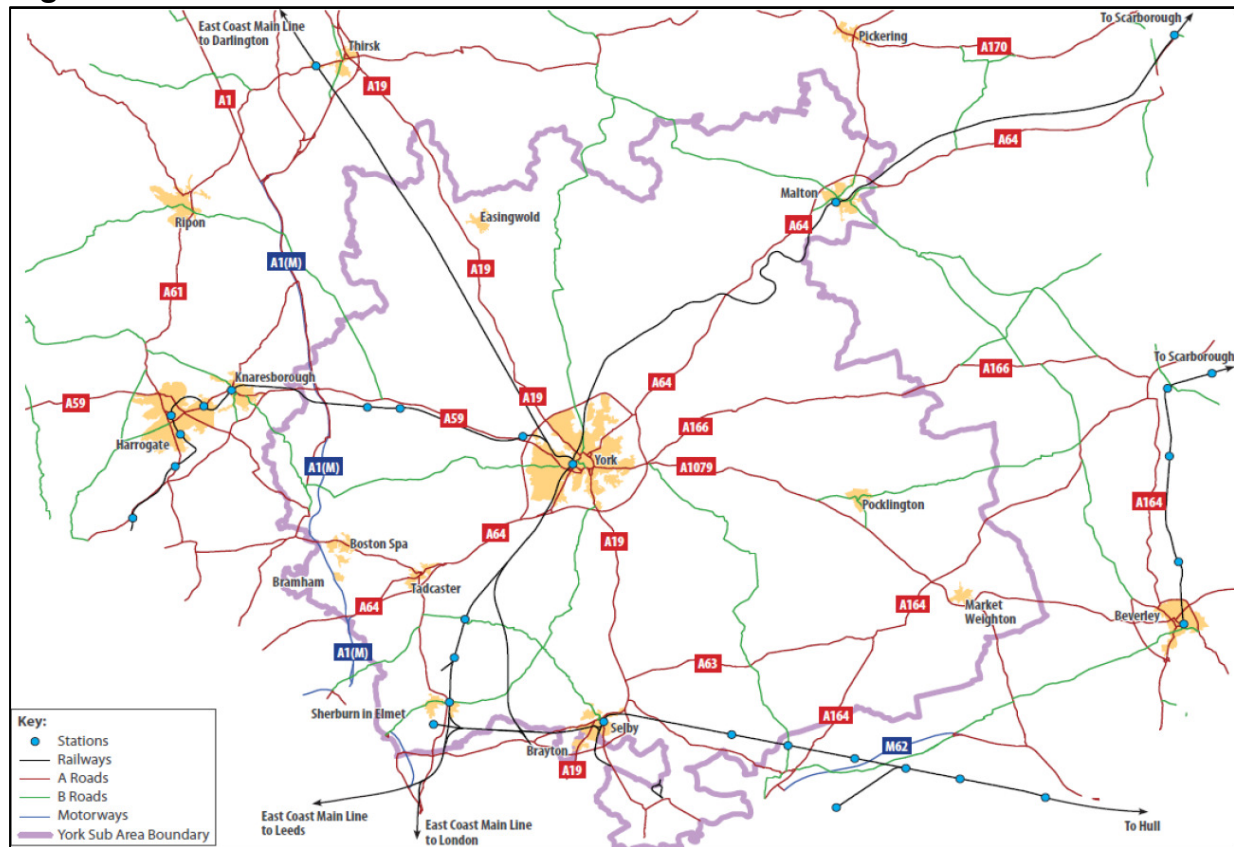
4.07 The economy of York is not restricted to the administrative geography of the Plan. People commute into the city for work and businesses have relationships such as supply chains which extend beyond the district, so the functional influence and economic areas of the City of York stretches beyond its local authority boundary. Furthermore, in recognition of York’s position in the regional economy the Council is a member of two Local Enterprise Partnerships (LEPs) - the Leeds City Region LEP and the York, North Yorkshire and East Riding LEP. The Humber LEP area (which also includes the East Riding of Yorkshire) is to the east of York. These two LEP areas are shown in Figure 4 3

Figure 4 3: York’s setting with the two Local Enterprise Partnership areas of which it is a member



4.08 A ‘York Sub Area’ has also been defined and a York Sub Area Study, one of the objectives of which was to examine the existing role and function of places between York and its surrounding areas, has been undertaken. The extent of the York Sub Area is shown on Figure 4.4

Figure 4.4: The York Sub -area



4.09 In terms on the functional economic geography of the city, it is important to consider a number of issues, from a business and industrial perspective. The key issues of importance to York’s functional geography include:

- The transport assets of the city which drives access to markets and a supply chain for goods and services as well as ease of access for customers, commuters and visitors: York is well connected by road and rail. Local manufacturers and retailers take advantage of the major distribution hub for the UK supply chain network located at the junction of the M1 and the M62 in nearby Wakefield, and
- access to talent and knowledge – not only through the skilled population but also through one worldclass research university (University of York), one civic university (York St. John) and two outstanding further education colleges at York College and Askham Bryan.

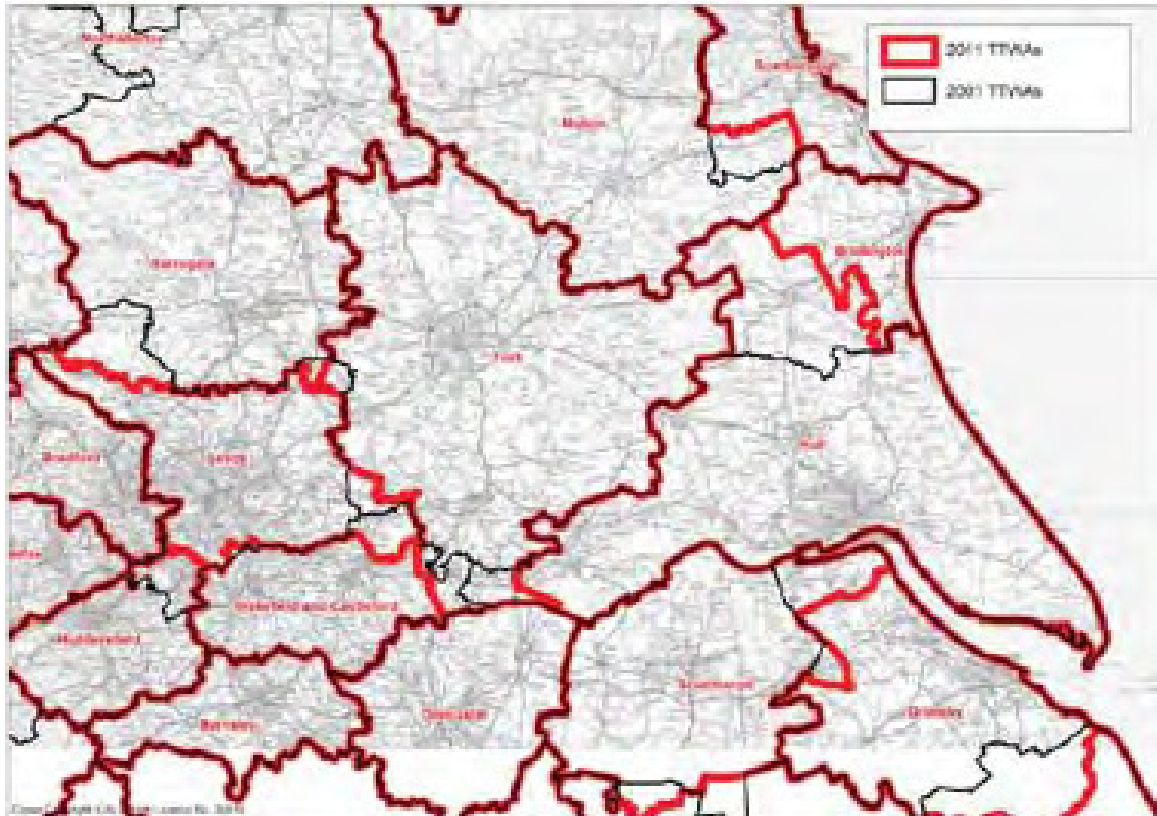
4.10 From a sector perspective, York looks in several directions in terms of its economic geography. The main sectors include the following:

- Professional services;
- creative services
- healthcare;
- insurance services;
- tourism, and
- agri / bio - technology

4.11 NPPG recommends looking at Travel to Work Areas (TTWA) drawn from analysis of travel to work patterns using census data. The office of National Statistics (ONS)

published the TTWAs drawn from the analysis of the 2011 census, in August 2015. Figure 4.5 shows the extent of the York TTWA and the changes to the boundary when compared to the previous (2001) TTWA. From this it can be seen that the York TTWA covers a much larger area than the York unitary authority area and the consequent Plan area.

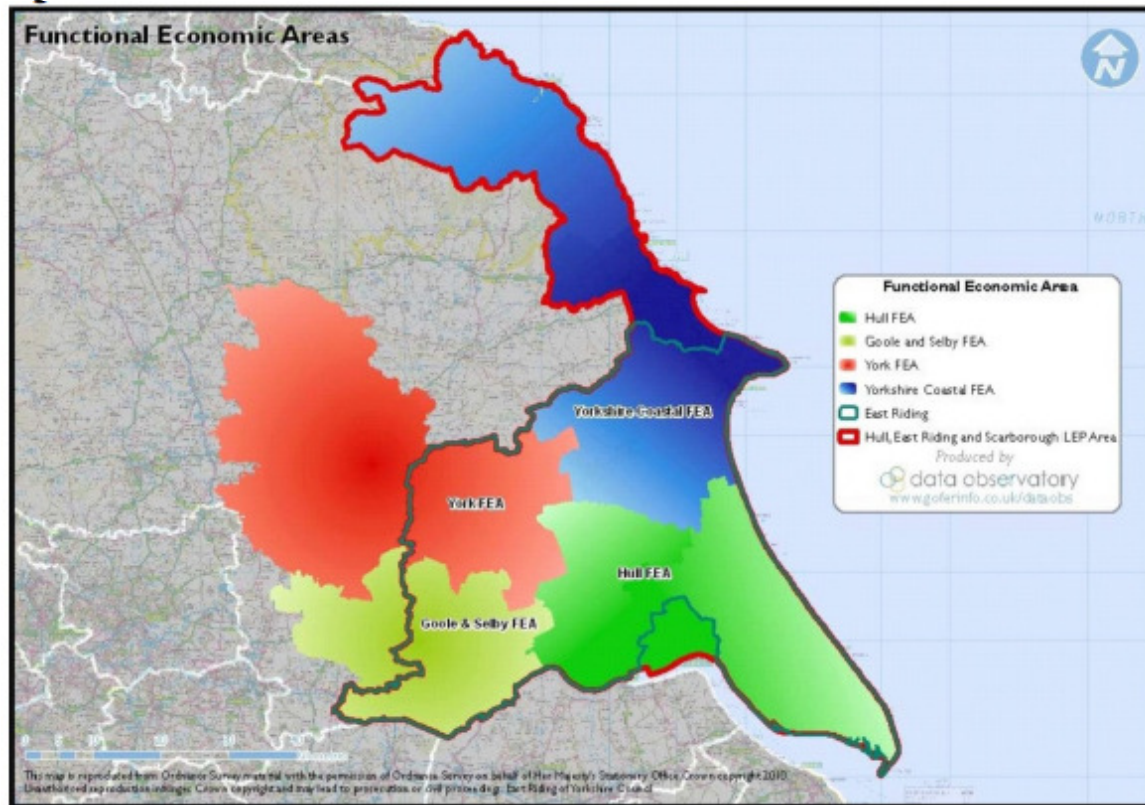
Figure 4.5 2011 York travel to work area (TTWA) compared to the 2001 TTWA



4.12 Of particular note in this wider area is that it includes most of Selby District to the south and parts of Ryedale and East Riding to the east of the city. This reflects the York Functional Economic Area (FEA), shown in Figure 4.6⁷.

⁷ as contained in the East Riding Proposed Submission Local Plan, Duty to Cooperate: Background Paper, April 2014.

Figure 4.6 Functional Economic Areas



4.13 The urban area of York’s influence on housing markets extends further than that of its influence on markets for business space and employment land. York’s influence on housing markets overlaps with the influence of other areas, including Leeds, Harrogate, the A1 corridor, Hull and Beverley. The extent of the housing market in relation to the York Sub Area boundary is shown in Figure 4.7. In reality the Sub Area has “fuzzy” boundaries as different functional relationships, such as housing markets, commuting patterns, markets for employment land and so on, operate at different geographic levels. However, in defining the extent of the area for the purposes of cooperation under the Duty it has been assumed these have a common geographic and thematic extent, being those areas within and adjacent to the York Sub Area

4.14 York also sits at the confluence of the River Ouse and the River Foss. The River Derwent forms part of the eastern boundary of the authority area. These and other watercourses are within the River Humber Basin District Catchments. Therefore, the thematic coverage for watercourses for cooperation duty encompasses the Swale, Ure, Nidd & Upper Ouse Catchment and the Yorkshire Derwent Catchment, as shown in

Figure 4.8.

Figure 4.7 Geographic and thematic (housing and travel) coverage of the area for cooperation under the Duty

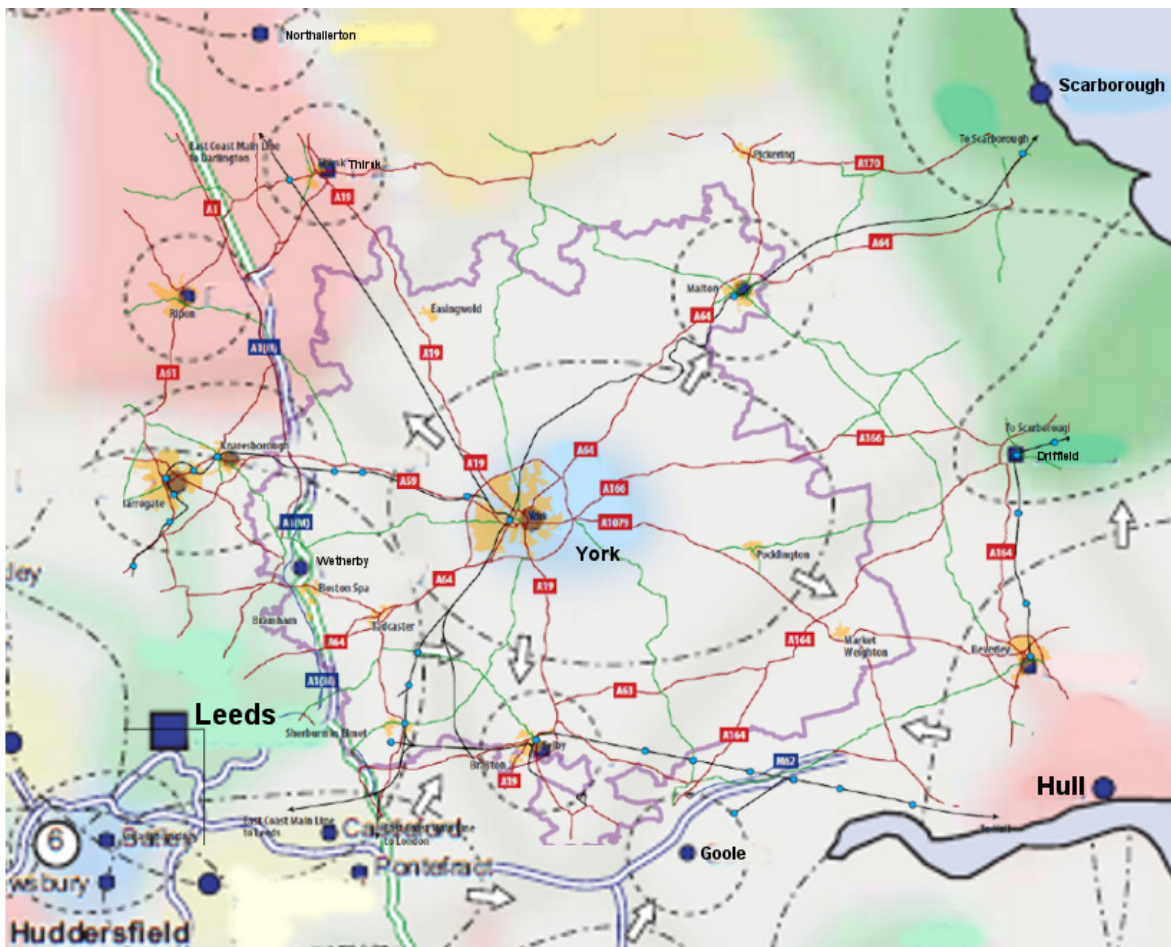
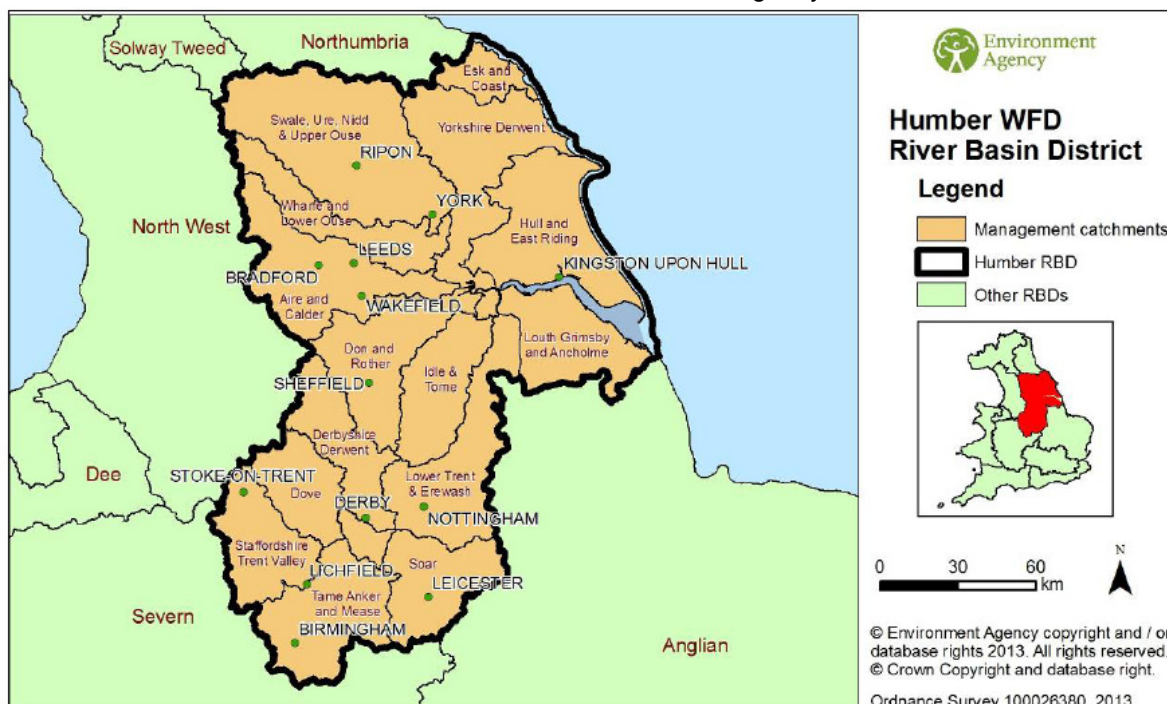


Figure 4.8 Map of the Humber River Basin District Catchments

Extracted from Humber River Basin District: Challenges Summary of significant water management issues, A consultation and choices consultation, Environment Agency, 2013



Eliminating non-strategic matters from the Duty

Healthcare – NHS Vale of York Clinical Commissioning Group (CCG); Tees, Esk and Wear Valleys NHS Foundation Trust, and York Teaching Hospital NHS Foundation Trust

- 4.15 The cumulative impact of ongoing residential development may result in the need for further local health services, depending on its location. The healthcare service generally responds to spatial patterns of growth, and local services are improved and expanded in line with new development, sometimes through developer contributions. Information provided by the CCG (formerly the Primary Care Trust) and Hospitals Trusts confirms that risks to providing healthcare services to meet needs directly arising as a result of new development is low. However, it is recognised that recent changes to the health service, may have spatial implications although these are unknown at this stage.
- 4.16 The York Teaching Hospital NHS Foundation Trust's future strategy is to increase the number of services that are provided in the community. This will result in a reduction in the number of beds at the hospital as the Trust transfers more services to the community. The proposed increase in population as a result of new development is being taken into account in its plans and will result in bed spaces being reduced at a lower rate than previously planned whilst continuing with its strategy of developing more community based services.

Emergency services - North Yorkshire Fire & Rescue Service, North Yorkshire Police and Yorkshire Ambulance Services NHS Trust

- 4.17 No potential cross boundary issues, risks or contingencies have been identified at this stage.

Gas - Northern Gas Networks

- 4.18 Information on provision across the region shows that in general terms, gas supply is not constrained as the region benefits from a number of connections to the national high pressure transmission network, as well as having an extensive and robust core network around the main urban areas. However, many rural areas have no gas supply. Supply and connection are currently unconstrained in York, with Northern Gas Networks indicating that its systems are robust enough to be able to supply future development in York.

Electricity supply and transmission - Northern Powergrid

- 4.19 Northern Powergrid, which is a wholly owned subsidiary of Berkshire Hathaway Energy, runs the major electricity distribution network that provides power to customers in the Northeast, Yorkshire and northern Lincolnshire, covering an area of 25,000 square kilometres. Northern Powergrid has not stated that there any strategic cross-boundary issues, but has identified
- at the strategic level - a few areas in the City of York that may require some EHV (33kV) reinforcement depending on the nature of the developments (Strategic Sites)

- at the detailed level – potentially, a need to reinforce some of the 11kV distribution network systems.

Telecommunications - Openreach

- 4.20 Telecommunications and broadband coverage in the urban areas is generally good and Openreach has previously advised that network capacity will not generally be an issue that shapes or constrains the spatial options for development. Developments in technology (fibre optic cables), together with extensive ongoing investment in the core of the main networks mean that the capacity and capability of the networks continues to improve in response to demand.
- 4.21 Overall the availability of the telecommunications network and network capacity are not seen as major constraining factors to future homes growth, or growth in businesses, except in relation to accommodating growth in isolated areas. Given the location of proposed growth it is unlikely that there will be any strategic telecoms infrastructure issues in York.

Water - Yorkshire Water

- 4.22 It is reasonably certain that appropriate water infrastructure can be provided to support development in the Plan. The main issue is with the capacity of Waste Water Treatment Works (WWTW). The scale and general location of growth proposed in the Plan can be accommodated either in existing WWTW capacity or through planned or future improvements for sites phased later in the plan period.

Community facilities

- 4.23 Whilst the Council will have a role in identifying community facilities needs, in many cases they will be funded and implemented by a range of other organisations. Working with partners will be essential to ensure that facilities come forward to meet the needs of new development. However, this is not expected to be an aspect that will be of a strategic nature.

Aerodrome Safeguarding - Civil Aviation Authority

- 4.24 The aim of the process is to provide notification of potential developments or construction within a specified area and to allow assessment of the potential impact. **On 10 February 2003 the Civil Aviation Authority (CAA) ceased to be the contact point for safeguarding consultations and this responsibility transferred to aerodrome licence holders. Currently there are no licensed aerodromes in York, so the CAA has not been engaged with under the Duty**

Identifying the strategic matters that require cooperation

Formal groups for considering matters under the Duty

- 4.25 The formal groupings within the Leeds City Region and the Local Government North Yorkshire and York area at which issues relating to the Duty are raised are, primarily:
- The Leeds City Region Planning Portfolios Board

- The Leeds City Region Heads of Planning Group
- The Leeds City Region Strategic Planning (Duty to Cooperate) Group;
- North Yorkshire and York Spatial Planning and Transport Board
- North Yorkshire and York Spatial Planning and Transport Technical Officer Group

4.26 Figure 4.9 shows graphical representation of formal groupings listed above. These have evolved from the structures that have been put in place since before 2004, as shown in Table 4.1. The various organisations and groupings contained in Figure 4.9 and Table 4.1 have to a greater or lesser degree either had an input to the higher level plans that influenced the City of York Core Strategy (as the antecedent to the City of York Local Plan), or directly influenced or informed the Core Strategy.

4.27 Under the arrangement shown in Figure 4.9, the North Yorkshire Spatial Planning and Transport Technical Officer Group (TOG), up until December 2015 was the main officer group to provide advice and support to the North Yorkshire and York Spatial Planning and Transport Board (the Board) in:

- Co-ordinating and developing the sub-region's planning and transport responses and input in terms of emerging national legislation and national, regional and sub-regional strategies, plans and programs.
- Improving partnership working between authorities and with other 'prescribed bodies' on spatial planning and transport related matters, particularly those of a strategic nature that are 'larger than a single authority area'.

4.28 The TOG also (similar to the Leeds City Region Strategic Planning (Duty to Cooperate) Group) shared information and approaches on spatial planning issues and to work collaboratively to seek to ensure consistency of planning related and transport related strategies and policies across the sub-region, particularly in relation to demonstrating compliance with the provisions and two tests of soundness under the 'Duty to Cooperate'.

4.29 From January 2016 onwards, under a more streamlined structure for the York, North Yorkshire and East Riding LEP area the Heads of Planning became main supporting officer group for the Board with the revised reporting sequencing to the Spatial Planning and Transport Board as follows:

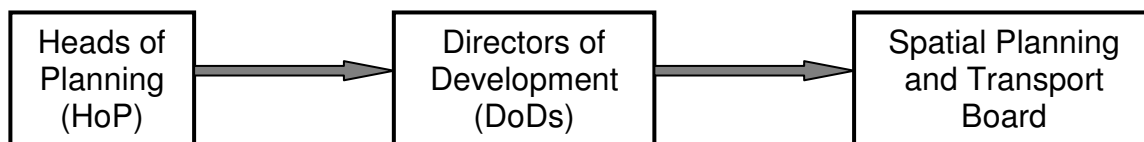


Figure 4.9 Yorkshire and the Humber partnership / governance arrangements (as at December 2015)

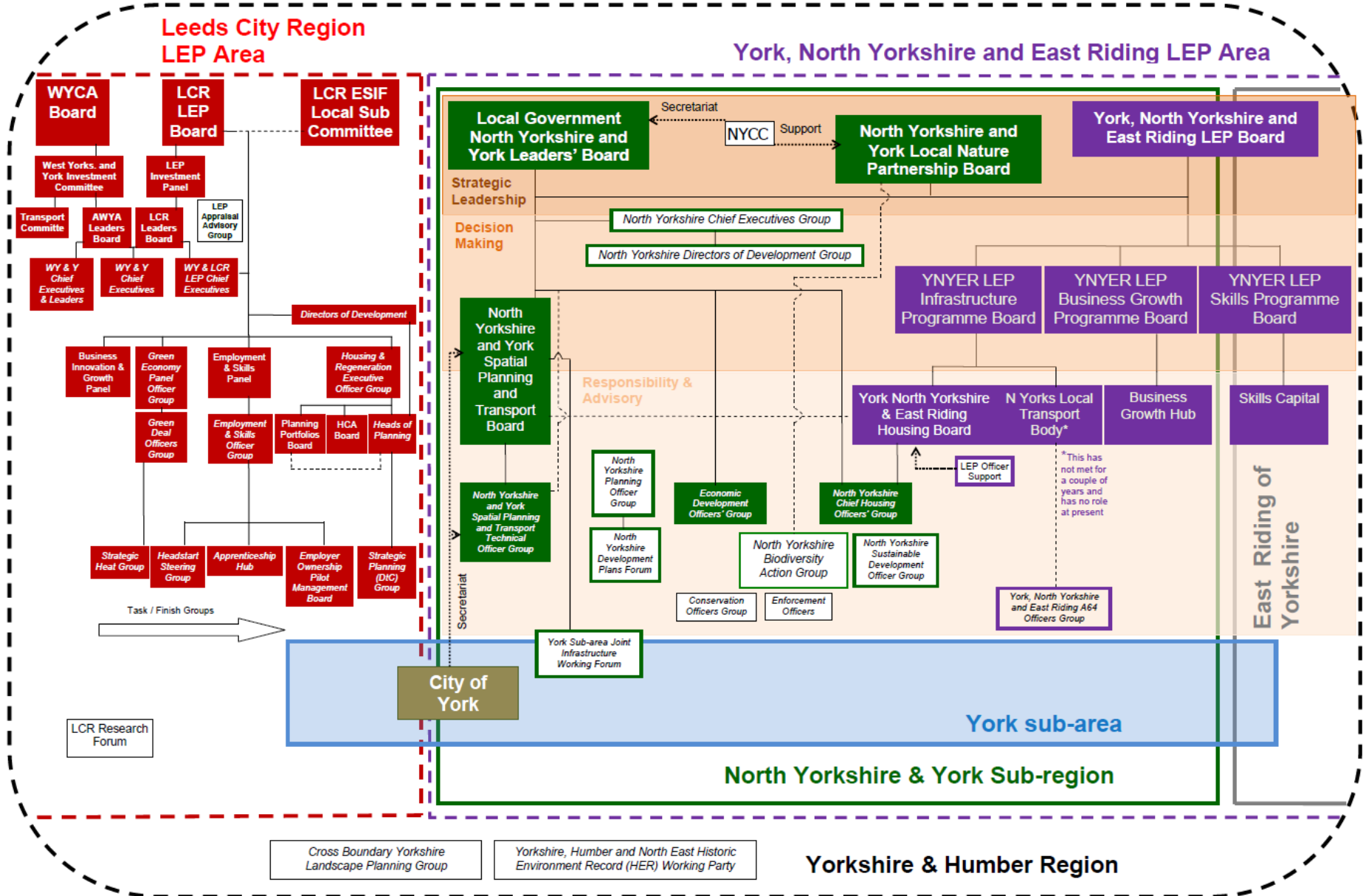


Table 4.1 Changing methods of co-operation through the Core Strategy plan-making process		
Dates	Vehicle for Co-operation	Role of City of York Council
Pre-2004	North Yorkshire and York Structure Plan	Co-production of document with North Yorkshire County Council, Local Authorities and National Park Authorities
Pre-2004	North Yorkshire Local Plan Forum	Active Member
2003-2012	Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) <ul style="list-style-type: none"> • Set a core approach and targets for local authorities. • Identified sub area and cross-boundary issues. 	Active Member of the North Yorkshire and York Technical Forum which established a sub-regional consensus on strategic cross boundary issues and collectively lobbied the Regional Assembly
2004-present	Leeds City Region Partnership: <ul style="list-style-type: none"> • Agreed a Concordat which outlined a shared vision and the principles of how local authorities would work together • Agreed the City Region Development Programme which developed the Partnership's vision into actions • Leaders board set up to take strategic decisions 	Active Member
2004-present	North Yorkshire Development Plan Forum	Active Member
2010-2011	North Yorkshire and York Sub-Regional Strategy: <ul style="list-style-type: none"> • Maintained core approach and sub area approach of RSS. 	Secretariat of North Yorkshire and York Spatial Planning Board and technical officer group
2010-2011	Leeds City Region Partnership: <ul style="list-style-type: none"> • Interim Planning Strategy which retains core approach of RSS. 	Active Member
2011 – present	Leeds City Region Local Enterprise Partnership	Board Member
2011 –	York, North Yorkshire and East Riding Local Enterprise	Board Member

Table 4.1 Changing methods of co-operation through the Core Strategy plan-making process		
Dates	Vehicle for Co-operation	Role of City of York Council
present	Partnership	
2011 – present	York Sub Area Joint Infrastructure Working Forum	After initiating the setting up of this group, City of York Council is now an active member. This group is now a task / finish group for the North Yorkshire and York Spatial Planning and Transport Board
2012 - Present	<p>Duty to Co-operate</p> <ul style="list-style-type: none"> • Leeds City Region (LCR) Leaders Board <ul style="list-style-type: none"> ○ Statement of Cooperation for Local Planning • LCR Planning Portfolios Board • LCR Heads of Planning Group • LCR Strategic Planning (Duty to Cooperate) Group • LCR Connectivity Partnership • LCR task / finish groups (e.g. Infrastructure Group) • North Yorkshire and York (NY&Y) Spatial Planning and Transport Board (SP&T Board) • (NY&Y) Spatial Planning and Transport Technical Officer Group¹ 	<p>Active Member (at Elected Member level)</p> <p>Active Member (at Elected Member level)</p> <p>Active Member (at Officer Level)</p> <p>Active Member (at Officer Level)</p> <p>Active Member (at Officer Level)</p> <p>Active Member (at Officer Level)</p> <p>Active Member (at Officer Level)</p> <p>Active Member and Chair (at Elected Member level) and Secretariat</p> <p>Active Member (at Officer Level) and Secretariat</p>
2016 - Present	<ul style="list-style-type: none"> • York North Yorkshire and East Riding (YNYER) Heads of Planning (HoP) • YNYER Directors of Development (DoDs) 	<p>Active Member (at Officer Level)</p> <p>Active Member (at Officer Level)</p>

1 This group ceased reporting to the NY&Y Spatial Planning and Transport Board (in 2016 when responsibilities for this passed to the YNYER HoP (and, if necessary, YNYER DoDs) and the reporting structure to the SP&T Board changed to HoP→DoDs→SP&T Board

Leeds City Region Statement of Cooperation for Local Planning

- 4.30 This Statement, referred to in Table 4.1 above and contained at Annex 1, was prepared by the Leeds City Region Portfolios Board as a response to the need for greater collaboration between authorities across the city region to ensure better compliance with the Duty to co-operate. The purpose of the Statement is twofold:
- To set out processes and practical steps to be followed going forward, that will strengthen the Leeds City Region authorities' approach to collaborative working;
 - To outline the current collaborative work on strategic, cross-boundary issues that is ongoing within the Leeds City Region.
- 4.31 The Statement sets out the legislation and guidance relating to the Duty to co-operate. It outlines the Leeds City Region Duty to co-operate process including best practice examples. The Statement also provides details of the current governance structures in place within the Leeds City Region to support collaborative working; it includes details of the Leeds City Region strategic context and the current agreed priorities. It is proposed that this Statement be revised annually.

The case for not producing joint local plans

- 4.32 As previously stated in paragraph 3.02, if considered appropriate, engagement between local authorities can include, taking a joint approach for undertaking the activities for preparing development plan documents, or the preparation of other local development documents. The North Yorkshire and York (NY&Y) Spatial Planning and Transport Board, referred to in Table 4.2 above, is a Member decision-making group within the Local Government North Yorkshire and York structure (see also Figure 4.9). In 2012 the Board changed its terms of reference for:
- The Chairman of the York, North Yorkshire and East Riding Local Enterprise Partnership to be invited to become a member
 - A member representative from East Riding of Yorkshire Council, Hull and Humber Ports City Region, Leeds City Region, Tees Valley, Lancashire and Durham to be invited to be non-voting members of the Board
- 4.33 At its meeting on 10 September 2015, the Board considered a paper, prepared by City of York Council, entitled 'The distribution of the provision of housing in the York Housing Market Area.' This paper:
- Stated there is evidence which shows that the housing market area extends into adjoining local authority areas.
 - Expressed the City of York administration's concerns about the impact of meeting York's objectively assessed housing need (OAHN) on other policies in the NPPF including protecting the green belt. Adding that if the impact is such that it significantly and demonstrably outweighs the benefits of meeting the OANH then reasonable alternatives will need to be pursued, including meeting some of the OANH outside the York Local Plan area.
 - Referred to Governments expectations of local authorities under the Duty set out in NPPF that authorities should work collaboratively to ensure proper coordination between authorities on strategic priorities and that in York's case the shared housing market could be regarded as such a strategic priority.

- Presented three possible approaches, based on experience elsewhere:
 - Preparing a joint Plan (Lincoln is an example of this); or
 - aligning neighbouring Plans in both strategy and plan making timetable (Nottingham is an example of this); or
 - agreeing an informal joint strategy which would then be incorporated into individual Plans (the approach taken in Cambridge and Peterborough).

4.34 The general consensus of the Board Members was that given the different stages of progress for each of the respective authorities' local plans **it would not be advisable to take such a sub-regional approach for the current round of Local Plans**. However, the Board agreed in principle to the next round of local plans a more sub-regional in approach, if sufficiently evidenced.

4.35 For this reason **no joint local plans are being prepared and the City of York Plan seeks to meet its objectively assessed needs for development wholly within its unitary authority area**.

The City of York Local Plan Duty to co-operate Matrix

4.36 The main vehicle for identifying and debating cross boundary issues under the Duty, and establishing how they may be resolved (either through formal or informal routes) is the respective authorities' Duty to co-operate matrices. These are generally circulated to the officer level groups for subsequent discussion and comment. The City of York's Duty to co-operate Matrix is contained at **Error! Reference source not found**. Annex 2. and the matters identified therein requiring cooperation are summarised in Table 4.2. The format of the Duty to co-operate Matrix at Annex 2 is a modification of the Leeds City Region Duty to co-operate Table Template (See Annex 1, Appendix C). The modified Matrix includes a 'Where & when issue discussed' column and a 'Resulting Positive outcome' column (following advice received from PAS) with the latter referring to the positive outcome for the strategic issue as a whole rather than each specific discussion.

Identifying issues for inclusion in the Duty to co-operate Matrix

Issues identified through the production of the LDF core strategy as predecessor to the Local Plan

4.37 Issues raised by local authorities, other local government organisations, Government Departments and other agencies in relation to the LDF Core Strategy (as the antecedent to the Local Plan) are summarised in Table 4.3. This table has been compiled from representations to the LDF Core Strategy Preferred Options and the LDF Core Strategy Submission (Publication) unless stated otherwise.

Strategic Issue	Impact	Areas Affected
Scale of housing growth (minimum of 867 dwellings per annum (dpa) + 56 dpa for shortfall from 2012 to start of plan, over the plan period)	<ul style="list-style-type: none"> Higher levels of housing in York are coordinated with those of other authorities to meet overall requirements of the Objectively Assessed need within the SHMA and York Sub-area. Puts pressure on surrounding District's to provide more housing and puts pressure on house prices on their house prices therein if needs are not fully met in York 	<ul style="list-style-type: none"> SHMA geography York Sub-area comprising the City of York and parts of the following: <ul style="list-style-type: none"> Harrogate Borough Ryedale District East Riding of Yorkshire Selby District Hambleton District NYMNP
Scale of employment growth (650 new jobs per annum over the plan period)	<ul style="list-style-type: none"> Potential to increase inward commuting from adjacent authorities. 	<ul style="list-style-type: none"> Leeds City Region (part) North Yorkshire and York Sub-Region (part) York Sub-area comprising the City of York and parts of the following: <ul style="list-style-type: none"> Harrogate Borough Ryedale District East Riding of Yorkshire Selby District Hambleton District
Retail growth	<ul style="list-style-type: none"> Draw of York's city centre and its other retail areas extending the retail catchment beyond its local authority boundaries Potential to increase inward retail trips from adjacent authorities Potential negative impact upon vitality and health of the centres of surrounding settlements. 	<ul style="list-style-type: none"> North Yorkshire and York Sub-Region York Sub-area comprising the City of York and parts of the following: <ul style="list-style-type: none"> Harrogate Borough Ryedale District East Riding of Yorkshire Selby District Hambleton District Scarborough Borough

Strategic Issue	Impact	Areas Affected
Leisure	<ul style="list-style-type: none"> • International, National and Regional draw of York as a leisure (tourism) destination • York as the 'Gateway to Yorkshire' • Potential to increase inward leisure trips • Wider benefits to surrounding areas with linked leisure trips, tourist accommodation offer in neighbouring areas and need for wider tourism promotion / coordination 	<ul style="list-style-type: none"> • Leeds City Region • North Yorkshire and York Sub-Region • York Sub-area
Physical infrastructure - Transport	<ul style="list-style-type: none"> • Increased traffic on the Strategic Road Network (principally the A64) • Increased traffic on Radial routes <ul style="list-style-type: none"> ○ A19 N&S; ○ A59 ○ B1224 etc. 	<ul style="list-style-type: none"> • A64 between its junction with the A1(M) and Scarborough • Leeds City Region • North Yorkshire and York Sub-Region • York Sub-area <ul style="list-style-type: none"> ○ <i>Harrogate</i> ○ <i>Selby</i> ○ <i>East Riding</i> ○ <i>Scarborough</i> ○ <i>Ryedale</i> ○ <i>Hambleton</i>
	<ul style="list-style-type: none"> • Increased congestion in and around York 	
	<ul style="list-style-type: none"> • Increased traffic on the locally strategic road network (principally the A1237 York Outer Ring Road (northern section)) 	
	<ul style="list-style-type: none"> • Connectivity between York, Harrogate and Leeds • Connectivity across wider NY Sub-Region including Selby, Ryedale, Hambleton, Harrogate, Scarborough etc. 	<ul style="list-style-type: none"> • City of York • Harrogate Borough • Leeds City • North Yorkshire and York Sub-Region

Strategic Issue	Impact	Areas Affected
	<ul style="list-style-type: none"> • Strategic rail including <ul style="list-style-type: none"> ○ Haxby station ○ York Station (+HS2) ○ York-Harrogate-Leeds line ○ Access to Leeds Bradford Airport ○ Rail devolution and re-franchising 	<ul style="list-style-type: none"> • National (to be discussed with the Office of Rail Regulation)
Physical infrastructure – Waste and Minerals	<ul style="list-style-type: none"> • Sustainable Waste Management 	<ul style="list-style-type: none"> • North Yorkshire and York Sub-Region <ul style="list-style-type: none"> ○ York ○ North Yorkshire ○ North York Moors
	<ul style="list-style-type: none"> • Mineral Extraction 	
Physical Infrastructure - Energy	<ul style="list-style-type: none"> • Proliferation or uncoordinated provision of renewable energy facilities • Cumulative impact of renewable energy facilities within and across City’s administrative area. • Amenity impacts upon neighbouring communities beyond the City boundaries (proposed policy response is). 	<ul style="list-style-type: none"> • North Yorkshire and York Sub-Region • York Sub-area, particularly at local authority borders
Gypsies, Travellers and Showpeople	<ul style="list-style-type: none"> • Uncoordinated provision of suitable sites leading to over-provision or under provision at the Sub-regional / Sub-area level • Impact would extend to surrounding Districts if York don’t meet its own needs 	<ul style="list-style-type: none"> • North Yorkshire and York Sub-Region • York Sub-area, particularly at local authority borders
Social infrastructure – Education Establishments	<ul style="list-style-type: none"> • Travel to education establishments outside York and travel into York’s education establishments from outside York 	<ul style="list-style-type: none"> • York Sub-area, particularly the following: <ul style="list-style-type: none"> ○ Harrogate Borough ○ Ryedale District ○ East Riding of Yorkshire ○ Selby District ○ Hambleton District

Strategic Issue	Impact	Areas Affected
Natural and Historic Environment	<ul style="list-style-type: none"> Flood Risk 	<ul style="list-style-type: none"> City of York North Yorkshire and York Sub-Region York sub-area
	<ul style="list-style-type: none"> Green Infrastructure Corridors 	<ul style="list-style-type: none"> City of York North Yorkshire and York Sub-Region York sub-area Local Nature Partnership area
	<ul style="list-style-type: none"> Water Environment 	<ul style="list-style-type: none"> Humber River Basin Districts: <ul style="list-style-type: none"> Swale, Ure, Nidd and upper Ouse Wharfe and Lower Ouse Derwent (Humber) Derwent SAC Sherwood Acquirer
	<ul style="list-style-type: none"> Biodiversity 	
	<ul style="list-style-type: none"> Visual impact on Landscape 	<ul style="list-style-type: none"> City of York York sub-area, particularly the following: <ul style="list-style-type: none"> Harrogate Borough Ryedale District East Riding of Yorkshire Selby District Hambleton District Local Nature Partnership area
Climate Change	<ul style="list-style-type: none"> Any wind turbine applications near the York boundaries could have a visual impact on neighbouring authorities. 	<ul style="list-style-type: none"> Harrogate Borough Ryedale District East Riding of Yorkshire Selby District Hambleton District

Note More detail in relation to evidence, actions and resulting positive outcomes are contained in the Duty to co-operate matrix at **Error! Reference source not found.**

Table 4.3 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)		
Issue	Issue raised by	Stage at which the issue was raised
<p>Vision</p> <ul style="list-style-type: none"> Support particularly intention to strike balance between physical growth and environmental sustainability and ensure that environmental consequences are adequately understood and managed 	English Heritage	Submission (Publication)
<p>Spatial Strategy</p> <ul style="list-style-type: none"> expand context consider relationship between York and settlements within East Riding of Yorkshire Support requirement that sites or future areas for development will need to ensure they will safeguard special historic character and setting. Concerned about flexibility of planning for York to ensure that long term development needs can be met, without adversely impacting on neighbouring parts of Hambleton District lying outside Green Belt. The identified Areas of Search only appear to provide for approximately a 2.5 year over supply of housing industrial and distribution related employment within York considered to have a significant impact on SRN Housing and employment sites would almost certainly require new on and off site sewers and water mains. Sites allocated would need to be phased to coordinate with Yorkshire Water's infrastructure provision 	<p>East Riding of Yorkshire Council</p> <p>English Heritage</p> <p>Hambleton District Council</p> <p>Highways Agency</p> <p>Yorkshire Water</p>	<p>Preferred options</p> <p>Submission (Publication)</p> <p>Submission (publication)</p> <p>Preferred Options</p> <p>Preferred Options</p>

Table 4.3 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)		
Issue	Issue raised by	Stage at which the issue was raised
<p>Housing Growth, Distribution, Density Mix</p> <ul style="list-style-type: none"> The proposed housing growth of 800 dwellings per annum (not meeting RSS and using 2003 projections) against up to 1,000 jobs is a concern as this could put pressure on East Riding. Important to clarify that housing and employment growth in city are balanced and seek to reduce (or at least not exacerbate) level of commuting from neighbouring authorities. RSS is being reviewed - likely that housing growth figures for the region will need to rise. York North West, Hungate, Nestle, Germany Beck, Derwenthorpe, Terry's, Monks Cross and Metcalfe Lane are considered to have a significant impact on SRN. Concerned with the scale of growth proposed and 'unmet demand' because housing requirement is below RSS requirement, it was argued that this will cause displacement and neighbouring authorities will have to meet this unmet demand. York being over cautious leading to under provision in plan period this will lead to pressure on Selby. 	<p>East Riding of Yorkshire Council</p> <p>North Yorkshire County Council / Local Government Yorkshire & the Humber</p> <p>Highways Agency</p> <p>North Yorkshire County Council</p> <p>Selby District Council</p>	<p>Submission (Publication)</p> <p>Preferred Options</p> <p>Preferred Option</p> <p>Submission (Publication)</p> <p>Submission (Publication)</p>
<p>Transport</p> <ul style="list-style-type: none"> The Beverly to York railway line has been taken out - Would have liked to have seen reference to it being a long term aspirations in supporting text. If infrastructure improvements are considered to be critical to delivery of LDF, and do not have a realistic funding source, document will be considered unsound. Will only consider improving SRN to meet traffic generated by new development as a last resort Does not address issue of long distance commuting into York from neighbouring authorities and the implications of this on the strategic road 	<p>East Riding of Yorkshire Council</p> <p>Highways Agency</p> <p>Highways Agency</p>	<p>Submission (Publication)</p> <p>Preferred Options</p> <p>Submission (Publication)</p>

Table 4.3 Summary of issues raised in relation to the LDF Core Strategy (as the antecedent to the Local Plan)		
Issue	Issue raised by	Stage at which the issue was raised
<p>network. None of the measures outlined would do anything to significantly relieve capacity issues on the A64 created by future development.</p> <ul style="list-style-type: none"> • If proposal [for tram-train] proceeds in isolation wish to ensure that impact of development on operation of Harrogate Line would not reduce level of service nor reduce ability to undertake improvements to service frequency or infrastructure on this line. • Some concern about appropriateness of future development in vicinity of ring road that relies on these improvements taking place, or that relies on rail improvements, unless suitable funding regimes are identified 	Harrogate District Council	Preferred Options
	Yorkshire Forward	Preferred Options

4.38 In addition to the above, the Regional Spatial Strategy (RSS) for Yorkshire and the Humber (adopted May 2008) provided the strategic context for and became a part of the development plan for each local authority in the Yorkshire and Humber Region, which included the City of York Core Strategy. However, as part of the Coalition Government's planning reforms the Regional Spatial Strategy was (with the exception of York Green Belt policies) removed from being part of the statutory development plan. Therefore, for completeness the former strategic approach to co-operation for the RSS is contained at **Error! Reference source not found.**Annex 3 and the RSS York Sub-area policies are contained at Annex 4**Error! Reference source not found.**

Issues identified in the transition from a LDF core Strategy to a Local Plan

4.39 The issues raised by prescribed bodies through the Local Plan Preferred Options (2013), the Local Plan Further Sites Consultation (2014) and the Preferred Sites Consultation (2016), relevant to the Duty and resultant outcomes, are summarised in Table 4.4.

4.40 In addition to the more formal approaches for cooperating with prescribed bodies and other relevant organisations, City of York Council has engaged on an on-going basis through an extensive series of informal (but recorded) meetings with such bodies and organisations, on a largely one-to-one basis, in relation to the Duty for preparing the City of York Local Plan. Table 4.5 is a summary (index) of this ongoing engagement and an example 'Record of Engagement' is contained at Annex 5.

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
Preferred Options (2013)		
East Riding of Yorkshire Council (ERC)	<ul style="list-style-type: none"> • Committed to working with City of York Council on cross boundary issues as the respective local plans are progressed and seek the opportunity for joint document or Memorandum of Understanding to address the key planning issues between the authorities • Support Policy SS1- the Local Plan will ensure the housing needs of York are met within the York local authority area • The approach [in Policy SS2 - providing sufficient land to support sustainable economic growth] will help to support sustainable patterns of development in the York Sub Area and reduce unnecessary development pressure beyond the green belt boundary. Agrees that it is important for economic and housing growth to be linked • With regard to Site ST15 <ul style="list-style-type: none"> ○ Queries the scale of development proposed, considering the additional safeguarded land (SF3). ○ Suggests that CYC may need to re-consider: <ul style="list-style-type: none"> ▪ the amount of housing that could come forward on site ST15 over the plan period ▪ whether the plan is flexible enough to accommodate a shortfall in housing supply if the high rate of development is not met ○ No employment allocations are included, which could result in an unsustainable pattern of development. 	<ul style="list-style-type: none"> • Continued liaison with ERC as local plans progressed • CYC and ERC signed-up to the Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<ul style="list-style-type: none"> ○ likely to have impact on the A1079 / A166 / A64 Grimston Bar Interchange (as will development of ST4, ST6, ST7 and ST8) ○ More clarity needed on <ul style="list-style-type: none"> ▪ how it will be accessed ▪ the consideration of the impact of the large area for future development adjacent to the new settlement. ○ Work to be taken forward within the context of the Memorandum of Understanding for the A64 in partnership with Highways Agency and other relevant planning / highways authorities. ● Support Policy GI2 - consistent with the draft East Riding Local Plan. ● Policy CC1 - it will be essential that proposals for renewable energy development within the City of York's administrative area consider the impacts taking into account existing and committed proposals within the East Riding of Yorkshire. ● Policy T4 (and Policy IDC1) - the significant levels of development proposed in the Plan are likely to have a direct or indirect impact on the A1079 / A166 / A64 Grimston Bar interchange. An improvement to the interchange will be required to accommodate the two authorities' combined development aspirations and this should be referenced within the Infrastructure Delivery Plan. It should also be listed in the policy. ● Support T6 the longer term aspiration to protect disused railway corridors. 	
English Heritage (EH)	<ul style="list-style-type: none"> ● York's historic assets' contribution to the economic well-being of the City should be at the forefront of the plan and sustainable development for York must have as its starting point the conservation of its heritage assets. The plan should include a section specifically on the protection and enhancement of York's special historic character. ● There may be potential for some development to take place that would not harm the special character setting in York. Plan will need to clearly justify why it is necessary to develop areas that seem likely to harm elements which contribute to the special 	<ul style="list-style-type: none"> ●

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<p>character or setting to the historic city.</p> <ul style="list-style-type: none"> • Amend the vision to be more place-specific and articulate the special qualities and distinctiveness of the historic city. • Support the identification of views of the Minster as one of the key defining features of the city • To provide an effective framework for the protection of the historic city the definition of the green belt boundaries must be the starting point for the plan, once the land which it is necessary to permanently keep open in order to safeguard the special character and setting of the city has been identified then the assessed development needs should be factored in. • Land beyond the ring road can also contribute to the special character and setting of the historic city (Figure 5.3). • Concerned about the potential impact that the development of some of the strategic sites might have upon the special character and setting of the historic city, but support Policy SS4, especially criterion v. • Support the principle of identifying sufficient development sites for the duration of the plan and of safeguarding land to provide options for future consideration during the life time of the Green Belt. • The safeguarding and eventual development of SF2 + ST14, SF3 and SF8 would be likely to harm the special character and setting of the city (in conflict with the saved policies of the RSS and national planning policy), as would the development of sites ST6, ST7, ST8, ST19, H37 • The strategy for the City Centre in Policy YCC1 is endorsed and the policy should also include an intention to improve/enhance those elements which currently detract from its character. • Support the requirement that York Central (ST5) be developed as a place of outstanding 	

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<p>quality and design which complements and enhances the existing historic urban fabric of the city. It is essential that the height of the new buildings in and around the station are of a scale which will not harm the character or appearance of the Central Historic Core Conservation Area or detract from the setting of either the listed buildings in and around the site or those elements which contribute to the significance of the city walls.</p> <ul style="list-style-type: none"> • Policy R3 should include a clear statement that a masterplan will be developed for the Castle Piccadilly area and that piecemeal development will not be permitted. • Site ST10 would be very harmful to the underlying objectives of the Green Belt. • Site ST11 includes the Roman camp on Huntington South Moor which is a Scheduled Monument. National policy guidance makes it clear that substantial harm to the significance of such an asset should be wholly exceptional. • Allocation ST15 is unsound and contrary to NPPF due to significant adverse effects on the interest features of the Site of Special Scientific Interest (SSSI) and limited ecological evidence supporting its inclusion in the plan. Extending ST15 will fundamentally change the relationship which the southern edge of York has with the countryside to its south. Overall development of this area would be likely to harm the special character and setting of the City. • There will need to be some assessment of what contribution some sites make to the landscape setting of the character of the respective Conservation Areas lie within or adjoins. If these sites make an important contribution the plan would need to explain why its loss and subsequent development is considered to be acceptable. • It is important that policy ACHM4 includes a requirement for any sites to safeguard those elements which contribute to the special character and setting of the historic city. • Support Policy GI1, Policy T3, Policy T6 and Policy IDC1 • DHE2 – Clear that development of some sites should not go ahead because of their impact on the historic environment. However there is clear potential for the development 	

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<p>of some of the sites to go ahead although there needs to be a more robust assessment of the impact which the development of these sites might have upon the six principle characteristics of the historic City which are set out in the Heritage Topic Paper.</p> <ul style="list-style-type: none"> • Policy DHE11 - Strengthen the explanatory text to state that proposals that harm the character and significance of the City Walls will not be permitted. • Policy DHE13 - It is important that reference is also made to safeguarding any important views out of these landscapes. • Policy GB1 –. Amend Criterion C to read; ‘it would not harm those elements which contribute to the special character and setting of York’. • Section 22 - broadly endorse the approach. It would make things far easier (and ensure consistency in the strategic framework) if the Joint Minerals and Waste Plan set out a single Strategic Policy which could be used in the local plans covered by the Joint MWLP. • Policy T1 vi –The Policy should make it clear that the loss of existing public rights of way, such as the network of snickleways, will not be permitted. Suggested addition to end of Policy T1 iv: ‘Extinguishment of public rights of way which contribute to the special character of the historic city will not be permitted.’ • Policy CI1 - for criterion iv add statement that proposals for communications infrastructure will only be supported where there will be no significant adverse impacts upon landscape character, setting, views, heritage assets or green belt objectives 	
Environment Agency (EA)	<ul style="list-style-type: none"> • More should be said regarding the need to increase green infrastructure, specifically within more urban areas • new bullet point to be added to paragraph 3.21:- “safeguard water resources and to protect and improve water quality with an overall aim of getting waterbodies to ‘good’ status under the Water Framework Directive” • Recommend that the sequential approach to the development of sites is included in a 	<ul style="list-style-type: none"> •

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<p>flood risk policy. This should be made clear throughout the Local Plan.</p> <ul style="list-style-type: none"> • Site ST5 lies in flood zone 1 and 2. There are known surface water issues. Suggest no further development to take place until study to identify options and steps to be taken by the Council. Sequential approach to site layout to be taken, with development steered to areas of lowest risk. If needed, sequential and exception tests to be passed. • Site ST7 lies in flood zone 1 and 2. Sequential approach to layout of site to be taken. Expect to see all development located in flood zone 1 and areas in flood zone 2 and 3 used as green/public space. Surface water guidance to be followed. • No further development to take place (ST8, ST11) until study looking at South Beck by the Council and Internal Drainage Board is completed and required works completed. • No further development to take place (ST9) until study looking at Westfield Beck is completed and required works completed in order to mitigate fluvial and surface water flooding. Flood zone 1 and surface water management to be followed. This especially important as site drains into Foss which is major source of flooding and has interaction with Ouse and relies upon management of Foss Barrier and associated pumps. • Site (ST15) contains number of watercourses and Tilmire Drain crosses southern section of site lies in flood zone 3 and therefore inappropriate for residential development. This area could be used as multifunctional green space, flood storage and surface water attenuation within a Sustainable Urban Drainage scheme and open space. This would create an exemplar sustainable scheme. • Strongly recommend that policy ACHM4 has another bullet point added to state that sites for Gypsies, travellers and showpeople will be located out of Flood Zone 3. Caravans and mobile homes intended for permanent residential use are classed as “highly vulnerable” so zone 3 is inappropriate for this type of development. • Policy GI1–The current draft lacks direction and gives no confidence that the measures outlined in the policy would achieve the objectives for green infrastructure. The policy fails to secure any meaningful improvement or show positive planning. Amendments 	

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	<p>could be made to bring the policy in line with NPPF. It should be made clear in this policy that green infrastructure has a dual use as flood storage areas for river or surface water flows. The policy should also reference green infrastructure in relation to an intention for green wall, roofs and soft borders.</p> <ul style="list-style-type: none"> • Policy GI2 – Elements of this policy are vague and would be difficult to enforce or monitor. The third bullet point, relating to on site impacts does need redrafting to reflect the local objectives and NPPF in furthering the enhancement of biodiversity, seeking a net gain in biodiversity, and to better reflect the hierarchy set out in paragraph 118 of NPPF. • Policy FR1 - Reference the relevant parts of NPPF and its own strategic flood risk instead of replicating them. In regards to the catchment flood management plans, a number of actions of relevance to planning have been omitted. Recommend further actions, it is also important that a caveat is made regarding the future of these plans. Also expand to incorporate text from Para. 19.2. 'A sequential approach to the layout of the site must be located within the area of lowest risk. Areas of greater risk (i.e.; flood zones 2 or 3) should be utilised for green infrastructure spaces'. In addition, the Council should be taking a more positive stance and seek betterment from developers to mitigate against future flood risk. This could be in the form of restricting new development on Greenfield sites to the existing run-off rate from a lower order storm event, e.g. a 1 in 1 year storm. • Policy FR2 - For brownfield and greenfield sites, the standards of attenuation storage should be provided. Suggested text 'Sufficient attenuation and long term storage should be provided to accommodate at least a 1 in 30 year storm. Any design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into a watercourse'. Also need to consider how you will incorporate sustainable drainage approval boards (SABS) into this 	

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	<p>policy. Alternative text proposed for final sentence of 7th para. to make it less prescriptive.</p> <ul style="list-style-type: none"> • Policy CC2, Part A - More should be done to recognise the importance of water efficiency and demand in the future because the efficient use of water resources is an important climate change adaptation and mitigation measure. • Section 21 - Local Plan does not make adequate provision for or policies aimed at protection of the water environment. In particular the plan does not make reference to the Water Framework Directive and obligation. Given the importance of the WFD legislation it is necessary that the York core strategy reflects measures outlined in the Humber RBMP. Strongly recommend that another policy specific to water environment is included in this section which considers rivers and water resources separate to flooding. • The City of York is situated on top of Sherwood Sandstone –a principal aquifer. Developers proposing schemes that pose a risk to groundwater resources, quality or abstractions must provide an acceptable hydro-geological risk assessment (HRA) to the EA and local planning authority. • Policy IDC1 should make specific reference to developers being required to provide contributions towards new flood alleviation schemes, the long term maintenance of existing defences and habitat creation through Community Infrastructure Levy (CIL). Would especially encourage the plan to seek developer contributions for any proposed development within the Foss Basin towards the maintenance/improvement of existing defences i.e. the Foss Barrier. 	

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Hambleton District Council (HDC)	<ul style="list-style-type: none"> • Notes that the assessed growth needs will be met within the plan area without putting development pressure on neighbouring local authorities. • Policy SS1 - like the commitment to not adversely affect local authority areas (e.g. congestion and pollution) and to delivering benefits to the wider sub region. • Concerns over how Site ST14 would impact on the A 1237(T) ring road and increase journey times for Hambleton’s residents and workforce using it. • Policy CC1 - Some of the potential areas of search identified for renewable energy (i.e. wind farms) lie adjacent to or close to our boundary, and these have not been subject to any joint working or discussion. • Policy IIDC1 - Note that a CIL mechanism is being progressed alongside the plan to provide for developer contributions so the major infrastructure required to ensure that development proceeds should not be delayed from lack of funding. 	
Highways Agency (HA)	<ul style="list-style-type: none"> • Fully supports the Vision’s intention to deliver a fundamental shift in travel patterns and the focus of promoting sustainable development through the location of development in areas of good accessibility • Supports the principles of delivering sustainable development in planning terms. Decisions on future development should consider the emerging agency policy • Welcomes the spatial principles • The spatial distribution and particularly the development of land opportunities in the South and Western part of York including Strategic Sites, Urban Extensions and the New Settlement should be dependent upon agreement of a Management Strategy for the A64 and its junctions with the local primary road network by the agency and the Council. 	<ul style="list-style-type: none"> • CYC and HA signed-up to the Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy
	<ul style="list-style-type: none"> • Policy SS4 – The development principles for strategic sites are welcomed. 	

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	<ul style="list-style-type: none"> • Support the preparation of Supplementary Planning Documents for all strategic sites. However, any infrastructure essential to the delivery of a strategic site should primarily be identified within the Local plan document and infrastructure delivery plan. • Any future work on the impact of the new proposed settlement at Whinthorpe should also consider Site SF3. • Support in principle the intention that the city centre will remain a focus for a number of developments and support the emphasis on accessibility and sustainable transport • Support the principles of development set out for York Central. Also support the production of a Supplementary Planning Document. But, for HA to consider the plan sound it is necessary to identify any strategic infrastructure required to deliver the special policy area. • Policy YC1 - The impact of on the strategic road network It is not yet clear of. The HA proposes to continue to work with the Council to assess the impact of the Local Plan aspirations on the strategic road network and identify physical mitigation required to facilitate development. • Policy EMP 1 and Policy EMP 2 - Adequate assessment of the impacts of these policies has not been provided. The HA proposes to work in partnership with the Council to establish the implications and necessary mitigation measures. • Site ST18 - Further office development in this area will generate additional road traffic. Reassurance is needed from the council that additional office development at this location can be accommodated by the Strategic Road Network (SRN), in particular the A64 Hopgrove junction. • Not currently in a position to be able to consider if allocations are acceptable, as adequate analysis has not been provided on the impact of policies. HA propose to continue to work in partnership with the Council in order to establish the implications of the Local Plan on the SRN. 	

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	<ul style="list-style-type: none"> • Section 23 - On the whole the plan contains strong policy direction on sustainable transport, but policy direction on sustainable transport is not enough, both demand management and additional highway improvements will be required. • At present adequate analysis has not been provided on the impact of development aspirations. HA propose to continue to work in partnership with the council in order to establish the implications of the Local Plan on the Strategic Road Network and determine if and where physical mitigation measures might be required. • It is a particular concern that the Infrastructure Delivery Plan makes no reference to the required improvements on the A64. • Policy T1 –Has concerns regarding the accessibility criteria for the sub urban locations and the lack of specific criteria for the new settlement, given that sub urban and the new development equate to almost 40% of the allocated housing not already committed. • Serious concerns in relation to the lack of evidence to support Policy T4. Without further evidence on the case for specified improvements and traffic impact of the Plan as a whole; and particular concentrations of development (e.g. the new Settlement at Whinthorpe, urban extension at land east of Metcalf Lane) the HA would consider this policy unsound. HA wants to continue to work with the Council with the objective of resolving these matters through the development of a more comprehensive evidence base relating to the impacts of the Local plan on the Strategic Road Network. • Policy T7 - Alongside the flow of traffic in and around the city centre, need to consider the flow of traffic on the Strategic Road Network (SRN). The A64 plays a role in local trips within York. Hoowever, it has a significant strategic purpose which will be undermined by the level of congestion likely to arise from this plan. The level of congestion acceptable on the local network is likely to be different to that which is acceptable on the SRN which has a wider function. HA will continue to work with the Council to determine whether it would be possible to implement traffic management measures on the local road network that would regulate overall traffic flows in line with 	

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	<p>available capacity on the SRN.</p> <ul style="list-style-type: none"> • Policy T8 - Request that Travel Plans should also accompany Transport Statements. • Policy ICD1 - Support the principle that new development will not be permitted unless the necessary infrastructure to meet local and wider (strategic) demand generated by development can be provided and coordinated. Concerned that any physical measures which are identified on the strategic road network or at its junctions with the local primary road network in order to mitigate the impact of development traffic can be funded through Community Infrastructure Levy (CIL) or other appropriate mechanisms. Considered essential that the Highways Agency is party to future discussions on CIL and in particular on the criteria and priorities to be applied in the allocation of CIL funds. 	
National Grid Property (NGP)	<ul style="list-style-type: none"> • Policy ICD1 - although some viability work has been undertaken, this does not consider the full range of potential financial constraints imposed by the draft policies. The respective policies do not incorporate sufficient flexibility to enable a viable solution for delivery to be realised where this is considered to be desirable in planning terms. The approach to viability and delivery of development needs to be comprehensively reviewed. 	•
Natural England (NE)	<ul style="list-style-type: none"> • ST10 – should this site be retained NE would welcome further discussions regarding assessments and potential mitigation to avoid a significant negative impact. • Policy ACHM3 - The Council should be satisfied that less environmentally sensitive areas are not available, if not adverse effects must be mitigated against. The Sustainability Appraisal should further explore alternatives. • Policy GI2 - Makes no distinction between the levels of protection afforded to international, national or local nature conservation sites. More detailed policy (or policies) is required, interpreting locally NPPF and Circular 06/2005. The policy implies that compensation (loss and replacement) is as acceptable as mitigation (effect reduction) but it should reflect paragraph 118 of the NPPF (first bullet point) that where significant 	

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	<p>harm is unavoidable compensation is a last resort.</p> <ul style="list-style-type: none"> • Mitigation and suggested alterations to the Plan are proposed. • Support Policy GI7 part (a) - this delivers multiple benefits. However, sites recognised for their bird interest (e.g. Heslington Tillmire) are especially sensitive to recreational disturbance and this should be recognised. In addition, increased access has the potential to increase trampling of flora, litter, dog fouling and risk of fire. Increased levels of access should be managed according to the nature conservation protection status and sensitivity. To assist delivery, the Infrastructure Delivery Plan must identify improvement to Green Infrastructure as a priority. • Policy CC1 – critical of limited assessment of the ecological effects of renewable energy within the Sustainability Appraisal and Habitats Regulation Assessment (HRA) to support their identification. Particularly concerned about those areas adjacent to the Lower Derwent Valley SPA, SAC and Ramsar, River Derwent SSSI, Derwent Ings SSSI, Heslington Tillmire SSSI and Acaster South Ings SSSI. If these are retained, thorough ecological assessments (including HRA) must be undertaken. • Policy IDC1 - delivery of green infrastructure (GI) is limited in the IDP, of most concern is the deferral of identifying future needs to the GI strategy (para 4.126) without any timetable for this document’s completion. The positive approach to GI and Biodiversity in the plan should be mirrored in the IDP. • Reliance on development contributions and focus on recreational open space (para 4.128) without a strategy in place may jeopardise the delivery of a GI strategy and ecological network as required by the NPPF. 	
Network Rail	<ul style="list-style-type: none"> • Policy T2 - Any new station proposal needs to be developed along Rail Industry guidelines accompanied by a Transport Needs Assessment. The Plan includes a proposal for a new station northwest of York, Haxby and Strensall. It is also our understanding that a new station at York hospital is being considered which does not 	<ul style="list-style-type: none"> •

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	appear to be in the draft plan. Any new station needs an agreement from the Train Operating Company that they will call here to be incorporated into a franchise agreement. The requirements for a business case for any new station also stated There is currently strong stakeholder support to speed up journey time between Scarborough and York/beyond and the economic benefits of doing this might outweigh those of a new station. Impact of level crossings will need to be assessed for any new stations.	
North Yorkshire County Council (NYCC)	<ul style="list-style-type: none"> • Support Policy SS1 - seeks to reflect the roles and functions of places in the York Sub Area, the North Yorkshire and York sub region and the Leeds City Region and commits to ensure that that the housing needs of the city's population now and in the future are met within the city of York administrative area. • Support the principle of planning for economic growth in order that the city can perform its sub regional role to the full. Notes and supports the identified need to link economic and housing growth. Would be concerned if housing land take-up outstripped economic growth as this would impact in levels and patterns of commuting. Suggest a robust mechanism to ensure a balanced release of housing land in line with economic growth. • Hasn't seen any evidence to demonstrate that the additional development at York will not have a detrimental impact on North Yorkshire's highway network. In particular the impact of the urban extensions at Clifton Moor and south east at Whinthorpe. Wish to see further detailed analysis of sites and their cumulative impact upon the highway network in York (A64 /A1237) and on cross boundary links to North Yorkshire to destinations including Harrogate (A59/A168 junctions), Selby, Malton and Thirsk/Northallerton • Support in principle the commitment in the plan to set out the boundaries and extent of green belt insofar as it lies within the City's administrative area. Welcomes in principle the commitment to allocate land within the area currently considered to be green belt for 	•

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	<p>development within the plan period as well as further safeguarded land for development thereafter.</p> <ul style="list-style-type: none"> •Support policies that seek to promote the redevelopment of sustainable central sites including those within the city centre and at York Central. Support for proposals to expand the Central Business District. It is recognised that a new, high quality City Centre Office quarter would help York achieve its strategic ambitions and it appears that York Central is the only location that can provide this. Should aspects of the York Central allocation prove to be undeliverable within the plan period it would be likely to result in greater demand at locations such as Monks Cross putting greater pressure on the A64, the outer ring road and the wider highway network. •Site ST21 - It is not clear what the need or justification is for Use Class D2 development at this location); what alternative locational options may be available; nor what its potential impact on the wider highways network or nearby settlements could be. •Support Policy R1- safeguard and promote the retail vitality of the city centre. •Support Policy R4 - seeking to limit further retail development at Monks Cross. •Sites ST14 + SF3 and ST15 - Would be significantly bigger than nearby settlements. It is unclear what other services are needed or proposed to support the urban extensions and ensure sustainability and therefore what the related implications for the A64(T)/Outer Ring Road (A1237), the wider highways network and surrounding settlements might be. Suggested this be the subject of ongoing cross boundary discussions with neighbouring local authorities as plan further develops. •Section 1, Section 19 and Section 20 – The strong policy linkages between climate change, flood management, green infrastructure and minerals planning agendas could be further explored through collaborative working between authorities on relevant aspects of the Plan. •Policy CC1 - A number of areas of search for renewable energy generation identified, in many cases close to the boundaries of neighbouring authorities including within north 	

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	<p>Yorkshire. It is therefore important that cross-boundary discussions take place to consider the wider impact of such developments, individually and cumulatively</p> <ul style="list-style-type: none"> •Policy WM1 - It would be helpful if greater clarity could be provided on the approach of facilities for municipal waste. Alternatively, reference could be made to a need to identify capacity for the management of all waste streams, as this may provide more flexibility including circumstances where a proportion of waste is managed outside the area. It would be helpful of clarity could be provided that the bullet point priority list is intended to apply specifically to the delivery of facilities on the CYC area, as different priorities may be appropriate in other parts of the Joint Minerals and Waste Plan area. It may be preferable to apply this requirement to significant new development only, as provision for waste management may not be appropriate or viable in some very small schemes. Through reference to provision for waste management and onsite management of waste retail and commercial development. •Policy WM2 - It would be helpful if it could be clarified that the criteria for site allocation are only intended to apply in the Council area rather than across the whole of the joint area plan. It may not be realistic or necessary to meet these criteria for minerals development, where geological factors may be a fundamental constraint on location. <ul style="list-style-type: none"> ○ Para 22.12 - identification of a Minerals Safeguarding Area for coal bed methane is unlikely to be feasible and probably unnecessary ○ para 22.13 - -It may be preferable to state that the LAA has not presented specific evidence on aggregate mineral requirements for the York area. It may be helpful to clarify whether the reference to fracking is intended specifically in the context of exploitation of shale gas (for which there is no apparent evidence of commercial interest in this area), or is intended to be read in association with the immediately following reference to coal bed methane, in which case it is suggested that the reference to fracking (which is a term not usually used in association with coal bed methane) be deleted. 	

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	<ul style="list-style-type: none"> • Policy IDC1 - Seek clarification that it is not the intention to seek direct funding from the Leeds City Region LCR for the provision of essential infrastructure necessary to support the plan. 	
Ryedale District Council (RDC)	<ul style="list-style-type: none"> • Policy SS1 - Support the overall spatial strategy and the York sub area approach. The strategy recognises and builds on the city’s roles as a key economic driver and higher order economic, retail and service centre. The approach reflects longstanding agreement and support for this role, both in terms of the York sub-area and the role and influence of the city in the wider region. • Policy SS2 - The approach is entirely consistent with Ryedale’s emerging Development Plan which recognises the functional economic area of the City of York, travel to work patterns and housing market dynamics. • Policy SS3 - Concerned about the impact of growth on cross boundary strategic infrastructure, most notably the A64. Keen to work with the Council, other adjoining authorities and the HA to ensure that the cumulative impact of growth can be addressed and a coordinated approach to developer contributions/Community Infrastructure Levy to secure improvements can be considered and agreed. • Policy SS5 - The preferred role of the green belt is appropriate • Policy SS6 - The approach to safeguarded land is appropriate • It would be useful if the Economy section of the Plan could reflect the economic opportunities associated with the FERA site on the York/Ryedale boundary. • Policy H1 - Support the level of housing growth proposed 	<ul style="list-style-type: none"> •
Selby District Council (SDC)	<ul style="list-style-type: none"> • Is satisfied that there has been satisfactory ongoing cross-boundary cooperation between Selby and York through officer and members bodies. • Policy SS1 <ul style="list-style-type: none"> ○ Broadly support York’s recognition of itself as the gateway to north Yorkshire and the spatial planning responsibilities that brings as the leading settlement in the sub 	<ul style="list-style-type: none"> •

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	<p>region (after Leeds).</p> <ul style="list-style-type: none"> ○ Is pleased to be recognised as a key district that supports York’s role though providing a ready workforce and customers and also that Selby provides an attractive countryside setting for the city. ○ is satisfied that York can realise its growth aspirations within its own territory <ul style="list-style-type: none"> ● Policy SS2 - The ambitious growth targets are acknowledged and supported in principle. ● Policy SS5 - Selby is looking to review the green belt (where it applies in Selby District). A coordinated approach would be beneficial. Would welcome exploration of opportunities, where appropriate, for joint commissioning. ● Site SF3 (+ST15) - Concerns about highway impact on A64, lack of public transport infrastructure and visual intrusion in the flat landscape. ● ST21 - Query the reasoning behind designating this site for leisure development as it is a shopping centre not a leisure destination. Any development that increases this attractiveness of this out of centre location must be rigorously considered with more information to assess to potential strategic impact on Selby Town as a Principal Town. ● ST15 - Concern at the lack of information available to prepare a detailed response on this which is clearly a significant new settlement of 5580 close to Selby’s border. Concern centred around highways impact on congested A64. Selby’s own growth will potentially add a significant number of journeys on the A19 to York and without certainty of Whinthorpe’s access arrangements Selby cannot properly consider the implications. The broad location has not been fully explored and evaluated in the context of alternative sites. ● Policy CC1 – SDC considering its future options towards renewable energy generation in the context of wind farming, and notes the significant areas of search highlighted on the proposals map adjacent to Selby District. Would welcome joint working in future studies to address this issue in a coordinated manner. 	

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Yorkshire Water Services Ltd (YWS)	<ul style="list-style-type: none"> • Supports that the local plan will ensure that new development is not subject to, nor contributes to, inappropriate levels of flood risk. • Council will prepare SPD`s regarding all strategic sites. This is seen as an opportunity to develop, test and encourage new and emerging technologies related to sustainable drainage and water saving. YWS would welcome the opportunity to work with the Council, developers and stakeholders to pursue these possibilities. • Policy YCC1 - Support the inclusion of criterion x • Policy YC1 - The York Northwest corridor is being promoted as an Urban Eco settlement with sustainable living at the core. York central falls within this but has no mention of Sustainable Urban Drainage Systems, drainage or water management. Additional reference to this important issue to be in the policy. • Policy GI1: <ul style="list-style-type: none"> ○ The definition as given for green infrastructure is not particularly strong. States that GI is the term used for overarching framework related to all green assets. Further to paragraph 2.15 (Spatial Portrait) there is no information regarding what could be considered green infrastructure. No specific mention of water or blue infrastructure further to mentioning the rivers as green corridors. ○ Sustainable Urban Drainage Systems (SUDS) represent an important step in managing the effects of climate change and reducing flood risk. SUDS in new developments may include ponds, scapes, drainage channels etc and it is likely that these would be designed as part of green infrastructure and its contribution to open spaces, biodiversity etc. • Policy GB5 - Elvington WTW, Naburn, Rawcliffe and Haxby Walbutts Water Treatment Works all listed as large developments. Criteria should allow for continued development of the works to meet growth in housing and population proposed. Currently written, the criteria may impede the ability to create additional capacity and develop new and sustainable technologies. 	<ul style="list-style-type: none"> •

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	<ul style="list-style-type: none"> • Support Policy FR2 - It advocates the use of SDS within new developments. Involvement needed in the design and feasibility of SDS in all new developments where the system will eventually communicate with a public sewer. Wording should be included within the text to encourage developers to open dialogue at an early stage. This will become critical once the legislation for compulsory adoption is introduced in April 2014. Adoption (2012) of the City of York Surface Water Management Plan, links to this plan could be strengthened. • Policy FR3 - Ground water management and the text in 19.7 and 19.8 appear to be lightly confused. Suggest seeking further clarification on these issues and consider separate policies on land drainage and ground water management. • Policy CC2 - Focuses purely on energy demand and renewable technology and fails to include information and requirements related to water saving and sustainable drainage. Designing in and retrofitting water saving technology into developments is key to ensuring an adequate supply of clean water for future generations. Reducing the reliance on drinking water for tasks such as flushing toilets and watering gardens etc. should be considered in all new development. • Policy EQ2 - Water quality is not referred to. • Policy WM2 – Amend criteria for allocating new minerals 	
York Teaching Hospital NHS Foundation Trust	<ul style="list-style-type: none"> • Policy CF4 - The major redevelopment of the Hospital over the next few years is an issue. 	•
Further Sites Consultation (2013)		
ERC	<ul style="list-style-type: none"> • Continued general support for the approach taken. • The Council is currently working with the Highways Agency and the City of York Council 	•

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	to assess the cumulative impact of both authorities' Local Plans on the A1079/A166/A64 Grimston Bar interchange. Sites 97, ST7, ST15, SF3, 811,802, 815, 22, 747 and 794 should be factored into the transport assessment for the A64 interchange	
English Heritage (EH) – now Historic England (HisE)	<ul style="list-style-type: none"> • Concern around the impact some sites may have on special character and setting of the city as well as impact on Green Belt. Call for a more robust assessment of the impact development will have on the six principal characteristics of the historic city. • Offered observations on the respective impacts/harm of sites 180, 182,183, 187, 241 / ST14, 253, 298, 752, 779 800 / SF7, 627 / H11, 654 / H19, ST2, ST7, ST11, ST14, ST15, ST19, SF3 and SF8 on landscape setting, Green Belt, green wedges, scheduled monuments, listed buildings, conservation areas, the historic core and character and setting. • Support sites 3, 9, 772 and 253 not being taken forward. • Site 794 development would fundamentally change the relationship which the southern edge of the city has with the countryside to its south, hence altering people's perceptions when travelling along this route about the setting of the city within open countryside – harm special character and setting. 	<ul style="list-style-type: none"> •
Environment Agency (EA)	<ul style="list-style-type: none"> • Site 800 – Part of the site is within flood zone 2 & 3. It is requested that the site is subject to the flood risk Sequential Test to ensure that there are no alternative sites available that are at a lower level of flood risk. If the site passes the sequential we would request that any future development on this site adopts a sequential approach to the site layout in order to minimise the risks of flooding for future users, and also that appropriate mitigation measures are adopted with the site design. Site egress and access should also be carefully designed, as the area of flood zone 3 dissects the site. • Site ST10 – concerned about the “soundness” of this strategic site and proposed changes. The nearby Askham Bogs SSSI is designated as such due to its Fen communities and unique insect fauna that are dependent on the site's hydrology. The 	<ul style="list-style-type: none"> •

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	<p>site’s developers have stated that development for residential purposes would impact the SSSI’s hydrology however the site and proposed changes are yet to be environmentally assessed as part of the Sustainability Appraisal. Strongly advise this assessment takes place ASAP.</p> <ul style="list-style-type: none"> • Site ST15: <ul style="list-style-type: none"> ○ Parts of the site contains areas that are in flood zones 2 &3, but have no objections to it being taken forward, provided it can be demonstrated that this flood risk is manageable on site via sequential layout i.e. zones 2 &3 used for green space. ○ The IDB must be satisfied that surface water can be adequately managed on site so as not to increase flood risk to others. ○ Support Natural England’s approach and request that the landowner demonstrates that any future development of the site will not alter the hydrology of the SSSI in any way that will have a significant negative impact on the flora and fauna that it supports. • Site 9 - Strongly support it not going ahead as it is in flood zone 3 and would not be compatible with highly vulnerable use as according to Planning Practice Guidance. • It is important to consider the need for adequate foul drainage to be provided at Gypsy, Roma and Traveller sites. These sites need to accommodate for everyday foul water and the disposal of chemical toilets. Ideally the sites should be located in an area that can connect to the mains sewer system. However, these sites are often proposed in remote locations that do not have a mains sewer in the vicinity. This means that a non-mains foul drainage option needs to be provided. Strongly encourage early consultation with EA to help determine whether sites are viable and to realise the cost implications associated with certain site locations. • CYC may wish to ensure that its approach to flood risk, and especially the application of the Sequential Test, is in accordance with NPPF. 	

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Highways Agency (HA)	<ul style="list-style-type: none"> •The Highway Agency’s key concern is to protect the primary role of the Strategic Road Network (SRN) and to ensure its safe and efficient operation. Sites 183 and 187 (residential development), sites 97 and 800 (employment development) and site 794 (university development) may have an impact on the SRN and would therefore be of interest to HA: •A number of changes to strategic sites have been recommended for inclusion by CYC. Sites ST14 and ST15 are of particular interest. The HA would like to see clarification as to whether the changes strategic sites will result in an increase (or decrease) in the number of dwellings or employment land for these sites. •A number of sites (813, 183, 811, 802, 815 & 810) are of interest to the agency due to their size or location or both. The site at Earswick (810) is of particular interest due to its proximity to the A64 Hopgrove junction. A detailed assessment would be required to ensure the impact of this site on the strategic network can be managed and mitigated. •The Agency will be in a position to provide more detailed comments on the cumulative impact of new sites through the modelling exercise being undertaken in partnership with CYC. HA is awaiting further input from CYC before proceeding with the mesoscopic modelling exercise to assess the cumulative impact of the local plan development on the SRN. •Site 800 – Recommended in the document as an option for relocating and expanding the existing park and ride site. This 15.1 ha parcel of land at is significantly larger than would be required for a park and ride and identifies that the other land use could be employment. HA would like to seek clarification regarding the existing park and ride site, including what is proposed for the existing park and ride site land following its relocation HA will require additional information demonstrating the impact of the site expansion and additional land uses on the SRN and how these can be managed and mitigated. •Site 253 - Recommended in the document as a compressed natural gas station and freight consolidation centre. HA will require additional information demonstrating the 	<ul style="list-style-type: none"> •

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	impact of the site but support the conditions attached to this site within the recommendation.	
National Grid (NG)	<ul style="list-style-type: none"> • Site ST1 - NG does not object to future development surrounding the substation site but would like to stress its importance as part of the electricity transmission network. The site is “Operational Land” and in future there may need to be further essential utility development in the future. • The following proposed sites are in close proximity to or crossed by National Grid’s high transmission overhead lines: ST1 ST9, SF4 and 810. NG does not own the land over which the overhead lines cross, and it obtains the rights from individual landowners to place its equipment on their land. Potential developers of these sites should be aware that it is NG policy to retain our existing overhead lines in-situ. NG advise developers and planning authorities to take into account the location and nature of existing electricity transmission equipment when planning developments. • Site ST7 - Is crossed by NG underground cable. Whilst NG welcomes the inclusion of strategic green space it requires that no permanent structures are built over or under cables or within the zone specified in the agreement, materials or soils are not stacked or stored on top of the cable route or its joint bays and that unrestricted and safe access to any of its cable(s) must be maintained at all times. 	<ul style="list-style-type: none"> •
Natural England (NA)	<ul style="list-style-type: none"> • Site ST10 - The developers of the site have, subsequent to previous NE advice, presented hydrological assessments of increased surface water flows from the development into Holgate Beck, and potential changes to the SSSI’s water levels and quality. However detailed evidence has not been provided to satisfy NE’s concerns and we remain concerned that allocation ST10 is unsound. • Site ST15 Due to the scale and close proximity to the SSSI, the positive measures proposed by the landowner are unlikely to mitigate the significant adverse effects of this allocation. The council should therefore consider whether this would be justified by the 	<ul style="list-style-type: none"> •

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	<p>benefits of development at this location, and we encourage the council to consider fully alternative sites through the sustainability appraisal. If no less environmentally sensitive location is identified and the council decide to retain this substantial allocation, it would be necessary to locate the new housing a minimum of 400m from the SSSI and put in place (and secure in perpetuity) a) the measures which will be necessary to manage visitor numbers and disturbance on the SSSI b) alternative green spaces within the settlement which will attract residents away from the SSSI and c) funding methods for long term management of these mitigation measures.</p> <ul style="list-style-type: none"> • Site 253 – This allocation must be supported by appropriate evidence that it will not contaminate this water course and Askham Bog SSSI and at times of high rainfall there can be overflows from the nearby sewage treatment works and potential for the SSSI to be flooded. • Sustainability Appraisal (SA) – The further sites SA Technical Note only assesses non-strategic sites. Without the full SA of the strategic sites and transport allocations it would be premature for NE to advise on those allocations where significant effects to nationally protected nature conservation sites are likely. Furthermore, at this stage, no detail has been provided on the assessment of reasonable alternatives. 	
Network Rail (NR)	<ul style="list-style-type: none"> • Representation is that of Network Rail Infrastructure Limited (NRIL), as the York Central site is predominantly owned by NRIL • As a result of the further work NRIL has recently been undertaking to bring forward York Central for development there is merit in making limited amendments to the Local Plan, as outlined below: <ul style="list-style-type: none"> ○ Seek to deliver a greater quantum of residential provision than 450. ○ suggest that the over-prescriptive wording of the Plan is amended to: <ul style="list-style-type: none"> ▪ State that York Central could provide between 1000 and 1500 dwellings. ▪ Acknowledge that approximately 400 homes would be delivered in the initial phase 	•

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	<ul style="list-style-type: none"> of development, ▪ Reflect the overlap between predominantly residential and mixed-use should not be considered precise, to safeguard future flexibility. ▪ Refer to an anticipated new bridge from Holgate Road over the railway lines to serve the development, with secondary bridge options available (if needed) ▪ Remove the reference to seeking to deliver standards for Eco-Towns for York Central ○ Vehicle trips generated by commercial space are likely to place a greater burden on the network than residential properties. 	
NYCC	<ul style="list-style-type: none"> • In large part, these potential changes would not seem to present significant strategic cross-boundary issues for the County Council. However, it does have specific comments in relation to Site Reference 183, Land to the North of Escrick Village: <ul style="list-style-type: none"> ○ A development of the scale supported by Site Reference 183 has the potential to change the nature of Escrick village and its role as a Designated Service Village within Selby District’s settlement hierarchy. It is not clear how the proposed allocations are intended to relate to the policy context for Escrick as defined within the Selby Core Strategy. ○ It is imperative that before these two site allocations [Site Reference 183 and a safeguarded site for up to an additional 63 dwellings] are confirmed, there is clarity and agreement with Selby District Council through appropriate cross-boundary discussions. These discussions and agreement should include whether it is intended that the allocations are to help meet some of Selby’s housing needs within the locality. The County Council strongly urges the City have full regard to SDC’s representations in relation to this matter. ○ As the Local Highway Authority (LHA), NYCC has been in discussions with SDC and the City of York regarding necessary evidence to demonstrate the cumulative impact that the proposed future development will have on the local highway network. Where 	<ul style="list-style-type: none"> •

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	<p>the proposed development has a detrimental impact on an identified junction mitigation measures and details of the delivery of such measures must be demonstrated to satisfy the LHA. Where it is clear the development will have a material impact on North Yorkshire’s local highway network the LHA will want to be included in agreeing the scoping for the Transport Assessment and Travel Plan</p> <ul style="list-style-type: none"> ○ Whilst Site Reference 183 lies within the CYC administrative area it simultaneously falls with the Escrick School catchment area. It is considered that the pupil yield arising from the development of the proposed allocation could be accommodated by on-site expansion of the existing school. The local education authority would seek a developer contribution of £258,000. ○ The LHA will continue to liaise with York to ensure a satisfactory evidence base is developed to identify appropriate and acceptable impact on the local highway network. 	
SDC	<ul style="list-style-type: none"> ●ST15 - SDC’s position unchanged but would like more information regarding the proposed highway access to the site before commenting further. ●Site 91 - Escrick is a Designated Service Village in the Selby Core Strategy Local Plan. SDC envisages, in principle, that some development may be appropriate to meet some of the District’s assessed housing need. Selby District, Escrick is constrained by the defined York Green Belt in the Selby District and by the Draft Green Belt in the York UA area. Selby is considering a review of the Green Belt and this may be done in advance of any allocations. At this stage SDC not objecting to this site, but is pending its position pending further information and discussion. Any proposals for substantial additional growth needs to be thoroughly jointly assessed to ensure that these numbers are proportionate, reasonable and the village and its services can cope with such a level of growth. Before making further comments SDC would welcome further discussion to clarify a number of matters, as follows: <ul style="list-style-type: none"> ○ SDC considers that under the Duty to Cooperate, Escrick should be addressed 	<ul style="list-style-type: none"> ●

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	<p>comprehensively as a settlement, rather than treating it separately in two Local Plans. Therefore further discussion regarding all of the available land around Escrick should be had before any allocation is made in either Local Authority's Local Plan</p> <ul style="list-style-type: none"> ○ SDC would be concerned to avoid double allocation in the village. Therefore SDC would like to explore options for appropriate growth that would satisfy the needs of both Local Authorities in terms of housing growth being met by development at Escrick. ○ SDC is concerned about the impacts of the proposed scale of growth on social and physical infrastructure. SDC would like to understand the methodology CYC has used to establish <ul style="list-style-type: none"> a. the appropriateness of Escrick village for growth in principle; b. the proposed figure of 128 units c. available infrastructure capacity to support growth (principally highways, education, water and drainage as these are issues highlighted in Selby's Infrastructure Delivery Plan. 	
York Teaching Hospital NHS Foundation Trust	<ul style="list-style-type: none"> ● Ask that as the proposals develop, a clear impact assessment is undertaken and associated measures implemented through S106 agreements to apply countermeasures. ● Additional houses to the extent that is being planned will have a serious impact on Wigginton Road, upon which the main hospital is situated, and the Trust asks that consideration be given to the impact on transport. ● The impact on local health services both primary and secondary care will need to be considered as part of the planning process. ● Urge that engagement with health and emergency services is commenced as soon as is practicable. ● There will be an impact on the acute (York Hospital) sector that will need to be 	<ul style="list-style-type: none"> ●

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	<p>recognised</p> <ul style="list-style-type: none"> •NHS Property Services own the Bootham Hospital site and the Trust supports the redevelopment of this site as is not fit for its current purpose. •Willing to meet again to consider the impact of the Plan on the Hospital Trust and wishes to be kept informed of progress. 	
Preferred Sites Consultation (2016)		
The Coal Planning Authority (CPA)	<ul style="list-style-type: none"> •The issue of unstable land due to former coal mining activity should be fully considered, using the latest data-set, prior to the final site selection being made. 	
ERC	<ul style="list-style-type: none"> •Recommends further consideration of A64 / A1079 Grimston Bar Interchange. 	<ul style="list-style-type: none"> • Developer / promoter of Strategic Site ST15 has proposed widening of slip roads and enhanced capacity at Grimston Bar under a later phase of the development.

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EA	<ul style="list-style-type: none"> • Welcome that this further review of sites has been undertaken to ensure that a sequential approach to the allocation of sites has been used. • The CYC SFRA update should be used to inform the site selection process • Flood risk comments relating to particular sites: <ul style="list-style-type: none"> ○ H25, H37 and H50 – pleased to see these have been removed with flood risk cited as one of the main reasons for removal ○ ST5 <ul style="list-style-type: none"> ▪ Sequential approach should be taken ▪ No development should take place in Flood Zone 3b and compensatory storage required for development in Flood Zone 3 ▪ Valuable opportunity to de-culvert Holgate Beck ○ ST15 - A sequential approach to development should be taken with all development in Flood Zone 1, with Flood Zones 2 and 3 being left as green open space. ○ ST32 – The site lies mostly within Flood Zone 3, albeit benefitting from defences. ○ (selected) Water quality / WFD Comments relating to particular sites 	<ul style="list-style-type: none"> •
HDC	<ul style="list-style-type: none"> • Expressed concern about deliverability of chosen sites causing overspill if cannot be fulfilled. 	
Harrogate Borough Council (HBC)	<ul style="list-style-type: none"> • Acknowledge that CYC used same consultant as HBC to provide advice on Objectively Assessed Need for housing • Expressed concerns regarding: <ul style="list-style-type: none"> ○ Housing requirement <ul style="list-style-type: none"> ▪ may be an underestimate beyond the Plan Period ▪ May have less flexibility and end of Plan period than expected ○ Green Belt review <ul style="list-style-type: none"> ▪ approach may be unsound and runs contrary to CYC’s Counsel advice given in 2015 	

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	<ul style="list-style-type: none"> ▪ In the absence of safeguarded land it is inevitable that Green Belt boundaries will need to be reviewed at the end of the plan period or York will seek to export development needs to neighbouring authorities 	
HisE	<ul style="list-style-type: none"> •Would like to take York’s Plan to its national Advisory Committee. •Welcome the reduction in the amount of growth which is proposed around the periphery of the built-up area of the City. •While the development of York Central (ST5) and the two freestanding settlements (ST14 and ST15) may provide part of the solution to safeguarding a number of important elements identified in the Heritage Topic Paper Update, their development could also, potentially, harm other aspects that contribute to York’s special Character. •Remain to be convinced that the quantum of development proposed at ST5 is actually deliverable. •There is considerable merit in continuing to explore the potential offered by new settlements. The degree of harm could be far less than would be caused should the housing in those settlements be located, instead, on the edge of the existing built-up area of the City or in its surrounding settlements. It appears evident that the size of these settlements and their location has been designed to take account of the relationship which York has with its existing surrounding villages. Any support to new settlements is given on the basis that it can be demonstrated they are a key component of a wider strategy designed to achieve the protection of key elements which contribute to the special historic character and setting of York and that they will be delivered in a manner which will minimise any harm to the rural setting of the City. •It is not clear what impact the infrastructure requirement necessary to deliver these new settlements will have upon York’s character and setting. For example, a grade-separated junction on the A64 to the south of the University to access ST15 could cause considerable harm to the setting of the City in this location. 	

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	<ul style="list-style-type: none"> •Have particular concerns about the area identified for future expansion of the University •Essential to publish the latest version of the Heritage Impact Assessment alongside this current consultation. •Detailed comments on sites <ul style="list-style-type: none"> ○ Sites ST6 and ST31 - would result in serious harm to SA Objective 14 (Historic Environment) and should be deleted ○ Sites ST14 and ST15 – have potential to result in serious harm to SA Objective 14 ○ Sites ST7, H57, ST8 ST19 and ST27 are likely to result in serious harm to Objective 14, but have mitigation is suggested 	
Highways England (HighE)	<ul style="list-style-type: none"> •Reserves its overall position until the results of analysis are available. •Require that the capacity enhancements and infrastructure needed to deliver strategic growth is identified at the plan making stage to allow it time to assess the suitability, viability and deliverability of such proposals on the strategic road network (SRN). •Not yet in a position to consider if the Spatial Distribution of the preferred sites is acceptable. •The spatial distribution, particularly the development of land opportunities in the south and eastern parts of York, should be dependent upon agreement of a Management strategy for the A64 and its junctions with the local primary road network by HighE and the Council. •ST15 - A new access has been agreed in principle One of the provisos of this agreement is that there is no through route into York. •The impact of Site ST15, Site ST27, housing sites in Dunnington and Wheldrake, potential employment allocations at Elvington airfield, Wheldrake Industrial Estate and Elvington Industrial Estate and sites along Hull Road upon the A64 Grimston Bar junction must be considered. HighE’s initial modelling of Local Plan aspirations identifies issues in future years at this location. 	

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	<ul style="list-style-type: none"> • Further work is required to establish the impact of development in Area 4 at Hopgrove • The sites at Haxby, Land west of Wigginton Road and Land North of Monks Cross will impact on Hopgrove junction. • Requested a copy of the Local Model Validation Report (LMVR) once available.. • Proposes to work in partnership with City of York Council to establish the implications of the preferred sites on the SRN 	
Internal Drainage Board	<ul style="list-style-type: none"> • Always seeking, where possible, that the risk of flooding should be reduced as far as is practicable. • In an area where drainage problems exist, development should not be allowed at any location until the Authority is satisfied that the surface water drainage has been satisfactorily provided for. • Does not consider development in Flood Zone 3 is desirable or sustainable in the longer term. • If CYC would like to provide details of the areas selected for development, that fall within the Board's drainage district, it would consider them and provide comment, as appropriate. 	
NG	<ul style="list-style-type: none"> • No comment to make in response to the consultation • National Grid wishes to be involved in the preparation, alteration and review of plans and strategies that may affect its assets. • Reminded CYC to consult National Grid on any Development Plan Document or site-specific proposals that could affect its infrastructure. 	
NGP	<ul style="list-style-type: none"> • Support allocation H1 (for 336 dwellings) 	

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NE	<ul style="list-style-type: none"> • Welcome the use of Green Belt principles to buffer biodiversity from inappropriate development as well as the protection of landscape character where appropriate. • Offers advice, including : <ul style="list-style-type: none"> ○ Site ST15 <ul style="list-style-type: none"> ▪ Due to the scale and proximity to the SSSI encourage the Council to consider fully alternative sites through the SA. ▪ If the Council decides to retain this allocation it would be necessary to locate new housing a minimum of 400m from the SSSI and put in place (and secure in perpetuity) a) the measures which will be necessary [to] manage visitor numbers and disturbance on the SSSI b) alternative green spaces within the settlement which will attract residents away from the SSSI and c) funding methods for long term management of these mitigation measures. ▪ The Site could have less impact upon the SSSI than the previous iteration of ST15, but reiterate advice that alternative locations for less sensitive areas be fully explored before any allocation is made in the Local Plan. ▪ The site requirements or site policy for ST15 should include the requirement to mitigate for, or as a last resort, compensate for impacts on Elvington Airfield SINC. ○ ST31 <ul style="list-style-type: none"> ▪ poses less risk than ST10 	
NYCC	<ul style="list-style-type: none"> • No cross boundary issues arising from the strategic sites • Request further consultation to review the results of further transport evidence work and discuss any implications relative to the sites selected – has a particular interest in the A59 • Agrees with the importance of both upgrading the A1237 through dualling and appropriate junction improvements; and maximising of the significant opportunities presented by the redevelopment of the York Central Site. 	

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North Yorkshire Police (NYP)	<ul style="list-style-type: none"> • New housing and business development place additional demands on policing and police infrastructure. • NYP investing significantly in information and communications technology. • NYP reviewing its estate strategy from an operational and corporate point of view. • Would welcome the opportunity to provide a specific response when the Publication Draft Local Plan is issued in 2017 as it is clear that all of the proposed allocations listed within the Plan will have an impact on policing in the City of York. 	
RDC	<ul style="list-style-type: none"> • No strategic sites or site specific proposals for different land uses that would have significant implications for this District.' 	
SDC	<ul style="list-style-type: none"> • Looking forward to further dialogue and strong DTC relations with York, resulting in both Councils supporting the others approach. 	
Tees, Esk and Wear Valleys NHS Foundation Trust	<ul style="list-style-type: none"> • The Trust is developing plans for a new build development which could provide 60 inpatient mental health beds in York – 11 locations under consideration - seeking acknowledgement of the potential health use of the locations. 	
York, North Yorkshire and East Riding Local Enterprise Partnership	<ul style="list-style-type: none"> • Response focused on three key issues <ul style="list-style-type: none"> ○ York as an economic driver for the wider York, North Yorkshire and East Riding economy ○ The importance of delivering York Central ○ The importance of a positive collaborative relationship with neighbouring authorities • City of York occupies a unique position within the York, North Yorkshire & East Riding economy acting as a driver of both the economy and sitting at the heart of functional housing, travel to work and travel to learn geographies. 	

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	<ul style="list-style-type: none"> • The success of York directly impacts on its neighbours and proximity to the City is a key driver for its rural hinterland. • Endorse the progress made by City of York in establishing a much needed local plan and fully support further work to ensure the viability and deliverability of the plan and to strengthen partnership working with its neighbouring authorities. • Delivering flagship strategic sites such as York Central alongside critical infrastructure such as A1237 York Ring road must be enabled through this Local Plan which supports and enables high value private sector growth and will provide business and investors with the confidence they need to boost the economy of York, North Yorkshire & East Riding. The LEP will work closely with CYC and partners to assist this process. • In addition to protecting the special character of York, which is a major economic driver and asset for the LEP area, there are some major infrastructure challenges to accommodating growth in and around the city. In particular the dualling of the A1237 outer ring road to improve east-west connectivity is vital for the future success of York and the LEP area. The LEP is committed to working with City of York Council and other partners to achieve this at the earliest opportunity. • The LEP remains committed to supporting delivery of these strategic priorities for York and will fully support a Local Plan which provides for these ambitions. • fully support York Central within the City of York Local Plan: <ul style="list-style-type: none"> ○ York Central is an ideal location for Grade A office space. ○ Early delivery of York Central, though the enabling infrastructure should be a priority for City of York Council. • The relationship between City of York and its neighbouring authorities is crucial. • Joint working, long term planning and collaboration is the only way to truly deliver on the economic potential of the region. Business decisions, together with travel to work patterns all span well beyond individual Local Authority boundaries and accommodating 	

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	both the employment and housing needs for the wider region requires all parties to work together.	
Yorkshire Ambulance Service	<ul style="list-style-type: none"> •YAS has revised the way in which it locates its vehicles in order to meet the more stringent national NHS response targets. This has led to the development of a more time and cost efficient service that is response-led, based upon a 'Hub and Spoke' system. •The 'Hub and Spoke' system has satellite ambulance response teams at key points on the edge of the urban area in close proximity to both densely populated areas and key highway networks. These response locations (Stand-By points) are located away from the Hub in a spoke-like manner and are positioned in locations where they can meet government response time targets at all times of the day. •City of York Council has created new settlements in the form of villages that sit outside the main urban area. These new settlements are not currently catered for in the ambulance service's current response locations. These new settlements therefore generate a challenge for the ambulance service in responding to the Government target response times which cannot be met from the existing Hub and Spoke strategy that operates within the City of York. •The Yorkshire Ambulance Service request for those five large new stand-alone proposals (ST7, 8 , 9, 15 and 16) that specific text is included within each of those allocations to make provision for a spoke facility The spoke facility needs to be located in each of those strategic sites at a point with immediate access to the main highway network. The above needs to be clearly worded in each allocation and appropriately costed for in the work being undertaken by City of York Council on viability. 	
Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017		
ERC	<ul style="list-style-type: none"> •The draft plan, which has been based on ongoing co-operation between the two authorities throughout the plan making process. •Strongly supports the provision of sufficient housing within the York Local Plan to enable 	

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	<p>the full need for housing to be met within the York HMA.</p> <ul style="list-style-type: none"> • Welcomes the identification of strategic highways network improvements at Grimston Bar in policy T4 and the need for joint working. • Expressed concern at the Breen Belt boundary being set precisely at 6 miles from the city centre as this would encroach into East Riding. • More detailed comments relating to Site ST15 Land West of Elvington Lane. 	<ul style="list-style-type: none"> • Policy DP1 Amended to show Green Belt approx. 6 miles
EA	<ul style="list-style-type: none"> • On the whole, the Environment Agency's comments from previous consultations have been taken on board and the EA find the content of the plan positive. The section on green infrastructure is good and recognises the dual of both green open spaces and mitigation of current and future flood risk, as sustainable drainage systems (SuDS) or flood storage, can be achieved. • More detailed comments on policies relevant to its remit, e.g. Flood risk and land contamination. 	<ul style="list-style-type: none"> • Relevant policies amended to suit as appropriate
HDC	<ul style="list-style-type: none"> • The document identifies sufficient land to meet the development needs of the City and establishes a Green Belt enduring 20 years. It does not safeguard land for development and recognises the build out time of the strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed in the White Paper, should this be required. • If the City of York does not ensure that its longer term development needs are met this will place pressure on areas in neighbouring authorities. • The Local Plan has been subject to viability testing and the proposed allocations have been selected through a robust assessment process, but the level of assessment that has been undertaken to confirm the viability and deliverability of the allocated sites is 	

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	unclear	
HBC	<ul style="list-style-type: none"> •No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward 	
HighE	<ul style="list-style-type: none"> •Welcome the emphasis on sustainable travel, high quality public transport links serving new sustainable communities and travel planning as key components of policy, and that new development sites are located with good access to public transport, walking and cycling networks, thereby minimising growth in traffic. •The Plan lacks recognition of the scale of the forecast traffic growth on the A64 trunk road and its junctions with local primary roads will require physical mitigation in the form of investment in highway infrastructure despite the extensive sustainable travel proposals. •The spatial distribution and particularly the development of land opportunities in the south and eastern parts of York should be dependent upon agreement between the Council and HE of a Management Strategy for the A64 and its junctions with the local primary road network. •HighE expects that the strategic sites located around the A1237 Northern Ring Road will combine to have a significant impact on the junctions of the A1237 with that A64 east and west of York. It will need to have a good understanding of that cumulative impact if it is to be able to state that the Plan is sound at Publication Draft stage. •HighE will continue to work in partnership with CYC to understand the impact of the Local Plan proposals on the operation of the A64 and its junctions with the primary road network. •Requested that the key principles in many of the Spatial Strategy (SS) policies for the strategic sites be modified to include HighE as an organisation to be consulted with by developers when demonstrating that all transport issues have been addressed. 	<ul style="list-style-type: none"> • Relevant SS Policies amended to suit where appropriate

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
HighE	<ul style="list-style-type: none"> •Requested explanatory text to several Spatial Strategy (SS) policies for the strategic sites be modified to include the need for a Transport Assessment to support the key principles relating to demonstrating that all transport issues have been addressed. •Policy T4 should include a reference to the provision of a new junction on the A64 to provide the main access to strategic housing site ST15 Land West of Elvington Lane. •Policy T7 should be amended to state that transport assessments for strategic sites must identify impacts individually and cumulatively on the A64 and that mitigation must be agreed with Highways England 	<ul style="list-style-type: none"> • Explanation text to relevant SS Policies amended to suit where appropriate • Policy T4 amended to include reference to the new access off A64 • Policy T7 amended to suit
Leeds City Region Local Enterprise Partnership (LCR LEP) / West Yorkshire Combined Authority (WYCA)	<ul style="list-style-type: none"> •The Plan forms a complete suite of local policies and directly addresses many aspects of the strategies in the SEP. •Land allocations for the provision of jobs will support sustainable economic activity with a focus on allocating enough sites to satisfy market demand and maximise connectivity to transport •The Plan supports the aim of increasing the amount of energy generated from renewable and low carbon sources, and supports proposals for renewable and low carbon infrastructure. These elements are well-aligned with the SEP •York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment. •The Plan policies could strengthen the commitment to delivering better digital infrastructure which would support the SEP priorities 	<ul style="list-style-type: none"> • Policy C1 amended to include communications infrastructure in new developments

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<ul style="list-style-type: none"> •Sites and policies are not supported by an up to date infrastructure delivery plan (IDP) and one would be expected. •The Plan acknowledges that commuting to destinations outside York occurs. Welcomes that improvements to York Railway Station are included in the plan to accommodate enhancements for the planned electrification of the Trans Pennine Line, HS2 and Northern Powerhouse Rail aspirations. 	
NYCC	<ul style="list-style-type: none"> •York is an important driver for growth both within the York, North Yorkshire and East Riding LEP area and the Leeds City Region. It is important that the City has a robust and high quality Local Plan in place that best enables it to unlock economic growth and prosperity for the benefit of its communities and those of its wider hinterland. •Welcome the commitments set out in Policy DP1: York Sub Areas. In particular that York will 'fulfil its role as a key driver in the Leeds City Region , York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area...' and 'The housing needs of City of York 's current and future population including that arising from economic and institutional growth is met within the York local authority area.' •Support the general thrust and intent of Policy SS1 : Delivering sustainable growth for York •Policy SS2: the Role of York's Green Belt - defining a clear and detailed inner boundary of the York Green Belt is welcomed and supported. In defining the Green Belt boundary it is important that the evidence underpinning the decision is clearly presented and included within the narrative accompanying the policy. NYCC recognise that the Plan makes provision up to 2038, providing for an additional 5 years beyond the plan period. In adopting this approach it is acknowledged that in the longer term consideration will need to be given to how future growth needs will be managed to provide confidence in relation to planning for infrastructure and services including within neighbouring parts of 	

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<p>North Yorkshire</p> <ul style="list-style-type: none"> •Any traffic impact on NYCC's local highway network that could arise from allocations need to be identified and considered. Where it is clear that a development will have a material impact on its local highway network, NYCC request to be included in agreeing the scoping for the Transport Assessment (TA) and Travel Plan (TP) in addition to being formally consulted during the application process. •Ask that within CYC's transport evidence account is taken of the traffic generated by the allocations of surrounding planning authorities, particularly Harrogate district and the Green Hammerton settlement and that committed developments within North Yorkshire that will impact on cross border issues are included. •The Development of the York Central site will provide new economic and residential uses and activity in the centre of the City in a location well connected to sustainable transport which will benefit from regeneration •Suggest that proposed developments should plan for the installation of equipment or suitable provision of ducting at the onset for mobile communications and not leave it to be installed by third parties once the development is complete. 	<ul style="list-style-type: none"> • Policy T7 amended to include for strategic sites the impacts on neighbouring local highway authorities' (LHAs') highways and agree mitigation with HE and LHAs • Modelling takes this into account either through application of TEMPRO growth or bespoke traffic flow data as appropriate • Policy C1 amended to include new 'Communications Infrastructure in new developments' subsection .
RDC	<ul style="list-style-type: none"> •No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward 	

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
SDC	<ul style="list-style-type: none"> •Broadly supports the Local Plan approach and its policies, and more specifically, Policy DP1 •SDC notes Policy SS1 states that the plan will deliver a minimum of 867 dwellings per year. Having read the SHMA Addendum, it is also noted that this figure does not take into account the level of employment growth proposed by the Local Plan and that the SHMA has not undertaken a full update to the analysis of economic growth. Whilst the SHMA concludes that there is unlikely to be any justification for an uplift in housing numbers in York to support expected growth in employment, Selby District Council need to be confident that undertaking a policy-on approach to housing need would identify no more than 867 dwellings per annum. •CYC will also be aware of the proposed methodology for the calculation of housing need requirements set out in the in the DCLG consultation on ‘Planning for the Right Homes in the Right Places’, which if taken forward would increase York’s housing requirement figure to 1,070 dwellings per annum. Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues. •Question whether a Green Belt boundary enduring for 20 years is sufficient to meet the NPPF as it pertains to the intended permanence of Green Belt boundaries in the long term so they are capable of enduring beyond the plan period. •Site ST15 is in a remote location and will require significant investment in public transport infrastructure. The cumulative impact of this proposed new settlement on the highways network, along with the proposed expansion of York University (Site ST27) and the employment allocation at Elvington Airfield will need to be mitigated. Selby District Council need more detail to that shown in the Transport Topic Paper, before providing any further comments on the potential impact this allocation may have on Selby district. 	

Table 4.4 Summary of Prescribed Body (and other relevant body) Responses to City of York Local Plan consultation documents (up to Local Plan Pre Publication Draft (Regulation 18 Consultation), September 2017) pertaining to strategic cross boundary issues		
Body	Representation	Outcome
	<ul style="list-style-type: none"> •CYC as education authority, will need to be satisfied that Wheldrake with Thorganby CE School is capable of meeting any additional demand generated by Site ST33, without any detriment to the population of Thorganbury (in Selby District) 	<ul style="list-style-type: none"> • Education contribution required to accommodate additional pupils at Wheldrake with Thorganby CE School
York, North Yorkshire and East Riding Local Enterprise Partnership (YNYER LEP)	<ul style="list-style-type: none"> •The quantum and nature of the proposed development will be of great strategic benefit to this LEP area and it is important that the Local Plan is advanced to adoption quickly to allow delivery of these sites. •Past issues of under delivery of housing, together with recent market signals for York mean that it will be essential to achieve the proposed minimum annual provision of 867 dwellings over the plan period, together with any additional homes to reflect under delivery. •Concerned at only 60,000m² of B1a office space at York Central, given the significantly higher figure in the EZ proposal and the pivotal role of such development on this site for the economy of York and the LEP area •Welcome the funding from WYCA to undertake feasibility and business case development for dualling the A1237 •Grimston Bar junction, that already has capacity problems and faces increasing pressure through the Local Plan proposals, is important for east-west connectivity 	<ul style="list-style-type: none"> • Employment (B1a) increased to 100,000m² in Policy SS4

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan			
Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
Prior to consultation on Local Plan Preferred Options (LPPO)			
Director of Public Health, City of York Council.	Gather general information about the reorganisation of healthcare and public health	26/09/12	<ul style="list-style-type: none"> • None
East Coast	Discuss the strategic role of York Station	08/03/13	<ol style="list-style-type: none"> 1. Transport Modelling of Chantry Rise (the Fox PH) access into York Central 2. Prepare specific policy for York Station in York Local Plan
East Riding of Yorkshire Council (ERC)	Discuss traffic data for A1079 junctions at Dunnington	29/11/12	<ol style="list-style-type: none"> 1. Enquiries to be made with CYC traffic modelling team to establish turning counts etc. and status of junction improvement proposals.
Highways Agency (HA) & North Yorkshire County Council (NYCC)	Investigate how the respective body's transport model can be better integrated with those of the other bodies to assess the impacts of proposed development along the A64	27/11/12	<ol style="list-style-type: none"> 1 Investigate various issues around modelling should the need arise following initial comparison of model outputs 2 Determine whether NYCC's consultant is to undertake any further work to integrate NYCC's county-wide and local models
HA & ERC	<ul style="list-style-type: none"> • Discuss A64 Grimston Bar junction 	21/05/13	<ol style="list-style-type: none"> 1 Discuss progress on University of York S278 works with CYC Network Management. 2 Discuss the optimum position for 'loading' a large residential site (potential CYC LP allocation) to the SE of the A64 onto the A64 with CYC's modelling team 3 Discuss the emerging/new HA policy for development along the A64 with HA

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan			
Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
HA	<ul style="list-style-type: none"> • Discuss HA's view of new large scale residential development adjacent to the A64 	21/03/13	<ul style="list-style-type: none"> • None
NYCC and North York Moors National Park Authority (NYMPA)	<ul style="list-style-type: none"> • North Yorkshire, York and North York Moors Minerals and Waste Joint Plan (JMWP) officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. 	05/12/12 09/01/13 16/01/13 22/01/13 17/04/13 14/05/13 20/05/13	Work/actions necessary to prepare a Joint plan
During consultation on LPPO			
ERC	Discuss cross boundary issues prior to Local Government North Yorkshire and York (LGNYY) Spatial Planning and Transport Board (also on 02/07/13) and prior to ERC sending consultation response	02/07/13	1. Provide ERC with information in response to Issues 1-4 ASAP 2. Consider rephrasing paragraph referred to in Issue 5 to provide more coordinated policy with ERC. 3. Investigate Issues 6 and 7
Harrogate Borough Council (HBC)	Discuss cross boundary issues	24/07/13	1 Keep under review in respective DtC matrices
HA	Further discussion of growth targets in the plan, the potential impacts on the A64 and potential mitigation measures..	29/07/13	1 HA to have more regular meetings and with CoYC and involvement in the process as work on the Plan continues.
Leeds and York Partnership NHS Trust	General information, discussion regarding infrastructure needs and request for consultation feedback	24/07/13	1 Changes to Policy CF4 required, where it relates to Bootham Park.

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
LGNYY Spatial Planning and Transport Technical Officers Group (TOG), Extraordinary meeting	Round table discussion to discuss CoYC's compliance with the DtC in preparing the Local plan Preferred Options, general information, discussion and request for consultation feedback.	31/07/13	<ol style="list-style-type: none"> 1 Next steps / Joint working opportunities to next meeting 2 Next TOG meeting to be arranged for 4-6 weeks time and Highways Agency (HA) to be invited to attend 3 HA response to CYC Local Plan Preferred Options to be circulated 4 Future evidence to be gathered on a sub regional basis, as required.
North Yorkshire Police	General information, discussion regarding infrastructure needs and request for consultation feedback	28/06/13	<ul style="list-style-type: none"> • Liaise with the Architectural Liaison Officer re. Gypsies and Travellers
Selby District Council (SDC)	Discuss cross boundary issues	08/07/13	<ol style="list-style-type: none"> 1 Advise SDC as to why Site ST15 is proposed where it is and not elsewhere 2 Advise SDC as to why SF7 has a proposed leisure allocation
Stakeholder Workshop	Delivering Strategic Sites, facilitated by Atlas	04/07/13	
Without Walls (WoW) Board	General information / presentation of Local Plan Preferred Options, Q & A and request for consultation feedback	26/06/13	<ul style="list-style-type: none"> • Liaise with each Partnership Support Officer
Yorkshire Water (YW)	General information, discussion regarding infrastructure needs and request for consultation feedback	10/07/13	<ul style="list-style-type: none"> • Make enquiries regarding 'Headroom' in Elvington and find out whether anything is included in YW's Periodic Review 14
York Teaching Hospital NHS Foundation Trust (via email).	The need to modernise York District Hospital over the next few years	29/07/13	<ul style="list-style-type: none"> • None

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan			
Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
During 2 week extension to consultation period			
HA & ERC	Discuss further growth impacts on A64 (in particular Grimston Bar junction) and potential mitigation measures.	09/08/13	<ol style="list-style-type: none"> 1 Discuss (internally) whether possible to release WSP's trip generation note [for Whinthorpe] to ERC 2 ERC to reassess trip rates generated by development in Pocklington
Post LPPO			
HA	Discuss progress on devising a more sustainable approach to development of strategic sites to minimise impacts on the A64 and coordinate with HA's new transport model for the A64 around York	23/09/13	<ul style="list-style-type: none"> • For any issues relating to the Dynameq modelling contact EY at JMP (cc AS (JMP) / SJ (Highways Agency)) and for any issues relating to transport strategy contact AS/SJ (cc EY)
Environment Agency (EA)	to discuss EA response to LPPO, with particular focus the Water Framework Directive and Flood Risk	30/09/13	<ol style="list-style-type: none"> 1 Review EA's representation and amend Local Plan and supporting documents as appropriate 2 Consider flood risk, water environment and biodiversity as 'strategic issues' under the Duty to Cooperate 3 EA to send through examples of how other local authorities have incorporated the WFD into their local plans. 4 EA to send relevant and contemporary information from EA's database of reasons for failure to CoYC (AC) 5 EA to liaise with CoYC (AC) to ensure supply of contemporary information for updating the Local Plan Sustainability Appraisal

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
Planning Advisory Service commissioned DtC Workshop 1	Facilitated by ARUP to deliver the 'Incorporating Strategic Issues into Local Plans' module. The workshop was attended by representatives from neighbouring local authorities, HA, LEPs and Network Rail. The focus of this workshop was 'Identifying Strategic Issues'	24/10/13	
Department for Transport (DfT) Rail and NYCC	Discuss various rail planning and scheme delivery issues, including: Haxby Station, York Station (+HS2), York-Harrogate-Leeds line, Access to Leeds Bradford International Airport (LBIA), Rail Devolution and Re-Franchising.	31/10/13	<ul style="list-style-type: none"> DfT to forward details of an appropriate (DfT?) contact for York Station
Delivering Strategic Sites-Panel Review Workshops –	Presentations by developer design teams to a 'Design and Environment Panel' and an 'Infrastructure Panel', both comprising representatives of various CoYC departments and numerous statutory/prescribed bodies, to inform the panels of the scope and scale of the proposed development and offer the opportunity for the panel to ask questions and provide appropriate guidance to the design teams. - (overview and write-up available)	06/11/13, 13/11/13 and 15/11/13	
HA	to discuss assumptions (e.g. trip generation rates) used for modelling the local traffic impacts of the proposed allocations and the cumulative impacts of development in York overall. Also to discuss the tie-in with HA's modelling of the A64 around York.	18/11/13	<ol style="list-style-type: none"> JMP (EY) to liaise with CYC (SP) re coordination and integration of CYC / HA traffic models. Liaise with East Riding Council (ERC) regarding progress on identifying the traffic impacts of ERC's Local Plan at Grimston Bar junction

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
Local Plan Viability Workshop	Presentation by Peter Brett Associates to strategic site developer design teams, representatives from COYC and other statutory/prescribed bodies such as the HA to give an overview of local plan site viability work, including assumptions made, and provide the opportunity for feedback. This was followed by a broadly similar presentation by Parsons Brinckerhoff to outline the work being undertaken on the Local Plan Transport Infrastructure Investment Requirements study	22/11/13	
HA	to discuss assumptions (e.g. trip generation rates) used for modelling the local traffic impacts of the proposed allocations and the cumulative impacts of development in York overall, with a particular focus on devising/using trip rates that are more in accord with HA's trip rates derived through its GraHAM tool, as HA had written to express its concerns regarding the trip rates used in CoYC's latest modelling.	16/12/13	<ul style="list-style-type: none"> • None
Planning Advisory Service commissioned DtC Workshop 2	Facilitated by ARUP to deliver the 'Incorporating Strategic Issues into Local Plans' module. The workshop was attended by representatives from neighbouring local authorities, HA, LEPs and Network Rail. This workshop discussed toolkits (tables) as means to identify evidence gaps, strategic (DtC) issues and undertake actions to produce better outcomes	20/01/14	

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
HA	To discuss: <ul style="list-style-type: none"> • CoYC latest modelling outputs and HA's initial modelling outputs • The impacts of new sites proposed in representations on the Local Plan Preferred Options consultation • How CoYC will consider planning applications for strategic sites in advance of the adoption of a Local Plan • Timescales for preparing and adopting the City of York Local Plan 	31/01/14	<ol style="list-style-type: none"> 1 CYC to ascertain traffic flows on A59 arising from local Plan growth to assess impact on A1M Junction 47 and discuss potential mitigation with HA and NYCC. 2 CYC meet with developers of strategic sites, together with the HA, as and when appropriate 3 CYC / HA to agree traffic flows coming off the north end of the A1237 onto the A64, (more modelling work required before this can be done) 4 Ascertain whether a CYC 'constrained trip matrix' is available for JMP to use
HA, NYCC, Ryedale District Council (RDC) and Scarborough Borough Council (SBC)	to discuss HA Route-Based Strategies Risk Register to demonstrate closer involvement with the HA for Priority schemes that impact on the Strategic Road Network (SRN) and develop an action plan.	25/02/14	<ul style="list-style-type: none"> • CYC to ascertain traffic flows on A59 arising from local Plan growth and forward to NYCC (PJ).
NYCC and NYMPA	<ul style="list-style-type: none"> • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. 	21/10/13 06/11/13 08/01/14 20/01/14	<ul style="list-style-type: none"> • Work/actions necessary to prepare a Joint plan
Pre-Submission (Publication, 2014) including Further Sites Consultation			
Authorities that form part of York's Sub-Area	Discuss York's housing market area, with a focus on either confirming current assumptions or identifying any changes to what has already been assumed.	17/03/14	

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
HA and Systra	Discuss the potential for third party use of CoYC' strategic transport model to model various access options to a proposed major development site adjacent to the SRN.	03/04/14	<ul style="list-style-type: none"> • CYC / Parsons Brinckerhoff need to agree how to proceed (i.e. whether to allow use of the CYC transport model by the developers transport consultant
HA, NYCC the York North Yorkshire and East riding Local Enterprise Partnership and JMP	Discuss the HA's feasibility study for improvements to the A64 under the HA's Route Strategy programme	15/08/14	<ol style="list-style-type: none"> 1 Determine whether CYC Local Plan trajectory can be sent to JMP ccd to the HA. 2 Check and confirm no. of dwellings South of Cayton in SBC consultation (4500) and advise JMP
HA, JMP and ERC	Discuss the harmonisation of CoYC's and HA's transport models and how the outcomes of these show the transport impacts of CoYC's and ERC's Local Plans on the A64 and its junctions, particularly the Grimston Bar junction.	19/08/14	<ul style="list-style-type: none"> • Send latest trip matrices to JMP.
Harrogate District Core Strategy Review - Transport Workshop.	<p>Establish:</p> <ol style="list-style-type: none"> 1. What are the key transport constraints and opportunities for delivering the infrastructure required to support new homes and jobs up to 2035? 2. Broadly what future development options should be investigated and why? 3. What transport evidence base work is required to support future development options? 4. How can we ensure that the transport infrastructure necessary to support development is funded? 	09/04/14	

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
NYCC	General discussion following the issue of the City of York Council Local Plan Further Sites Consultation on 4 June 2014, with primary focus on transport.	10/06/14	<ol style="list-style-type: none"> 1 Resend traffic flows on A59 arising from CYC Local Plan to NYCC (PJ and MB), the Highways Agency (SJ) and its consultant JMP (AS) 2 SW (CYC) to liaise with MY (NYCC) regarding flooding outside York's boundaries.
NYCC and NYMPA	<ul style="list-style-type: none"> • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. • JMWP officer meeting. 	05/03/14 12/03/14 06/05/14 27/05/14 16/07/14 04/08/14 30/09/14	<ul style="list-style-type: none"> • Work/actions necessary to prepare a Joint plan
SDC	Discuss joint approach to setting allocations in Escrick	30/06/14	<ul style="list-style-type: none"> • Meeting to be arranged between CYC Portfolio Holder Environmental Services, Planning & Sustainability and NYCC Lead Member for Place-shaping to discuss at a 'political level'.
Pre-Preferred Sites Consultation			
ERC	Community Infrastructure Levy (CIL) viability workshop to test/query assumptions used in CIL viability assessment	14/09/15	
HA	Discuss the impacts of the city of York local plan on the A64	08/10/14	<ul style="list-style-type: none"> • Send latest 'full-dualling' cordon data, plus 'unmitigated' data to JMP.
Hambleton district Council (HDC)	For CoYC to inform HDC of the latest position regarding its Local Plan and vice versa and discuss potential cross-boundary issues.	11/05/15	<ul style="list-style-type: none"> • Forward Hambleton-York travel to work movements as extracted from 2011 Census data

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
Hambleton district Council (HDC)	CoYC to inform HDC of the latest position regarding its Local Plan and vice-versa and discuss potential cross-boundary issues.	11/05/16	<ul style="list-style-type: none"> Forward CYC's draft community infrastructure standards matrix
Hambleton district Council (HDC)	Retail and Leisure Study Workshop to provide a general update on the Hambleton Retail and Leisure Study which will feed-in to HDC's Local Plan Preferred Options Document	24/05/16	
HBC	Written comments offered by CYC on Harrogate BC's emerging Strategic Housing Market Assessment.	22/01/15	
	Further written comments offered by CoYC, on the assumptions in the draft SHMA about commuting flows between York and Harrogate	03/02/15	
	(with Atkins acting on behalf of HBC) Written comments offered by CYC on Atkins' Draft analysis of the Harrogate Functional Economic Area.	05/02/15	
	Discuss the issues that will inform CYC's response to Harrogate BC's Harrogate District Local Plan: Issues and Options Consultation.	27/07/15	<ol style="list-style-type: none"> CYC to send in a representation on Harrogate District Local Plan: Issues and Options Consultation CYC to dovetail its Local Plan work with HBC as each authority's respective plans are progressed.
	Community Infrastructure Levy (CIL) and Local Plan viability workshop to test/query assumptions used in CIL /LP viability assessment	28/06/16	
Highways England (HighE)	Regional Stakeholder Briefing to inform stakeholders about HighE, its 5-year strategy, investment plan and work programme for the Yorkshire and North-East region.	21/07/15	

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
NYCC and NYMPA	JMWP Member Working Group Meeting JMWP officer meeting. JMWP Member Working Group Meeting JMWJP officer meeting JMWJP Member Working group meeting	11/11/14 02/12/14 23/01/15 23/02/15 24/03/15	<ul style="list-style-type: none"> • Work/actions necessary to prepare a Joint plan
NHS	Discuss S106 contributions for Strategic site ST1 and wider discussion on future NHS infrastructure/service provision requirements.	24/02/15	<ul style="list-style-type: none"> • NHS team to undertake an audit of its current healthcare provision and the ability of existing practices to accommodate additional demand for premises. This would inform an assessment of potential provision-gaps arising from the policies and site allocations in the Local Plan Publication Draft
	Present latest position on the Local Plan and discuss future NHS infrastructure / service provision requirements.	07/04/15	<ol style="list-style-type: none"> 1 CYC to send relevant extracts of the Plan, (Key Diagram and housing nos. for each strategic site), to NHS for them to offer comment. 2 NHS to undertake a gap-analysis of current healthcare provision once the above information has been received. 3 NHS to forward relevant and appropriate information regarding the York Hospital Masterplan to CYC 4 CYC to arrange further quarterly meeting 5 CYC to meet with CCG once contact details have been supplied by NHS
	Discuss future NHS infrastructure / service provision requirements.	03/06/15	<ol style="list-style-type: none"> 1 Investigate NHS guidelines for GP provision) 2 Prepare a map of all healthcare facilities.

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
NHS	Present the latest position on the Local Plan, discuss progress on actions from meeting on 24/02/15, and determine future actions.	30/07/15	<ol style="list-style-type: none"> 1 NHS to forward York Primary care property dataset to CYC 2 NHS to forward optom., dental and pharmacy premises info to CYC so it has a full picture of the primary care estate 3 CYC to prepare suitable Mapping using dataset received 4 CYC to check receipt of York Hospital Masterplan and NHS resend if necessary 5 CYC arrange a meeting between NHS and CYC Development Management team 6 CYC /NHS to pursue Workshop for York Hospital Masterplan (CYC to check 'fit' with Local Plan preparation timescale) 7 NHS to search for York Hospital Catchment Plan and forward to CYC
Ryedale District Council (RDC)	CYC to inform RDC of the latest position regarding the City of York Local Plan, and to request a response from RDC with regard to whether it would consider absorbing some of CYC's housing requirement within its local authority area.	15/01/15	
	CoYC and RDC to update each other of the latest position regarding their respective local plans and discuss cross-boundary issues	10/12/15	<ol style="list-style-type: none"> 1 Confirm whether opportunity for RDC to observe or piggy-back CYC's work updating Gypsy and Traveller evidence to be taken-up 2 RDC to liaise with CYC regarding potential peer-to-peer support / advice in undertaking SA/SEA work

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
SDC	CoYC To update SDC re. the CYC Local Plan, understand the current position re. the SDC Local Plan, and discuss the proposed allocation(s) in Escrick.	12/01/15	<ul style="list-style-type: none"> • SDC to seek to issue a Member (Portfolio Holder)-backed view on the allocation of land North of Escrick within the next two weeks..
	CoYC and SDC to update each other of the latest position regarding their respective local plans and discuss cross-boundary cooperation with regard to allocations in Escrick and adopting a more sub-regional approach to delivering housing in the York Housing Market Area.	10/09/15	<ul style="list-style-type: none"> • CYC to arrange a series of further meetings to discuss allocations in Escrick
	CoYC and SDC to update each other of the latest position regarding their respective local plans and discuss cross-boundary cooperation with regard to allocations in Escrick.	21/04/16	<ol style="list-style-type: none"> 1 SDC to offer its view on CYC de-allocating a site in Escrick for residential development and allocating it as Green Belt 2 SDC to reply to CYC letter drafted 09/02/16 3 CYC / SDC to identify areas of work and their respective timescales where the potential for cross-boundary cross-over exists
West Yorkshire Plus Transport Fund Partners and HE	Workshop to share ambitions, visions and objectives to maximise efficiency and prevent abortive work	22/06/15	
York North Yorkshire and East Riding (YNYER) Local Enterprise Partnership (LEP) Area	Transport Meeting for discussion around developing a prioritisation methodology for major transport schemes across the York/North Yorkshire and East Riding area.	01/02/16	

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan			
Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
York, North Yorkshire and East Riding Transport Body	Meeting to establish the (transport) infrastructure investment priorities across the YNYER area.	28/09/15	
YW	Confirm that there are not likely to be any water supply or waste water treatment 'showstoppers', establish Yorkshire Water's infrastructure investment plans, and discuss specific issues raised by Haxby Town Council	04/02/15	<ol style="list-style-type: none"> 1 CYC to amend the City of York Local Plan Infrastructure Delivery Plan (IDP) paragraph 4.88 to read 'limited capacity at Rawcliffe'. Also to check which version of the IDP is the most up to date and amend the appropriate paragraph, if not Paragraph 4.88. 2 CYC to update IDP to include AMP6 instead of AMP5
Preferred Sites Consultation (PSC)			
ERC	Discuss City of York Local Plan Preferred Sites Consultation Document and potential cross-boundary issues.	26/07/16	<ul style="list-style-type: none"> • ERC to forward to CYC Highways England's revised response to ERC Local Plan Allocations Document
The Environment Agency (EA)	Discuss potential flood alleviation schemes	01/09/16	<ol style="list-style-type: none"> 1 EA to share new flood zones with CYC in mid-September ahead of full issue? 2 CYC to arrange further meeting with EA for end of September / early October 2016 3 CYC to set up a meeting with the York Central Project Team for early October 2016
HBC	CoYC and HBC to update each other of the latest position regarding their respective local plans and discuss cross-boundary issues. Also discuss the need for HBC to be consulted on the Poppleton Neighbourhood Plan HRA.	25/04/17	

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
HE	Discuss City of York Local Plan Preferred Sites Consultation (PSC) Document and strategic issues	18/07/16	<ol style="list-style-type: none"> 1 CYC to prepare a project plan for transport modelling / viability testing and issue to HE 2 CYC to liaise with HE's consultant 3 HE to offer feedback on Local Plan Preferred Sites Consultation document
NYCC	Discuss City of York Local Plan PSC Document and potential cross-boundary issues.	31/08/16	<ul style="list-style-type: none"> • None
SDC	Discuss City of York Local Plan PSC Document and potential cross-boundary issues.	29/09/16	<ol style="list-style-type: none"> 1 CYC to arrange further meeting With SDC at SDC's offices to take place ASAP 2 SDC to forward to CYC SDC's timetable for preparing Plan Selby 3 CYC to review SDC Economic Strategy and offer comment to SDC ASAP
(YNYER LEP)	LEP-chaired workshop to enable CYC's officers to receive / discuss views from the officers attending representing prescribed bodies to help CYC show that cooperation under the duty can or will lead to improved outcomes as the CYC Local Plan progresses from 'Preferred Sites' to 'Publication Draft'. (detailed notes available)	13/10/16	<ul style="list-style-type: none"> • All agreed that this workshop had been useful • Action CYC / LEP to arrange 2nd workshop (with additional specialist officers as necessary) specifically to discuss infrastructure should take place in 4-5 weeks time. The LEP agreed to host it (Feedback on the YNYER Spatial Framework was requested for this 2nd workshop)
YW	Confirm that there are not likely to be any water supply or waste water treatment 'showstoppers' and discuss Yorkshire Water's infrastructure investment plans.	12/08/16	<ul style="list-style-type: none"> • None

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
Pre-Publication draft Local Plan (Regulation 18 Consultation, Sept 2017)			
HDC	<ol style="list-style-type: none"> 1 For CYC to inform HDC with regard to the York Local Plan Pre Publication Draft (Regulation 18) Consultation, September 2017 (PPDRC) 2 For HDC to inform CYC with regard to the position on the Hambleton District Local Plan (HDLP) 3 To identify any strategic cross boundary issues 	25/10/17	<ul style="list-style-type: none"> • CYC advised HDC that sufficient land is allocated in the PPDRC for residential development to meet the OAN of 867 dwellings per annum (+ 56 dpa for backlog) wholly within the York unitary authority area. • Expected date of HDLP Publication is April 2018 • CYC to send HDC an electronic (MS Word) version of the Leeds City Region Statement of Cooperation for Local Planning
HighE	<p>To discuss:</p> <ul style="list-style-type: none"> • CoYC York Local Plan Pre Publication Draft (Regulation 18) Consultation, September 2017 (PPDRC) • The impacts of the PPDRC on the Strategic Road Network (Primarily the A64) • A new Junction on the A64 to provide access to Strategic Site ST15 	03/10/17	<ul style="list-style-type: none"> • HighE is generally more concerned about the impacts on A64 junctions than on the A64 main line • HighE has agreed in principle to site ST15 being accessed of the A64 via a new GSJ on the A64, the build-costs of which will not be met by HighE • If the new GSJ provides an additional route in to York, CYC to inform HE of what the forecast impacts on the A64 will be.
Leeds City Region (LCR) LEP	For CYC to discuss the York Local Plan Pre Publication Draft (Regulation 18) Consultation, September 2017 (PPDRC)	27/10/17	<ul style="list-style-type: none"> • Main Policies that may be of particular interest to LCR LEP (with due regard to the Proposals Map) are <ul style="list-style-type: none"> o Policy H1: Housing Allocations together with the associated Spatial Strategy policies that relate to the strategic sites and contain the key planning principles pertaining to them o Policy EC1: Provision of Employment Land • No agreed actions arising

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
SDC	<ol style="list-style-type: none"> 1 For CYC to inform SDC with regard to the York Local Plan Pre Publication Draft (Regulation 18) Consultation, September 2017 (PPDRC) 2 For SDC to inform CYC with regard to the position on the Selby Local Plan 3 To identify any strategic cross boundary issues 	17/10/17	<ul style="list-style-type: none"> • CYC advised SDC that with regard to the proposed approach to calculating the local housing need in the Government’s ‘Planning for the right homes in the right places: consultation proposals’ it is ‘sticking to its guns’ in relation to its objectively assessed housing need (OAN) figure of 867 dwellings per annum (+56 dpa for backlog) • SDC was progressing a Sites and Policies Plan in 2016, but SDC has since made a decision to separate this into two documents as well as undertaking a Local Plan review, as stated in its 6th LDS 2017-2020 <ul style="list-style-type: none"> o Site Allocations Plan (SAP); o Followed by the Development Management Policies Plan; o Followed by an early review of the Local Plan • CYC to check whether symbols for denoting Park & Ride sites on Proposals Map are correct
YNYER LEP		24/10/17	<ul style="list-style-type: none"> • YNYER LEP areas of interest <ul style="list-style-type: none"> o York is the largest centre in the LEP area and a major economic asset. It is in an important entity in its own right and exerts an influence over much the of LEP area. It has strengths and weaknesses and special character presents challenges for accommodating growth. o The quantum and nature of the proposed development in the PPDRC will be of great strategic benefit to this LEP area o CYC’s position in the PPDRC with regard to the

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
			<p>proposed approach to calculating the local housing need in the Government's 'Planning for the right homes in the right places: consultation proposals' - CYC is 'sticking to its guns' in relation to its (OAN) figure of 867 dwellings per annum (+56 dpa for backlog)</p> <ul style="list-style-type: none"> ○ The planned target of only 61,000 m2 of B1a office space at York Central is a concern, given the significantly higher figure in the EZ proposal and the pivotal role of such development on this site for the economy of York and the LEP area ○ Upgrading (dualling) of the A12327 and having adequate capacity at the Grimston Bar junction are important in relation to east-west connectivity. ● CYC to discuss impacts on A64 Grimston Bar Junction and potential mitigation with East Riding of Yorkshire Council (ERC) and Highways England (HighE).
YW	<ol style="list-style-type: none"> 1 For CYC to update YW with regard to the City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, September 2017 (PPDRC) 2 To identify any strategic water and waste water issues 	26/10/17	<ul style="list-style-type: none"> ● YW advised CYC that waste water (WW) connections could impose significant infrastructure costs on some of the strategic sites (e.g. ST14 and ST15) ● SW suggested Policy ENV5 be amended to limit run off to no more than 70% of existing rate (i.e. achieve a 30% reduction in runoff as a minimum). ● CYC to provide YW with an indicative timescale for the build out of employment land ● YW to confirm whether developers/promoters for site ST15 have approached it in relation to undertaking a

Table 4.5 Index of discussions with Prescribed body or other organisation in preparing the City of York Local Plan			
Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
			more detailed examination of options to optimise WW treatment and advise CYC accordingly.
Local Plan Publication Draft, February 2018 (Regulation 19 Consultation)			
EA	To discuss whether the CoYC York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC) has sufficiently taken EA's representations to the Pre-Publication Draft (Regulation 18 Consultation), 2017 (PPDRC) into account	15/03/18	<ul style="list-style-type: none"> • EA advised <ul style="list-style-type: none"> ○ of changes to allocations ○ housing target remains the same • Acknowledgement by EA that changes had been made to some policies in response to representations made • Likely that some further changes will be required (e.g. Policy ED5, specifically SH1)
ERC	To discuss the City of York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC) prior to ERC finalising and submitting its representation to it.	03/04/18	<ul style="list-style-type: none"> • ERC advised <ul style="list-style-type: none"> • of changes to allocations • housing target remains the same • ERC is supportive of the York Local Plan, in particular the strategy focused on meeting housing needs which should help to support the most sustainable pattern of development. • Subject to the provision of additional evidence to confirm the deliverability of ST15, ERC would not seek to be involved in the examination of the Plan
HighE	To discuss: <ul style="list-style-type: none"> • CYC York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC) • The impacts of the PDRC on the Strategic 	20/02/18	<ul style="list-style-type: none"> • HighE advised <ul style="list-style-type: none"> • of changes to allocations • housing target remains the same • Acknowledgement by HighE that changes had been made to some policies in response to its

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
	Road Network (Primarily the A64)		<p>Representation to the PPDRC</p> <ul style="list-style-type: none"> • 'Improvements to the A64/A1079/A166 Grimston Bar junction' is still in the plan as a scheme to be delivered in the medium term 2022/23-2027/29 and that further modelling of this junction and potential improvements to it will be necessary.
Historic England (HistE)	To discuss CoYC York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC) prior to Hist. Eng. finalising its representation.	28/02/18 28/03/18	<ul style="list-style-type: none"> • HistE advised <ul style="list-style-type: none"> ○ of changes to allocations ○ housing target remains the same ○ that changes had been made to some policies in response to representations made
NYCC	To discuss CYC York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC)	16/03/18	<ul style="list-style-type: none"> • NYCC advised <ul style="list-style-type: none"> ○ of changes to allocations ○ housing target remains the same ○ the Plan seeks to set a 20-yr. enduring Green Belt over the plan period and five years beyond, and allocations provide sufficient land to meet the longer-term • Acknowledgement by NYCC that changes had been made to some policies in response to its Representation to the PPDRC • The main cross-boundary strategic issues concerning North Yorkshire relate to following matters: <ul style="list-style-type: none"> ○ Housing Figures - noted that CYC's SHMA is a comprehensive piece of work. ○ transport issues <ul style="list-style-type: none"> ▪ East-West connectivity (i.e. A59 / A1237 / A64 / A1079) – Site ST19 Northminster Business Park could have an impact on the A59 /

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
			A1237. Also NYCC / Harrogate BC are exploring 'futureproofing' options for the A59 <ul style="list-style-type: none"> North-south movement/connectivity (principally the A19)
RDC	To discuss the latest position regarding the Ryedale Local Plan Sites Document, and the City of York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC)	26/03/18	<ul style="list-style-type: none"> RDC updated CYC with regard to the Ryedale Local Plan Sites Document (LPSD) RDC advised <ul style="list-style-type: none"> of changes to allocations housing target remains the same RDC commented on the strategic benefit of the residential allocations (strategic sites) in the north and north-east of York.
SDC	To discuss the latest position regarding the Selby Site Allocation Plan, and the City of York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) (PDRC)	22/03/18	<ul style="list-style-type: none"> SDC updated CYC with regard to the Plan Selby Site Allocations Plan SDC advised <ul style="list-style-type: none"> of changes to allocations housing target remains the same that changes had been made to some policies in response to representations made SDC reiterated its concerns, as expressed in its representation to the PPDRC, regarding the OAN figure and the impact on SDC if ultimately a higher housing figure is to be delivered, remain. Not clear what advantages specific statements of common ground between CYC and SDC would achieve, over and above the measures / processes already undertaken, such as the DtC Matrix.

Prescribed body (or other organisation)	Purpose / Topic	Date(s)	Action / Outcome
YNYER LEP		21/03/18	<ul style="list-style-type: none"> • YNYER LEP advised <ul style="list-style-type: none"> ○ of changes to allocations ○ housing target remains the same ○ that changes had been made to some policies in response to representations made • YNYER LEP noted that the employment figure for Site ST5 has increased to 100,000m² which is in accordance with that stated for the Enterprise Zone.

Notes

- 1 This table excludes regular sub-regional or sub-area meetings, and meetings for specific projects, where formal minutes or notes are otherwise available, as follows:
 - Leeds City Region (LCR) Strategic Planning Duty to Cooperate Group
 - LCR Community Infrastructure Working Group
 - Local Government North Yorkshire and York (LGNYY) Spatial Planning and Transport Board
 - LGNYY Spatial Planning and Transport Technical Officers Group (TOG)
 - York Sub-area Joint Infrastructure Working Forum (YSAJIWF)
 - North Yorkshire and York Local Nature Partnership Board
 - North Yorkshire Development Plans Forum
 - East Coast Mainline Authorities group (ECMA)
 - ECMA Technical Officers Group
 - Rail North (potential Rail Franchisor under decentralisation)
 - Business Case for improving the York-Harrogate-Leeds line
 - TransPennine Electrification
 - Asset Board
 - A64 Officer's Group
- 2 This table excludes meetings between CoYC and developer design teams for the Strategic Sites.

4.41 In addition to the formal and informal routes for cooperating with prescribed bodies and other organisations, as contained in Table 4.1, Table 4.3, Table 4.4 and Table 4.5, links to the relevant City of York Council's Local Plan Working Group (LPWG - a Member advisory group) and Executive meeting agenda(s) where the City of York Local Plan was an item thereon and in the public domain (i.e. on CYC's website) were sent, via email, to officers in the Leeds City Region Strategic Planning (Duty to cooperate) Group and the North Yorkshire and York Spatial Planning and Technical Officer Group. This was to enable respective authorities and organisations with officers on those groups to make representations, should they wish to do so, to be put to the LPWG or Executive when considering the corresponding local plan item.

Demonstrating the resultant positive outcomes

4.42 The Duty to co-operate Matrix at **Error! Reference source not found.** Annex 2 contains a comprehensive list of the main positive outcomes that will be achieved through fulfilling the Duty. Below are some key areas where cooperating to achieve positive outcomes is most advanced.

Housing

4.43 On the whole, the general direction and purpose of the work undertaken by City of York to analyse the extent of the York housing market area (HMA) and information on housing land supply across the market area are all supported by prescribed bodies and adjacent authorities.

4.44 National planning practice guidance (PPG) and further guidance from the Planning Advisory Service (PAS) sets out a process for deriving the objectively assessed need and then testing the implications of that need figure against policy considerations. It is evident from both pieces of guidance that there is a combination of factors, including national factors such as the uncertainty in the national population projections, which will affect the objectively assessed need calculation (prior to any policy considerations). In addition to these uncertainties there is the potential for different assumptions being made about the interactions between the factors which affect housing growth in the Plan's prepared by adjoining Local Authorities, which can impact on the exercising of the Duty to Co-operate between neighbours with consequential effects on the soundness of Plans. To help to reduce this risk the Leeds City Region (LCR) has agreed a common methodology for determining objectively assessed need. This is set out in a report for the City Region by Edge Analytics *The Objective Assessment of Housing Requirements – Establishing a Common Methodological Approach*. This report sets out a common start point and a robust and transparent methodology which enables a clear consideration of the different factors which shape housing growth and of how different scenarios are used to explore the impact of different factors which shape housing growth and of how different scenarios are used to explore the impact of different factors.

4.45 This analysis reviewed methodologies, data inputs, assumptions and resulting scenario outcomes that have informed the objective assessment of need. All districts have derived a housing growth target based on the evidence available.

4.46 In regard to objectively assessed need and the Duty, the report

- stated '*For any local authority area, there is no single, definitive view on the likely level of future growth, with a mix of economic, demographic and national/local policy issues ultimately determining the speed and scale of change. For local planning purposes, it is necessary to evaluate a range of growth alternatives to establish the most 'appropriate' basis for determining future housing provision.*';
- stated '*The process of cooperation between neighbouring authorities can be better facilitated if approaches and methods used for evidence generation and plan formulation are comparable and if data sources and assumptions that have been used are consistent*', and
- recommended '*LCR authorities give due consideration to the methodological framework that is presented [in the report] as they seek to achieve consensus through collective scrutiny and review of their respective Local Plans.*'

4.47 Experience of Plan making in different parts of the country has shown that a failure to properly consider housing market geography can lead to an unsound Plan. In response to this the LCR commissioned a review of the evidence on the geography of housing markets at the same time as the abovementioned work for establishing a common methodological approach. The review *Understanding the cross boundary impacts of housing markets* considered local, regional and national evidence drawn from previous studies of housing market geography. The report identified uncertainty in the geographies identified and in the potential strategic cross boundary relationships which would need to be explored through the Duty to Co-operate. It highlighted the fact that housing market relationships between different areas operate at a number of different levels. Where cross boundary market relationships exist, they are not always of sufficient scale or significance to warrant the formulation of new market area definitions.

4.48 With regard to the approaches and methods used for evidence generation and plan formulation being comparable as set out in *The Objective Assessment of Housing Requirements – Establishing a Common Methodological Approach* and the cross boundary relationships identified in *Understanding the cross boundary impacts of housing markets* GL Hearn (GLH) and Justin Gardner Consulting (JGC) were commissioned by City of York Council, Ryedale District Council, Hambleton District Council and the North York Moors National Park Authority area to develop a Strategic Housing Market Assessment (SHMA) covering these areas as a whole and individually. The purpose of the SHMA was to develop a robust understanding of housing market dynamics, to provide an assessment of future needs for both market and affordable housing and the housing needs of different groups within the population. In addition Harrogate Borough Council also commissioned GL Hearn, separately, to provide an update on the Borough's housing and economic development needs. The methods and approach for this were aligned with those abovementioned authorities who commissioned GL Hearn and the data sources and assumptions were consistent.

4.49 The resultant City of York SHMA (2016) identified that.

- in market-terms the relationship between York and Hambleton is relatively strong;

- migration and travel to work patterns identify a degree of self-containment which approaches or exceeds expected thresholds for housing market areas;
- York is very self-contained but is strongly linked to Selby;
- In travel to work terms York has a strong influence in the immediately surrounding districts particularly Selby, the southern parts of Hambleton and the eastern parts of Ryedale and East Riding, and
- Leeds' influence is likely to extend into the western periphery of the York area.

4.50 This correlates with a separate report that was commissioned by the West Yorkshire Combine Authority (WYCA) entitled 'Leeds City Region Housing Market Areas' (CURDS 2016) which identified that

- York has stronger links to the more northerly N.Yorkshire local authorities (LAs) than does Harrogate
- Selby LA has no robust boundaries splitting it from HMAs centred on York and on Leeds

4.51 All of the above work supports the approach in the City of York Local Plan (and those of its neighbours in the current round of plan making) to meet its own objectively assessed housing need within its local (unitary) authority area boundary, and not to prepare a joint plan with any of its neighbours.

Gypsy and Travellers

4.52 There are no pressing cross border issues reported with other Yorkshire authorities, but neighbouring areas and the City of York have started working together to share the methodologies and findings from their Gypsy Traveller Accommodation Assessments, establish a greater understanding of travelling patterns, regularly exchange information, share best practice on site management, and develop a common protocol for managing unauthorised encampments. This work is already underway with Wakefield and York leading on a project to develop a common methodology to identify sites for the Leeds City Region Strategic Planning (Duty to Cooperate) Group.

Economy

4.53 The Local Plan has been prepared to enable York to realise its economic growth ambitions as set out within the York Economic Strategy (2016), thus, contributing to a vibrant economy. This includes York fulfilling its role as a key driver in the Leeds City Region, the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area and the functional York Sub Area.

4.54 Annex 6 contains the duly completed LCR Strategic Economic Plan (SEP) Self-Assessment Template for the City of York Local Plan, as presented to the LCR Planning Portfolios Board on The Leeds City Region LEP / West Yorkshire Combined Authority representation to the City of York Local Plan Pre Publication Draft (Regulation 18 Consultation) 2017, stated that '*The Plan forms a complete suite of local policies therefore it directly addresses many aspects of the strategies*

laid out in the SEP'. The following SEP Strategic Priorities are addressed by the emerging Plan:

- Growing businesses
- Skilled people, better jobs
- Clean energy and environmental resilience
- Infrastructure for growth
- Transport

4.55 Although a similar template is yet to be completed for the YNYER LEP, the LEPs representation to the City of York Local Plan Publication Draft February 2018 (Regulation 19 Consultation) states *'The City of York Local Plan Publication Draft identifies a significant number of housing, employment and retail opportunities to deliver growth up to 2032. The quantum and nature of the proposed development will be of great strategic benefit to this LEP area [...]'*.

Transport

4.56 Transport is one of the major cross-boundary issues identified. Specific parts of the Strategic Road Network and public transport routes are highlighted as showing the most potential for cross-boundary cooperation.

- *A64 Memorandum of Understanding (MoU)*

4.57 For many years, Ryedale District Council has worked in partnership with North Yorkshire County Council, Scarborough Borough Council, the City of York Council and the Highways Agency to promote the improvement of the A64 between York and Scarborough. In 2011, a study funded by the authorities identified a range of potential measures to improve safety and journey reliability on the trunk road and to improve connectivity between York, Malton and Scarborough. The total cost of the various measures was £315m.

4.58 In May 2012, the Highways Agency (HA) wrote to the York Sub-Area Joint Infrastructure Working Forum to request that *'local authorities whose development impacts along the A64, along with North Yorkshire County Council, make a commitment towards reducing the impact of development on the A64 and work in partnership with to develop and implement a holistic package of solutions to reduce and mitigate the impact of development along the A64. We suggest that this commitment could take the form of a MoU. A MoU would provide us with more confidence in the local authorities' commitment to improvements along the A64 and would provide a structured approach to identifying solutions.'*

4.59 In October 2013, an informal A64 Officers Group was established comprising relevant officers from all the interested local authorities and the HA. The purpose of the group is to speak with a single, strategic voice to promote the improvement of the A64 and transport in the A64 corridor to the LEP, Government, MPs etc. The prime output from this group has been the production of the 'Memorandum of Understanding for A64 Trunk Road, York - Scarborough Improvement Strategy' (see also Annex 7), to establish a framework for effective co-operation to enable the development and implementation of a long term programme of improvements for the A64 trunk road between York and Scarborough. All the interested authorities, as

listed in Annex 7 **Error! Reference source not found.**, have signed-up to as 'Parties' to the MoU.

- *A64 Group Funded feasibility Studies*

The Highways has been undertaking a series of Route Based Studies (RBS) for the Strategic Road Network. One of these - South Pennines RBS - includes the A64. The HA is now taking the RBSs into a series of Route Strategies, and under this programme it is working up options for the A64 to assess for feasibility, with a view to them being implemented by 2021. Local authorities, as parties to the A64 MoU, are continuing to promote the potential improvements to the A64 and will work with the Highways Agency on the Route Strategy for the A64, to help prioritise funding bids and future investment. They have also come together to commission a study to identify and carry out sufficient preliminary design on a series of schemes on the A64 trunk road between York and Scarborough, to allow them to take advantage of potential funding opportunities from central Government as they arise.

- *Harmonisation of Strategic Models for determining the effects of development on the A64.*

4.60 In November 2012 officers from City of York Council met with officers from the HA and North Yorkshire County Council (NYCC) to investigate how each of the respective body's transport model can be better integrated with those of the other bodies to assess the impacts of proposed development along the A64. Since this inaugural meeting, the HA has developed a new 'Dynamec' model which it has used, previously, to test the impact of the Local Development Framework Developments on the SRN in the North East, North West and West Yorkshire. City of York Council has been working with the HA to achieve convergence of its SATURN model with the HA's Dynamec model. The latest situation is that full convergence has not been achieved. However, a degree of convergence has been reached such that the traffic demands predicted on the A64, using SATURN are not unreasonably dissimilar to those predicted using Dynamec, and that these technical differences can be reasonably explained. Ultimately, The HA will use the Dynamec output to 'test' the impacts of growth in the City of York Local Plan on the A64, to determine whether the impacts are acceptable to it.

- *A64/A1079/A166 Grimston Bar*

4.61 The outputs from transport modelling undertaken by City of York Council, and the HA (see para. 5.42 above) will also be used to assess the traffic impacts on the A64/A1079/A166 Grimston Bar taking into account the projected growth in traffic arising from the Plan and the East Riding of Yorkshire Local Plan. Once these impacts have been determined, City of York Council will continue to work with East Riding of Yorkshire Council and the HA to determine the overall scale of improvement needed at this junction to mitigate the impacts, and, where possible, apportion costs for the design and construction of the improvement. Improvements to the A64/A1079/A166 Grimston Bar Junction (including approach roads) is included in Policy T4 of the Local Plan as a strategic highway network capacity improvement scheme to be implemented in the Medium term (2022/23 – 2027/28).

- *Leeds-Harrogate-York Rail Line Improvements*

4.62 City of York Council has been a member of the Harrogate Rail Line Officers Group that has been meeting regularly for over 10 years. The group membership comprises of City of York Council, Harrogate Borough Council, Harrogate Chamber of Trade & Commerce, Network Rail, train operators on the line, currently Northern and Virgin Trains East Coast, North Yorkshire County Council and West Yorkshire Combined Authority. The primary purpose of the group is to seek the necessary improvements to the line to help deliver sustainable economic growth in the authority areas through which the line runs. In 2012 the group jointly funded the commission of the 'Leeds-Harrogate-York line Improvements, Outline Transport Business Case. The key conclusion from this commission, which was presented in 2013, was that 'Increasing the capacity of the line will offer opportunity for rail services to accommodate an increased number of passengers with associated revenue, with the service capacity increase able to support economic development along [the] rail line corridor.' The Business Case was developed around a list of Conditional Outputs to encourage electrification of the line, however it also highlighted potential benefits such as increased frequency, improved journey times, improved rolling stock which could be delivered with or without electrification and these are currently being taken forward.

4.63 Consequent to this business case, North Yorkshire County Council brought forward proposals for infrastructure changes to the Leeds-Harrogate-York line to enable increased frequency to two trains an hour and potentially faster journey times within its bid to the North Yorkshire and York Local Transport Body in 2013. The line was also evaluated as part of the Rail North Electrification Task Force Report to Government in Autumn 2014 and was in the top six for electrification in the North, current Government thinking is looking at electrification as one of several options, including bi-mode trains, going forward. City of York Council will continue to work with partner organisations to pursue improvements to services on the line.

- *York Station*

4.64 City of York Council is working in partnership with Network Rail on a development framework for York Station and the area around the station, the objectives of which include:

- Improve interchange
- Reduce conflict between modes at the station frontage
- Improve pedestrian movement within and around the station

Infrastructure

4.65 Although there is a requirement under paragraph 156 of the NPPF for the Council Local Plan to set out the strategic policies to deliver the provision of infrastructure The Council is not the sole organisation responsible for delivering the necessary infrastructure, so has to work in partnership with other organisations to deliver it.

4.66 As can be seen from Table 4.5 extensive discussions have taken place with numerous prescribed bodies and other organisation in preparing the City of York Local Plan. For example

- discussions with Utilities (e.g. Northern Powergrid and Yorkshire Water) have identified whether there is a need for strategic infrastructure and the infrastructure needed to support development, particularly for the larger strategic sites;
- Discussions with Highways England have identified schemes on the Strategic Road Network (SRN) it is intending to implement in future investment programmes that would not only deliver its desired outcomes for the SRN but also assist in delivering the Local Plan (e.g. upgrading the A64/A1237 at Hopgrove), and
- Discussions with the health sector (GGC, Trusts and the City of York Councils public health team) have established the needs for clinical accommodation at York District Hospital, mental health facilities, GPs and dentists

4.67 City of York Council has also made successful bids to the LCR LEP, the YNYER LEP and the West Yorkshire Combined Authority (WYCA) to fund key strategic infrastructure or and feasibility studies for preparing the business case for additional infrastructure, including

- £32.4 m West Yorkshire⁺ Transport Fund (WYTF⁺) for junction upgrades on the A1237
- £33m WYTF⁺, £2.5m WYCA Local Growth Fund (LGF) and £3.5m YNYER LEP LGF for a package of schemes to provide and improve access to York Central and to and within York Station by all modes
- £295,000 WYCA funding for a pre-feasibility study to evaluate options for upgrading the A1237 to a dual carriageway.

Energy

4.68 Concerns were raised regarding the impact of renewable energy schemes in York affecting neighbouring authorities. The Plan, through Policy CC1, encourages renewable and low-carbon energy generation and storage, and seeks to ensure that suitable are identified and projects developed. Policy CC1 also contains criteria for how applications for renewable and low-carbon energy generation development should consider the impact the scheme may have upon several aspects, including

- York's historic character and setting - including the sensitivity of scheme to the surrounding landscape and proximity to sensitive land uses;
- local communities and residential amenity

4.69 Furthermore, to assist in the assessment of proposals coming forward City of York Council will encourage applicants to use 'Managing landscape Change: Renewable and Low Carbon Energy Developments – A Sensitivity Framework of North Yorkshire and York (2012)'.

4.70 The potential areas of search for renewable energy (namely wind turbines) and the areas close proximity to areas of nature conservation, specifically the River Derwent Corridor was also raised as a more specific issue. As a result, the revised

Renewable Energy Study (2014) introduces additional constraints and therefore identifies revised areas of search for wind energy which excludes the River Derwent Corridor.

Flood Risk

- *City of York Local Flood Risk Management Strategy and Surface Water Management Plan*

4.71 Under the Flood and Water Management Act 2010 (FWMA), introduced to provide legislation for the management of risks associated with flooding and coastal erosion, City of York Council has major responsibilities as the Lead Local Flood Authority (LLFA), to “develop, maintain, apply and monitor a strategy for local flood risk management in its area”. The Council adopted its Local Flood Risk Management Strategy (LFRMS) in March 2015. The aim of the LFRMS is to understand flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. The LFRMS also contains a Strategic Action Plan, and actions that can be pursued for:

- revention of risk;
- protection from risk;
- preparing for risk, and
- recovery and review of risk

4.72 Surface water is also an important consideration, the City of York Council Flood Risk Management Team are a statutory consultee on surface water matters within the planning process. A Surface Water Management Plan (SWMP) is a framework to understand the causes of surface water flooding and a way to agree the most cost effective way of managing surface water flood risk. A SWMP for York was approved in December 2012. On the whole that there are no major problems within the City of York authority boundary with surface water flooding.

4.73 Responsibility for the management of flood risk from main rivers, the sea and reservoirs remains with the Environment Agency (EA), which has published its national flood risk management strategy for England. The Council will work in partnership with the EA and other flood Risk Management Authorities (RMAs) in the delivery of the measures detailed in the Strategic Action Plan.

- *how we're reducing the risk of flooding for York: Our 5-year plan*

4.74 Following the flooding in December 2015, the Government allocated £17 million of funding to improve and upgrade the Foss Barrier. In addition to this, the Government committed a further £45 million to reduce the risk of flooding and increase the level of protection to at least 2,000 homes in York's city centre over the next five years. Since receiving this additional funding, the EA has assessed what changes could be made to the existing flood defences within the city and what new defences could be built. The results of this have been summarised within the EA's publication '*how we're reducing the risk of flooding for York: Our 5-year plan*'. The EA will use this to guide its work in York over the next 5 years to achieve a consistent standard of flood protection across the city. This plan outlines the work across 10 York communities, looking at a range of potential flood reduction measures including

- creating storage areas
- increasing pumping capacity
- raising and building new walls
- raising land
- building embankments

4.75 The EA has recognised there is a need for a long-term plan to better prepare York for the risk of future flooding and to mitigate the effects of climate change. To achieve this, the EA needs to look at the catchment as a whole and understand the risks of flooding beyond the city of York. It has started to develop a plan of action, working with a wide range of partners across the city and the surrounding area to prepare York for the future. The plan will focus on:

- Enhancing the way the development planning system can reduce the risk and impacts of flooding to new and existing developments.
- Improving flood forecasting tools and technology to provide more timely and targeted flood warnings.
- Upstream storage and natural flood management techniques that can slow the flow and help regulate the flow of water into the city.

4.76 Another measure to be undertaken in the prevention of flood risk is for City of York Council supported by the EA, internal drainage boards and Yorkshire Water Services to input into strategic planning and strategic development sites to identify sustainable flood risk and drainage solutions.

Minerals and waste planning

4.77 The City of York Local Plan contains the strategic policies on minerals and waste.. Under the National Planning Policy Framework (NPPF), additional Development Plan Documents (DPDs) can be used where they can be clearly justified. Officers have been evaluating the possibility of pursuing a joint Waste and Minerals DPD with both North Yorkshire County Council (NYCC) and the North Yorkshire Moors National Park Authority (NYM). The City of York already has a close working relationship with the County with regard to waste management, and such plans are generally produced to cover a larger geographical area than that covered by the City of York.

4.78 Therefore, alongside the Local Plan a separate joint minerals and waste development plan document - the Minerals and Waste Joint Plan - is also being prepared with North Yorkshire County Council and the North York Moors National Park Authority. City of York Council, North Yorkshire County Council and the North York Moors National Park Authority covering all three planning authority areas. When finalised, the new Joint Plan will help the three Authorities take decisions on planning applications for minerals and waste development over the period up to 31 December 2030.

4.79 The decision to prepare a joint plan for minerals and waste was taken in 2013, recognising the benefits and efficiencies that can arise through joint working, including in terms of helping to satisfy the statutory Duty to Co-operate in plan

making. The Minerals and Waste Joint Plan has been submitted for Examination and Examination hearings were held in early 2018.

Has City of York Council complied with the Duty?

4.80 As mentioned in paragraph 4.25 the two principal formal member groups within the Leeds City Region (LCR) and the Local Government North Yorkshire and York (and East Riding) area (NY&Y) at which issues relating to the Duty are raised are the LCR Planning Portfolios Board and the Spatial Planning and Transport Board. City of York Council presented a report to both of the abovementioned boards (on 15 December 2017 and 17 January 2018 respectively) that provided an update on the preparation of the City of York Local Plan and the recent Pre-Publication Draft (Regulation 18) Consultation, 2017 (PPDRC) and set out the work that City of York Council has undertaken to discharge its responsibilities under the Duty to Co-operate. The minutes for each of the meetings at which the report was presented (contained at Annex 8 and Annex 9 respectively) show that **both of these boards resolved to endorse the approach taken by City of York Council in meeting the requirements of the Duty to co-operate in the plan making process.**

5 Continuing Compliance with the Duty into the future

- 5.01 The nature of many of the positive outcomes identified above demonstrates that City of York Council will continue to comply with the Duty in the future. In order to ensure this compliance, the Council will continue to meet with other authorities in the region.
- 5.02 Footnote 1 to Table 4.1 shows that from 2016 onwards, responsibilities for reporting to the North Yorkshire and York Spatial Planning and Transport Board (the Board - an elected member group) passed from the from the North Yorkshire and York Technical Officer Group (ToG) to the York North Yorkshire and East Riding (YNYER) Heads of Planning (HoP), (if necessary, via the YNYER Directors of Development (DoD)). Constituent authorities within the YNYER can propose issues to be considered by the Board through HoP (and Dod). City of York Council retains its role as the Secretariat to the Board and will arrange Board meetings and submit papers etc., as advised by HoP.
- 5.03 Table 4.1 also lists the North Yorkshire Development Plans Forum (NYDPF) as an officer group. This group has met regularly since 2004 to share, in a relatively informal way, information relating to the progress of local development documents (including development plan documents) and any other matter that may be of relevance or interest to officers preparing local development documents. Following the transfer of responsibilities away from ToG for reporting to the North Yorkshire and York Spatial Planning and Transport Board, there has been a move towards combining the previously separate NYDPF and ToG group meetings to form a NY&Y Strategic Planning (Duty to Cooperate) Group, similar to the Leeds City Region, Strategic Planning (Duty to Cooperate) Group. The meeting dates for the combined NYDPF/ToG for the year ahead are as follows:
- 15 August 2017, 10am – 1pm, NYCC, County Hall, Northallerton
 - 21 November 2017, Harrogate Borough Council offices

- 20 February 2018, Hambleton District Council
- 2 May 2018, City of York Council

5.03 It is likely that the combined NYDPF/ToG group will act as a task/finish group to undertake work on behalf of the Board (as advised through HoP), as well as considering strategic issues under the Duty to co-operate.

5.04 City of York Council intends to present the Plan (and the subsequent Publication Draft Local Plan) to the relevant officer and Member groups within the Leeds City Region and the York North Yorkshire and East Riding sub-area, for their consideration and agreement that CYC is meeting the requirements of the Duty in preparing the Plan.

List of Annexes (available from the author of the report)

- Annex 1: Leeds City Region Statement of Cooperation for Local Planning
- Annex 2: City of York Local Plan Duty to co-operate Matrix
- Annex 3: Former Strategic Approach to Co-operation
- Annex 4: RSS York Sub area Policy
- Annex 5: Example Record(s) of engagement with Local Authority or 'Prescribed Body'
- Annex 6: LCR Strategic Economic Plan (SEP) Self-Assessment
- Annex 7: Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy 3
- Annex 8: Minutes of Leeds City Region Planning Portfolios Board, 15 December 2017
- Annex 9: Minutes of the York & North Yorkshire Spatial Planning & Transport Board, 17 January 2018

Annex G: Minor Modifications Schedule

Plan location	Proposed minor modification	Reason
General		
Whole plan where applicable	Amend references from 'proposals map to <u>'policies map'</u>	To clarify title of accompanying maps to the plan
Section 3: Spatial Strategy		
Policy SS12: Land to the West of Wigginton Road Criterion vi Page 53	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 shown on the proposals 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 name referenced.
Policy SS13: Land West of Elvington Lane Criterion vi. Page 54	iv. Create new open space (as shown on the proposals map) within the site to maintain views of the Minster and existing woodland.	To clarify that the openspace is not shown on the proposals map.
Policy SS13: Land West of Elvington Lane Criterion vi. Page 54	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: <ul style="list-style-type: none"> incorporation of a new nature conservation area (as shown on the proposals map as allocation OS10 and included within Policy GI6) including a buffer of wetland habitats, a barrier to the movement of people and domestic pets on to the SSSI and 	To clarify the link to new openspace (OS10) as detailed in the Habitat Regulation Assessment (2018)

	<p>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</p> <ul style="list-style-type: none"> • provision of an 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>Policy SS18: Station Yard, Wheldrake</p> <p>Criterion iv.</p> <p>Page 62</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. <u>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 homeowners to promote good behaviours when visiting the European site. The former could be supported by enhancing the local footpath network and improving signage</u></p>	<p>To clarify the mitigation required as detailed in the Habitat Regulation Assessment (2018)</p>
<p>SS19: Queen Elizabeth Barracks, Strensall</p> <p>Criterion ii</p> <p>Page 64</p>	<p>ii. Take full account of the extent and quality of ecological interest on Strensall Common through the preparation of a comprehensive evidence base to support the required Habitat Regulations Assessment and other assessments to be able to fully understand and avoid, mitigate or compensate impacts. To help deliver this, a detailed Visitor Impact Mitigation Strategy must be prepared, which will be informed by comprehensive and repeatable visitor surveys (to be repeated as necessary). The Strategy will identify effective measures which will encourage both the use of alternative sites instead of Strensall Common</p>	<p>To clarify the mitigation required as detailed in the Habitat Regulation Assessment (2018)</p>

	<p>and less damaging visitor behaviour on the Common. This will include (but not be limited to) the following measures:</p> <ul style="list-style-type: none"> • Within the site divert new users away from the SAC by: <ul style="list-style-type: none"> ○ Providing natural green space within the site boundary attractive to a range of users, particularly dog walkers; ○ The provision of a circular walk within the site; ○ Ensuring no access throughout the life of the development either by vehicle, cycle or foot to adjoining land on the north, south and eastern site boundary, and ○ Providing publicity, education and awareness to support these aims • On Strensall Common ensure suitable behaviour by visitors by: <ul style="list-style-type: none"> ○ Implementing actions to manage recreational pressure at points of arrival, by type of activity and location of activity on site; ○ Ongoing monitoring that will specifically lead to the implementation of prompt remedial measures such as the closure of access points etc if adverse effects are identified, and ○ Publicity, education and awareness <u>and</u> ○ <u>The introduction of an efficient wardening service that could supplement the work of existing landholders to present a physical presence on site and encourage good behaviours by the public.</u> 	
<p>SS19: Queen Elizabeth Barracks, Strensall</p> <p>Explanatory text</p>	<p>3.82 ST35 covers circa 28.8ha with a net developable area of approximately 18ha 14.4ha and will deliver approximately 12ha of public open space (<u>including OS12</u>) and an estimated yield of circa 578 500 dwellings. There are no listed buildings or conservation areas currently designated within this site. However, as access to the area has always been restricted, no</p>	<p>To correct the developable area and housing number referenced in the policy.</p>

Page 65 Para 3.82	detailed assessment of the existing buildings has been carried out to determine if the buildings merit designation	
SS19: Queen Elizabeth Barracks, Strensall Explanatory text Page 66 Para 3.84	3.84 The location of this site 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. <u>A recreational strategy and physical presence on site with the use of a warden could promote good behaviours by visitors, encouraging use of existing paths and ensuring dogs are properly controlled. The necessary costs for this would best be secured by an appropriate levy or similar on each development.</u> Potential access points into the planned development also need to consider impacts on Strensall Common.	To clarify the issues raised and mitigation required as detailed in the Habitat Regulation Assessment (2018)
SS19: Imphal Barracks	3.89 ST36 covers circa 30ha 18ha with net developable area of approximately 19ha, and will deliver approximately 11 ha of	To correct the developable area and housing number referenced in the

<p>Explanatory text Page 68 Para 3.89</p>	<p>public open space and an estimated yield of 769 dwellings.</p>	<p>policy.</p>																				
<p>Policy EC1: Provision of employment land Allocation E18 Page 76</p>	<table border="1"> <thead> <tr> <th data-bbox="524 379 860 453">Site</th> <th data-bbox="860 379 1088 453">Floorspace</th> <th data-bbox="1088 379 1489 453">Suitable Employment Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="524 453 860 580">E18: Towthorpe Lines, Strensall (4ha)*</td> <td data-bbox="860 453 1088 580">13,200sqm</td> <td data-bbox="1088 453 1489 580">B1c, B2 and B8 uses.</td> </tr> <tr> <td colspan="3" data-bbox="524 580 1489 759"> <p>* Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.</p> </td> </tr> <tr> <td colspan="3" data-bbox="524 759 1489 810"> </td> </tr> </tbody> </table>	Site	Floorspace	Suitable Employment Uses	E18: Towthorpe Lines, Strensall (4ha)*	13,200sqm	B1c, B2 and B8 uses.	<p>* Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.</p>						<p>New footnote to clarify that this sites need to consider the applicable mitigation as set out in other plan polices. This cross referencing as detailed by the Habitat Regulation Assessment (2018)</p>								
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<p>Policy H1: Housing Allocations Allocation H59 Page 93</p>	<table border="1"> <thead> <tr> <th data-bbox="524 849 719 963">Allocation Reference</th> <th data-bbox="719 849 965 963">Site Name</th> <th data-bbox="965 849 1084 963">Site Size (ha)</th> <th data-bbox="1084 849 1290 963">Estimated Yield (Dwellings)</th> <th data-bbox="1290 849 1489 963">Estimated Phasing</th> </tr> </thead> <tbody> <tr> <td data-bbox="524 963 719 1150">H59**/**</td> <td data-bbox="719 963 965 1150">Queen Elizabeth Barracks – Howard Road, Strensall</td> <td data-bbox="965 963 1084 1150">1.34</td> <td data-bbox="1084 963 1290 1150">45</td> <td data-bbox="1290 963 1489 1150">Medium to Long Term (Years 6 - 15)</td> </tr> <tr> <td colspan="5" data-bbox="524 1150 1489 1294"> <p>*** Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.</p> </td> </tr> <tr> <td colspan="5" data-bbox="524 1294 1489 1366"> </td> </tr> </tbody> </table>	Allocation Reference	Site Name	Site Size (ha)	Estimated Yield (Dwellings)	Estimated Phasing	H59**/**	Queen Elizabeth Barracks – Howard Road, Strensall	1.34	45	Medium to Long Term (Years 6 - 15)	<p>*** Policy SS19 points i. – ii. apply to this allocation in relation to assessing and mitigating impacts on Strensall Common SAC and must also take account of Policy GI2.</p>										<p>New footnote to clarify that this sites need to consider the applicable mitigation as set out in other plan polices. This cross referencing as detailed by the Habitat Regulation Assessment (2018)</p>
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Section 8: Placemaking, heritage, design and culture		
<p>Policy D1: Placemaking</p>	<p>v. Character and Design Standards</p> <ul style="list-style-type: none"> • ensure proposals are not a pale imitation of past architectural styles. • ensure appropriate building materials are used. • meet the highest standards of accessibility and inclusion. • demonstrate the use of best practice in contemporary urban design and place making. • integrate car parking and servicing within the design of development so as not to dominate the street scene. • create active frontages to public streets, spaces and waterways. • create buildings and spaces that are fit for purpose but are also adaptable to respond to change. • create places that feel true to their intended purpose. • maximise sustainability potential. • <u>ensure design considers residential amenity so that residents living nearby are not unduly affected by noise, disturbance, overlooking or overshadowing</u> 	<p>To clarify that residential amenity should be considered as part of overall design standards as part of the planning process.</p>
<p>Policy D4: Conservation Areas</p>	<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 of the Conservation Area.</p>	<p>To clarify that all planning applications should consider conservation areas, not solely outline planning applications.</p>
Section 9: Green Infrastructure		
<p>Policy G12: Biodiversity and Access to Nature</p> <p>Page 166</p>	<p>In order to conserve and enhance York’s biodiversity, any development should where appropriate:</p> <p>;</p> <p>i. avoid loss or significant harm to Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves</p>	<p>To clarify link to LNRs shown on the policies map with relevant policy in the plan.</p>

	<p>(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>	
<p>Policy G12: Biodiversity and Access to Nature</p> <p>Explanatory text Page 167 Para 9.5</p>	<p>9.5 Although the protection of individual sites is essential, such sites do not occur in isolation as discrete, self contained habitats, but influence and are influenced by their surroundings. The surrounding area can therefore be as important to the interest of the site as the feature itself, and changes to it could affect the integrity of that interest. In order to fully protect the site or interest, there may be a requirement to establish a suitable buffer area around it. The extent of that buffer could vary depending on the site, the type and value of the habitat present and the proposed change. <u>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.</u></p>	<p>To clarify how the planning approach to internationally and nationally significant nature conservation sites.</p>

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CITY OF YORK LOCAL PLAN

Equalities Impact Assessment
(Incorporating the Better
Decision Making Tool)
April 2018

City of York Local Plan Equalities Impact Assessment

1.0 Introduction to Equality Impact Assessment

- 1.1 The Equality Act 2010 aims to ensure that everyone has a fair chance in life. It contains a requirement for Local Authorities to consider the diverse needs and requirements of the communities in the City of York when planning its services. Local Authorities also have a duty under the Race Relations (Amendment) Act, 2000, Disability Discrimination Act, 2005 and the Equality Act, 2006 (Gender Equality) to positively promote race, disability and gender equality.
- 1.2 Equality Impact Assessments (EqIA), are used, where appropriate, in order to improve the work of the Council. It does so by making sure it does not discriminate and that, where possible, it promotes equality. It is a way to ensure the likely impacts on the people who live and work within the York Authority are carefully considered.
- 1.3 Carrying out an assessment means that, as far as possible, any negative consequences of a strategy or policy are eliminated or minimised and opportunities for promoting equality are maximised.
- 1.4 The City of York Council have produced an equalities assessment to accompany each stage of the Local Plan called the 'Better Decision Making Tool'. This incorporates the One Planet Council objectives and used to be called the Equalities Impact Assessment (EqIA). The Better Decision Making Tool helps the Authority to consider the impact of proposals on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help to provide inclusive and discrimination-free services. The purpose of this tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence. Please refer to Annex's 1-3 of this report which contain the City of York Council's Better Decision Making Tool for Regulation 18 (Executive on January 13th July 2017) and Regulation 19 consultation (Executive on 25th January 2018 and 8th May 2018).

2.0 What this EqIA is assessing

- 2.1 This EIA is assessing the City of York Council's Local Plan Draft Publication version 2018. The Local Plan details the planning policies proposed by the City of York Council for the period between 2017 to 2032/33, with the exception of the Green Belt boundaries which will endure up to 2037/38.

3.0 The Purpose of the EqIA and what it will achieve

- 3.1 The purpose of the EIA is to assess the potential impact of the policies of the Local Plan on different groups within York. An assessment of Local Plan policies has been undertaken in relation to the groups identified in paragraph 1.3 of this report. The EqIA was undertaken having regard to the following questions: does the policy target or exclude a specific equality group or community; does it affect some equality

groups or communities differently and can this be justified; and could the policy promote equality and good relations between different groups?

- 3.2 The Local Plan sets out proposals for development and growth and policies to protect and enhance the natural and built environment of York. This will contain:
- A long-term vision for the City of York and objectives for future development up to 2032/33 and 2037/38 for the Green Belt boundaries, which describes how key issues that have been identified will be tackled and how the City of York will evolve over the course of the plan period.
 - Site allocations to deliver that development.
 - More general development focussed policies.
- 3.3 The Draft Local Plan has been developed in consideration of the evidence base, National Planning Policy and guidance, feedback from public consultations. The evidence base comprises supporting information on issues including housing and employment needs. A Sustainability Appraisal and a Habitats Regulations Assessment have also been undertaken on the local plan.

4.0 The Aims of the Public Sector Equality Duty

- 4.1 There are three aims of the Equality Act, these are:
- **Eliminate Unlawful discrimination**, harassment, victimisation, and any other conduct prohibited by the act
 - **Advance Equality of Opportunity**, between people who share protected characteristics and those who don't.
 - **Foster Good Relations**, between people who share a protected characteristic and people who do not share it.

How the implementation of the Local Plan will relate to these is outlined in brief below.

Aim	Yes, No, or N/A	Details if 'yes'
Eliminate Unlawful discrimination , harassment, victimisation, and any other conduct prohibited by the act	Yes	The Plan aims to ensure the sustainable development of York for the next 15 years. The promotion of balanced and inclusive communities that benefit all is integral to achieving this. The policies set out within the plan guide development and promote opportunities, for example they include policies for the allocation of housing sites to meet need, allocate

		employment sites and spaces for commercial development to boost and support the economy as well as protecting and enhancing the natural and built environment.
Advance Equality of Opportunity , between people who share protected characteristics and those who don't.	Yes	The Plan aims to promote balanced, inclusive and sustainable communities that benefit all. Many of the policies within the Plan will benefit the wider community in York and not specifically those with protected characteristics, either positively or negatively. However, some policies will have the potential for some direct or indirect impact on equalities issues, such as Policy H5: Gypsies and Travellers and H6: Travelling Showpeople.
• Foster Good Relations , between people who share a protected characteristic and people who do not share it.	Yes	The plan and the policies set out within it are inclusive and aim to foster good relations with all sections of the community; this includes those within the protected characteristics classifications.

5.0 Analysis of Policies

5.1 The assessment aims to consider impacts on groups with the following protected characteristics which are identified by the City of York Council Better Decision Making Tool:

Equalities

- Age
- Disability
- Gender

- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or belief
- Sexual Orientation
- Carer
- Lowest Income Groups
- Veteran, Armed forces community

Human Rights

- Right to education
- Right not to be subject to torture degrading treatment or punishment
- Right to a fair and public hearing
- Right to respect for private and family life, home and correspondence
- Freedom of expression
- Right not to be subject to discrimination
- Other rights

Table 1. Equalities

		Impact	What are the impacts and how do you know?	Relevant Local Plan Policies	Relevant indicators
4.1	Age	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	H3: Balancing the Housing Market H4: Promoting Self and Custom House Building H8: Houses in Multiple Occupation H9: Older Persons Specialist Housing H10: Affordable Housing	Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services

				D1: Placemaking	
				ED1: University of York	New preschool / school / Further and Higher education Places
				ED2: Campus West	
				ED3: Campus East	
				ED4: York St John University Lord Mayors Walk Campus	
				ED5: York St John University Further Expansion	
				ED6: Preschool, Primary and Secondary Education	
				ED7: York College and Askham Bryan College	
				ED8: Community Access to Sports and Cultural Facilities on Education sites	
				HW4: Childcare Provision	
				EC1: Provision of Employment Land	Delivery of new allocations and support for employment development in

				<p>EC2: Loss of Employment Land</p> <p>EC3: Business and Industrial Uses within Residential Areas</p> <p>EC4: Tourism</p> <p>EC5: Rural Economy</p> <p>R1: Retail Hierarchy and Sequential Approach</p> <p>R2: District and Local Centres and Neighbourhood Parades</p> <p>R3: York City Centre Retail</p> <p>R4: Out of Centre Retailing</p>	<p>town centres and other sustainable locations</p>
				<p>HW1: Protecting Existing Facilities</p> <p>HW2: New Community Facilities</p> <p>HW3: Built Sports Facilities</p> <p>HW5: Healthcare Services</p> <p>HW6: Emergency Services</p>	<p>Provision of appropriate new community, leisure and healthcare facilities throughout the Plan area</p>

				HW7: Healthy Places	
				<p>D1: Placemaking</p> <p>D2: Landscape and Setting</p> <p>D3: Cultural Provision</p> <p>GI2: Biodiversity and Access to Nature</p> <p>GI3: Green Infrastructure Network</p> <p>GI5: Protection of Open Space and Playing Fields</p> <p>GI6: New Open Space Provision</p> <p>GI7: Burial and Memorial Grounds</p> <p>ENV1: Air Quality</p>	Maintenance of environmental conditions at sites identified as important for landscape or ecological protection
4.2	Disability	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	<p>H3: Balancing the Housing Market</p> <p>H4: Promoting Self and Custom House Building</p> <p>H8: Houses in Multiple Occupation</p> <p>H9: Older</p>	Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services

				Persons Specialist Housing H10: Affordable Housing D1: Placemaking	
4.3	Gender	Neutral	None deemed likely	n/a	n/a
4.4	Gender Reassignment	Neutral	None deemed likely	n/a	n/a
4.5	Marriage and Civil Partnership	Neutral	None deemed likely	n/a	n/a
4.6	Pregnancy and Maternity	Neutral	None deemed likely	n/a	n/a
4.7	Race	Positive	Meeting Gypsy, Traveller and Travelling Showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2017)	H5: Gypsies and Travellers H6: Travelling Showpeople	Provision of accommodation offering comfortable standard of living in sustainable locations with access to services
4.8	Religion or belief	Neutral	None deemed likely	n/a	n/a
4.9	Sexual orientation	Neutral	None deemed likely	n/a	n/a
4.10	Carer	Neutral	None deemed likely	n/a	n/a
4.11	Lowest income groups	Positive	The plan will meet housing needs and provide a range of house types. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this, including the need for affordable housing.	H10: Affordable Housing	Delivery of new homes offering comfortable standard of living in sustainable locations with access to services
4.12	Veterans, Armed Forces Community	Neutral	The Local Plan and supporting evidence considers the potential of the MOD sites in York for	SS19: Queen Elizabeth Barracks, Strensall	n/a

			development following the Defence Infrastructure Estates Review (2016). The closure of these sites will have an impact on the armed forces community which is out of the remit of the Local Plan.	SS20: Imphal Barracks, Fulford Road EC1: Provision of Employment Land. SiteE18: Towthorpe Line Strensall	
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Table 1 demonstrates that the Local Plan policies will have a positive or neutral benefit on the characteristic groups highlighted in the EqIA.

Table 2: Human Rights

Human Rights				
Consider how a human rights approach is evident in the proposal				
		Impact	What are the impacts and how do you know?	Relevant Local Plan Policies
4.13	Right to education	neutral	None deemed likely	ED1: University of York ED2: Campus West ED3: Campus East ED4: York St John University Lord Mayors Walk Campus ED5: York St John University Further Expansion ED6: Preschool, Primary and Secondary Education

				ED7: York College and Askham Bryan College ED8: Community Access to Sports and Cultural Facilities on Education Sites
4.14	Right not to be subject to torture, degrading treatment or punishment	neutral	None deemed likely	n/a
4.15	Right to a fair and public hearing	neutral	None deemed likely	n/a
4.16	Right to respect for private and family life, home and correspondence	neutral	None deemed likely	n/a
4.17	Freedom of expression	neutral	None deemed likely	n/a

6.0 Analysis by characteristic - Summary

- 6.1 The Local Plan contains 108 policies and has the underlying principle to deliver sustainable development to secure a better quality of life for everyone now and for future generations. All the policies within the Local Plan contribute towards achieving sustainable development with policies promoting the location of new homes, jobs and economic growth, conservation and enhancement of the natural environment and built heritage, improved infrastructure (both highway and community), renewable energy, green infrastructure and the development of balanced communities.
- 6.2 Many of the policies within the Plan will benefit the wider community across the City of York and not specifically those with protected characteristics. However, some policies will have the potential for some direct or indirect impact on different groups. The policies have been assessed for their potential positive, negative or neutral impact on potentially vulnerable equalities groups as well as the potential to impact on child and adult poverty.

Age

- 6.3 The age protected characteristic includes the consideration of all ages in society, the assessment of which recognises that vulnerability can change across age groups and the impact of a policy will not necessarily be uniform across all ages. The assessment identified that the impact of Local Plan policies were generally positive for all, with some having particularly positive impacts on this group.
- 6.4 The Local Plan aims to provide sustainable development addressing the needs of current and wider population; this includes provision and access to healthcare, education and training, jobs, appropriate accommodation and leisure facilities.
- 6.5 The policies within the plan are written positively to ensure that needs are appropriately assessed and addressed through individual development proposals.

For example:

- Policy DM1 (Infrastructure and Developer Contribution) ensures that new development will be supported by appropriate physical, social and economic infrastructure provision including transport, health, affordable housing, education, green space.
- Policy H3 (Balancing the Housing Market) ensures that new housing provision meets the identified need at the local level, including homes with features attractive to older people
- Policy H9 (Older Persons Specialist Housing) sets out which characteristics of developments specially designed to meet the accommodation needs of older people that will be supported.

Disability

- 6.6 The policies within the Local Plan were identified as being generally positive for all within society, the policies within the plan are written positively with some policies having positive impacts on this group. The policies in the Local Plan should address the needs of those with disabilities.

For example:

- Policies HW5 and HW6 (Healthcare Services and Emergency Services) focus on the provision and improvement of these services in York. The policies set out how the Council will work closely with healthcare providers to meet an identified need as well as ensuring the facilities are easily accessible by public transport, walking and cycling. This has the potential to be of particular benefit for people with disabilities.
- Policy HW7 (Healthy Places) requires proposals for new residential developments to provide a statement showing how a range of design principles have been adequately considered and incorporated into the plans for development. These principles include; well-designed streetscapes, good connections to communities and green spaces, adaptations to buildings and public spaces for those with limited mobility.
- Policy T1 (Sustainable Access) sets out how development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users including those with impaired mobility.

Gender reassignment

- 6.7 The policies within the Local Plan are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The Plan is inclusive of all members of the community and does not discriminate against any gender reassignment.

Race

- 6.8 The policies within the Local Plan are regarded as being generally positive for all. Two policies which have the potential to specifically have a positive impact on a race protected characteristic group, these are:
- 6.9 Policies H5 (Gypsies and Travellers) and H6 (Travelling Showpeople) are set out to consider those from the travelling community and explain how the Local Plan will address the needs of these communities in York.

Religion

- 6.10 The policies within the Local Plan are regarded as being generally positive for all and as having no differential impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The Plan is inclusive of all members of the community and does not discriminate against any religion. One policy in particular could a positive effect on this group:
- 6.11 Policy D3 (Cultural Provision) recognises that cultural wellbeing is a core planning principle and supports development proposals where they are designed to sustain, enhance, and add value to the special qualities and significance of York's cultural character, assets, capacity, activities, and opportunities for access.

Gender

- 6.12 The policies within the Local Plan are regarded as being generally positive for all and as having no differential impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The Plan is inclusive of all members of the community and does not discriminate against gender.

Sexual orientation

- 6.13 The policies within the Local Plan are regarded as being generally positive for all and as having no differential impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The Plan is inclusive of all members of the community and does not discriminate against sexual orientation.

Marriage and civil partnership status

6.14 The policies within the Local Plan are regarded as being generally positive for all and as having no differential impact this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The Plan is inclusive of all members of the community and does not discriminate against any relationship status.

Pregnancy and maternity

6.15 The policies within the Local Plan are regarded as being generally positive for all. Given the potential health care and community infrastructure needs of this protected characteristic group, some of the policies in the plan have been highlighted as having a positive impact:

For example:

- Policies HW5 and HW6 (Healthcare Services and Emergency Services) focus on the provision and improvement of these services in York. The policies set out how the Council will work closely with healthcare providers to meet an identified need as well as ensuring the facilities are easily accessible by public transport, walking and cycling.

Child and Adult Poverty

6.16 The assessment of the impact of the policies in the plan on Child and Adult poverty supports that the plan is written in a positive manner with the aim of benefitting all of those in society.

6.17 The plan supports the development and enhancement of the local economy, which will support the employment sector, with the aim of providing jobs for the local community.

6.18 The housing section of the Local Plan ensures that the development of housing provision across York provides for the needs of all, for example:

- Policy H10 (Affordable Housing) aims to maximise affordability across the housing market, stating that the affordable housing should remain affordable in perpetuity.

6.19 The Transport and Communications section aims to ensure that York is well connected and different forms of sustainable transport are encouraged.

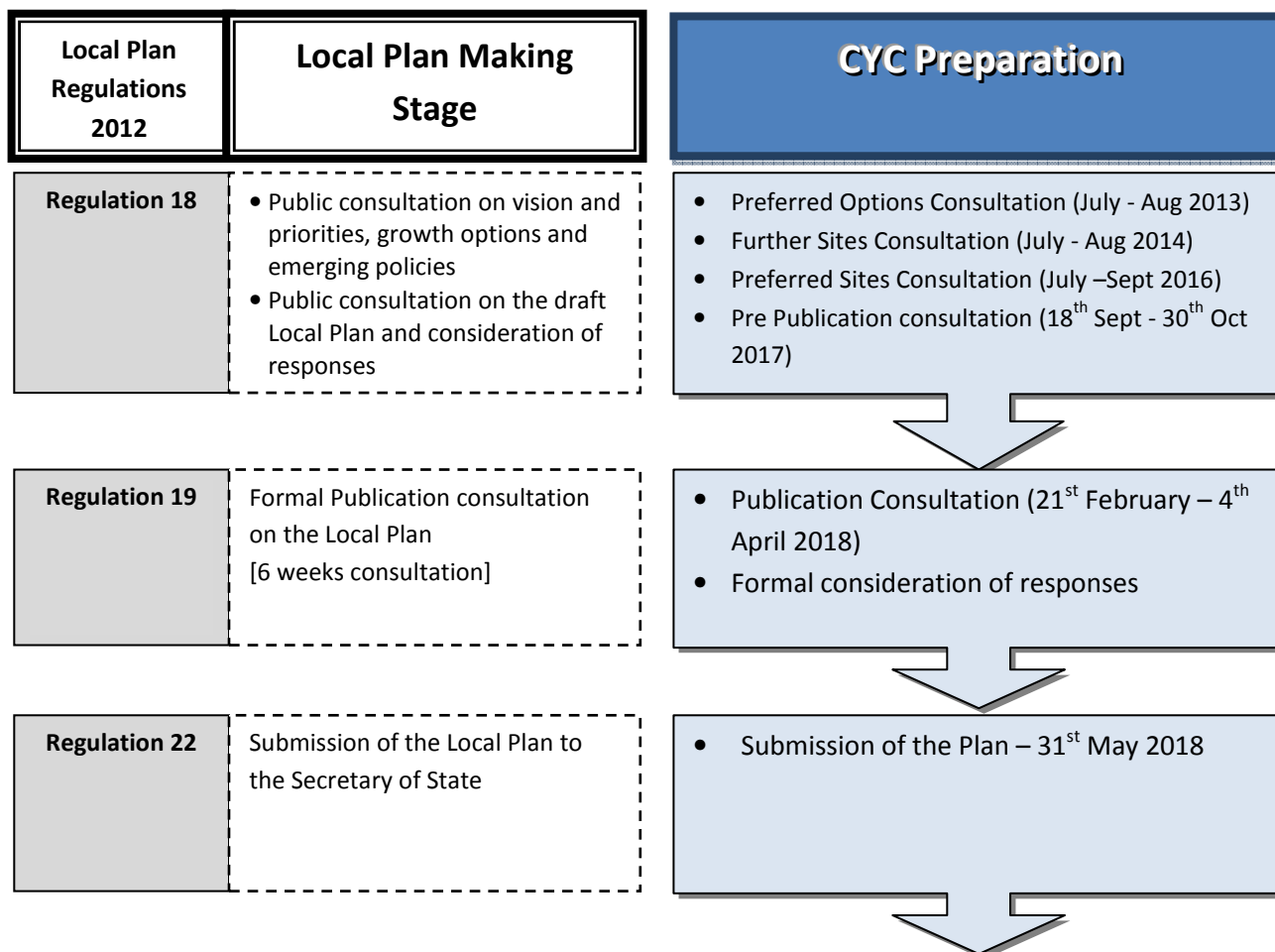
6.20 The Local Plan identifies district and local centres and neighbourhood parades across York, with the aim of encouraging local services within neighbourhoods, improving access to service and amenities for all.

6.21 The Local Plan includes policies CC1 (Renewable and Low Carbon Energy Generation and Storage) and CC2 (Sustainable Design and Construction of New Development) which aim to improve the energy efficiency of new homes, as well as

benefits to help minimising climate change; the policies will help to lower running costs of homes.

Consultation and Mitigation

6.22 The development of the City of York Local Plan has been through a number of regulatory stages prior to the document being submitted to the Secretary of State to be considered for soundness. The key stages of the Plan are set out below:



6.23 The preparation of the Local Plan has taken place over the last five years and included five stages of consultation, giving residents, businesses and statutory partners the opportunity to comment on the developing policies within the plan. All consultation has been in accordance with statutory legislation and the Council’s own Statement of Community Involvement (SCI).

6.24 Consultation statements have been prepared for every stage of the Plan process which set out details of the consultation methods used, who was consulted, the main issues raised and how these have influenced the next stage of the Local Plan. The final consultation statement does not include a response to main issues as these will be determined through the Examination process once the Plan has been submitted.

6.25 The development of the policies has included equality and sustainability assessments which have been undertaken, these have thoroughly assessed each of

the policies within the emerging plan, where necessary mitigation requirements have been written into the emerging policies. Overall, the Local Plan will have an impact on all those who live and work in the plan area, regardless of age, disability or other protected characteristics. The EqlA does not identify any negative impacts on any of the protected characteristics as a result of the implementation of the draft policies. The proposed allocations and policies relate to the future development of the area and are not generally aimed at specific individuals or groups or likely to have a disproportionate impact on any particular group. Allocations will benefit all sections of the community as they promote new housing with a mixture of tenures with suitable access to services, facilities and infrastructure. There are, however, specific policies to meet the accommodation requirements of persons including those in need of affordable homes, disabled and older persons and gypsies and travellers and travelling showpeople.

Annexes

Annex 1: Better Decision Making Tool (July 2017)

Annex 2: Better Decision Making Tool (January 2018)

Annex 3: Better Decision Making Tool (April 2018)

The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

Part 1 of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

Part 2 of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

Introduction

Service submitting the proposal:	Strategic Planning
Name of person completing the assessment:	Alison Cooke
Job title:	Development Officer
Directorate:	Economy and Place
Date Completed:	30th May 2017
Date Approved: form to be checked by service manager	

Part 1

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed?
	Local Plan Update
1.2	What are the main aims of the proposal?
	The main aim of the report is to update Members as to the progress on the Local Plan following the Preferred Sites Consultation (2016). It presents the revised housing and employment growth needs for York. The report also provides officer recommended changes for potential site allocations in line with evaluated evidence received through consultation and changes to planning policy to incorporate in a revised Local Plan.
1.3	What are the key outcomes?
	The Local Plan is the planning policy document through which we aim to deliver York's sustainable development objectives in a spatial way through identifying policies to inform decision making and site allocations to meet development needs.

Section 2: Evidence

2.1	<p>What data / evidence is available to understand the likely impacts of the proposal? (e.g. hate crime figures, obesity levels, recycling statistics)</p> <p>There are several updated technical documents that have contributed to this report, as follows:</p> <ul style="list-style-type: none"> > Strategic Housing Market Assessment (SHMA) Update outlining the updated Objectively assessment Housing Need (OAHN) by consultants GL Hearn (Annex 1 to this paper). > Employment Land review Update produced by CYC Officers (Annex 2 to this paper.) > Officers assessment of potential sites for development (Annexes 3-5 to this paper) > Consultation statement for the Preferred Sites Consultation (2016) (Annex 6 to this paper) > Gypsy, traveller and Travelling Showpeople Needs Assessment provided by consultants ORS (2017) (Annex 8 to this paper) > SA/SEA Technical Note produced by consultants Amec Foster Wheeler. This sets out the proposals from the housing and employment technical work against a framework of social, economic and environmental objectives for York.
2.2	<p>What public / stakeholder consultation has been used to support this proposal?</p> <p>The Local Plan process has been subject to several consultations, the latest of which was the Preferred Sites Consultation (2016). This set out the Council's preferred housing and employment need as well as sites to satisfy the demand. The outcomes of this consultation have been reviewed and incorporated into the emerging position. A Consultation Statement has been produced and accompanies this report (Annex 6) Further consultation, subject to members decision, will take place in late summer 2017.</p>
2.3	<p>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p> <p>This report will ultimately feed into the emerging Local Plan wherein it is likely to be positive through meeting the city's spatial development needs and contribute towards meeting York's sustainable development objectives. Specifically in relation to communities, this will effect all people in York who engage with planning such as through obtaining planning permission as well as ensuring planning policies in place to meet the city's objectives for sustainable development.</p>

Part 1

Section 3: Impact on One Planet principles

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents.
 This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

Equity and Local Economy

Does your proposal?		Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	The policies of the Local Plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. The Employment Land Review (2016 and update 2017) sets out our assumptions for identifying employment need. Meeting York's housing requirements is also likely to have a positive outcome for provision of affordable housing for workers within York.
3.2	Provide additional employment or training opportunities in the city?	Positive	The policies of the local plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. Housebuilding and commercial development as a result of allocations in the LocalPlan may provide some certainty over jobs in construction. The scale of employment activity depends on the growth targets agreed.
3.3	Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Positive	The plan supports the delivery of the city's economic objectives and social objectives, including promoting social inclusivity. The plan will help to unlock the further potential of the higher and further education sector in York through development and redevelopment.

Health & Happiness

Does your proposal?		Impact	What are the impacts and how do you know?
3.4	Improve the physical health or emotional wellbeing of staff or residents?	Neutral	The Local Plan aims to support healthy lifestyles and healthy environments across the city. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city, drawing on the Open Space Study (2014) and its recent update. Providing homes to meet the needs of people will also have a positive impact on people's well being.
3.5	Help reduce health inequalities?	Positive	The community facilities section of the plan has been revised to have a greater focus on health and wellbeing. The new section covers the protection and enhancement of sports, healthcare, childcare, and community facilities. An additional policy related to healthy placemaking has been added which encourages designing environments that encourage health-promoting behaviours, helping to delivery York's Joint Health and Wellbeing Strategy and the Council Plan. There are also opportunities as part of new development for the provision of new services. These will have to be developed in tandem to avoid negatives impact in the short-term.
3.6	Encourage residents to be more responsible for their own health?	Neutral	The Local Plan encourages healthy lifetsyles through the safeguarding and provison of different types of openspace and recreational opportunities. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city. See Annex 7 to this report to see updates to these policies.
3.7	Reduce crime or fear of crime?	Positive	The plan includes a placemaking policy which seeks to balance the needs of urban design principles for good design against 'secured by design' principles to design out crime, helping to delivery the City of York Streetscape Strategy Guidance (2014). See Annex 7 to this report to see updates to these policies.
3.8	Help to give children and young people a good start in life?	Positive	The Local Plan seeks to respond to the need to increase primary and secondary education provision, including addressing need arising from strategic development sites and supporting proposals to ensure that existing facilities can continue to meet modern educational requirements. See Annex 7 to this report to see updates to these policies.

Culture & Community

Does your proposal?		Impact	What are the impacts and how do you know?
3.9	Help improve community cohesion?	Neutral	Community cohesion and the development of strong, supportive and durable communities is promoted through the creation of sustainable, low carbon neighbourhoods.
3.10	Improve access to services for residents, especially those most in need?	Positive	The plan will prioritise tackling existing gaps and prevent gaps from being created in the provision of key services and public transport, helping to support the Council's Transport Plan 2011-2031. The Plan's spatial strategy also uses access to services and transport as a key indicator for sustainability and uses this to help determine suitable sites for development. The majority of strategic allocations are also expected to incorporate local provision on site and have access to sustainable transport.
3.11	Improve the cultural offerings of York?	Positive	A new cultural provision policy has been developed as well as strengthening references to culture throughout the plan. The new policy supports development proposals where they are designed to sustain, enhance and add value to the special qualities and significance of York's culture. See Annex 7 to this report to see the new and revised policies.
3.12	Encourage residents to be more socially responsible?	Positive	Through consultation the local plan process actively encourages residents to shape their communities by commenting on the policies that will shape development in the future in line with the Council's Statement of Community Involvement (2007)

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
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3.13	Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Mixed	The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet'. It will create energy efficient buildings, support the use of energy from renewable sources and ensuring York is climate ready. Notwithstanding this, development in York is likely to increase the city's resource consumption. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to these policies.
3.14	Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?	Mixed	The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet' city, ensuring that new development uses water efficiently and delivers sustainable drainage solutions. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to policy.
3.15	Provide opportunities to generate energy from renewable/low carbon technologies?	Positive	A revised climate change section now more strongly ties the policies to the social and economic benefits of low carbon developments which consider sustainable design and construction principles. See Annex 7 to this report for updates to policy.

Zero Waste

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Positive	The plan will contribute to the reduction of waste through supporting innovation and improvement of current waste practices and the promotion of recycling. Sustainable design and construction principles will be embedded in new developments. Local Plan policy relating to Waste management has been revised in line with the emerging Joint Minerals and Waste Local Plan being prepared by North Yorkshire County Council, City of York Council and North York Moors National Park. See Annex 7 to this report for updates to policy

Sustainable Transport

Does your proposal?		Impact	What are the impacts and how do you know?
3.17	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Positive	The plan will help deliver a fundamental shift in travel patterns by ensuring that sustainable development and travel planning is a key component of future development, promoting sustainable connectivity, reducing the need to travel, helping to deliver the infrastructure to support sustainable transport and managing private travel demand. Helping to support the Council's Transport Plan 2011-2031. This has also been translated into the Site Selection process as a key stage in considering suitability of a potential development site. The outcomes of sites are referred to in annexes 3-5. See Annex 7 for revisions to policy.
3.18	Help improve the quality of the air we breathe?	Positive	The plan supports measures to help reduce the emissions of Nitrogen Dioxide, Particulate, Carbon Dioxide and other greenhouse gases from both transport and other sources helping to deliver the Council's Low Emission Strategy (2012) and therefore features as a consideration throughout the Local Plan. See Annex 7 to this report for detailed updates to policy.

Sustainable Materials

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	Minimise the environmental impact of the goods and services used?	Mixed	Development advocated by the Local Plan will have an inevitable impact on the use of resources and waste. However, sustainable design and construction principles will be embedded in new developments through policy. See annex 7 to this report for detailed policy updates.

Local and Sustainable Food

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to support local and sustainable food initiatives?	Neutral	n/a

Land Use and Wildlife

Does your proposal?		Impact	What are the impacts and how do you know?
3.21	Maximise opportunities to conserve or enhance the natural environment?	Positive	York's Green Infrastructure, including open space, landscape, geodiversity, biodiversity and the natural environment will be both conserved and enhanced. This is a key consideration in the Local Plan and evidence base such as the Green Infrastructure and Openspace Study (2014, Openspace update 2017). The vision, spatial strategy and specific policies all support the conservation and enhancement of the natural environment. Furthermore, this is translated into the Site Selection methodology to determine a potential site's suitability for development . See Annex 7 for updates to specific policies and annexes 3-5 to see comments in relation to specific sites.
3.22	Improve the quality of the built environment?	Positive	The Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character and culture and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city. The Plan will do this through the conservation and enhancement of six defining characteristics of York's built environment; strong urban form, compactness, landmark monuments, unique architectural character, archaeological complexity and landscape setting set out in the Heritage Topic Paper (2014) and Heritage Impact Appraisal (tbc 2017).
3.23	Preserve the character and setting of the historic city of York?	Positive	The plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character. The Local Plan will ensure that the city's heritage assets are preserved and enhanced. Beyond the city centre, the key radial routes are of particular importance, and the surrounding villages and Green Infrastructure, including its valued strays, river corridors and open spaces that contribute to the city's setting. The Historic Character and Setting evidence base (2003 updated in 2013 and 2014) identifies areas of primary importance for this. The Plan will also create a Green Belt for York that will endure beyond the end of this plan period providing a lasting framework to shape the future development of the city. Its primary aim will be to preserve and enhance the special character and setting of York. It will also have a critical role in ensuring that development is directed to the most sustainable locations.

3.24	Enable residents to enjoy public spaces?	Positive	Development 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 it can be satisfactorily replaced. All residential development should contribute to the provision of open space for recreation and amenity. As supported by the open space study (2014) and its update and the Green Infrastructure Strategy.
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3.25	Additional space to comment on the impacts		

Part 1

Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

Equalities

Will the proposal **adversely impact** upon 'communities of identity'?
 Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

	Impact	What are the impacts and how do you know?	Relevant quality of life
4.1 Age	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.2 Disability	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.3 Gender	Neutral	None deemed likely	n/a
4.4 Gender Reassignment	Neutral	None deemed likely	n/a
4.5 Marriage and civil partnership	Neutral	None deemed likely	n/a
4.6 Pregnancy and maternity	Neutral	None deemed likely	n/a
4.7 Race	Positive	Meeting Gypsy, Traveller and Travelling Showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2017)	Comfortable standard of living
4.8 Religion or belief	Neutral	None deemed likely	n/a
4.9 Sexual orientation	Neutral	None deemed likely	n/a
4.10 Carer	Neutral	None deemed likely	n/a
4.11 Lowest income groups	Positive	The plan will meet housing needs and provide a range of house types. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this, including the need for affordable housing.	Comfortable standard of living
4.12 Veterans, Armed forces community	neutral	The emerging Local Plan and supporting evidence considers the potential of the MOD sites in York for development following the Defence Infrastructure Estates Review (2016). The closure of these sites will have an impact on the armed forces community which is out of the remit of the Local Plan.	n/a

Human Rights

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	Right to education	neutral	None deemed likely
4.14	Right not to be subjected to torture, degrading treatment or punishment	neutral	None deemed likely
4.15	Right to a fair and public hearing	neutral	None deemed likely
4.16	Right to respect for private and family life, home and correspondence	neutral	None deemed likely
4.17	Freedom of expression	neutral	None deemed likely
4.18	Right not to be subject to discrimination	neutral	None deemed likely
4.19	Other Rights	neutral	None deemed likely

4.20	Additional space to comment on the impacts

Part 1

Section 5: Developing Understanding

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

Taking into consideration your responses about all of the impacts of the project in its current form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?

- 5.1 Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.

What could be changed to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

- 5.2 Preparation of the Local Plan is part of an ongoing process that involves monitoring the success and progress of its policies. The process will make sure it is achieving its objectives and making necessary adjustments to the plan if the monitoring process reveals that changes are needed. This enables the plan to maintain sufficient flexibility to adapt to changing circumstances. Furthermore, the plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment which appraises the plan and site allocations against a bespoke social, economic and environmental objectives to understand how the plan is contributing the sustainable development objectives for York.

What could be changed to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

- 5.3 No mixed or negative impacts on equality and human rights are considered likely.

Section 6: Planning for Improvement

What further evidence or consultation is needed to fully understand its impact? (e.g. consultation with specific communities of identity, additional data)

- 6.1 Members will use the recommendations to decide the future approach for the Local Plan which will then be subject to public consultation. A publication draft plan will then be prepared before being submitted to the secretary of state for examination.

6.2 **What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?** Please include the action, the person(s) responsible and the date it will be completed (expand / insert more

Action	Person(s)	Due date

6.3 **Additional space to comment on the impacts**

Part 2

Section 1: Improvements

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.

1.1	<p>For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?</p> <p>Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.</p>
1.2	<p>What changes have you made to your proposal to increase positive impacts?</p> <p>No changes considered necessary, however the monitoring element of the local plan process will ensure the success and progress of the policies are able to adapt to changing circumstances. For example, air quality will be monitored to ensure new development does not result in poorer air quality.</p>
1.3	<p>What changes have you made to your proposal to reduce negative impacts?</p> <p>No negative impacts anticipated.</p>
1.4	<p>Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p> <p>Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.</p>
1.5	<p>Any further comments?</p>

The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

Part 1 of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

Part 2 of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

Introduction

Service submitting the proposal:	Strategic Planning
Name of person completing the assessment:	Alison Cooke
Job title:	Development Officer
Directorate:	Economy and Place
Date Completed:	23rd January 2018
Date Approved: form to be checked by service manager	

Part 1

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed?
	Pre Publication Draft Local Plan 2017
1.2	What are the main aims of the proposal?
	The main aim of the report is to update Members on the response to the Pre Publication Draft Local Plan Consultation 2017. It presents a background summary of previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Plan for consultation. It also provides a summary of the present national policy and legislative context, and Officers' advice on appropriate responses to the Consultation outcomes.
1.3	What are the key outcomes?
	The Local Plan is the planning policy document through which we aim to deliver York's sustainable development objectives in a spatial way through identifying policies to inform decision making and site allocations to meet development needs.

Section 2: Evidence

2.1	<p>What data / evidence is available to understand the likely impacts of the proposal? (e.g. hate crime figures, obesity levels, recycling statistics)</p> <p>The proposed changes as a result of the Consultation responses are set out in Annex A against each of the sites and policies.</p>
2.2	<p>What public / stakeholder consultation has been used to support this proposal?</p> <p>The Local Plan process has been subject to several consultations, the latest of which was the Pre Publication Draft (2017). This set out the Council's preferred housing and employment need as well as sites to satisfy the demand. The outcomes of this consultation have been reviewed and incorporated into the emerging position. Annex A accompanies this report setting out the proposed changes, supported by the evidence base. Further consultation, subject to members decision, will take place in Spring 2018.</p>
2.3	<p>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p> <p>This report will ultimately feed into the Regulation 19 Local Plan wherein it is likely to be positive through meeting the city's spatial development needs and contribute towards meeting York's sustainable development objectives. Specifically in relation to communities, this will effect all people in York who engage with planning such as through obtaining planning permission as well as ensuring planning policies in place to meet the city's objectives for sustainable development.</p>

Part 1

Section 3: Impact on One Planet principles

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents.
 This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

Equity and Local Economy

Does your proposal?		Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	The policies of the Local Plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. The Employment Land Review (2016 and update 2017) sets out our assumptions for identifying employment need. Meeting York's housing requirements is also likely to have a positive outcome for provision of affordable housing for workers within York.
3.2	Provide additional employment or training opportunities in the city?	Positive	The policies of the local plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. Housebuilding and commercial development as a result of allocations in the Local Plan may provide some certainty over jobs in construction. The scale of employment activity depends on the growth targets agreed.
3.3	Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Positive	The plan supports the delivery of the city's economic objectives and social objectives, including promoting social inclusivity. The plan will help to unlock the further potential of the higher and further education sector in York through development and redevelopment.

Health & Happiness

Does your proposal?		Impact	What are the impacts and how do you know?
3.4	Improve the physical health or emotional wellbeing of staff or residents?	Neutral	The Local Plan aims to support healthy lifestyles and healthy environments across the city. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city, drawing on the Open Space Study (2014) and its 2017 update. Providing homes to meet the needs of people will also have a positive impact on people's well being.
3.5	Help reduce health inequalities?	Positive	The community facilities section of the plan has been revised to have a greater focus on health and wellbeing. The new section covers the protection and enhancement of sports, healthcare, childcare, and community facilities. An additional policy related to healthy placemaking has been added which encourages designing environments that encourage health-promoting behaviours, helping to delivery York's Joint Health and Wellbeing Strategy and the Council Plan. There are also opportunities as part of new development for the provision of new services. These will have to be developed in tandem to avoid negatives impact in the short-term.
3.6	Encourage residents to be more responsible for their own health?	Neutral	The Local Plan encourages healthy lifetsyles through the safeguarding and provison of different types of openspace and recreational opportunities. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city. See Annex 7 to this report to see updates to these policies.
3.7	Reduce crime or fear of crime?	Positive	The plan includes a placemaking policy which seeks to balance the needs of urban design principles for good design against 'secured by design' principles to design out crime, helping to delivery the City of York Streetscape Strategy Guidance (2014). See Annex 7 to this report to see updates to these policies.
3.8	Help to give children and young people a good start in life?	Positive	The Local Plan seeks to respond to the need to increase primary and secondary education provision, including addressing need arising from strategic development sites and supporting proposals to ensure that existing facilities can continue to meet modern educational requirements. See Annex 7 to this report to see updates to these policies.

Culture & Community

Does your proposal?		Impact	What are the impacts and how do you know?
3.9	Help improve community cohesion?	Neutral	Community cohesion and the development of strong, supportive and durable communities is promoted through the creation of sustainable, low carbon neighbourhoods.
3.10	Improve access to services for residents, especially those most in need?	Positive	The plan will prioritise tackling existing gaps and prevent gaps from being created in the provision of key services and public transport, helping to support the Council's Transport Plan 2011-2031. The Plan's spatial strategy also uses access to services and transport as a key indicator for sustainability and uses this to help determine suitable sites for development. The majority of strategic allocations are also expected to incorporate local provision on site and have access to sustainable transport.
3.11	Improve the cultural offerings of York?	Positive	A new cultural provision policy has been developed as well as strengthening references to culture throughout the plan. The new policy supports development proposals where they are designed to sustain, enhance and add value to the special qualities and significance of York's culture. See Annex 7 to this report to see the new and revised policies.
3.12	Encourage residents to be more socially responsible?	Positive	Through consultation the local plan process actively encourages residents to shape their communities by commenting on the policies that will shape development in the future in line with the Council's Statement of Community Involvement (2007)

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
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3.13	Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Mixed	The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet'. It will create energy efficient buildings, support the use of energy from renewable sources and ensuring York is climate ready. Notwithstanding this, development in York is likely to increase the city's resource consumption. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to these policies.
3.14	Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?	Mixed	The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet' city, ensuring that new development uses water efficiently and delivers sustainable drainage solutions. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to policy.
3.15	Provide opportunities to generate energy from renewable/low carbon technologies?	Positive	A revised climate change section now more strongly ties the policies to the social and economic benefits of low carbon developments which consider sustainable design and construction principles. See Annex 7 to this report for updates to policy.

Zero Waste

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Positive	The plan will contribute to the reduction of waste through supporting innovation and improvement of current waste practices and the promotion of recycling. Sustainable design and construction principles will be embedded in new developments. Local Plan policy relating to Waste management has been revised in line with the emerging Joint Minerals and Waste Local Plan being prepared by North Yorkshire County Council, City of York Council and North York Moors National Park. See Annex 7 to this report for updates to policy

Sustainable Transport

Does your proposal?		Impact	What are the impacts and how do you know?
3.17	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Positive	The plan will help deliver a fundamental shift in travel patterns by ensuring that sustainable development and travel planning is a key component of future development, promoting sustainable connectivity, reducing the need to travel, helping to deliver the infrastructure to support sustainable transport and managing private travel demand. Helping to support the Council's Transport Plan 2011-2031. This has also been translated into the Site Selection process as a key stage in considering suitability of a potential development site. The outcomes of sites are referred to in annexes 3-5. See Annex 7 for revisions to policy.
3.18	Help improve the quality of the air we breathe?	Positive	The plan supports measures to help reduce the emissions of Nitrogen Dioxide, Particulate, Carbon Dioxide and other greenhouse gases from both transport and other sources helping to deliver the Council's Low Emission Strategy (2012) and therefore features as a consideration throughout the Local Plan. See Annex 7 to this report for detailed updates to policy.

Sustainable Materials

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	Minimise the environmental impact of the goods and services used?	Mixed	Development advocated by the Local Plan will have an inevitable impact on the use of resources and waste. However, sustainable design and construction principles will be embedded in new developments through policy. See annex 7 to this report for detailed policy updates.

Local and Sustainable Food

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to support local and sustainable food initiatives?	Neutral	n/a

Land Use and Wildlife

Does your proposal?		Impact	What are the impacts and how do you know?
3.21	Maximise opportunities to conserve or enhance the natural environment?	Positive	York's Green Infrastructure, including open space, landscape, geodiversity, biodiversity and the natural environment will be both conserved and enhanced. This is a key consideration in the Local Plan and evidence base such as the Green Infrastructure and Openspace Study (2014, Openspace update 2017). The vision, spatial strategy and specific policies all support the conservation and enhancement of the natural environment. Furthermore, this is translated into the Site Selection methodology to determine a potential site's suitability for development . See Annex 7 for updates to specific policies and annexes 3-5 to see comments in relation to specific sites.
3.22	Improve the quality of the built environment?	Positive	The Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character and culture and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city. The Plan will do this through the conservation and enhancement of six defining characteristics of York's built environment; strong urban form, compactness, landmark monuments, unique architectural character, archaeological complexity and landscape setting set out in the Heritage Topic Paper (2014) and Heritage Impact Appraisal (tbc 2017).
3.23	Preserve the character and setting of the historic city of York?	Positive	The plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character. The Local Plan will ensure that the city's heritage assets are preserved and enhanced. Beyond the city centre, the key radial routes are of particular importance, and the surrounding villages and Green Infrastructure, including its valued strays, river corridors and open spaces that contribute to the city's setting. The Historic Character and Setting evidence base (2003 updated in 2013 and 2014) identifies areas of primary importance for this. The Plan will also create a Green Belt for York that will endure beyond the end of this plan period providing a lasting framework to shape the future development of the city. Its primary aim will be to preserve and enhance the special character and setting of York. It will also have a critical role in ensuring that development is directed to the most sustainable locations.

3.24	Enable residents to enjoy public spaces?	Positive	Development 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 it can be satisfactorily replaced. All residential development should contribute to the provision of open space for recreation and amenity. As supported by the open space study (2014) and its update and the Green Infrastructure Strategy.
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3.25	Additional space to comment on the impacts		

Part 1

Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

Equalities

Will the proposal **adversely impact** upon 'communities of identity'?
 Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

	Impact	What are the impacts and how do you know?	Relevant quality of life
4.1 Age	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.2 Disability	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.3 Gender	Neutral	None deemed likely	n/a
4.4 Gender Reassignment	23rd January 2018	None deemed likely	n/a
4.5 Marriage and civil partnership	Neutral	None deemed likely	n/a
4.6 Pregnancy and maternity	Neutral	None deemed likely	n/a
4.7 Race	Positive	Meeting Gypsy, Traveller and Travelling Showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2017)	Comfortable standard of living
4.8 Religion or belief	Neutral	None deemed likely	n/a
4.9 Sexual orientation	Neutral	None deemed likely	n/a
4.10 Carer	Neutral	None deemed likely	n/a
4.11 Lowest income groups	Positive	The plan will meet housing needs and provide a range of house types. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this, including the need for affordable housing.	Comfortable standard of living
4.12 Veterans, Armed forces community	neutral	The emerging Local Plan and supporting evidence considers the potential of the MOD sites in York for development following the Defence Infrastructure Estates Review (2016). The closure of these sites will have an impact on the armed forces community which is out of the remit of the Local Plan.	n/a

Human Rights

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	Right to education	neutral	None deemed likely
4.14	Right not to be subjected to torture, degrading treatment or punishment	neutral	None deemed likely
4.15	Right to a fair and public hearing	neutral	None deemed likely
4.16	Right to respect for private and family life, home and correspondence	neutral	None deemed likely
4.17	Freedom of expression	neutral	None deemed likely
4.18	Right not to be subject to discrimination	neutral	None deemed likely
4.19	Other Rights	neutral	None deemed likely

4.20	Additional space to comment on the impacts		

Part 1

Section 5: Developing Understanding

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

Taking into consideration your responses about all of the impacts of the project in its current form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?

- 5.1 Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.

What could be changed to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

- 5.2 Preparation of the Local Plan is part of an ongoing process that involves monitoring the success and progress of its policies. The process will make sure it is achieving its objectives and making necessary adjustments to the plan if the monitoring process reveals that changes are needed. This enables the plan to maintain sufficient flexibility to adapt to changing circumstances. Furthermore, the plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment which appraises the plan and site allocations against a bespoke social, economic and environmental objectives to understand how the plan is contributing the sustainable development objectives for York.

What could be changed to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)

- 5.3 No mixed or negative impacts on equality and human rights are considered likely.

Section 6: Planning for Improvement

23rd January 2018

What further evidence or consultation is needed to fully understand its impact? (e.g. consultation with specific communities of identity, additional data)

- 6.1 Members will use the recommendations to decide the future approach for the Local Plan which will then be subject to public consultation. A publication draft plan will then be prepared before being submitted to the secretary of state for examination.

6.2 **What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?** Please include the action, the person(s) responsible and the date it will be completed (expand / insert more

Action	Person(s)	Due date

6.3 **Additional space to comment on the impacts**

Part 2

Section 1: Improvements

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.

1.1	<p>For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?</p> <p>Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.</p>
1.2	<p>What changes have you made to your proposal to increase positive impacts?</p> <p>No changes considered necessary, however the monitoring element of the local plan process will ensure the success and progress of the policies are able to adapt to changing circumstances. For example, air quality will be monitored to ensure new development does not result in poorer air quality.</p>
1.3	<p>What changes have you made to your proposal to reduce negative impacts?</p> <p>No negative impacts anticipated.</p>
1.4	<p>Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p> <p>Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.</p>
1.5	<p>Any further comments?</p>



'Better Decision Making' Tool
 Informing our approach to sustainability, resilience and fairness

The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

Part 1 of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

Part 2 of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

Introduction

Service submitting the proposal:	Strategic Planning
Name of person completing the assessment:	Anna Pawson
Job title:	Assistant Development Officer
Directorate:	Economy and Place
Date Completed:	26th April 2018
Date Approved: form to be checked by service manager	

Part 1

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed? City of York Local Plan Publication Draft Local Plan (February, 2018)
1.2	What are the main aims of the proposal? The purpose of the report is to highlight to Members the responses received to the Publication Draft Local Plan Consultation (Regulation 19) and to ask Members to recommend that Full Council approve the Submission Draft (the Publication Draft) together with representations received thereon for submission for Examination.
1.3	What are the key outcomes? The Local Plan is the planning policy document through which we aim to deliver York's sustainable development objectives in a spatial way through identifying policies to inform decision making and site allocations to meet development needs.

Section 2: Evidence

2.1	<p>What data / evidence is available to understand the likely impacts of the proposal? (e.g. hate crime figures, obesity levels, recycling statistics)</p> <p>Annex C to the Executive Report (8/5/18) sets out in the Consultation Statement, officer summaries of all comments. received</p>
2.2	<p>What public / stakeholder consultation has been used to support this proposal?</p> <p>The Local Plan process has been subject to several consultations, the latest of which was the Publication Draft (February 2018). This set out the Council's preferred housing and employment need as well as sites to satisfy the demand. The consultation asked specific questions regarding whether the Plan is legally compliant, complies with Duty to Co-operate and meets the 'Tests of Soundness'. The outcomes of this consultation have been reviewed and will be incorporated in the evidence submitted to the Secretary of State for examination in due course. Annex A accompanies this report shows the Publication Draft Local Plan and Annex B show the Policies Maps. Annex C to the report includes officer summaries of all comments received, set out in Plan order.</p>
2.3	<p>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p> <p>It is intended that this report will ultimately lead to the approval of the Local Plan for submission to the Secretary of State for public examination wherein it is likely to be positive through meeting the city's spatial development needs and contribute towards meeting York's sustainable development objectives. Specifically in relation to communities, this will effect all people in York who engage with planning such as through obtaining planning permission as well as ensuring planning policies in place to meet the city's objectives for sustainable development.</p>